

### AGENDA CITY PLANNING COMMISSION

City Hall - Council Chambers 6131 Taylorsville Road February 15, 2022 6:00 P.M.

- 1. Call Meeting To Order
- 2. Roll Call
- 3. Opening Remarks By The Chair and Commissioners
- 4. Citizens Comments
- 5. Swearing of Witnesses
- 6. Pending Business
  - A. MAJOR CHANGE The applicant, KIRMON KHALILOV, is requesting a Major Change to the Basic and Detailed Development Plan in a Planned Commercial Disrtict for 2.55 acres at 5840 Old Troy Pike (ZC 21-45).
- 7. New Business
  - A. MINOR CHANGE The applicant, GILLIGAN OIL COMPANY, is requesting a Minor Change for Signage for Popeye's Louisiana Kitchen and Dunkin' restaurants in Huber Commons at Northeast Corner of Taylorsville Road and Old Troy Pike (ZC 22-04).

- B. DETAILED DEVELOPMENT PLAN The applicant, DDC MANAGEMENT, is requesting approval of a Detailed Development Plan and Final Plat for the first section of the Villages of Westport subdivision located at Chambersburg Road (ZC 22-06).
- 8. Additional Business
  - A. Pre Application Conference Horizon Line Hamptons at the Heights
  - B. Election of Officers Chair and Vice Chair
- 9. Approval of Minutes
  - A. Planning Commission December 14, 2021
- 10. Reports and Calendar Review
  - A. Rezoning State Route 235 Basic Development Plan - Brandt Pike, North of the Reserves at the Fairways
- 11. Upcoming Meetings
  - A. March 15, 2022 March 29, 2022
- 12. Adjournment

### AI-8187 **Planning Commission** Meeting Date: 02/15/2022 Major Change

### Information

Agenda Title

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

Purpose and Background

 Attachments

 Staff Report

 Decision Record

 Drawing

 Drawing

 Updated Proposal

 Fire Assessment

 Opposition Letter

# 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

### <u>Overview</u>

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 rightof-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

(*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.

### 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.

### **Additional Comments:**

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.



## **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 February 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.

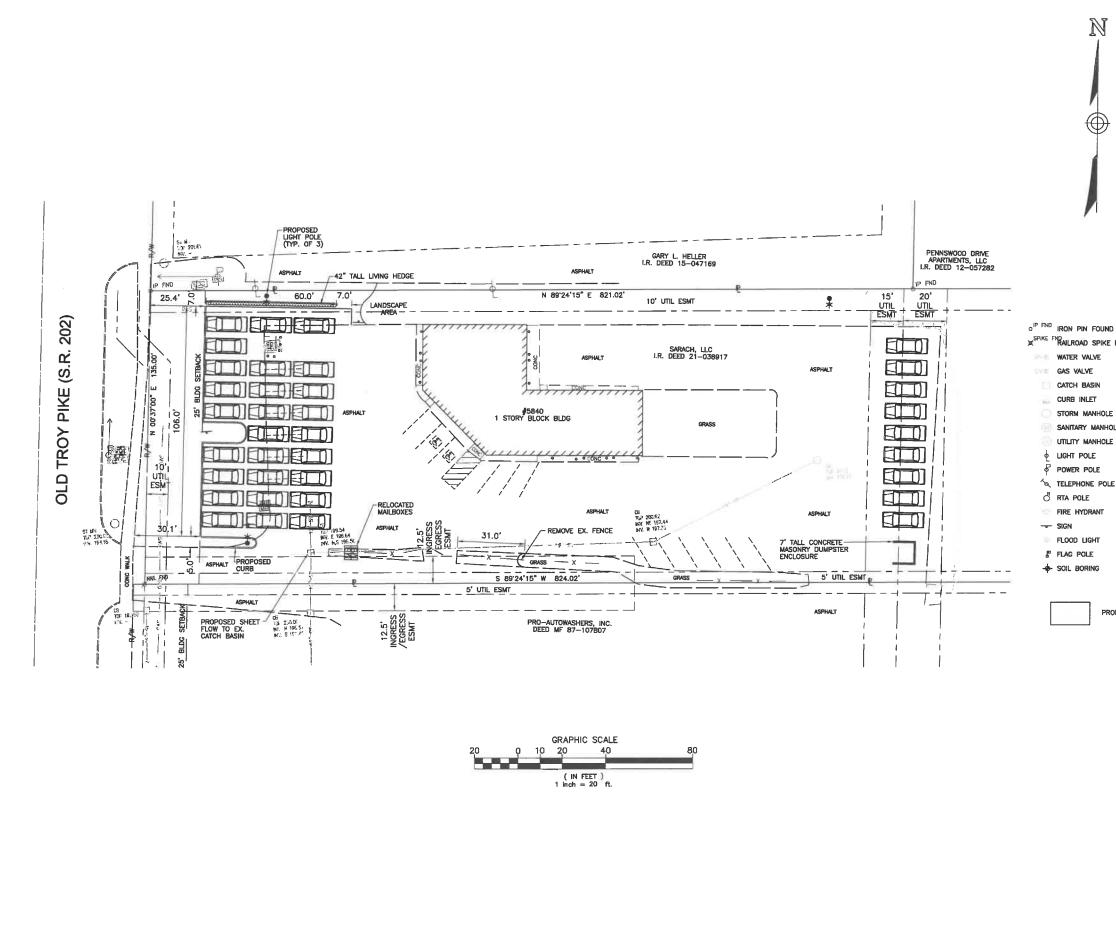
moved to recommend approval of the Major Change application submitted by the applicant, Kirmon Khalilov, requesting approval of a Major Change to the Basic Development Plan in a PC (Planned Commercial) District for the property located at 5840 Old Troy Pike, further identified as Parcel Number P70-01923-0004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

- 1. 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.

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

Terry Walton, Chair Planning Commission

Date



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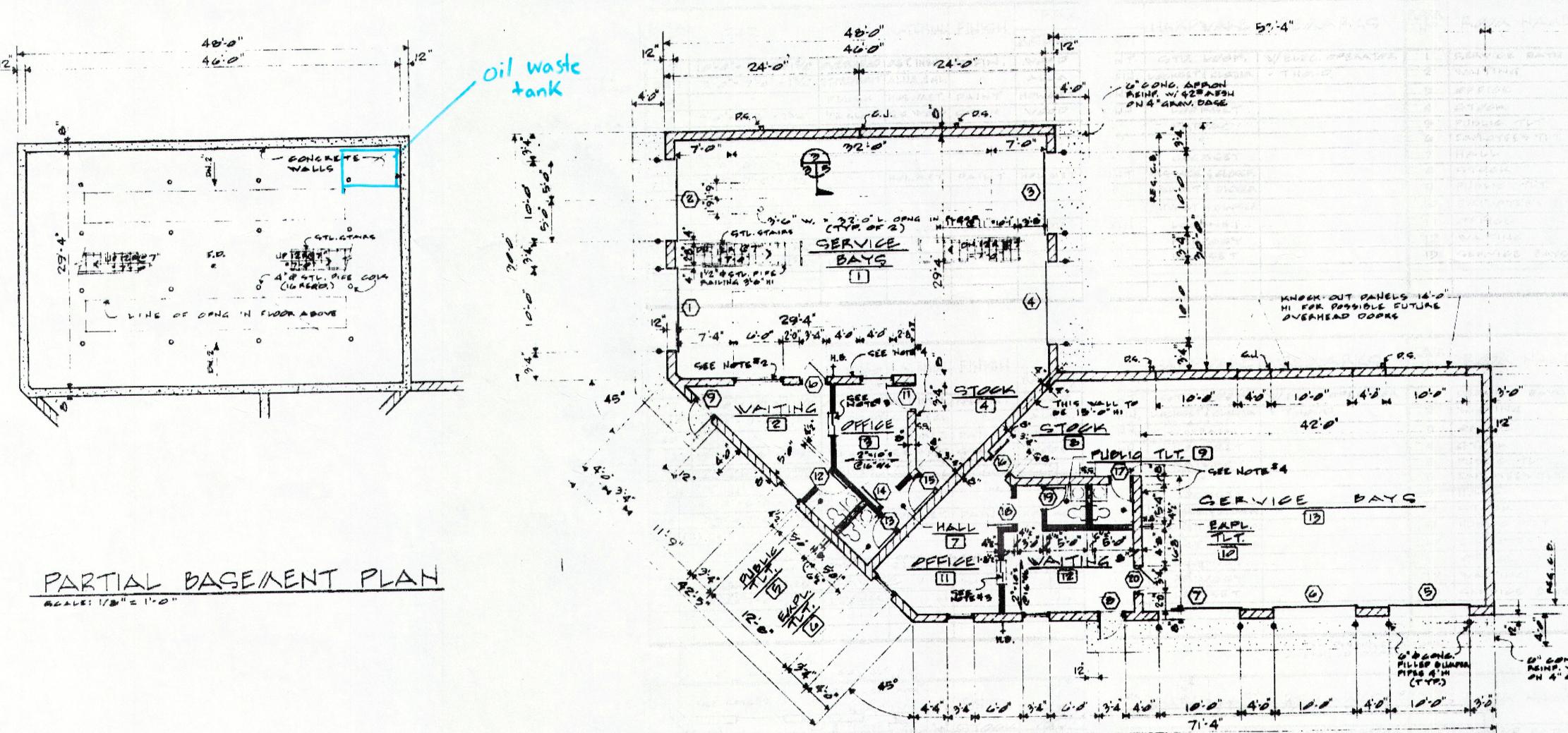
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PROPOSED PAVEMENT

ADMIRAL ENGINEERING & SURVEYING INC. 14 WEST FIRST STREET DAVTON. OHIO 45402 937-223-5807 FAX 937-223-5807
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
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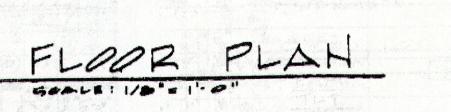
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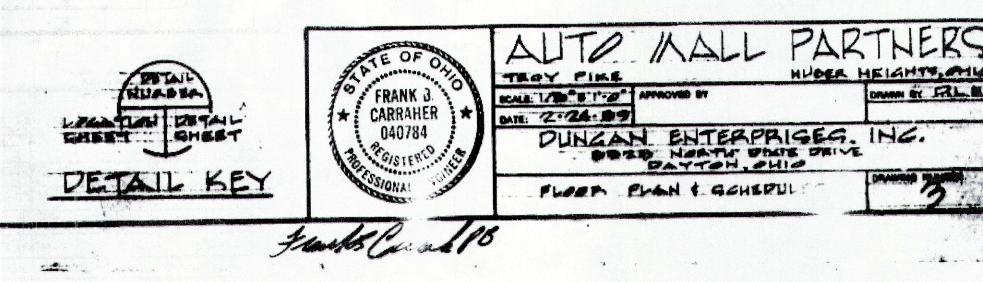


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MONTOOMERY COUNTY, ONIO DIVISION OF BUILDING RECULATIONS

JUN 27 1989 EXAMINED AND APPROVED IN ACCORDANCE WITH APPLICATION. ELECTRICAL APPROVAL AND PERMITS ARE NOT INCLUDED.

BLDG. LIGE GROUP: "S-1"

# Updated Proposal Plan

# 5840 Old Troy Pike Huber Heights, OH 45424

- Auto Service / Auto Dealer In Section A Of Building
- Added Masonry Dumpster
- 25 & 30 Ft. Setback From Sidewalk From Proposed Asphalt
- Added Landscaping Buffer To Give Privacy For The Funeral Home
- Possible Future Building Expansion To The East Section Of The Building (Garage Bays With Possible Office)
- Existing Three Water Drain Systems To Avoid Floods
- Added Three 25 Ft. Light Posts To The Front Lot & Back

This Is Our Updated Proposal Plan To The Major Change On The Property.



Huber Heights Fire Division

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

Occupancy Name	e:	Sarach – Prop	oosed Car Lot			
Occupancy Addre	ess:	5840 Old Troy Pike				
		_				
Type of Permit:		HHP&D Site F	Plan			
<b>Additional Permit</b>	s:	Choose an item.				
Additional Permit	s:	Choose an item.				
MCBR BLD:	Not Yet Assigned		HH P&D:			
MCBR MEC:			HHFD Plan:	21-232		
MCBR ELE:			HHED Box:			

### Fire Department Comments:

DATE:

11/22/2021

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)** 

Susong

**REVIEWER:** 

- 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.



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

### Locally Owned Since 1925 1706 N. MAIN STREET • DAYTON, OHIO 45405 • 5844 OLD TROY PIKE • HUBER HEIGHTS, OHIO 45424 (937) 275-7434

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,

Speed Hella

Gary L. Heller

### AI-8188 **Planning Commission** Meeting Date: 02/15/2022 Minor Change

### Information

Agenda Title

MINOR CHANGE - The applicant, GILLIGAN OIL COMPANY, is requesting a Minor Change for Signage for Popeye's Louisiana Kitchen and Dunkin' restaurants in Huber Commons at Northeast Corner of Taylorsville Road and Old Troy Pike (ZC 22-04).

Purpose and Background

Attachments

Staff Report Decision Record Dunkin' Drawings Popeye's Drawings Popeye's Drawings 2

# 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 8, 2022

Subject: PC 22-04 Minor Change to PUD Signs for Popeyes and Dunkin Donuts – Huber Heights Commons

Application dated January 10, 2022

Department of Planning and Zoning	City of Huber Heights
APPLICANT/OWNER:	Gilligan Oil Company – Applicant Huber Heights Commons, LLC - Owner
DEVELOPMENT NAME:	Huber Heights Commons
ADDRESS/LOCATION:	Northeast Corner of Taylorsville Road and Old Troy Pike.
ZONING/ACREAGE:	Planned Mixed Use / 1.84 acres
EXISTING LAND USE:	
ZONING ADJACENT LAND:	
REQUEST:	The applicant requests approval of the sign packages for two restaurants with drive-thru facilities.
ORIGINAL APPROVAL:	
APPLICABLE HHCC:	Chapter 1179, 1189
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received

### STAFF ANALYSIS AND RECOMMENDATION:

### <u>Overview</u>

The applicant requests approval of the detailed sign packages for two restaurant uses (Popeye's Louisiana Kitchen and Dunkin Donuts) each with a double lane drive-thru.

The application contains elements consistent with the corporate branding of each franchise.

### Applicable Zoning Regulations (Only relevant sections are cited below)

### Chapter 1179 Planned Mixed Use

### 1179.06 Development Standards

(d)(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.

### Chapter 1189 Signs

### 1189.01 Purpose; definitions.

The purpose of this chapter is to establish regulations governing the size, character and location of (a) signs within the City and to regulate the erection, remodeling, enlarging, moving, operation, use and maintenance of such signs in the interest of protecting the health of its citizens and protecting the safety and welfare of those citizens and the property within its boundaries. It is intended to protect and enhance the physical appearance of the community, to preserve the scenic and natural beauty of designated areas, and to reduce sign distraction and site obstructions that might contribute to traffic accidents and have a negative impact upon traffic and pedestrian safety. It is intended to create a more aesthetically-pleasing City, to contribute to public safety, and to eliminate visual clutter within the City. The City finds that the number, size, design characteristics, and locations of signs within the City directly affect the public health, safety, and welfare. The City also finds that in certain areas of the City, signs have become excessive. Too many signs are distracting and dangerous to motorists and pedestrians and are confusing to the public and substantially detract from the beauty and appearance of the City. The City also finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address these concerns through the adoption of the following sign regulations. The purpose and intent of the governing authority of the City in enacting this chapter are as follows:

- (1) Permit signs that will not, because of their size, location, construction or manner of display, endanger the public safety of individuals, confuse, mislead or obstruct vision necessary for traffic safety, or otherwise endanger public health, safety and welfare;
- (2) Permit and regulate signs in such a way as to support and complement land use objectives set forth in this Zoning Code and promote community growth, pride, civic opportunities and events;
- Reduce hazards that may be caused by signs overhanging or projecting into the public rightof-way;
- (4) Provide each legal property owner or tenant a fair and reasonable opportunity for effective identification of businesses which are located within the City;
- (5) Enable users of goods and services to readily identify the availability of products, goods or services which are available upon site so as to promote the economic vitality of businesses which are located within the City;
- (6) Minimize the obstruction of views from roadways to adjacent properties;
- (7) Advance and maintain, for the City's residents, workers and visitors, a safe and aesthetically attractive environment throughout the City;
- (8) To ensure the protection of free speech rights under the State and United States Constitutions within the City;
- (9) To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent and aesthetic characteristics of those districts;
- (10)To protect the rights of property owners and occupants to display messages protected by the First Amendment to the United States Constitution. Therefore, the purpose of these regulations includes the intention to remove any doubt that it is the public's right to receive and display messages protected by the First Amendment, including but not limited to, religious, political, economic, social, and philosophical messages subject, however, to reasonable regulations to assure safety and minimize visual blight. It is the further purpose of these regulations to affirm that an expedient appeal process exists that addresses these First Amendment concerns.
- (11)To place reasonable controls on nonconforming signs that are by definition contrary to the public health, safety and welfare while protecting the constitutional rights of the owners of said nonconforming signs.
- (b) The following definitions shall apply in this Chapter:

Advertising structure means any sign, billboard, surface, object or structure with a commercial message.

Animated or moving sign means any sign or part of a sign which changes physical position by any movement or rotation, or which gives visual impression of such movement or rotation.

Awning means a roof-like cover that is temporary or permanent in nature and that projects from the wall of a building for the purposes of shielding an area of a structure and constructed of a rigid supporting framework with a canvas, vinyl, fabric or rigid covering.

Awning sign means a permanent sign that is mounted or painted on or attached to a seasonal or permanent awning structure.

Bandit sign is a sign that does not contain a commercial message and that is constructed, in whole or substantial part, of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that is not protected from exposure to the natural elements, but is made of weather-resistant materials that last for more than seven days but less than 60 days without significant loss through exposure to the elements or wear and tear.

*Banner* means a temporary sign composed of fabric or similar material not enclosed in a rigid frame, secured or mounted so as to allow movement caused by atmospheric conditions.

Billboard means any freestanding sign containing 100 or more square feet.

*Canopy* means a freestanding permanent roof-like shelter not attached to or requiring support from an adjacent structure.

Canopy sign means any permanent sign attached to or constructed in or on a canopy.

*Changeable copy* means a permanent or temporary sign on which copy is changed manually in the field.

*Commercial Message* means any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. A message intended to direct attention to a political candidate, election issue, political, social, religious, community of public service issue or idea, aim, viewpoint, aspiration or purpose and not intended to produce any commercial benefit or term to encourage a commercial transaction shall not be deemed a commercial message.

*Commercial sign* means a sign that contains a commercial message.

*Directional sign* means a sign directing vehicular or pedestrian movement onto and off the premises upon which such sign is located or within a premises upon which such sign is located.

*Deteriorated* means showing signs of weathering, rust, corrosion, exposed wiring, chipped paint or faces, cracked, broken, torn, or missing faces, or loose materials, or other evidence of disrepair.

*Electronic copy sign* means any sign, or portion of a sign, that displays an electronic image or video, which may or may not include text, including but not limited to television screens, plasma screens, digital screens, LED screens, video boards, holographic displays and similar media.

*Exempt* means signs exempted from permit requirements and not subject to the provisions of this Zoning Ordinance.

*Flashing* means any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted light source.

*Freestanding sign* means a sign permanently suspended or supported by one or more uprights or braces in or upon the ground.

*Ground sign* means any permanent or temporary sign six feet in height or less placed upon the ground or attached to a supporting structure not attached to any building.

*Governmental/Community sign* means a sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation and such signs that are approved by the City as part of an annual holiday event or City activity.

Hazard and Prohibition Signs, for purposes of this chapter and section 1523.01 Hazardous and Prohibition signs, means signs warning of construction, excavation, or similar hazards, so long as the hazard exists.

Height of sign means the height of a sign which shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: existing grade prior to construction; or the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

Human Sign means a sign held by or attached to a human being who stands or walks on the ground at a business or other location. A human sign includes a person dressed in a costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity or product.

*Illegal sign* means any sign which is contrary to the requirements of this Zoning Ordinance and which does not satisfy the nonconforming specifications stated in this Zoning Ordinance.

*Illuminated sign* means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

Internal sign means a sign not intended to be viewed from public streets and located so as not to be visible from public street or adjoining properties, such as signs in interior areas of shopping centers, commercial buildings and structures, ball parks, stadiums and similar uses of a recreational or entertainment nature.

*Marquee* means any permanent structure which projects from a wall of a building above the ground or is fixed at the entrance way to a shopping center and plaza generally ten feet or more above the ground.

*Nonconforming sign* means any sign lawfully existing on the effective date of this Sign Code, or on the date of an amendment thereto which renders such sign nonconforming because it does not conform to all the standards and regulations of the amended Zoning Ordinance.

*Pylon sign* means a permanent sign that is mounted on a freestanding pole or other support in which the sign exceeds six feet in height.

*Portable sign* means a sign intended to be movable and not permanently affixed to a building, structure, vehicle or the ground. Any sign with provisions for attaching devices, such as, wheels for movement or transportation; any sign over six square feet made of materials other than wood, cardboard, canvas or paper products.

*Projecting sign* means a sign supported by a building wall or column and extending a distance not to exceed 42 inches from the wall or column.

*Permanent sign* means a sign permitted by Chapter 1189 to be located on a lot for an unlimited period of time.

Sign means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign area means the area of a sign face (which is also the sign area of a wall sign or other sign with only one face) which shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that shall encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the display itself. For the purpose of this Chapter, sign area is the square foot measurement of one face. If the sign is multi-sided (more than two) or solid in nature as in two sides of a building, the allowing square foot area shall be determined by adding all the area of all sides of the sign and dividing by two but not to exceed the allowable sign area of that district.

*Snipe sign* is a sign that does not contain a commercial message and that, in whole or substantial part, is not made of weather-resistant material and not adequately protected from the natural elements.

*Suspended sign* means a sign that is suspended from the underside of a horizontal surface and is supported by such surface.

*Temporary sign* means a sign constructed of plywood, paper products, plastic or canvas intended to be displayed for a short period of time.

Under marquee sign means any sign attached to the underside of a marquee.

*Wall sign* means a sign which is located on or formed by the surface of the wall of a building. A mansard roof facade on a building shall be considered part of the wall.

Window sign means a sign that is applied or attached to the interior or exterior of a window or located in such manner within a building that it conveys a message to the exterior of the structure through a window.

(Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398, § 1, 10-14-19)

#### 1189.03 Prohibited signs and sign characteristics.

All signs not expressly permitted under this chapter or exempt from regulation hereunder in accordance with the previous section are prohibited in the City. Such signs include, but are not limited to:

- (a) Any sign or part thereof which is erected within or above a public right-of-way;
- (b) Any sign erected at or near any intersection of any streets in such a manner as to obstruct free and clear vision, or at any location where by reason of position, shape, or color, it may interfere with, obstruct the view of, or be confused with any Governmental/Community sign relating to traffic and safety or otherwise interfere with, mislead or confuse pedestrian or vehicular traffic;
- (c) Any sign mounted onto, above or incorporated into the roof of any building shall be prohibited unless otherwise specifically permitted by this chapter;
- (d) Any lighter-than-air, inflatable or kite-type sign or balloon situated on, attached or tethered to a premises;
- (e) Any sign utilizing an artificial illumination device which radiates an intensity, beam spread, glare or color which interferes with the vision of persons not located on the premises;

- (f) Any sign utilizing a fixed or mobile beacon, strobe light, searchlight, signaling light, spotlight or similar apparatus, equipment or device which is directed above or outside of a premises in such a manner so as to attract an unusual amount of visual attention of persons not located on the premises;
- (g) Any sign or part thereof which utilizes flame;
- (h) Any electronic copy sign where different copy changes are shown on the same lamp board except as permitted under Section 1189.07(j);
- (i) Any sign which conveys visual information that is obscene;
- (j) Any sign which has intermittent lighting, moves, rotates, blinks, flashes or has spinning devices or strings of spinning devices or similar type devices except for electronic copy signs permitted under Section 1189.07(j);
- (k) All banners, except as specified in Section 1189.07(a)(3)A. and 1189.07(e), streamers, pennants, strings and spinning devices;
- (I) Portable signs with a commercial message, except as authorized under temporary signs;
- (m) Commercial message signs located off-premises from the particular business advertised;
- (n) Signs with a commercial message that are painted on or attached to a stationary vehicle or trailer which is located in such a manner as to serve exclusively as permanent, temporary, or portable signage is prohibited. This shall not apply to vehicles or trailers parked behind or inside of a building, or in another manner where such vehicle or trailer is not visible from a public right-of-way. Motor vehicles regularly engaged in the cartage of goods or the transport of passengers is exempt from this restriction. This does not apply to a vehicle parked at a driver's residence and is the primary means of transportation to and from his or her place of employment.
- (o) Deteriorated signs.

Notwithstanding anything contained herein to the contrary, any sign that may be displayed pursuant to the provisions of this chapter may contain a non-commercial message.

(Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398, § 1, 10-14-19)

#### 1189.04 General provisions.

- (a) A sign shall be designed, erected, altered, reconstructed, moved and maintained in accordance with the provisions of this section, unless specifically modified by another section of this chapter.
- (b) (1) Permits required. A zoning permit shall be obtained for erection, construction, relocation or alteration of any temporary or permanent sign unless exempted by this chapter. A sign shall comply with all City Zoning, Building, Electrical and Fire Codes. Application for a permit to install a temporary or permanent sign shall be made to the Zoning Officer upon a form provided by the Zoning Office. This application shall be accompanied by such information as may be required to assure compliance with all appropriate provisions of this chapter. Snipe signs and Bandit signs do not require permits.
  - (2) Nonconforming structures. See Chapter 1187.

- (3) *Maintenance of signs*. Every sign, whether requiring a sign permit or not, shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of a defective part, painting, cleaning and other acts required for the maintenance of the sign.
- (4) *Dangerous or Deteriorating signs not permitted.* A Deteriorating sign or a sign in dangerous condition shall not be permitted on any premises. Any such sign shall be removed or repaired.
- (5) *Removal of dangerous or Deteriorating signs.* The City Manager or his designee may immediately remove or cause to be removed any deteriorating sign or any dangerous sign which constitutes a nuisance, creates an immediate or potential danger to persons or property due to structural deficiencies, inadequate maintenance, or because of the location of the sign.
- (6) *Removal of unlawful sign in the public right-of-way.* The City Manager or his designee may remove or cause to be removed any unlawful sign in the public right-of-way.
- (7) *Duration of a permitted sign.* Any sign permitted in this chapter shall be considered to be a permanent sign unless otherwise stated in this chapter.
- (8) *Variances.* Requests for variances from the provisions of this chapter shall be permitted subject to the requirements and limitations set forth in Section 1127.03(c).
- (c) Discontinued signs: Signs, that are part of an establishment that has discontinued its operation for a period of 90 days or more, must be replaced with a blank face or entire sign structure removed within 14 days of receipt of notification from the Code Enforcement Administrator. Any such sign which does not conform to this chapter in regard to size and placement and which is not put back into use within 12 months of the actual discontinuance, in accordance with a lawful sign permit, must be totally removed and surrounding surfaces restored at the owner's expense. The cost, if performed by the city or its agent, along with a \$250.00 administrative fee, shall be levied as an assessment against such property and the assessment shall be certified to the County Auditor and collected as any other assessment by the City.

(Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398, § 1, 10-14-19)

### 1189.05 Types of signs.

- (a) *Directional Signs.* In addition to any other permanent or temporary sign permitted elsewhere in this chapter, signs directing vehicular or pedestrian movement onto and off the premises or within a premises shall be permitted on the basis of a compelling government interest in traffic safety provided that:
  - (1) The sign face area shall not exceed two square feet per side.
  - (2) Sign height shall not exceed three feet if located within 25 feet of a public right-of-way or eight feet in height in any other location.
  - (3) The sign shall be located outside any public right-of-way, but shall not be subject to the general ground sign setback provision.
  - (4) The sign shall pertain to the premises on which it is located.
- (b) Ground Signs.
  - (1) *Setback.* Unless otherwise stated in this chapter, any temporary or permanent ground sign or any part thereof shall be set back a minimum distance of 15 feet from any right-of-way.
  - (2) Landscaping requirement. A permanent ground sign shall require a single continuous landscaped area to be maintained beneath the sign in accordance with the following standards:
    - A. The minimum landscaped area shall be equal to the area of the sign face.
    - B. The landscaped area shall include all points where sign structural supports are attached to the ground.
    - C. Where the required landscaped area is adjacent to a paved surface accessible to vehicular traffic, a raised barrier curb suitable to prevent the encroachment of vehicles shall be required. The minimum distance between the face of any required curb and any part of the sign shall be 30 inches.
    - D. The landscaped area shall include live plantings aesthetically located and maintained. The use of concrete, asphalt or any other paved surface inside the required landscaped area beneath the sign shall be prohibited.
- (c) Projecting Signs. Projecting signs shall:
  - (1) Not be less than 12 feet in height above a sidewalk and 15 feet in height above a driveway;
  - (2) Be attached to the building wall with the sign face at an angle of 90 degrees and no part of the sign shall project more than 42 inches from the wall;
  - (3) Not mask or interrupt a major architectural feature (such as, but not limited to, doors, windows or trim);
  - (4) Not extend higher on the wall than the bottom height of any second-story window; and
  - (5) Not extend more than three feet above the roof line of the building.
- (d) Wall Signs. Wall signs shall:
  - (1) Not extend more than 12 inches from the wall of the building upon which they are mounted;

- (2) Not extend above the top of the wall and shall not extend beyond the limits of any wall to which they are attached;
- (3) Not mask or interrupt a major architectural feature (such as, but not limited to, doors, windows or trim); and
- (4) Have hidden structural supports.
- (e) *Vending Machine Signs.* Vending machines or similar devices either attached to a primary structure or enclosed within an independent freestanding structure shall be permitted two square feet of sign area for every one foot width of the vending machine structure not to exceed 20 square feet of total sign area.
- (f) Awning Signs.
  - (1) Awning signs may be displayed in lieu of but not in addition to a wall sign for an individual establishment subject to the size and number limitations governing the placement of wall signs as set forth elsewhere in this chapter.
  - (2) If illuminated, such awning shall have lighting concealed from view.
  - (3) An awning sign shall not project higher than the top of the awning of which sign text is affixed.
- (g) *Changeable Copy Area.* Permanent ground signs located in "B" Districts as well as permitted special uses in Agricultural and Residential Districts may incorporate up to 50 percent of total sign area for changeable copy. All changeable copy signs shall be enclosed and locked securely in a clear glass, plastic casing or other suitable encasing material.
- (h) Major Commercial Development Signs. Commercial Developments in excess of ten acres in area and shopping centers of more than five acres in area located in B, O and I Districts and fronting on an expressway, principal arterial, major arterial, arterial or thoroughfare roadway shall be permitted one freestanding pylon sign per frontage up to a maximum of two pylon signs per development. Whenever possible a major commercial development sign should be located at or adjacent to the primary access road to the development.
  - (1) Such a sign shall not exceed 100 square feet of sign area per face with a maximum of two sign faces permitted per sign. The second major development sign, where permitted, may not exceed 75 square feet of sign area per sign face.
  - (2) Such a sign shall not exceed 25 feet in height.
  - (3) Such a sign shall be set back a minimum of 15 feet from the right-of-way.
  - (4) Such a sign shall be an on premises sign only.
- (i) Planned Unit Development Sign Programs. Signs which have been approved as part of a planned unit development sign program may vary from the requirements stated within this chapter. Variations permitted through a PUD sign program may include but are not limited to the following: total number of signs permitted, sign size, sign setback, sign height and percentage of sign area devoted to changeable copy or electronic copy. Such deviations are recognized to be primarily for safety or unique parcel configuration circumstances and are not intended to circumvent the intent of the sign code.
- (j) Temporary Signs.

- (1) Temporary signs with commercial message shall only be permitted to be displayed in conjunction with special events as defined immediately below. In no event shall temporary signs be permitted to be displayed solely as a supplementary means of identifying the existence of any business.
- (2) For the purpose of this section, the term "special event" means any activity held in the City not associated with the usual daily operation of the business Garage sale signs shall be regulated in accordance with Section 1181.15.
- (3) A maximum of one temporary sign with commercial message shall be permitted for any business establishment, at any one time.
- (4) Except as provided for further below, temporary signs with a commercial message shall be permitted to be displayed for a maximum of no more than three months during any calendar year.
- (5) All temporary signs with commercial message must be taken down within two business days following the end of any special event.
- (6) A permit must be obtained for the display of any temporary sign with commercial message in the City. Each permit obtained shall be valid for a period of only 30 days.
- (7) No temporary sign shall be permitted to be displayed in the right-of-way of any roadway.
- (8) All temporary signs with commercial message must be prepared in a professional manner with all copy being clearly legible.
- (9) All temporary signs must be adequately maintained. Signs which are damaged, dilapidated, or destroyed must be repaired or replaced by the owner within five days from the date the damage or destruction is brought to the owner's attention. If not repaired, such signs shall be removed by the City at the owner's cost.

(10)No temporary sign shall be illuminated.

(11)No temporary sign shall have more than two faces.

- (k) Snipe signs shall not be displayed for more than five days or until such time as they become deteriorated whichever is less.
- Bandit signs shall not be displayed for more than 60 days or until such time as they become deteriorated whichever is less. Bandit signs are permitted in any Residential and Agricultural Zoning District.
- (m) No temporary sign, bandit sign or snipe sign shall be placed upon any utility or street sign pole or upon any public right-of-way.
- (Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398, § 1, 10-14-19)

#### 1189.07 Signs permitted for business, industrial or other nonresidential zoning districts.

- (a) General Provisions.
  - (1) All permanent signs may be illuminated. Temporary signs shall not be illuminated.
  - (2) No sign shall be located in such a manner as to be primarily viewed from residential property.
  - (3) Number of signs permitted. A single-business establishment shall be permitted a maximum of two types of permanent sign identification unless otherwise permitted in this chapter.

- A. A single business shall be permitted one temporary commercial message banner sign for the following periods:
  - 1. Three day event twice a year.
  - 2. Grand opening or relocation of business for a period not to exceed 30 days.
  - 3. All such signs are limited to a maximum of 48 square feet.
  - 4. All other provisions in this chapter as they pertain to temporary signs remain in effect as written.
  - 5. Whoever violates or fails to comply with any provision of this subsection (a) is guilty of a minor misdemeanor. A separate offense shall be deemed to have been committed each day on which a violation or a failure to comply occurs or continues.
- (b) Ground Signs.
  - (1) Only one ground sign shall be permitted on a premises.
  - (2) The ground sign shall not exceed 75 square feet in total sign area.
  - (3) Ground signs shall not exceed six feet from ground level.
  - (4) Signs shall be set back a minimum of 15 feet from the right-of-way.
- (c) Wall Signs.
  - (1) Single wall signs shall not exceed 75 square feet total area.
  - (2) On structures with more than one visible side, a maximum of four wall signs could be allowed, providing that the total square footage of all the signs does not exceed 150 square feet.
- (d) Projecting or Suspended Signs.
  - (1) Only one projecting or suspended sign shall be permitted for an individual business.
  - (2) The projecting or suspended sign shall not exceed 75 square feet in area.
  - (3) Projecting and suspended signs shall be a maximum of 15 feet in height, and shall not extend more than three feet above the roof line of a building.
  - (4) Signs suspended from any building shall not project more than 42 inches from such building, and the bottom of such sign shall not be less than 12 feet above the finished grade or sidewalk.
- (e) Temporary Signs.
  - (1) Only one temporary sign shall be permitted for each individual business establishment.
  - (2) The maximum size of a temporary sign located on any property in a nonresidential zoning district in the City shall be 16 square feet per sign surface.
  - (3) The maximum height of a temporary ground sign shall be five feet.
  - (4) Temporary banner signs are permitted with the following restrictions.
  - A. The maximum height of a temporary vertically-mounted, freestanding banner sign, commonly referred to as a feather sign, shall be 12 feet.
  - B. A temporary banner sign, not including feather signs, shall be securely anchored to a structure.

- (5) All such signs shall conform with the provisions of Section 1189.05(j).
- (f) Permanent Marquee Signs.
  - (1) A changeable copy marquee sign is permitted only on places of public entertainment, such as theatres, arenas, etc.
  - (2) Total sign area permitted for a marquee sign shall not exceed 75 percent of total sign area allotted the building frontage.
  - (3) The marquee sign shall not project above the top of the wall to which it is attached and shall not be less than nine feet in height from the sidewalk.
  - (4) The marquee sign shall not extend more than 18 inches from the wall of the building upon which it is mounted.
- (g) Permanent Under Marquee Signs.
  - (1) Only one under marquee sign shall be permitted per business establishment.
  - (2) Signs attached to the underside of a marquee shall have a sign area no greater than six square feet per sign face.
  - (3) Signs shall have a minimum clearance of nine feet from bottom of the sign to the sidewalk.
- (h) *Permanent Awning Signs.* On structures with more than one visible side, a maximum of four awning signs may be permitted (one sign per visible side).
- (i) Permanent Canopy Signs.
  - (1) One or more canopy signs per street frontage shall be permitted per establishment.
  - (2) Canopy signs may not project above or below canopy facing.
  - (3) Total sign area permitted a canopy sign shall not exceed 50 percent of the total sign area allotted the primary building frontage.
- (j) *Electronic Copy Signs.* Free standing permanent ground signs or wall signs located in "B", "O" or "I" Districts may incorporate 50 percent of total sign area for electronic copy with a maximum letter copy of 18 inches in height.
- (k) Additional Temporary Signs in Nonresidential Zoning Districts.
  - (1) A-Frame or T-Frame Sidewalk Signs.
    - (i) Only one sidewalk sign is allowed for any one business establishment at one time and shall be located within five feet of such business.
    - (ii) There shall be no time limit for sidewalk signs with the exception that the sign shall only be placed outside during the hours of the establishment's operation.
    - (iii) Such signs shall not exceed 12 square feet in area with a maximum height of four feet.
    - (iv) The sign shall be placed so that there shall be a minimum width of four feet of clear and passable sidewalk or walkway for pedestrians.
    - (v) The sign must be freestanding and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, tree, tree grate, fire hydrant, railing or other structure.

- (vi) The sign must not interfere with the opening of car doors in legal spaces, or with the operation of wheelchair lifts and ramps, loading zones or bus stops.
- (vii) The sign shall be internally weighted so that it is stable and windproof.
- (viii) The City of Huber Heights shall be held harmless from any liability resulting from accident or injury caused by the placement and/or maintenance of such sign.
- (2) Canopy signs may not project above or below canopy facing.
- (3) Total sign area permitted a canopy sign shall not exceed 50 percent of the total sign area allotted the primary building frontage.

(Ord. 2013-O-2016, Passed 1-27-13; Ord. No. 2019-O-2398, § 1, 10-14-19)

### **Conformance with Zoning Regulations**

### **Dunkin Donuts Sign Package**

The sign package submitted for the Dunkin Donuts restaurant generally complies with Chapter 1189 of the zoning regulations. The total proposed wall sign area is 67.5 square feet, and the single largest wall sign is slightly less than 25 square feet. The zoning code permits a total of 150 square feet of wall signage, with no one sign exceeding 75 square feet.

The colors of the signs are pink and orange, consistent with the corporate branding.

The site plan indicates one internally illuminated monument ground sign facing Old Troy Pike, set back nearly 70 feet from the property line. The sign sits on a brick base and the total height is 6-feet, including the base. The sign size is just under 27 square feet. This complies with the sign regulations in chapter 1189.

The site plan also indicates three directional signs. The details of the directional signs for Dunkin Donuts were not submitted. The sign code limits to the sign face to 2 square feet per side, and maximum height of 3-feet.

The site plan indicates one digital pre-order board and two digital menu boards in the drive-thru lanes, each with 100% electronic changeable copy. Each menu board is a total of 6'-10" high, including a 2-foot metal pedestal. The menu display itself is 5-feet wide and 4'-7" tall (approximately 22.9 square feet). The zoning code is silent on menu boards, but historically staff has approved them as ground signs, noted they are menu boards and not counted them against the one ground sign limit per site. While slightly taller than the maximum ground sign height, the increased height puts the menu board at a better viewing angle for drive-thru customers. While the zoning code limits changeable copy to only 50% of the sign area, staff recommends approval of 100% electronic changeable copy because this enables the total sign area to be smaller.

### Popeye's Louisiana Kitchen Sign Package

The sign package for the Popeye's Louisiana Kitchen restaurant proposes nearly 70% more wall sign area than allotted within chapter 1189. The zoning code permits a total of 150 square feet of wall signage, with no one sign exceeding 75 square feet. The

applicant is proposing approximately 258 SF in total wall sign area. The proposed wall sign elements include:

- Front elevation:
  - o "Popeyes Louisiana Kitchen" wall sign: 52.22 SF
  - Corporate chicken symbol: 33 SF
- Left side elevation:
  - "Popeyes" wall sign: 14.28 SF
  - o "Famous Louisiana Chicken" wall sign: 48.33 SF
  - Two large digital displays: approximately 27 SF
  - Two small digital displays: approximately 12 SF
- Right side elevation:
  - o "Louisiana Kitchen" medallion sign: 10 SF
  - Three inset wall panels: 72 SF

The colors of the wall signs are orange and white, consistent with the corporate branding.

The site plan indicates one internally illuminated monument ground sign facing Old Troy Pike, set back nearly 60 feet from the property line. The sign sits on a brick base and the total height is 6-feet, including the base. The sign size is just under 24 square feet. This complies with the sign regulations in chapter 1189.

The site plan also indicates four directional signs. Each sign is 3-feet tall. The directional signs faces are 3.12 SF. The sign code limits to the sign face to 2 square feet per side, and maximum height of 3-feet.

The site plan indicates one digital preview board and two digital menu boards in the drive-thru lanes, each with 100% electronic changeable copy. The preview board is approximately 5'-4" high, with an 8 SF display area. Each menu board is a total of 5'- 4" high, including a 1.5-foot metal pedestal. The menu display itself is 6'-3" wide and 3'- 10" tall (approximately 24.3 square feet). The zoning code is silent on menu boards, but historically staff has approved them as ground signs, noted they are menu boards and not counted them against the one ground sign limit per site. While the zoning code limits changeable copy to only 50% of the sign area, staff recommends approval of 100% electronic changeable copy because this enables the total sign area to be smaller.

### **Standards for Approval**

### Chapter 1179 Planned Mixed Use

1179.06 Development Standards

(d)(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.

### Staff Analysis

The applicant requests approval of the detailed sign packages for two restaurant uses (Popeye's Louisiana Kitchen and Dunkin Donuts) each with a double lane drive-thru. The application contains elements consistent with the corporate branding of each franchise. Both sites utilize digital displays for their menu boards, which has become the industry norm in drive-thru applications.

The sign package submitted for the Dunkin Donuts restaurant generally complies with Chapter 1189 of the zoning regulations.

The sign package submitted for the Popeye's Louisiana Kitchen proposes nearly 70% more wall sign area than allotted within Chapter 1189. In addition to the traditional signage with text, staff considers the corporate identity elements, the digital wall displays and the inset panels to all be wall signs subject to the limitations within chapter 1189.

All other elements of the Popeye's Louisiana Kitchen sign package generally meet the requirements within Chapter 1189.

### **Additional Comments:**

Fire:

**City Engineer:** 

### **Recommendation**

Staff recommends approval of the Dunkin Donuts sign package as submitted.

Staff recommends approval of the Popeye's Louisiana Kitchen sign package as submitted, with the exception of the four digital wall displays along the left side elevation.

### **Planning Commission Action**

The Planning Commission has significant leeway when reviewing and approving sign packages within the Planned Mixed-Use District. Planning Commission may approve the sign packages as submitted or make revisions as it sees fit to more generally conform to the sign regulations within Chapter 1189.



### **Planning Commission Decision Record**

WHEREAS, on January 10, 2022, the applicant, Gilligan Oil Company, requested approval of a Minor Change for Signage for two restaurants with drive-thru facilities (Zoning Case 22-04), and;

WHEREAS, on February 15, 2022, the Planning Commission did meet and fully discuss the details of the request.

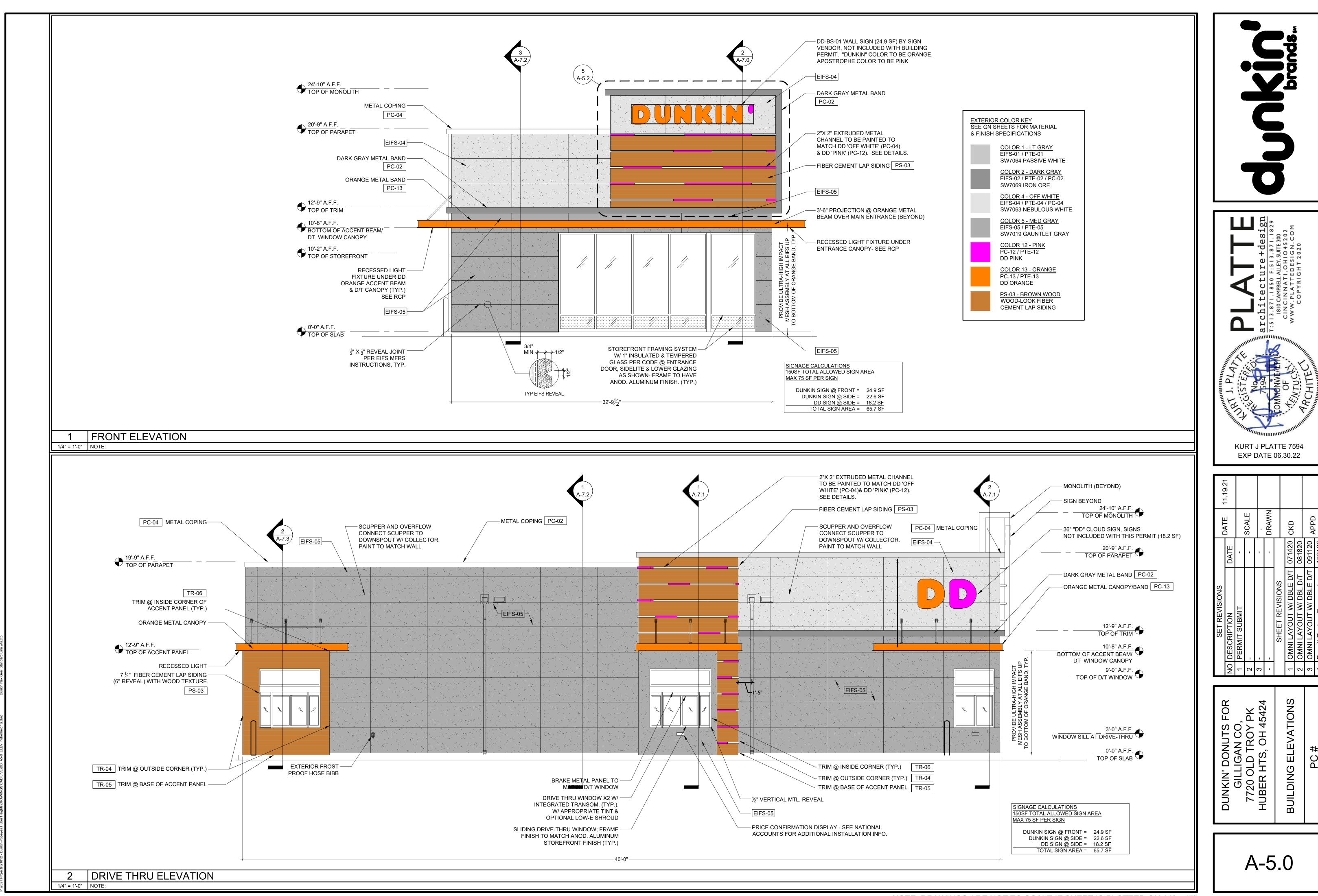
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approved the request.

\_\_\_\_\_ moved to approve the application by the applicant, Gilligan Oil Company, for approval of a Minor Change for Signage for two restaurants with drive-thru facilities (Zoning Case 22-04) in accordance with the recommendation of Staff's Memorandum dated February 8, 2022, with the following conditions:

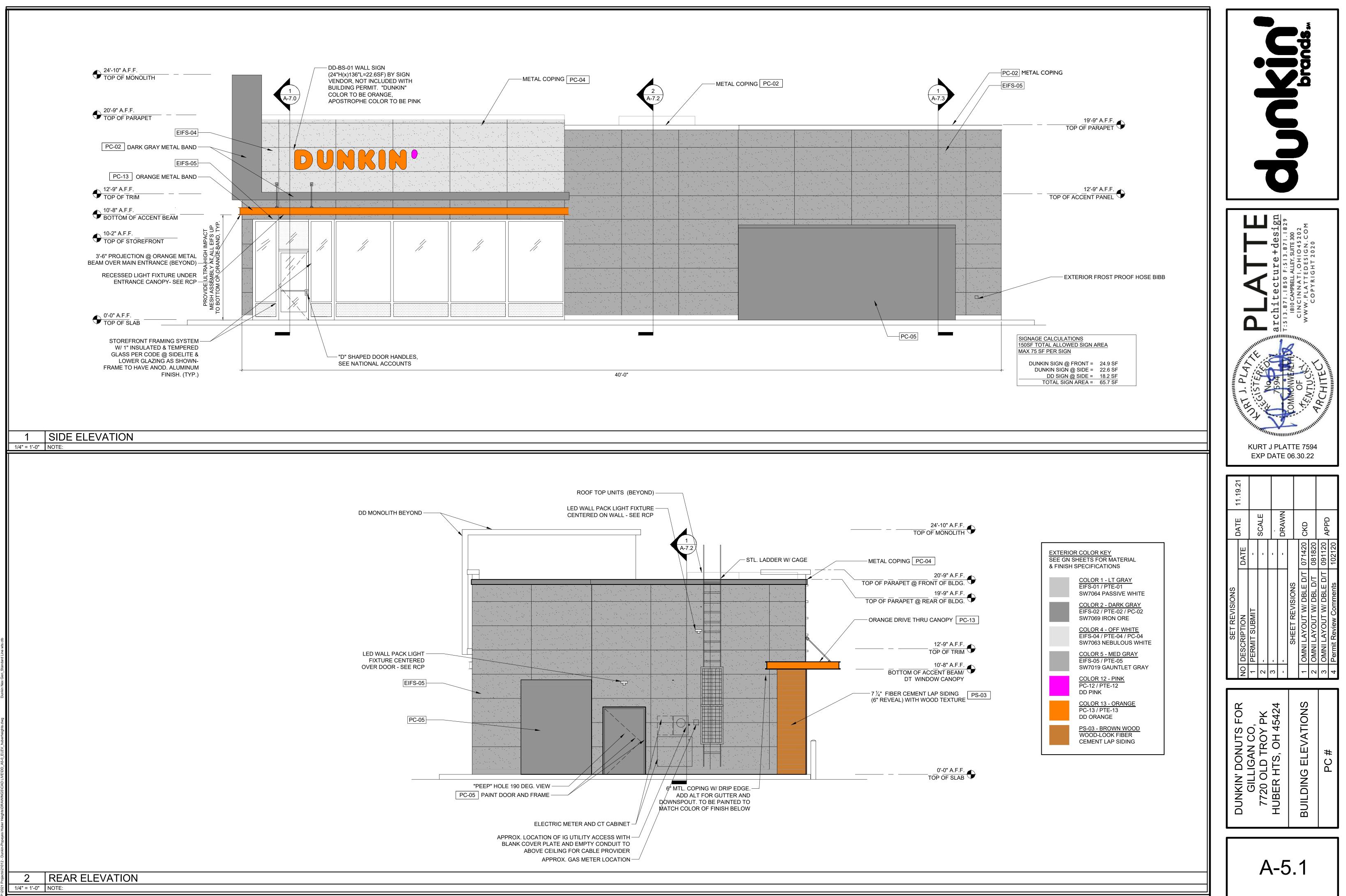
1. The four digital wall displays along the left side elevation shall not be approved.

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

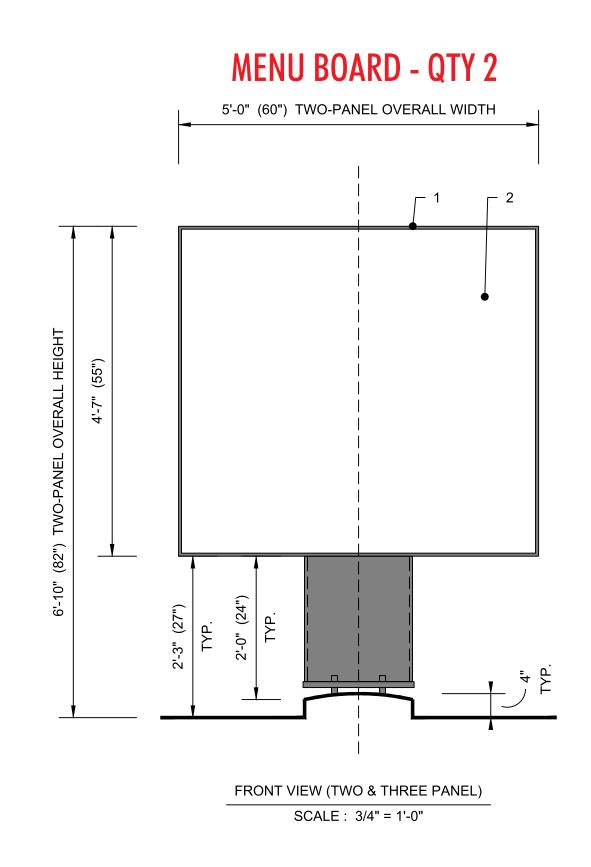
Terry Walton, Chair Planning Commission Date



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"





THE INTENT OF THIS DRAWING IS TO SHOW A CONCEPTUAL REPRESENTATION OF THE PROPOSED SIGNAGE. DUE TO VARIATIONS IN PRINTING DEVICES AND SUBSTRATES THE FINISHED PRODUCT MAY DIFFER SLIGHTLY FROM DRAWINGS. DD BUILDING & SITE SIGNAGE

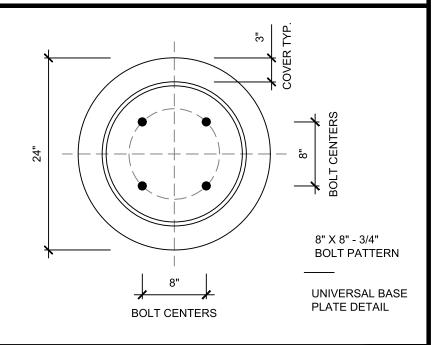
## MULTIPLE PANEL DIGITAL MENU BOARDS

### NOTES

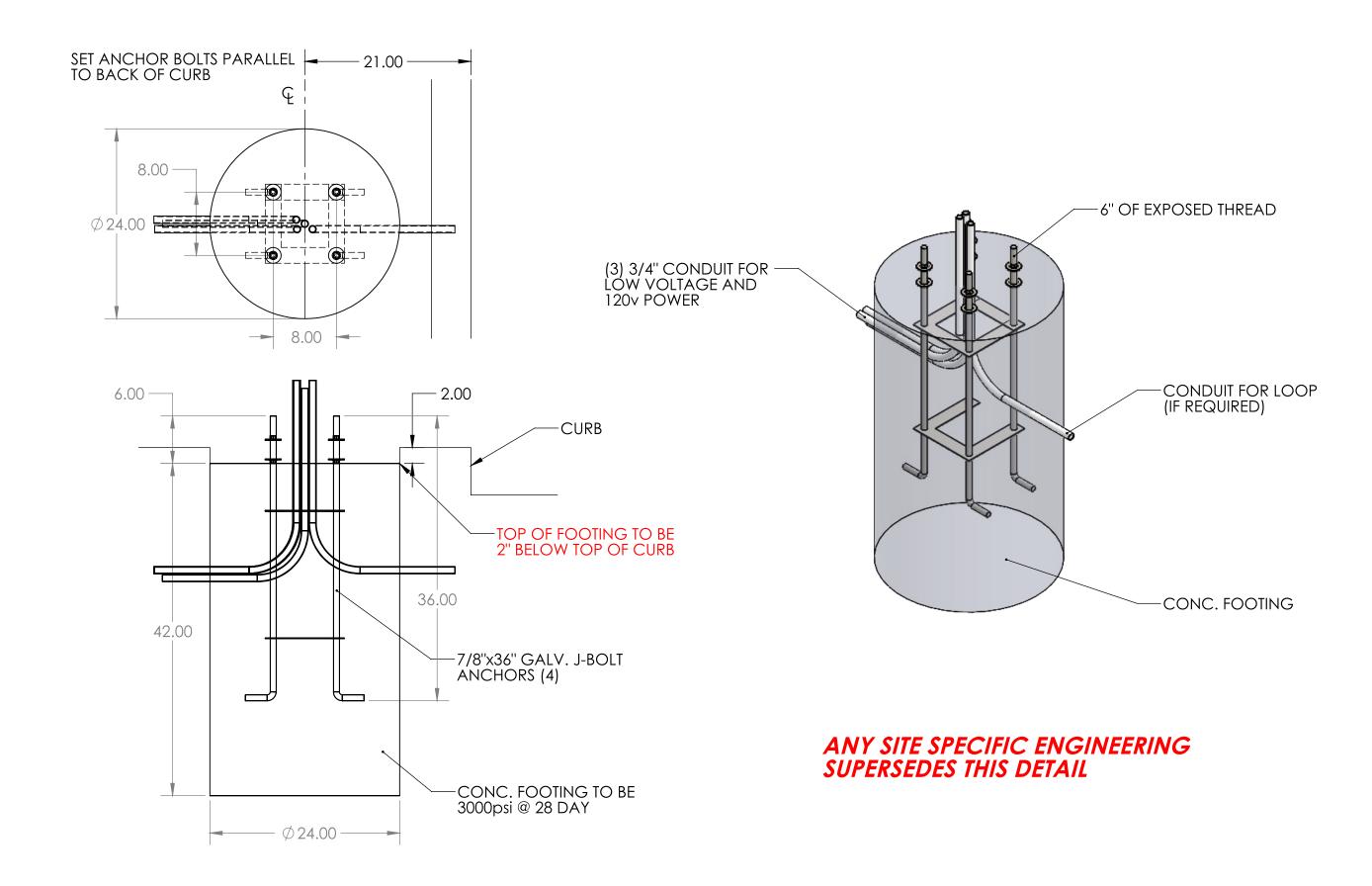
- 1. MENUBOARD IS POWDER COATED TO MATCH PMS 7540C (CABINET, BASE CLADDING, DOOR FRAMES & EXTENDER FRAMES)
- 2. SAMSUNG OHF SERIES DISPLAY MENUBOARDS, OH55F 55"

ADDITIONAL NOTES:

ARTWORK FONT : DUNKIN SANS DISPLAY

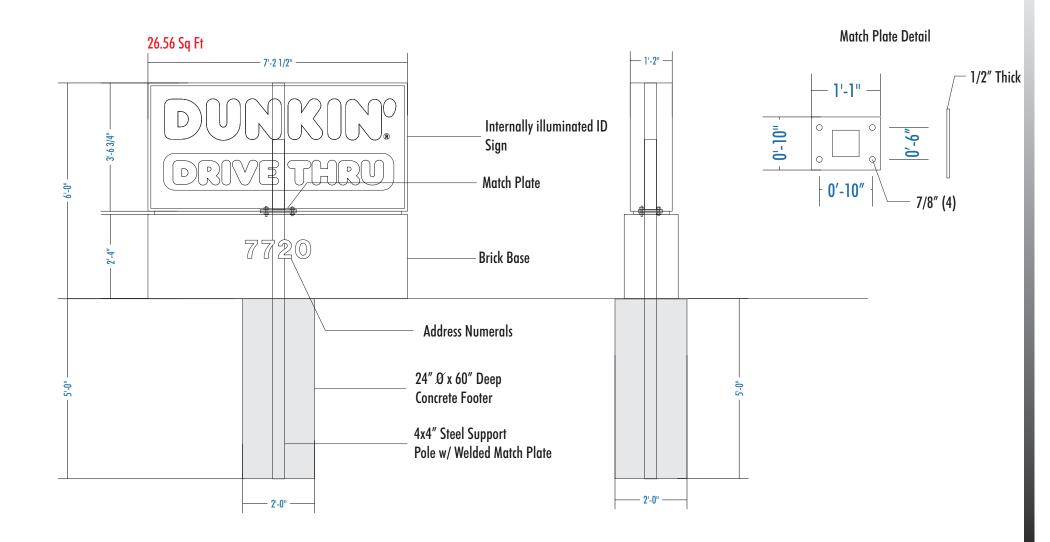


PN	/IS		VINYL / PAINT
PMS 165 - DUN	IKIN' ORANGE	Ē	3M #3630-3123
PMS 219 - D	UNKIN' PINK		3M #3630-1379
PMS 7540C - D	UNKIN' GRAY	•	3M #7725-41
PMS COOL	GRAY 1C		3M #7725-11
DATE: 01.29.2020	REV. #03	וח	D-SS-DT-07
DUNKIN' BRANE		וט	7-33-01-07



DUNKIN.

© 2020



FILE: Dunkin Mon-1R	Approved By	THE DESIGNS AND IDEAS EXPRESSED IN THIS DOCUMENT ARE THE SOLE	Onditi
DATE: 6-15-21	Sales Rep. Woody Fellinger	PROPERTY OF QUALITY SIGNS INC. AND ARE NOT TO BE USED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN	SIGN
SCALE: 3/8"=1'	DRAWN BY: WOODY FELLINGER	AUTHORIZATION OF QUALITY SIGNS INC.	& SERVICE CO., INC

Remote Channel Letters

DUNKIN!

# 

### DUNKIN' LED ILLUM'D CHANNEL LETTERS

### **NOTES:**

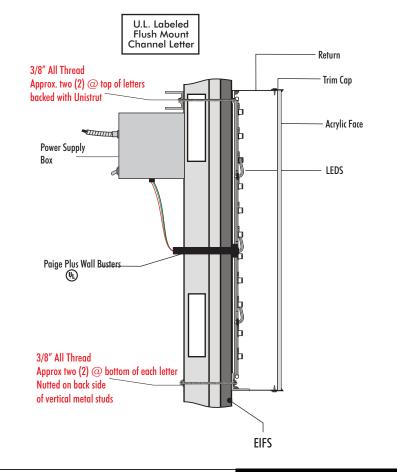
• Letter interiors painted reflective white

• U.L. listed

• LED's to be populated for even and consistent lighting w/out hot spots or shado

DUNKIN' CHANNEL LETTER STANDARD SIZES					
DISPLAY HEIGHT	DISPLAY LENGTH	ELECTRICAL	BOXED SQUARE	ACTUAL SQUARE	
Α	В		FOOTAGE	FOOTAGE	
18″	8′-6″	(1) 20 AMP/120 VOLT CIRCUIT	12.75	9.31	
24″	11'-4″	(1) 20 AMP/120 VOLT CIRCUIT	22.67	16.56	
30″	14′-2″	(1) 20 AMP/120 VOLT CIRCUIT	35.42	25.87	

# **SET #1 FRONT ELEVATION**

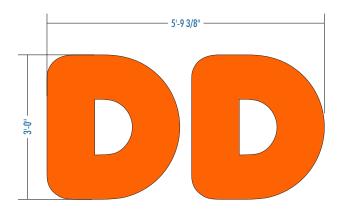


FILE: Dunkin Remote-1	oproved By	
DATE: 5-19-21		
	les Rep. Woody Fellinger	
SCALE: 1/2"=1'	DRAWN BY: WOODY FELLINGER	

E DESIGNS AND IDEAS EXPRESSED THIS DOCUMENT ARE THE SOLE OPERTY OF QUALITY SIGNS INC. D ARE NOT TO BE USED, IN WHOLE IN PART, WITHOUT THE WRITTEN THORIZATION OF QUALITY SIGNS INC.



# **ONE SET** 17.34 SQ FT



### DUNKIN' LED ILLUM'D CHANNEL LETTERS

### NOTES:

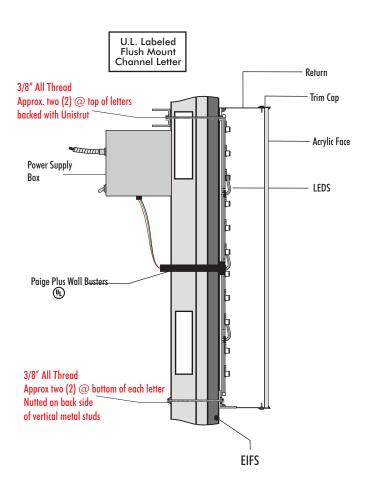
• Letter interiors painted reflective white

• U.L. listed

• LED's to be populated for even and consistent lighting w/out hot spots or shado

# **ON DRIVE THRU ELEVATION**

FILE: Dunkin Remote-1	Approved By	THE DESIGNS AND IDEAS EXPRESSED IN THIS DOCUMENT ARE THE SOLE	© 2020
DATE: 5-19-21	Sales Rep. Woody Fellinger	PROPERTY OF QUALITY SIGNS INC. AND ARE NOT TO BE USED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN	SIGNS
SCALE: 1/2"=1'	DRAWN BY: WOODY FELLINGER	AUTHORIZATION OF QUALITY SIGNS INC.	& SERVICE CO., INC.



Remote Channel Letters

DUNKIN!

# DUN R

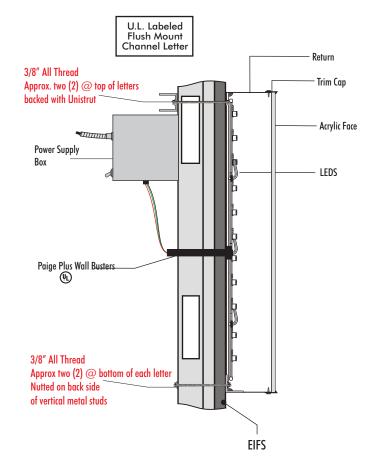
### DUNKIN' LED ILLUM'D CHANNEL LETTERS

### **NOTES:**

- Letter interiors painted reflective white
- U.L. listed
- LED's to be populated for even and consistent lighting w/out hot spots or shado

[	OUNKIN' (	CHANNEL LETTER STANDA	RD SIZES	
DISPLAY HEIGHT	DISPLAY LENGTH	ELECTRICAL	BOXED SQUARE	ACTUAL SQUARE
Α	В		FOOTAGE	FOOTAGE
18″	8′-6″	(1) 20 AMP/120 VOLT CIRCUIT	12.75	9.31
24″	11'-4″	(1) 20 AMP/120 VOLT CIRCUIT	22.67	16.56
30″	14′-2″	(1) 20 AMP/120 VOLT CIRCUIT	35.42	25.87

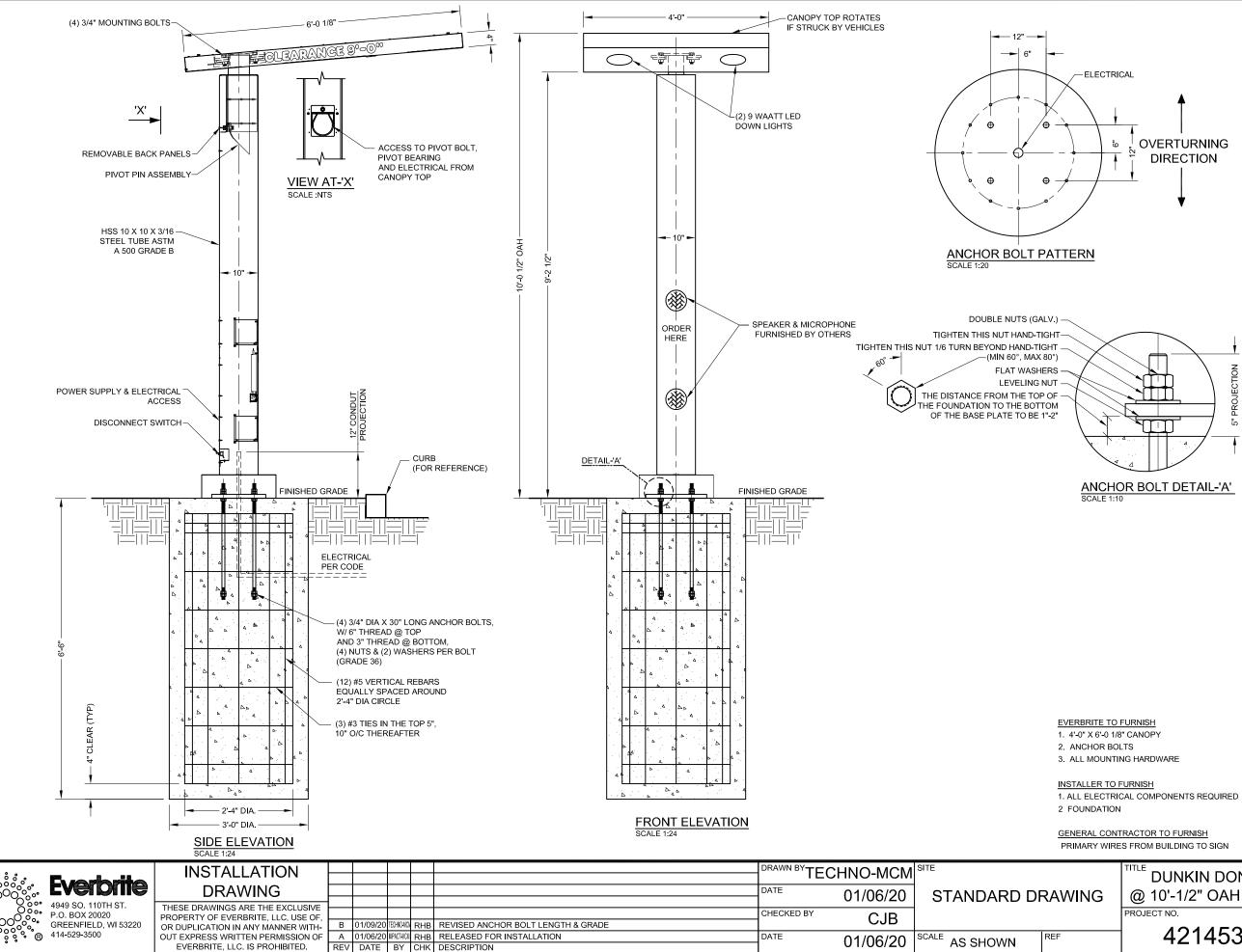
# **SET #2 SIDE ELEVATION**



FILE: Dunkin Remote-1	Approved By	
DATE: 5-19-21	Sales Rep. Woody Fellinger	]
SCALE: 1/2"=1'	DRAWN BY: WOODY FELLINGER	

THE DESIGNS AND IDEAS EXPRESSED IN THIS DOCUMENT ARE THE SOLE PROPERTY OF QUALITY SIGNS INC. AND ARE NOT TO BE USED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN AUTHORIZATION OF QUALITY SIGNS INC.





GENERAL NOTES INSTALLER TO PROVIDE COMPLETION PHOTOS OF FOUNDATION WITH ANCHOR BOLTS, REBAR & CONDUIT (BEFORE & AFTER POUR), BASE PLATE(S) w/ANCHOR BOLT CONNECTIONS, GROUT INSTALLATION, MATCH PLATE/SIGN CONNECTIONS, ANY WELDED CONNECTIONS, ELECTRICAL WIRING AND OVERALL ELEVATION.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

INSTALLER TO BE SURE SIGNS ARE PROPERLY INSTALLED, CONNECTED AND GROUNDED.

LANDSCAPING MATERIALS SHOULD BE KEPT MINIMUM TWO INCHES AWAY FROM SIGN POLES OR BASE PLATES.

THIS DRAWING IS FOR INSTALLATION PURPOSES ONLY AND NOT TO BE USED FOR MANUFACTURING.

#### CONCRETE SPECIFICATION

1.70 CU. YDS. TOTAL. CONCRETE SHALL HAVE A MIN. COMPRESSIVE STRENGTH OF 3,000 PSI @ 28 DAYS. REINFORCING STEEL SHALL HAVE A MIN. YIELD STRENGTH OF 60,000 PSI. RECOMMENDED MIN. CURE TIME OF 7 DAYS BEFORE PROCEEDING WITH INSTALLATION.

### LIFTING HOLE NOTE

ANY LIFTING HOLES CREATED ARE THE RESPONSIBILITY OF THE INSTALLER. LIFTING HOLES ARE TO BE SEALED BY A CAP PLATE, WELDED OVER TO COVER AND THEN PAINTED.

### WELDING NOTE

ANY REQUIRED WELDING IS TO BE COMPLETED BY AN AWS CERTIFIED WELDER QUALIFIED IN THE APPLICABLE POSITIONS NEEDED.

#### DESIGN NOTE

SIGN POLE AND CONCRETE FOUNDATION ARE DESIGNED TO WITHSTAND A WIND LOAD OF 115 MPH. EXP C, RISK CATEGORY II, 35 PSF GROUND SNOW LOAD PER ASCE 7-10

CONCRETE BASE DESIGNED USING A LATERAL SOIL BEARING CAPACITY OF 150 PSF / FT. OF DEPTH. IF THESE SOIL CONDITIONS DO NOT EXIST AT THE FOUNDATION LOCATION, IT IS THE ERECTOR'S RESPONSIBILITY TO NOTIFY EVERBRITE, LLC PRIOR TO PERFORMING ADDITIONAL EXCAVATION OR ANY CONCRETE PLACEMENT.

### INSTALLATION INSTRUCTIONS

- 1. STAKE FOUNDATION AREA AND CONFIRM FINAL GRADE REQUIREMENTS.
- 2. EXCAVATE FOUNDATION AREA.
- 3. SET ANCHOR BOLTS, REBAR AND CONDUIT.
- POUR CONCRETE, ALLOW CONCRETE CURE TIME AS REQUIRED.
- 5. SET COLUMN POLE STRUCTURE PLUMB AND ANCHOR COLUMN AS SHOWN IN ATTACHED DETAIL. TIGHTEN NUTS.
- 6. AFTER POLE STRUCTURE IS LEVEL, MOUNT CANOPY TOP TO POLE STRUCTURE .
- 7. MAKE FINAL ELECTRICAL HOOK UP.
- 8. TEST CANOPY LIGHT.
- 9. REMOVE LIFTING HOOKS.
- 10. CLEAN-UP AREA AND REMOVE ANY PACKAGING MATERIALS.

DUNKIN DONUTS 4'-0" X 6'-0 1/8" CANOPY @ 10'-1/2" OAH (WITH SPEAKER/MICROPHONE)

DRAWING NO.

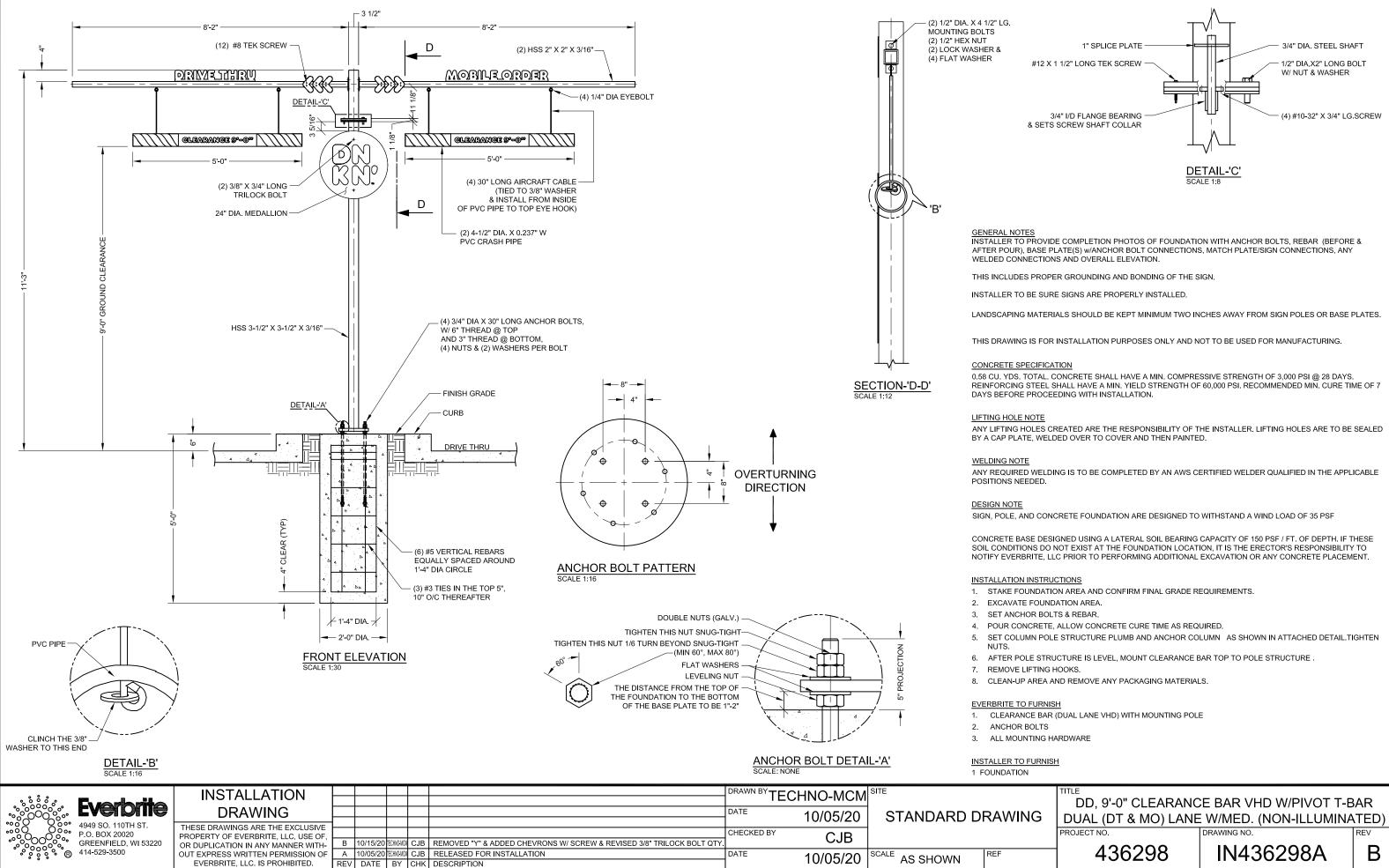
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В

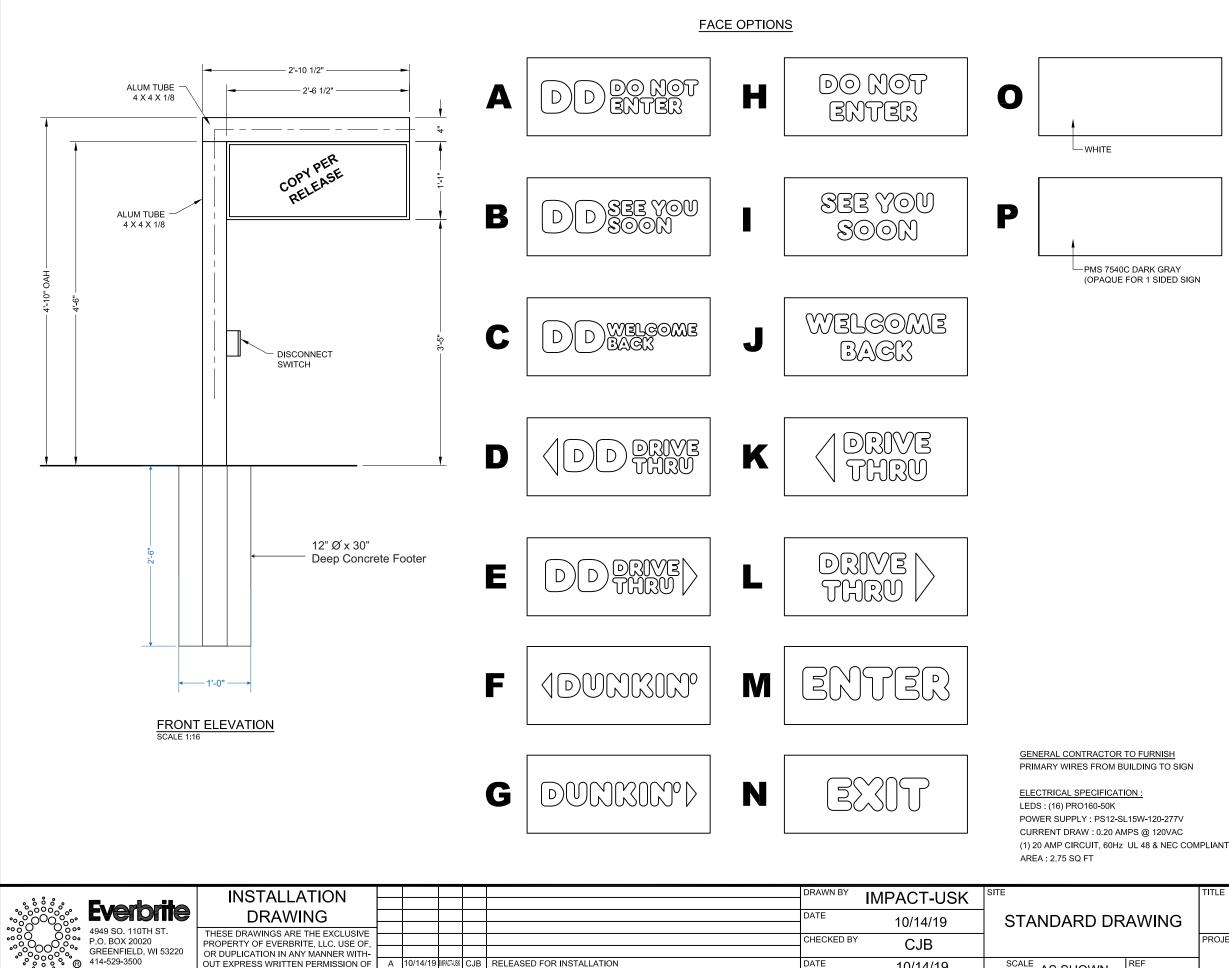
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IN421453A1

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G		W/MED. (NON-ILLUMINA	
	PROJECT NO.	DRAWING NO.	REV
	436298	IN436298A	В



0 0 0 o			1	, 1				1			
	<b>Everbrite</b>	DRAWING						DATE	10/14/19	STANDARD DR	
$\sum Q_{i}$	4949 SO. 110TH ST.	THESE DRAWINGS ARE THE EXCLUSIVE							10/14/19	STANDARD DR	Avvine
	P.O. BOX 20020	PROPERTY OF EVERBRITE, LLC, USE OF,						CHECKED BY	CJB		
	GREENFIELD, WI 53220	OR DUPLICATION IN ANY MANNER WITH-							030		
° ° ° ®	414-529-3500	OUT EXPRESS WRITTEN PERMISSION OF	А	10/14/19	IMPACT-USK	CJB	RELEASED FOR INSTALLATION	DATE	10/14/19	SCALE AS SHOWN	REF
		EVERBRITE, LLC. IS PROHIBITED.	REV	DATE	BY	CHK	DESCRIPTION		10/14/10	AS SHOWN	

### GENERAL NOTES

INSTALLER TO PROVIDE COMPLETION PHOTOS OF FOUNDATION, CONDUIT (BEFORE & AFTER POUR), GROUT INSTALLATION, MATCH PLATE/SIGN CONNECTIONS, ANY WELDED CONNECTIONS, ELECTRICAL WIRING AND OVERALL ELEVATION.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

INSTALLER TO BE SURE SIGNS ARE PROPERLY INSTALLED, CONNECTED AND GROUNDED.

LANDSCAPING MATERIALS SHOULD BE KEPT MINIMUM TWO INCHES AWAY FROM SIGN POLES OR BASE PLATES.

THIS DRAWING IS FOR INSTALLATION PURPOSES ONLY AND NOT TO BE USED FOR MANUFACTURING.

### CONCRETE SPECIFICATION

0.35 CU. YDS. TOTAL. CONCRETE SHALL HAVE A MIN. COMPRESSIVE STRENGTH OF 3,000 PSI @ 28 DAYS. REINFORCING STEEL SHALL HAVE A MIN. YIELD STRENGTH OF 60,000 PSI. RECOMMENDED MIN. CURE TIME OF 7 DAYS BEFORE PROCEEDING WITH INSTALLATION.

### LIFTING HOLE NOTE

ANY LIFTING HOLES CREATED ARE THE RESPONSIBILITY OF THE INSTALLER. LIFTING HOLES ARE TO BE SEALED BY A CAP PLATE, WELDED OVER TO COVER AND THEN PAINTED.

### WELDING NOTE

ANY REQUIRED WELDING IS TO BE COMPLETED BY AN AWS CERTIFIED WELDER QUALIFIED IN THE APPLICABLE POSITIONS NEEDED.

### DESIGN NOTE

SIGN, POLE, AND CONCRETE FOUNDATION ARE DESIGNED TO WITHSTAND A WIND LOAD OF 23 PSF.

CONCRETE BASE DESIGNED USING A LATERAL SOIL BEARING CAPACITY OF 150 PSF / FT. OF DEPTH. IF THESE SOIL CONDITIONS DO NOT EXIST AT THE FOUNDATION LOCATION, IT IS THE ERECTOR'S RESPONSIBILITY TO NOTIFY EVERBRITE, LLC PRIOR TO PERFORMING ADDITIONAL EXCAVATION OR ANY CONCRETE PLACEMENT.

### INSTALLATION INSTRUCTIONS

- 1. STAKE FOUNDATION AREA AND CONFIRM FINAL GRADE REQUIREMENTS WITH G. C.
- 2. EXCAVATE FOUNDATION AREA.
- SET POLE(S) AND CONDUIT STUB. (PRIMARY ELECTRICAL SERVICE TO 3. BASE BY G. C.)
- 4. POUR CONCRETE. ALLOW CONCRETE CURE TIME AS REQUIRED. RECOMMENDED MIN. CURE TIME OF 7 DAYS BEFORE PROCEEDING WITH INSTALLATION.
- 5. MOUNT SIGNAGE ON POLE(S) (INSTALLER TO PROVIDE WIRE BETWEEN SIGN AND BASE OF POLE.)
- MAKE FINAL ELECTRICAL HOOK UP TO PRIMARY (ALL ELECTRICAL TO 6. MEET LOCAL CODES.)
- 7. TEST SIGNAGE FOR PROPER FUNCTION AND LIGHTING.
- 8. REMOVE ANY LIFTING BRACKETS AND REINSTALL BOLTS.
- CLEAN UP AREA AND REMOVE ANY PACKING MATERIAL. DO NOT 9. DISCARD ANY MATERIAL OR DEBRIS INTO ON SITE DUMPSTERS.

### EVERBRITE TO FURNISH

1. 1'-1" X 2'-6 1/2" SIGN WITH POLE

1. ALL ELECTRICAL COMPONENTS REQ'D

2. ALL MOUNTING HARDWARE

### **INSTALLER TO FURNISH**

2 FOUNDATION

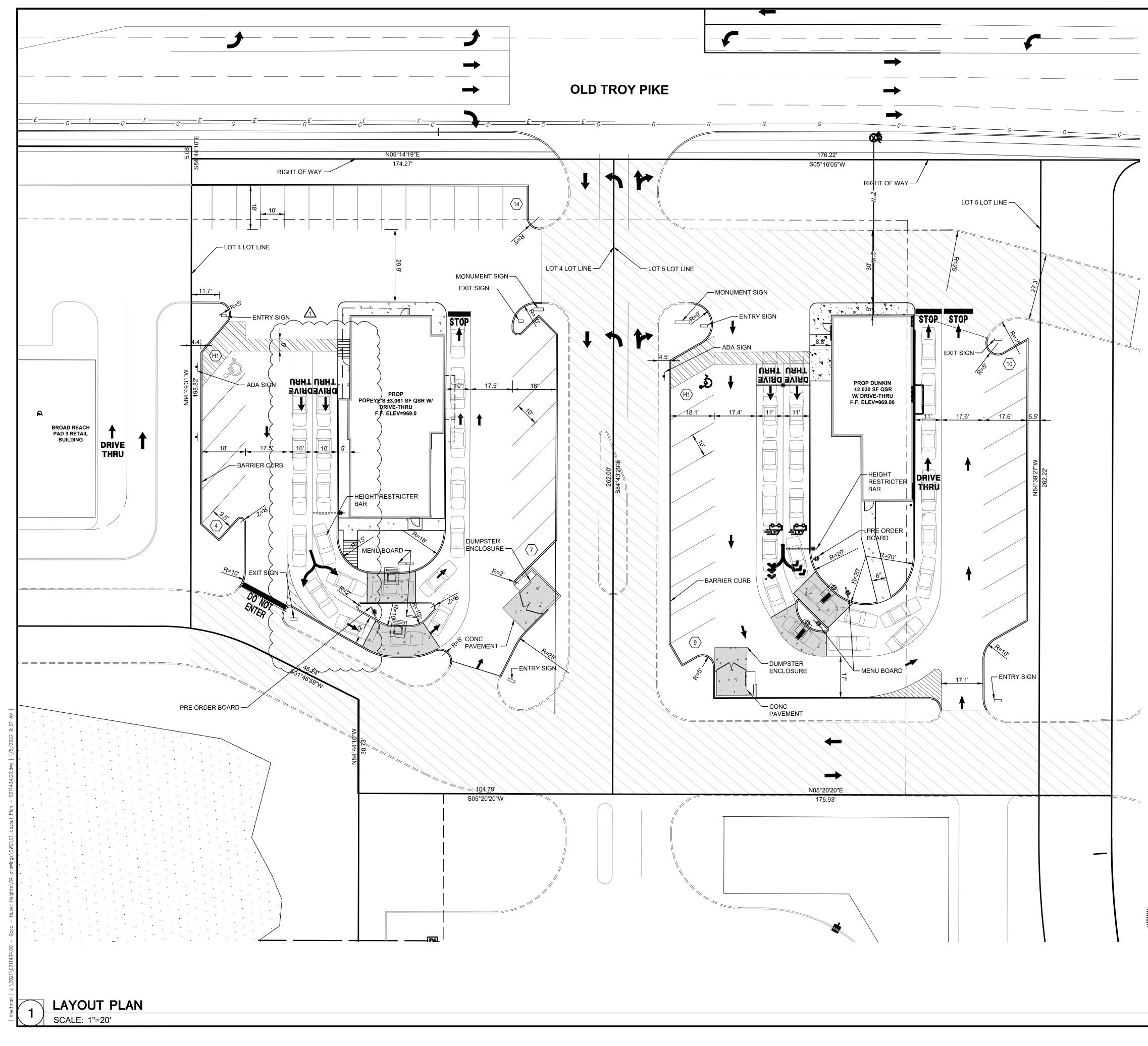
- TITLE DUNKIN DONUTS 1'-1" X 2'-6 1/2" SIGN @ 4'-10" OAH

DRAWING NO.

PROJECT NO. 412665

IN412665B





# PARKING SUMMARY

BUILDING SIZE POPEYE'S RESTAURANT DUNKIN' RESTAURANT

REQUIRED PARKING (DUNKIN')

ONE SPACE PER EACH: 2 SEATING ACCOMMODATIONS (21 SEATS) 2 EMPLOYEES ON LARGEST SHIFT

(POPEYES) ONE SPACE PER EACH:

2 SEATING ACCOMMODATIONS (36 SEATS) 2 EMPLOYEES ON LARGEST SHIFT

= 3,217 SF = 2,276 SF

- = 11 SPACES = <u>3 SPACES</u> = 14 SPACES REQUIRED 19 REGULAR SPACES + 1 ADA SPACES
- 20 SPACES PROVIDED
- = 18 SPACES
- = <u>3 SPACES</u> = 21 SPACES REQUIRED 25 REGULAR SPACES + 1 ADA SPACES 26 SPACES PROVIDED

HUBER HEIGHTS PARKING DIMENSIONS 10'x18' MINIMUM

# SITE SUMMARY LOT 4

IMPERVIOUS PERVIOUS TOTAL

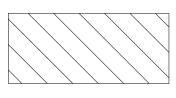
= 37,063 SF (88%) = 4,992 SF (12%) = 42,055 SF (0.97 AC.)

# SITE SUMMARY LOT 5

IMPERVIOUS PERVIOUS TOTAL

= 40,335 SF (75%) = 13,713 SF (25%) = 54,048 SF (1.24 AC.)

# LEGEND



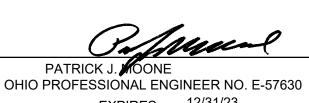
========

ROADWAY INSTALLED BY BROAD REACH RETAIL DEVELOPER

CURB BY BROAD REACH RETAIL DEVELOPER

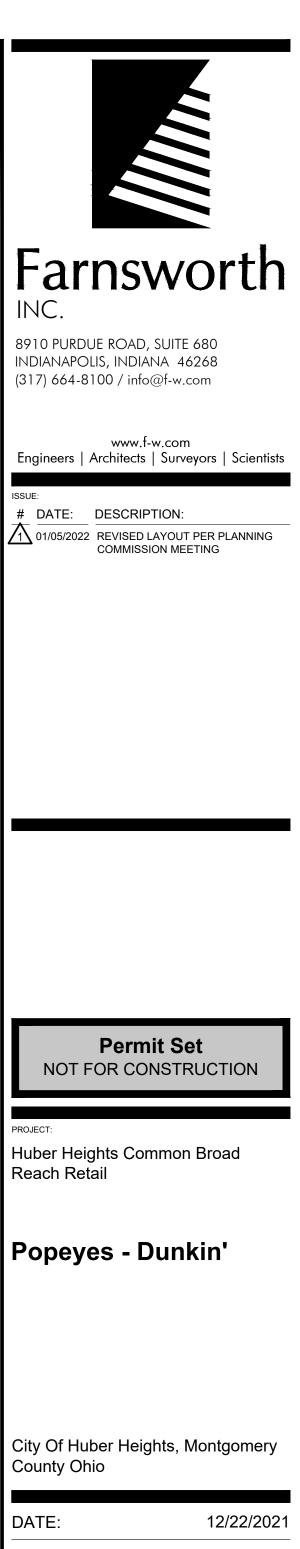
- 1. ALL LOT LINES AND EXISTING CONDITIONS FOR THIS PROJECT ARE BASED UPON THE HUBER HEIGHTS COMMON BROAD REACH RETAIL - ONSITE ROADS AND UTILITY PLANS DATED NOVEMBER 4TH, 2001PREPARED BY BURKHARDT ENGINEERING & SURVEYING.
- 2. NO FIELD VERIFICATION OF PROPERTY LINES FOR THE HUBER HEIGHTS COMMON PROJECT WERE SET AT THE TIME SITE PLANS WERE DEVELOPED.
- 3. PROPERTY LINES MUST BE VERIFIED PRIOR TO CONSTRUCTION.
- 4. BOTH PARCELS ARE ZONED AS PUD-PM.
- 5. ENTRY/EXIT AND BUILDING SIGNAGE WILL BE SUBMITTED AS PART OF THE SIGNAGE PACKAGE FOR THE PROJECT.





EXPIRES \_\_\_\_\_\_12/31/23

U.S. SURVEY FEET



DATE:	12/22/2021
DESIGNED:	-
DRAWN:	-
REVIEWED:	-
FIELD BOOK NO.:	_

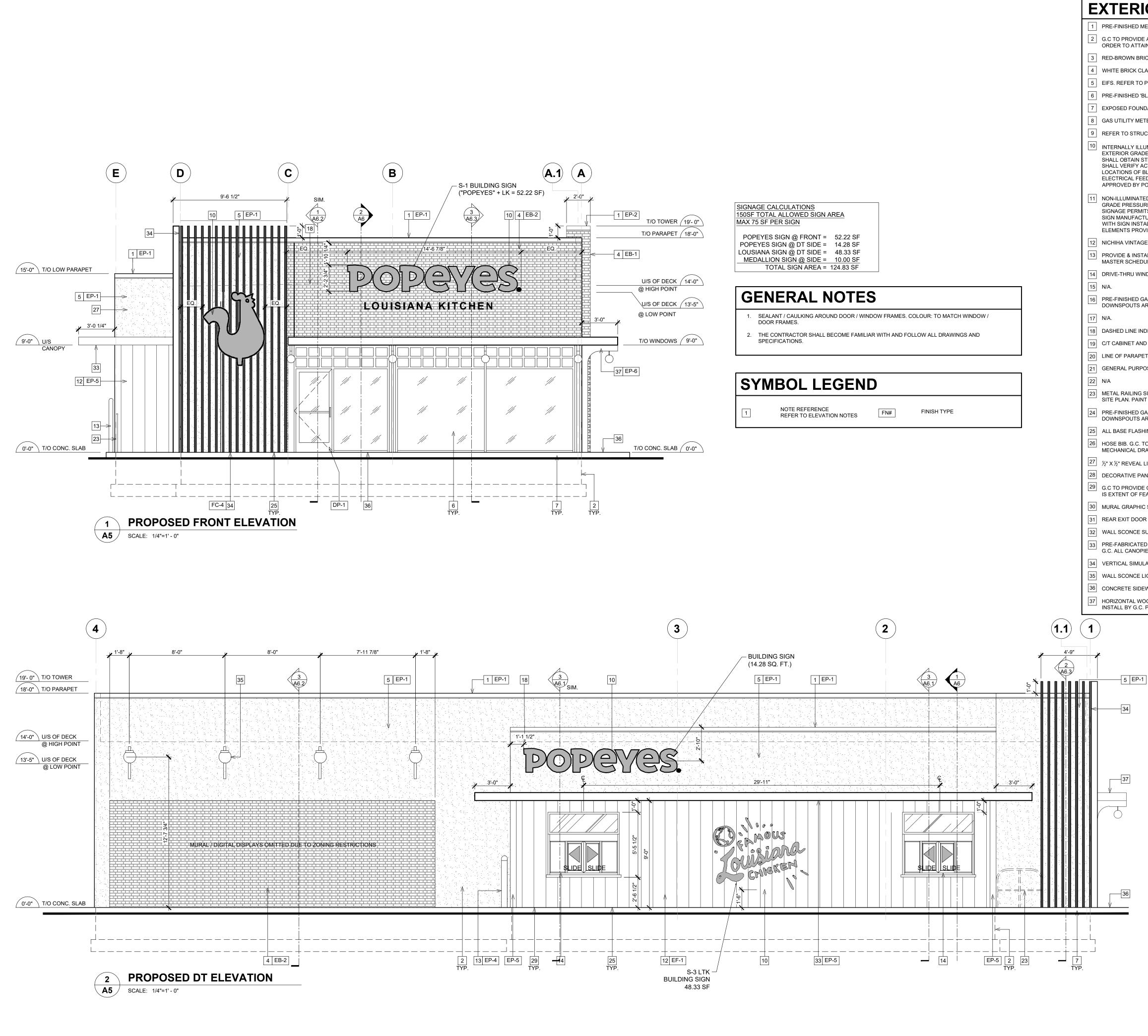
SHEET TITLE:

# LAYOUT PLAN

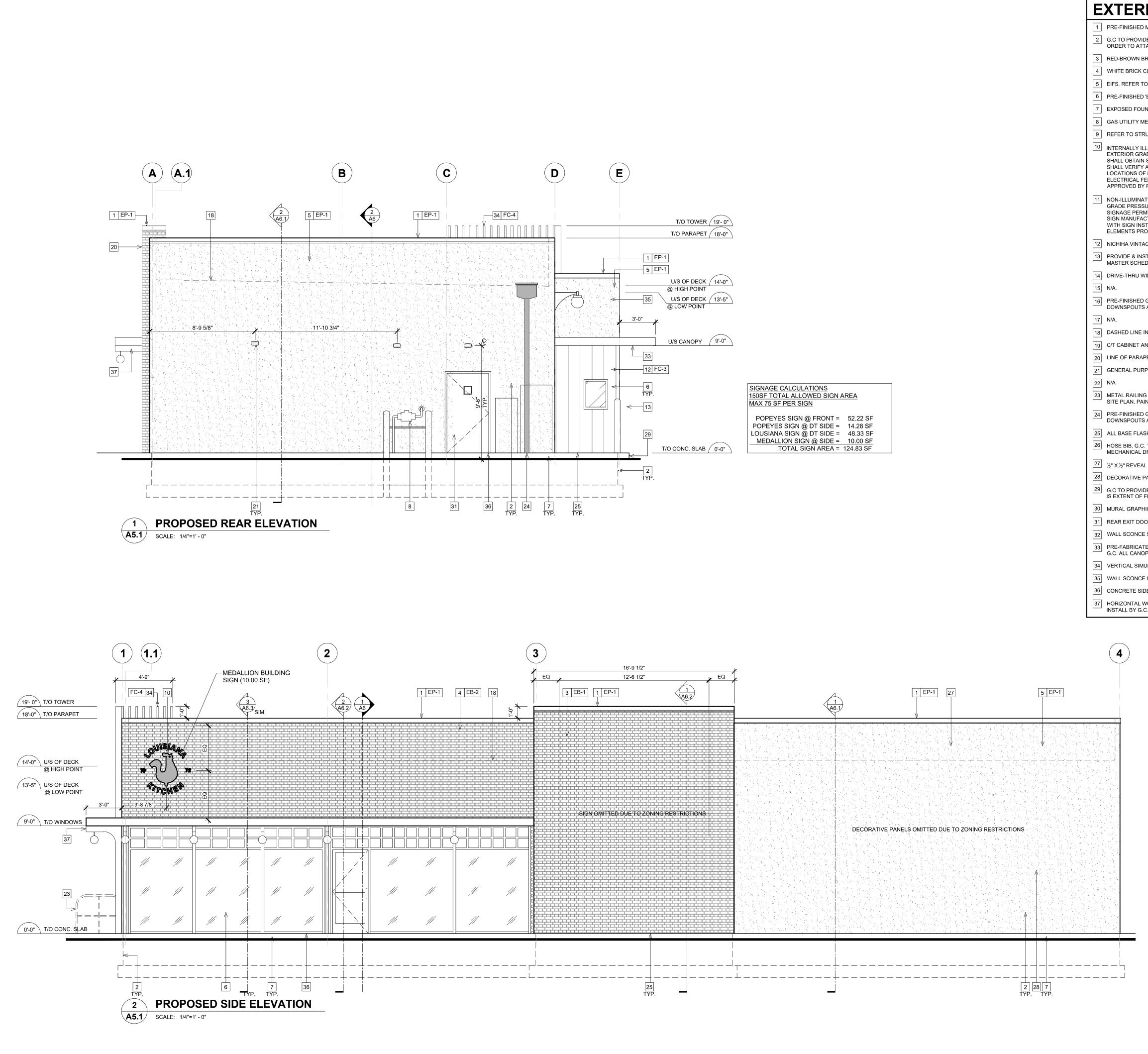
SHEET NUMBER:

PROJECT NO .:





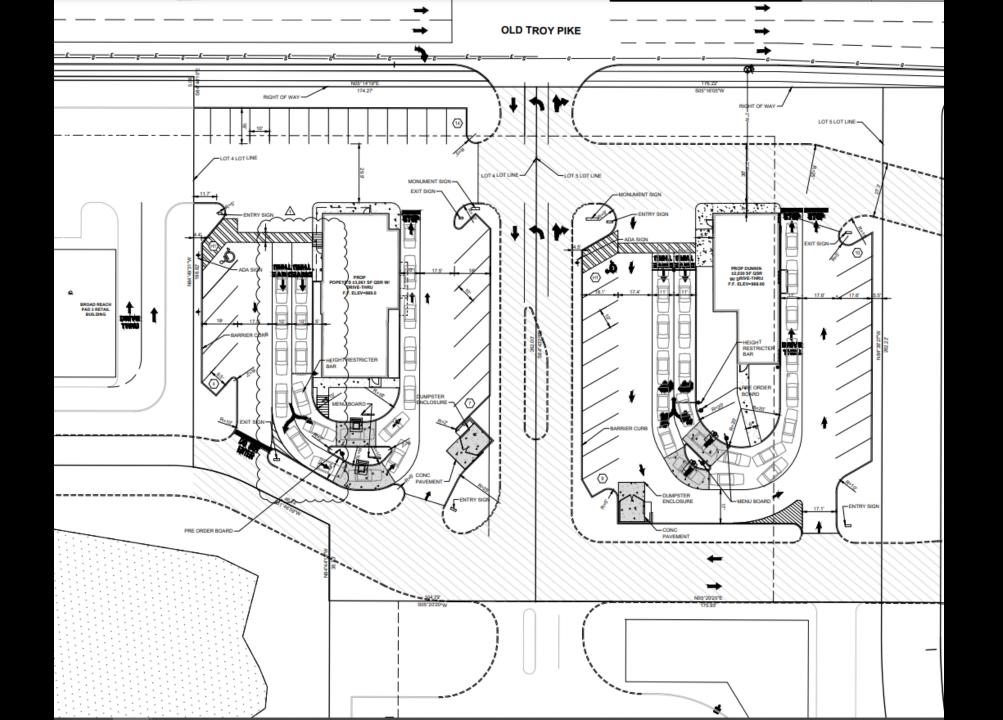
	ISSUE	TABLE	
OR ELEVATION NOTES	No.	Date (mm/dd/yy)	Description
ETAL CAP FLASHING C/W DRIP.	01	02.10.2022	SIGNAGE
AND INSTALL DOUBLE LAYER OF REINFORCING MESH TO MIN. 2'-2" ABOVE GRADE AT ALL EIFS LOCATIONS (TYP.) IN IN ABUSE RESISTANCE STUCCO SYSTEM.			
CK CLADDING - REFER TO POPEYES MASTER SCHEDULE.			
ADDING - REFER TO POPEYES MASTER SCHEDULE.			
LACK ANODIZED' ALUMINUM STOREFRONT SYSTEM WITH INSULATED GLAZING.	REVIS	IONS	
DATION TO BE PARGED AND FREE OF IMPERFECTIONS.	No.	Date	Description
ER. CTURAL DRAWINGS FOR FOUNDATION WALL AND FOOTING DETAILS.			
JMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL <sup>3</sup> 4" E PRESSURE TREATED PLYWOOD BACKING AND ALL FINAL ELECTRICAL CONNECTION. SIGN MANUFACTURER			
IRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C CTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE			
LOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR D LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND DPEYES PRIOR TO PRODUCTION			
TO BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL $\frac{3}{4}$ " EXTERIOR RE TREATED PLYWOOD BACKING SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND	DRAW		ED AS PER DESIGN BULLETIN
IS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH URER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE	No.	Date	Description
ALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL /IDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION			
E WOOD, COLOR: CEDAR. REFER TO POPEYES MASTER SCHEDULE.			
JLE. DOW. REFER TO DRIVE-THRU WINDOW SCHEDULE ON SHEET A11.			
bow. Reper to brive-trike window schedele on sheet Att.			
ALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. G.C. TO COORDINATE WITH CIVIL ENGINEERS TO CONFIRM IF RE SPLASHING ON CONCRETE PAD OR TIED TO THE STORM SEWER LINE. REFER TO MECHANICAL DRAWINGS.			
DICATES T/O OF ROOF BEHIND PARAPET.			
D METER. T WALLS BEYOND.			
DSE EXTERIOR LIGHTING FIXTURES.			
SUPPLIED AND INSTALLED BY G.C (ONLY IF REQUIRED). ARCHITECT TO COORDINATE WITH CIVIL ENGINEER ON THE	TUI0 55 **		DR LICENSED FOR USE BY POPEYES LOUISIANA
FINISH 'BLACK'.	KITCHEN ( REPRODUC TRANSFER	OR ITS AFFILIATED ( CED, USED, DOWNLO RED IN ANY FORM (	OR RELATED COMPANIES) AND MAY NOT BE DADED, DISSEMINATED, PUBLISHED, OR DR BY ANY MEANS, EXCEPT WITH THE PRIOR
ALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. G.C. TO COORDINATE CIVIL ENGINEERS TO CONFIRM IF RE SPLASHING ON CONCRETE PAD OR TIED TO THE STORM SEWER LINE. REFER TO MECHANICAL DRAWINGS.		IENT IS A VIOLATION	ES LOUISIANA KITCHEN . COPYRIGHT I OF FEDERAL LAW SUBJECT TO CRIMINAL AND
ING TO MATCH ADJACENT MATERIAL COLORS. O PAINT. COLOUR TO MATCH ADJACENT STUCCO COORDINATE EXACT LOCATION WITH G.C. REFER TO	PROJECT A KITCHEN F	AND TO REPORT ANY REPRESENTATIVE PR	TY ALL DIMENSIONS AND CONDITIONS ON THE / DISCREPANCIES TO THE POPEYES LOUISIANA RIOR TO COMMENCING WORK. THESE DRAWINGS NSTRUCTION PURPOSES UNLESS INDICATED BY
AWINGS.	POPEYES L	OUISIANA KITCHEN	AS "ISSUED FOR CONSTRUCTION". E ONLY - NOT FOR PERMIT OF
INE IN STUCCO FINISH. REFER TO DETAIL 3/A5. NELS SUPPLY AND INSTALL BY SIGN COMPANY.			
CONCRETE CURB ALONG DRIVE-THRU LANE. CURB TO PROJECT 8" FROM FACE OF PANELS AND LENGTH OF CURB ATURE WALL.			TS MUST BE COMPLETED AND
SUPPLY AND INSTALL BY SIGN COMPANY.	ENGIN	EER TO COM	A LICENSED ARCHITECT AND NFORM TO ALL APPLICABLE
R TO BE PAINT WHITE.	IS NO \	WARRANTY,	CIFIC SITE CONDITIONS. THER WHETHER IMPLIED OR
D CANOPIES W/ PRE-WIRED RECESSED LIGHTS ABOVE DRIVE-THRU SUPPLY BY SIGN COMPANY AND INSTALL BY	THE AF	PPLICABLE (	THESE DOCUMENTS MEET CODE REQUIREMENTS. E DESIGN AND ANY USE OF
ES IN WALL SUPPORT BY G.C. REFER TO STRUCTURAL DRAWINGS. ATED WOOD SLATS. REFER TO POPEYES MASTER SCHEDULE.	THE D	OCUMENTS	IS THE SOLE RESPONSIBILITY
IGHTING. REFER TO ELECTRICAL SCHEDULE.			
WALK (BY G.C). REFER TO SITE PLAN.	Compar	ny Logo	
UP GIVEN ENTRANCE CANOFT W/ TEAL VERTICAL & MORIZONTAL SUPPORTS SUPPLY BY SIGN COMPANY AND			
OOD GRAIN ENTRANCE CANOPY W/ TEAL VERTICAL & HORIZONTAL SUPPORTS SUPPLY BY SIGN COMPANY AND PRE-WIRED LED LIGHT GLOBE FIXTURE.			
PRE-WIRED LED LIGHT GLOBE FIXTURE. GENERAL NOTES 1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES. COLOUR: TO MATCH WINDOW /			
PRE-WIRED LED LIGHT GLOBE FIXTURE. GENERAL NOTES 1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES. COLOUR: TO MATCH WINDOW / DOOR FRAMES. 2. THE CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DRAWINGS AND			
PRE-WIRED LED LIGHT GLOBE FIXTURE. GENERAL NOTES 1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES. COLOUR: TO MATCH WINDOW / DOOR FRAMES.	Project		
PRE-WIRED LED LIGHT GLOBE FIXTURE. GENERAL NOTES 1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES. COLOUR: TO MATCH WINDOW / DOOR FRAMES. 2. THE CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DRAWINGS AND	Project		UISIA
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ND METER.					
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# ZC 22-04 Taylorsville & Old Troy Pike

Minor Change for sign package approval Dunkin Donuts and Popeye's Louisiana Kitchen



# Site Details:

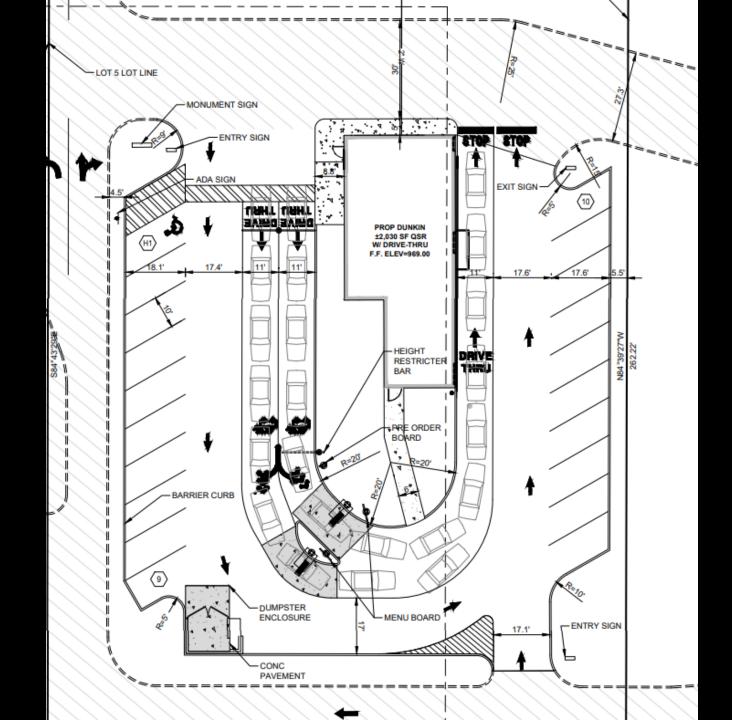
• 1.84 acres, zoned Planned Mixed Use

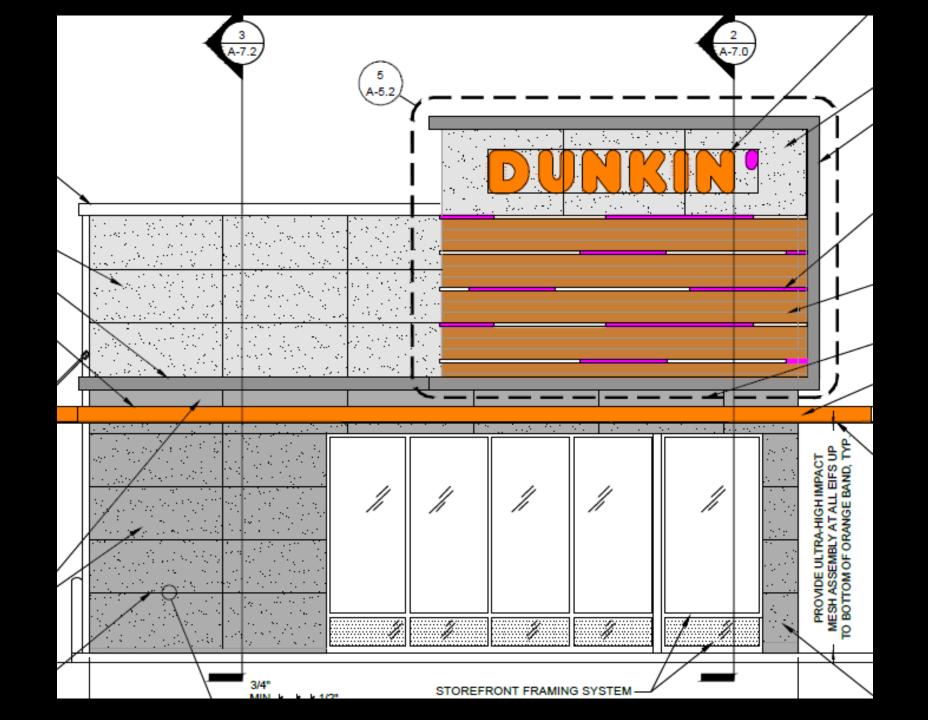
# **Application:**

- Approval of sign packages for two restaurants with drive-thru facilities
- Applicable zoning chapters 1179, 1189
- Applicants sign packages are consistent with their corporate branding
- Sign packages include various directional, ground and wall signs; along with menu boards.
- Applicant has submitted revised drawings for Popeye's

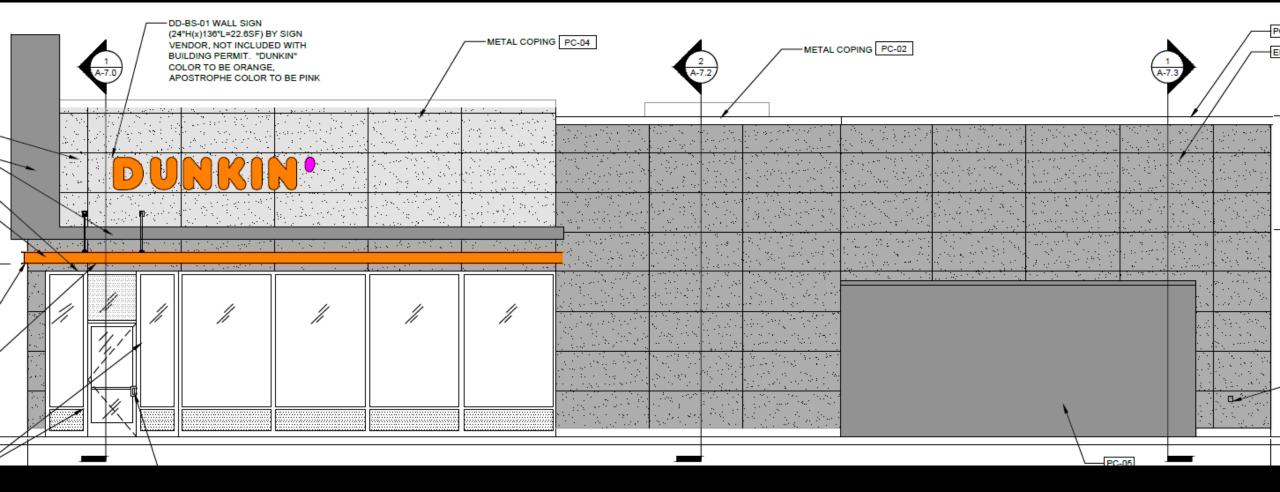
# Dunkin Donuts

- Submitted sign package generally complies with Chapter 1189
- Total proposed wall sign area is 67.5 SF, with largest wall sign being slightly less than 25 SF.
- The site plan indicates one internally illuminated monument ground sign facing Old Troy Pike, set back nearly 70 feet from the property line. The sign sits on a brick base and the total height is 6-feet, and just under 27 square feet.
- The site plan also indicates three directional signs, each 2.7 SF and 4-feet tall. The sign code limits to the sign face to 2 square feet per side, and maximum height of 3-feet.
- The site plan indicates one digital pre-order board and two digital menu boards in the drive-thru lanes, each with 100% electronic changeable copy. Each menu board is a total of 6'-10" high, including a 2-foot metal pedestal. The menu display itself is 5-feet wide and 4'-7" tall (approximately 22.9 square feet).





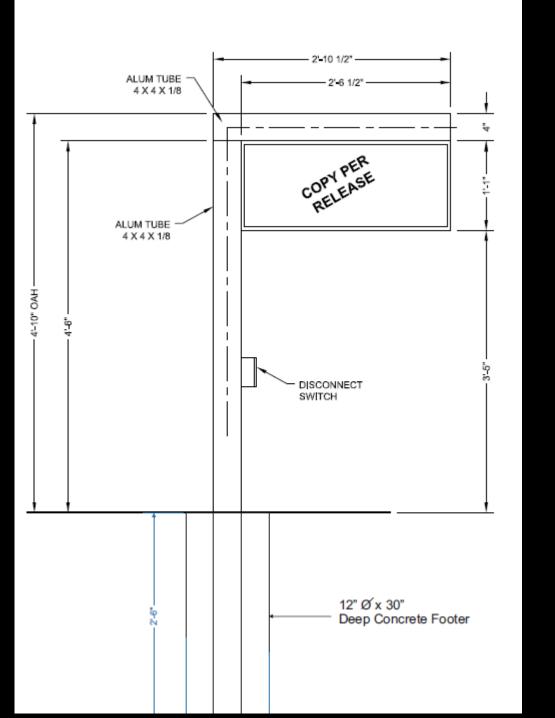
Front Elevation



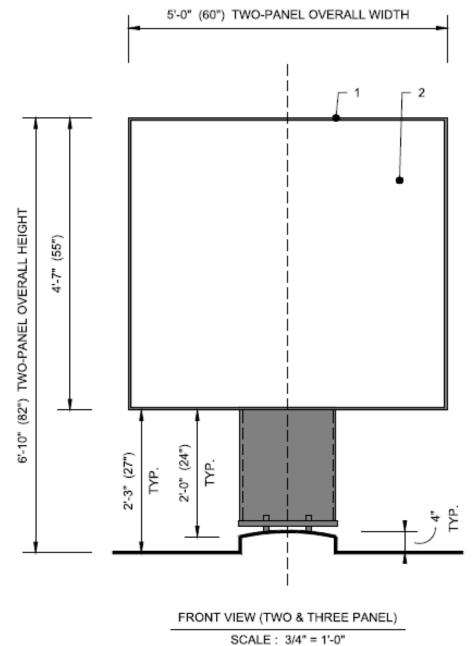
West Elevation

A-7.3 EIFS-05 SCUPPER AND OVERFLOW CONNECT SCUPPER TO DOWNSPOUT W/ COLLECTOR. PAINT TO MATCH WALL	METAL COPING PC-02	SCUPPER AND OVERFLOW CONNECT SCUPPER TO DOWNSPOUT W/ COLLECTOR. PAINT TO MATCH WALL
		TRIM @ INSIDE CORNER (TYP.) TR-06

# East Elevation



# MENU BOARD - QTY 2

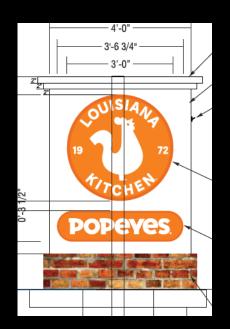


# Dunkin Donuts – Staff Analysis

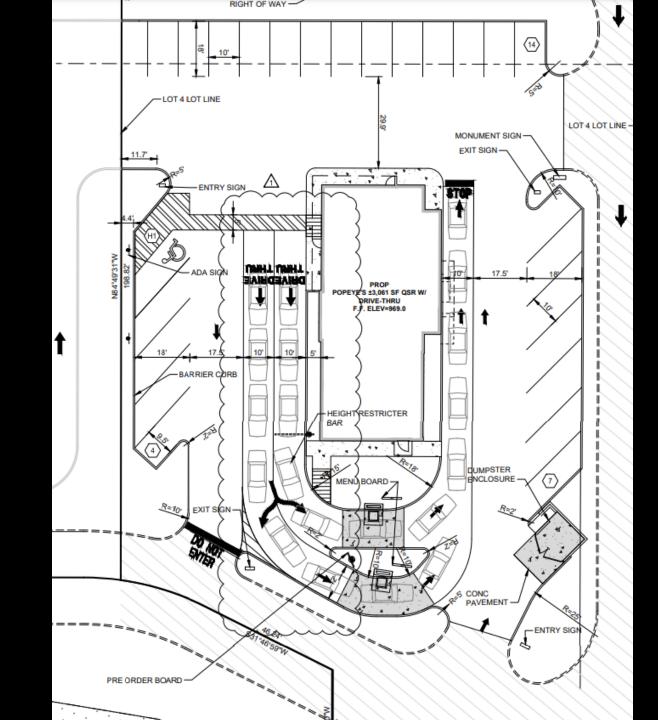
- Submitted sign package generally complies with Chapter 1189
- The zoning code is silent on menu signs. Historically, they have not counted toward the one ground-mounted sign limit.
- While the zoning code limits changeable copy to only 50% of the sign area, staff recommends approval of 100% electronic changeable copy of the menu / presale boards. This enables the total sign area to be smaller.
- While the directional sign faces are slightly larger than code allows, the visual impact should be minimal. The sign height should not exceed three feet.
- Staff recommends approval as submitted, with the directional signs not exceeding three feet in height.

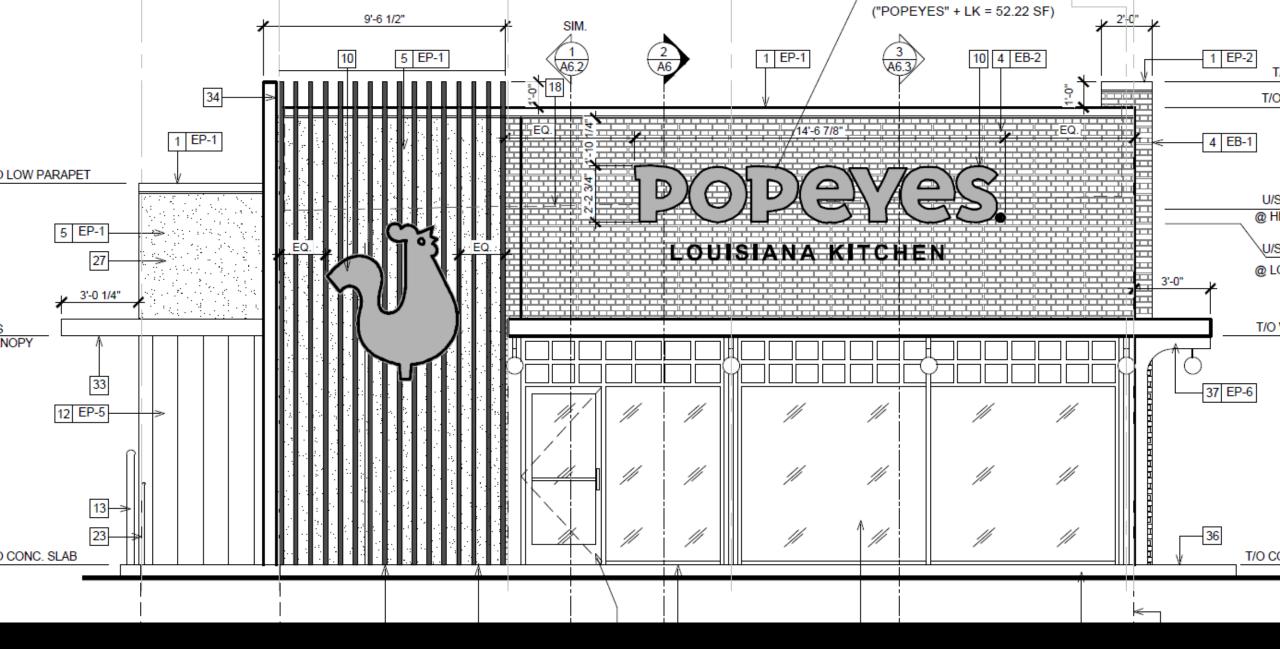
# Popeye's

- Revised sign package was submitted today.
- Total revised wall sign area is 157.83 SF, compared to 258 SF as originally submitted.
  - Chicken logo is 33 SF, and staff considers this a wall sign.
- The site plan indicates one internally illuminated monument ground sign facing Old Troy Pike, set back nearly 60 feet from the property line. The total height is 6-feet, and just under 24 square feet.
- The site plan also indicates three directional signs, each 3.12 SF and 3-feet tall. The sign code limits to the sign face to 2 square feet per side, and maximum height of 3-feet.
- The site plan indicates one digital pre-order board and two digital menu boards in the drive-thru lanes, each with 100% electronic changeable copy. Each menu board is a total of 5'- 4" high, including a 1.5-foot metal pedestal. The menu display itself is 6'-3" wide and 3'-10" tall (approximately 24.3 square feet).

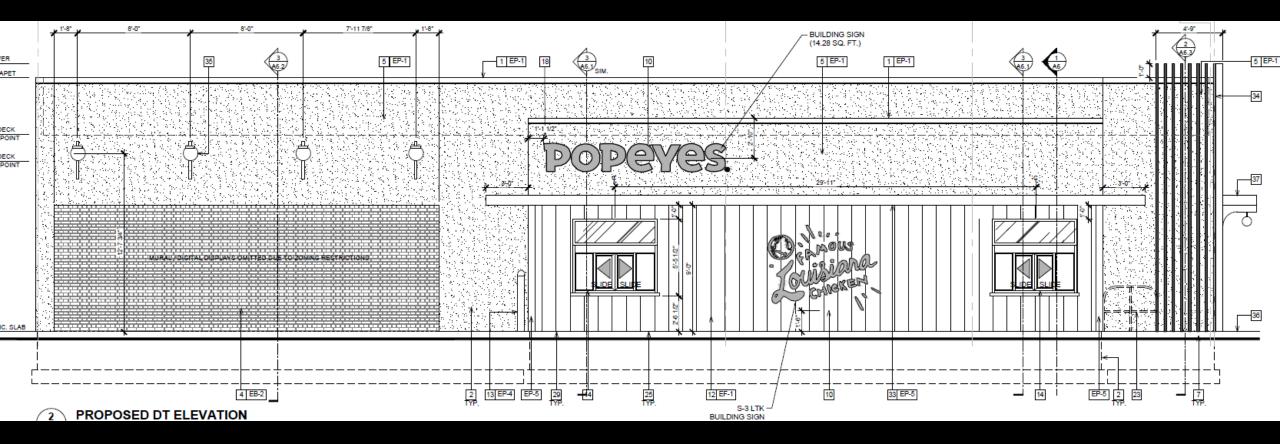




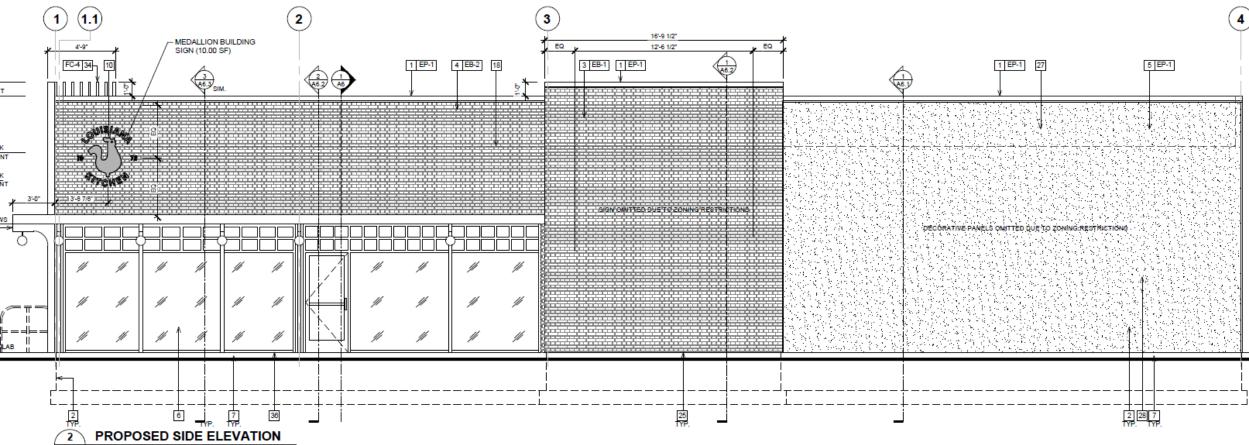




# **Front Elevation**



**East Elevation** 



West Elevation

# Popeye's – Staff Analysis

- Revised sign package generally complies with Chapter 1189
- The zoning code is silent on menu signs. Historically, they have not counted toward the one ground-mounted sign limit.
- While the zoning code limits changeable copy to only 50% of the sign area, staff recommends approval of 100% electronic changeable copy of the menu / presale boards. This enables the total sign area to be smaller.
- While the directional sign faces are slightly larger than code allows, the visual impact should be minimal. The sign height should not exceed three feet.
- Staff recommends approval as revised.

### Information

Agenda Title

DETAILED DEVELOPMENT PLAN - The applicant, DDC MANAGEMENT, is requesting approval of a Detailed Development Plan and Final Plat for the first section of the Villages of Westport subdivision located at Chambersburg Road (ZC 22-06).

Purpose and Background

Attachments

Staff Report Decision Record Drawings Fire Assessment

# 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 8, 2022

Subject: ZC 22-06 Detailed Development Plan and Final Plat Villages of Westport: Section 1

Application dated January 28, 2022

Department of Planning and Zoning	City of Huber Heights	
APPLICANT/OWNER:	DDC Management – Applicant Meridian Land Group LTD & Wild Creek Properties LTD - Owners	
DEVELOPMENT NAME:	Villages of Westport	
ADDRESS/LOCATION:	Northern parcel at intersection of Chambersburg Road and Churchill Downs Place.	
ZONING/ACREAGE:	Planned Residential / 74.3127	
EXISTING LAND USE:	Residential / Vacant	
ZONING ADJACENT LAND:	PP, PC	
REQUEST:	The applicant requests approval of the detailed development plan and final plat for the first section of the Villages of Westport subdivision.	
ORIGINAL APPROVAL:	Planning Commission recommended approval of the Basic Development Plan on October 26, 2021.	
APPLICABLE HHCC:	Chapter 1171, 1172	
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received	

### STAFF ANALYSIS AND RECOMMENDATION:

### <u>Overview</u>

The applicant requests approval of the detailed development plan and final plat for the first section of the Villages of Westport subdivision. The basic development plan calls for 291 lots on 171 acres, which yields an average density of 1.7 units/acre.

This first section contains 95 lots on approximately 74 acres. Approximately 49 acres are reserved for open space.

The original rezoning request was approved with the following conditions (only the relevant conditions are listed):

- 1) The minimum setbacks shall be 25-foot front yard, 25-foot rear yard, 5-foot side yard.
- 2) A minimum of 25% of the surface area of the front facade shall be finished with brick or stone masonry products.
- 3) Minimum floor area shall be as follows: one story dwellings shall have a minimum floor area of 1,200 square feet and two-story dwellings shall have a minimum floor area of 1,600 square feet.
- 4) Chambersburg Road will be improved to a forty-five (45) foot half right-of-way section per the City's Throughfare Plan.
- 5) A 20' preservation zone shall be placed along the east boundary line.

### Conformance with Zoning Regulations

The proposal conforms to the regulations outlined in Chapter 1172, Planned Residential District.

The draft HOA covenants have the following applicable requirements and restrictions:

- Uses: Limited to a single-family residence
- Building material: The covenants do require a minimum 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 6-feet. Materials limited to wood, vinyl, decorative aluminum, wrought iron. Chain link fencing is prohibited.

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

### Other development considerations

Lighting:

In lieu of traditional street lights, the applicant is proposing lamp posts on each lot to illuminate the sidewalk and street area. This is acceptable to staff for those areas that are developed and will have one lamp post every 70 to 80-feet, minimum. However, the Planning Commission may consider requiring street lights along "Street A" between

Chambersburg Road and lot 46. Without street lights, there will be a nearly 1,000-foot section of the sidewalk without any lighting.

### **Standards for Approval**

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 requests approval of the detailed development plan and final plat for the first section of the Villages of Westport subdivision. The basic development plan calls for 291 lots on 171 acres, which yields an average density of 1.7 units/acre.

This first section contains 95 lots on approximately 74 acres. Approximately 49 acres are reserved for open space.

The proposed detailed development plan meets all requirements of the basic development plan approved by the Planning Commission. Staff recommends the Planning Commission consider requiring street lights along "Street A" between Chambersburg Road and lot 46.

### Additional Comments:

Fire: No additional comments.

### **City Engineer:**

- A street light should be added at Chambersburg and Endicott Road.
- The sidewalks along Chambersburg should be 5-feet wide, per code.
- In 2027 a 10-foot shared use path will be constructed along Chambersburg Road. When installing the 5-foot sidewalks along Chambersburg, the applicant should grade and prepare the base for an additional 5-foot width extension.

### **Recommendation**

Staff recommends approval of the detailed development plan submitted on January 28, 2022. Staff recommends the Planning Commission consider requiring street lights along "Street A" between Chambersburg Road and lot 46, a street light at Chambersburg and Endicott, and a 10-foot graded base for the 5-foot sidewalks along Chambersburg.

### **Planning Commission Action**

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

- 1) Approve the Detailed Development Plan; or,
- 2) Deny the Detailed Development Plan.



### **Planning Commission Decision Record**

WHEREAS, on January 28, 2022, the applicant, DDC Management, requested approval of a Detailed Development Plan and Final Plat for the first section of the Villages of Westport subdivision for property located at Chambersburg Road, Parcel Numbers P70-04008-0006 and P70-04008 0004 of the Montgomery County, Ohio Records (ZC 22-06); and

WHEREAS, on February 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.

moved to recommend approval of the request by the applicant, DDC Management for a Detailed Development Plan and Final Plat for the first section of the Villages of Westport subdivision for property located at Chambersburg Road, Parcel Numbers P70-04008-0006 and P70-04008 0004 of the Montgomery County, Ohio Records (ZC 22-06) in accordance with the recommendation of Staff's Memorandum dated February 8, 2022, with the following conditions:

- 1. Provide streetlights along Street A between Chambersburg Road and Lot 46, and at Chambersburg and Endicott Road.
- 2. The sidewalks along Chambersburg Road shall be 5-foot wide, per code, with a 10-foot graded base.

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

Terry Walton, Chair Planning Commission Date

**GENERAL NOTES** 1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF HUBER HEIGHTS SPECIFICATIONS AND STANDARD DRAWINGS. IF NO CITY STANDARD IS AVAILABLE, THEN STANDARD DRAWINGS AND SPECIFICATIONS FROM THE MONTGOMERY COUNTY, OHIO ENGINEERING DEPARTMENT OR THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION "CONSTRUCTION & MATERIALS SPECIFICATIONS" (LATEST EDITION) SHALL BE FOLLOWED 2. ALL UTILITY TRENCH EXCAVATION WITHIN THE EXISTING AND PROPOSED RIGHT-OF-WAY AND EASEMENTS SHALL BE BACKFILLED WITH GRANULAR FILL MATERIAL IN ACCORDANCE WITH CITY SPECIFICATIONS AND COMPACTED BEFORE SUB-GRADE APPROVAL

3. ALL UNDERGROUND UTILITY SERVICE LATERALS ARE TO BE INSTALLED FROM MAIN TO RIGHT-OF-WAY LINE BEFORE STREETS ARE SURFACED.

4. ALL CATCH BASINS (CURB AND GUTTER INLET) ODOT TYPE 3A UNLESS OTHERWISE SPECIFIED. THE CASTING HOOD SHALL HAVE "DUMP NO WASTE" LETTERING AND FISH IMAGE. 5. ALL STORM SEWER PIPE SHALL BE REINFORCED CONCRETE ASTM C-76, CLASS IV. UNLESS OTHERWISE NOTED.

6. ALL MANHOLES TO BE TYPE "A", UNLESS OTHERWISE NOTED.

7. CHANNEL BOTTOMS OF ALL MANHOLES. 8. CURB RAMPS TO BE LOCATED AS INDICATED ON PLANS AND CONSTRUCTED IN ACCORDANCE WITH CITY SPECIFICATIONS.

9. CONCRETE CURBING TO BE A TYPE SPECIFIED IN THE CITY OF HUBER HEIGHTS STANDARD DRAWINGS. EXTRUDED CURB IS NOT PERMITTED.

10. ALL FIELD TILE ENCOUNTERED SHALL BE REPLACED OR CONNECTED TO THE STORM SEWER SYSTEM.

11. ALL EXISTING UNDERGROUND UTILITIES ARE SHOWN IN THEIR APPROXIMATE LOCATION ACCORDING TO THE BEST AVAILABLE INFORMATION. FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: THE OHIO UTILITIES PROTECTION SERVICE (OUPS) AT 1-800-362-2764; THE DAYTON POWER & LIGHT CO. AT 937-866-3303, AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NON-MEMBERS OF OUPS.

12. THE CONTRACTOR SHALL TAKE APPROPRIATE MEASURES TO CONTROL SOIL EROSION AND SEDIMENTATION THROUGH THE LIFE OF THE CONTRACT. THESE MAY INVOLVE THE USE OF HAY AND STRAW BALES, DIKES, SEDIMENT PITS, MULCHES, FILTER FABRICS AND OTHER DEVICES AND METHODS. PARTICULAR CARE SHALL BE TAKEN TO AVOID EROSION AND SEDIMENTATION ON EXISTING PAVED AND GRAVELED AREAS

13. ROOF AREA DRAIN LINES SHALL NOT BE EXTENDED THROUGH CURBS BUT SHALL BE DIRECTLY CONNECTED TO THE STORM SEWER SYSTEM.

14. ALL METAL CASTINGS SHALL BE PAINTED WITH TWO COATS OF BLACK ASPHALTUM PAINT. 15. ALL EXISTING MONUMENTS SHALL BE PROTECTED AND OR REFERENCED BY THE

CONTRACTOR. MONUMENTS SHOWN ON THE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH DETAILS SHOWN ON MONTGOMERY COUNTY STANDARD CONSTRUCTION DRAWING MC-1. MONUMENT BOXES SHALL BE LOCATED AT ROADWAY PI, PC, PT POINTS AS WELL AS CROSS STREETS CENTERLINE.

16. SUMP DRAIN LINES SHALL BE 4" OR 6" PVC SOLID WALL PIPE AND SHALL HAVE CLEAN-OUTS AT 200 FT INTERVALS TOP OF SUMP DRAIN TO BE A MINIMUM OF 30" BELOW TOP OF CURB. PIPE BEDDING MATERIAL SHALL BE PEA GRAVEL OR PIPE FILL (SAND). BACKFILL SHALL BE THOROUGHLY TAMPED WITH MECHANICAL TAMPERS IN 6" LAYERS. SUMP DRAIN LINES SHALL BE PLACED IN GENERAL PARALLEL WITH THE CURB AND 6" BEHIND THE BACK OF CURB AND TIED INTO THE NEAREST POSSIBLE CATCH BASIN OR STORM MANHOLE. AT THE LOW SIDE OF THE PROPERTY, A 2 INCH TEE AND PLUG SHALL BE CONNECTED TO THE SUMP DRAIN LINE FOR EACH LOT. NO DOWNSPOUTS OR OTHER CLEAN WATER CONNECTIONS MAY BE TIED TO THIS SUMP DRAIN LINE. A 4" SUMP DRAIN LINE SHALL BE USED FOR 1-4 HOUSES WALK OUT BASEMENTS DO NOT REQUIRE A SUMP PUMP. FOOTING DRAINS SHALL DRAIN BY GRAVITY TO THE REAR OF THE LOT.

### WATER NOTES

1. THE CONTRACTOR SHALL BE QUALIFIED TO CONSTRUCT WATER MAINS. ALL WATER LINES AND APPURTENANCES SHALL BE CONSTRUCTED ACCORDING TO CITY OF HUBER HEIGHTS SPECIFICATIONS

2. WATER MAINS, BENDS AND FITTINGS SHALL BE DUCTILE CAST IRON PIPE AND CONFORM TO ANSI A-21.51 (AWWA C-151), CLASS 53, BENDS AND TEES SHALL BE RESTRAINED USING BOTH MEGA LUGS AND CONCRETE THRUST BLOCKS FOR THE LENGTH DETERMINED BY THE CITY INSPECTOR.

3. ALL WATER MAINS SHALL HAVE 4' -6" MINIMUM COVER.

4. NO SERVICE CONNECTIONS SHALL BE MADE TO THE WATER MAIN UNTIL THE MAIN LINE HAS BEEN INSPECTED, TESTED, DISINFECTED AND RELEASED FOR TAPS.

5. NO CONSTRUCTION SHALL COMMENCE UNTIL ALL PERMITS HAVE BEEN ISSUED.

6. ALL UTILITY TRENCHES WITHIN THE EXISTING OR PROPOSED PAVEMENT OR EASEMENTS SHALL BE BACKFILLED WITH COMPACTED GRANULAR MATERIAL CONFORMING TO ODOT 310 IN ACCORDANCE WITH THE CITY SPECIFICATIONS.

7. NO ADDITIONS. DELETIONS. OR REVISIONS TO THE WATER FACILITIES ARE TO BE MADE WITHOUT PRIOR WRITTEN APPROVAL BY THE CITY OF HUBER HEIGHTS.

8. ONLY CITY OF HUBER HEIGHTS OR UNITED WATER PERSONNEL SHALL OPERATE MAIN LINE WATER VALVES.

9. ALL FIRE HYDRANTS SHALL BE LOCATED 2' FROM AND WITHIN 5' OF THE CURB OR EDGE OF PAVEMENT AND 4" OPENING TO FACE THE STREET.

10. WATER LINES CROSSING ANY AND ALL SEWERS SHALL HAVE A MINIMUM VERTICAL SEPARATION OF 18" BETWEEN THE OUTSIDES OF THE WATER MAIN PIPE AND THE SEWER PIPE. ONE FULL LENGTH OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING SUCH THAT BOTH JOINTS WILL BE EQUIDISTANT AND AS FAR FROM THE SEWER AS POSSIBLE. IF WATER CROSSES BELOW SANITARY SEWERS. THE SEWER MUST BE WATER MAIN MATERIAL FOR THAT SPAN.

11. ALL SERVICE LATERALS ARE TO BE INSTALLED FROM MAIN TO RIGHT OF WAY OR EASEMENT BEFORE STREETS ARE SURFACED.

12. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING WATER MAINS BEFORE CONSTRUCTION OF NEW WATER MAIN AT PROPOSED CONNECTIONS.

13. ALL GATE VALVES ARE TO BE LOCATED AT TEES OR CROSSES WITH A 1' MAXIMUM NIPPLE BETWEEN TEE OR CROSS AND VALVE. ALL PLUGS ARE TO BE CONNECTED TO VALVES EXCEPT WHERE SHOWN ON PLANS. PLUGS SHALL BE TAPPED WITH A 3/4" SHUT OFF VALVE FOR RELEASE OF AIR AND FOR FLUSHING.

14. ALL VALVES AND FIRE HYDRANTS SHALL HAVE RIGHT HAND (CLOCKWISE) OPENING DIRECTION.

15. GATE VALVES SHALL HAVE RESILIENT SEATS RATHER THAN BRASS SEATS. OPERATING RODS SHALL HAVE O-RING WATER SEALS RATHER THAN PACKING GLANDS.

16. ALL FIRE HYDRANTS IN SINGLE FAMILY RESIDENTIAL DISTRICTS SHALL BE MUELLER CENTURION 250 MODEL A-423 WITH 5-1 1/4" MAIN VALVE OPENING WITH ONE 5"STORTZ OUTLET WITH CAP AND 2 2-1/2" OUTLETS WITH CITY OF DAYTON THREADS.

17. ALL FIRE HYDRANTS IN MULTI FAMILY RESIDENTIAL AND COMMERCIAL DISTRICTS SHALL BE MUELLER CENTURION 200 MODEL A-425 WITH 5-1 1/4" MAIN VALVE OPENING TWO WAY WITH ONE 4" STORTZ OUTLET WITH CAP AND ONE 5"STORTZ OUTLET WITH CAP. OPERATING NUT TO BE A 1"SQUARE.

18. THE FIRE HYDRANT BREAKAWAY FLANGE SHALL BE LOCATED 4" ABOVE THE TOP OF CURB. 19. FIRE HYDRANTS SHALL BE PRIMED WITH RED OXIDE PRIMER AND PAINTED WITH TWO (2) COATS OF RED ENAMEL FROM THE BREAK-AWAY FLANGE TO THE TOP OF THE HYDRANT. LOWER SECTIONS OF THE HYDRANT, INCLUDING THE BARREL SHALL BE PAINTED WITH AN ASPHALTUM PAINT.

20. WATER SERVICE LINES SHALL BE 1" TYPE K COPPER PER CITY STANDARDS. METER YOKES AND METER VAULTS SHALL BE PER MONTGOMERY COUNTY STANDARDS.

21. BOLLARDS, WHERE REQUIRED, SHALL BE CONCRETE FILLED 8" DIAMETER POSTS WITH FOUNDATIONS SET 42" BELOW GRADE IN A CONCRETE FILLED EXCAVATION. 22. ALL HYDRANTS SHALL HAVE CITY OF DAYTON THREADS RATHER THAN NATIONAL STANDARD

THREADS EXCEPT FOR THE STREAMER CONNECTION WHICH SHALL BE A STORTZ FITTING.

# UTILITY OWNERS

CENTERPOINT ENERGY 4285 NORTH JAMES McGEE BLVD 3233 WOODMAN DRIVE, SUITE 100 DAYTON, OH 45427 (937) 440-1957

**TELEPHONE** AT&T DAYTON, OH 45420 (937) 296-3726

**AES OHIO** 1900 DRYDEN ROAD DAYTON, OHIO 45459 (937) 331-4682

SPECTRUM CABLE 275 LEO ST. DAYTON, OH 45459 (937) 425-8883

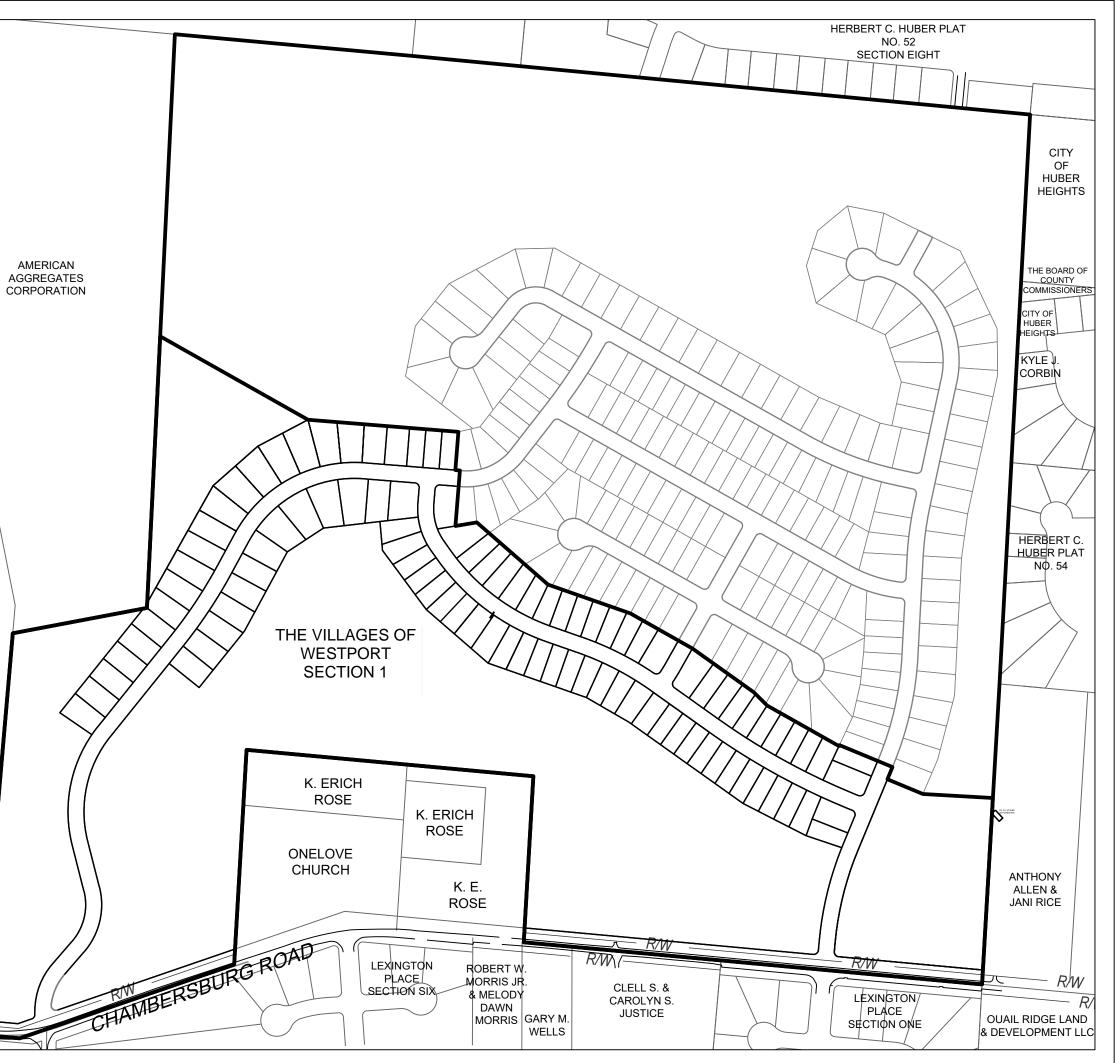
STREET, STORMWATER, SANITARY **SEWER & WATER** CITY OF HUBER HEIGHTS 6131 TAYLORSVILLE ROAD HUBER HEIGHTS, OHIO 45424 (937) 233-1423

AMERICAN AGGREGATES CORPORATION

- 2. SANITARY SEWER PIPE AND FITTINGS SHALL BE PVC S3034 SDR 26.
- 3. SANITARY SEWER PIPE JOINTS SHALL CONFORM TO ASTM D 3212 FOR PVC.
- SEWER SYSTEM ARE PROHIBITED. 5. NO CONSTRUCTION SHALL COMMENCE UNTIL ALL PERMITS HAVE BEEN ISSUED. 6. ALL UTILITY TRENCHES WITHIN THE EXISTING OR PROPOSED STREET RIGHT-OF-WAY SHALL BE BACKFILLED WITH COMPACTED GRANULAR MATERIAL CONFORMING TO ODOT 310 IN
- ACCORDANCE WITH THE CITY SPECIFICATIONS.
- PRIOR WRITTEN APPROVAL BY THE CITY OF HUBER HEIGHTS.

# THE VILLAGES OF WESTPORT **SECTION 1**

SECTION 34, TOWN 2, RANGE 8 M.Rs. CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO JANUARY 28, 2022



### **OVERALL MAP** 1" = 300'

# SANITARY NOTES

1. THE CONTRACTOR SHALL BE QUALIFIED TO CONSTRUCT SANITARY SEWERS. ALL SUCH WORK SHALL 8. WATER LINES CROSSING ANY AND ALL SEWERS SHALL HAVE A MINIMUM VERTICAL SEPARATION OF BE CONSTRUCTED ACCORDING TO CITY OF HUBER HEIGHTS SPECIFICATIONS.

- 4. ROOF DRAINS, FOUNDATION DRAINS AND OTHER CLEAN WATER CONNECTIONS TO THESANITARY
- 7. NO ADDITIONS, DELETIONS OR REVISIONS TO THE SANITARY SEWER ARE TO BE MADE WITHOUT

## **BENCHMARK "1"**

BENCHMARK "2"

858.63' (NAVD 88)

NAIL IN POWER POLE LOCATED ON THE NAIL IN POWER POLE LOCATED ON THE TOP OF ARROW BOLT ON A FIRE AND BEING THE 3RD POLE WEST OF AND BEING THE 2ND POLE EAST OF CHURCHILL DOWNS PLACE. ELEV = CHURCHILL DOWNS PLACE. ELEV = 836.48' (NAVD 88)

### VERTICAL DATUM:

ELEVATIONS AND DATUM AS SHOWN HEREON ARE BASED UPON NAVD88 ESTABLISHED USING GPS OBSERVATIONS ALONG WITH THE OHIO DEPARTMENT OF TRANSPORTATION RTN NETWORK AND OPUS SOLUTIONS. MADE IN CONJUNCTION WITH A SURVEY CONDUCTED BY CESO INC. IN JANUARY OF 2021.

# **BASIS OF BEARING:**

NORTH AND BEARING SYSTEM BASED ON THE OHIO STATE PLANE - SOUTH, NAD 83 AND UPON GPS OBSERVATIONS TAKEN BY CESO INC IN JANUARY OF 2021. SCALED TO GROUND AT A LAT. N39°51'07.90867", LONG. W84°09'11.27914" AT A PROJECT HEIGHT OF 723.402 FEET AND A SCALE FACTOR OF 1.00006540838663



RIGHT OF WAY OR EASEMENT BEFORE STREETS ARE SURFACED.

WITH VENT HOLES TO BE AT THE OPTION OF THE CITY ENGINEER.

NORTH SIDE OF CHAMBERSBURG ROAD NORTH SIDE OF CHAMBERSBURG ROAD HYDRANT LOCATED ON THE SOUTH DEAD END OF SANDALVIEW DRIVE. ELEV = 856.83 (NAVD 88)

18" BETWEEN THE OUTSIDES OF THE WATER MAIN PIPE AND THE SEWER PIPE.ONE FULL LENGTH

WILL BE EQUIDISTANT AND AS FAR FROM THE SEWER AS POSSIBLE. IF WATER CROSSES BELOW

SHALL BE PLASTIC. ALL MANHOLE FRAMES AND LIDS SHALL BE DUCTILE IRON TRAFFIC BEARING

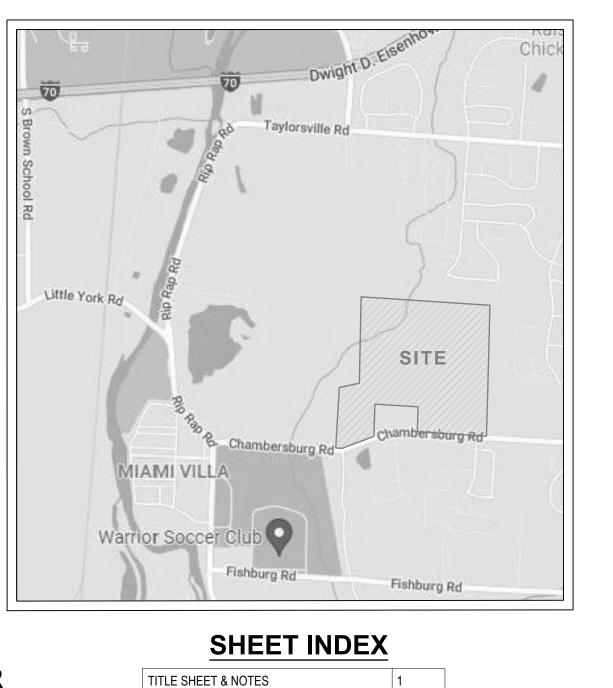
SANITARY SEWERS, THE SEWER MUST BE WATER MAIN MATERIAL FOR THAT SPAN.

9. ALL SERVICE LATERALS SHALL BE PVC SCHEDULE 40 AND ARE TO BE INSTALLED FROM MAINTO

10. ALL MANHOLES SHALL BE PRECAST IN ACCORDANCE WITH CITY STANDARDS. MANHOLE STEPS

OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING SUCH THAT BOTH JOINTS





# DEVELOPER

DDC MANAGEMENT. LLC 3601 RIGBY ROAD MIAMISBURG, OH 45342 PH: (937) 435-8584

# ENGINEER

CESO, INC. 3601 RIGBY ROAD MIAMISBURG, OH 45342 PH: (937) 435-8584 JUSTIN ELAM, P.E.

## SWP3 CONTACT

DOUG PRODOEHL PH: (513) 200-0523

### ROADWAY DETAILS 2 UTILITY DETAILS 3 WATER DETAILS 4 **OVERALL UTILITY & INDEX MAP OVERALL UTILITY & INDEX MAP** 6 **OVERALL UTILITY & INDEX MAP** PLAN AND PROFILE STREET A 8 PLAN AND PROFILE STREET A 9 PLAN AND PROFILE STREET A 10 11 PLAN AND PROFILE STREET E

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PLAN AND PROFILE STREET F	14
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GRADING & EROSION CONTROL PLAN - PH I	22
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SWPPP DETAILS	30
SWPPP DETAILS	31

### APPROVED AND RELEASED FOR CONSTRUCTION CESO, INC.

JUSTIN ELAM, P.E. OHIO REGISTERED ENGINEER No. E-76298

RECORD PLAT

## DATE

DATE

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APPROVED **CITY OF HUBER HEIGHTS** 

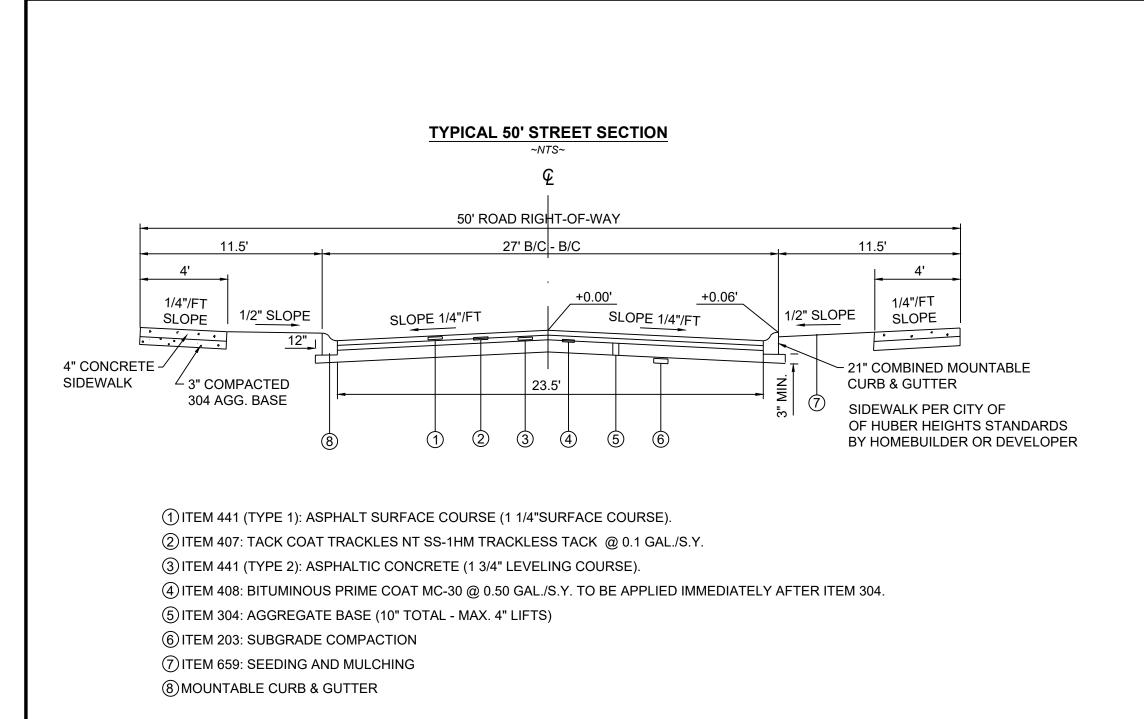
RUSSELL A. BERGMAN, P.E. **CITY ENGINEER** 

OHIO EPA: SUBMITTAL AND APPROVALS

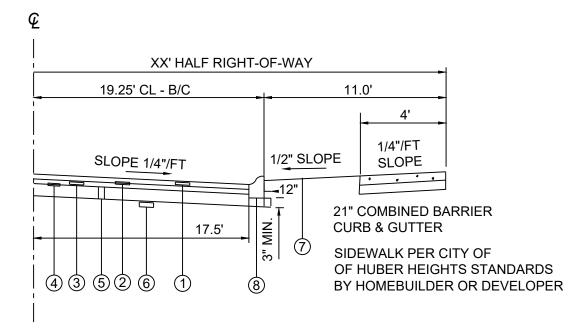
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OHIO EPA - SUBMITTED (WATER)	DATE
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### **MINOR COLLECTOR STREET SECTION - CHAMBERSBURG RD WIDENING** ~NTS~



(1) ITEM 441 (TYPE 1): ASPHALT SURFACE COURSE (1 1/2"SURFACE COURSE).

(2) ITEM 407: TACK COAT TRACKLES NT SS-1HM TRACKLESS TACK @ 0.1 GAL./S.Y.

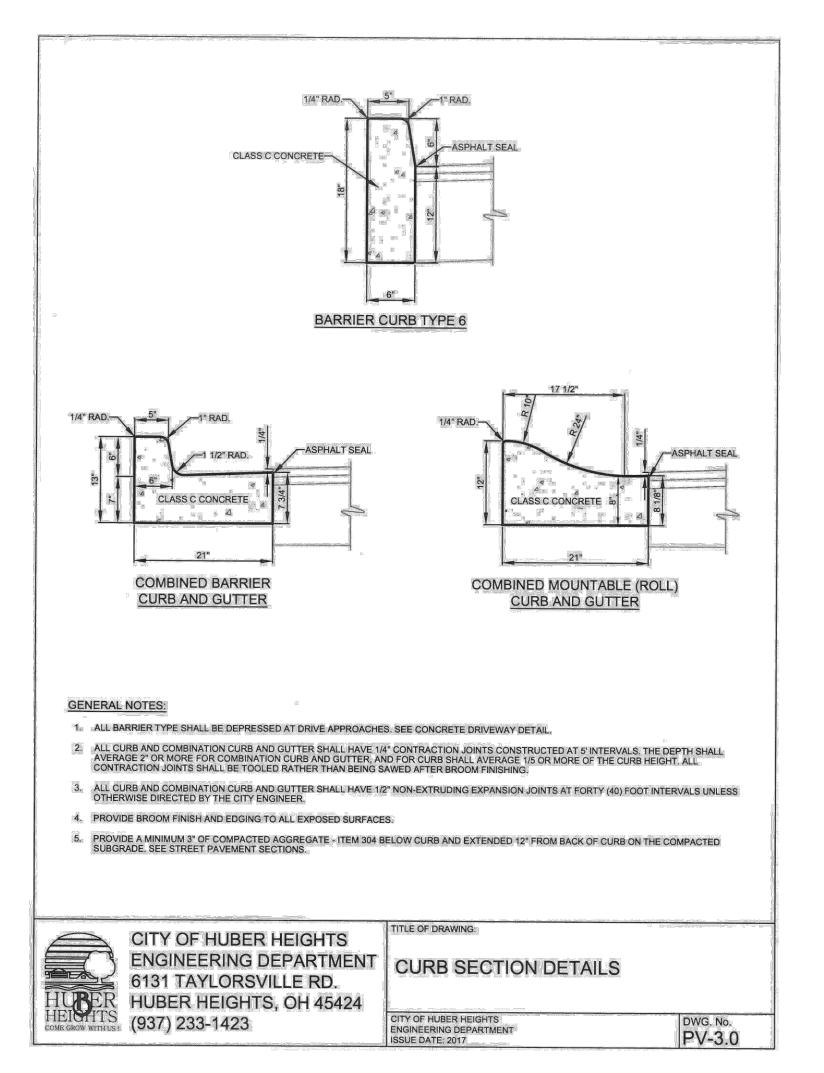
③ ITEM 441 (TYPE 2): ASPHALTIC CONCRETE (2 1/2" LEVELING COURSE).

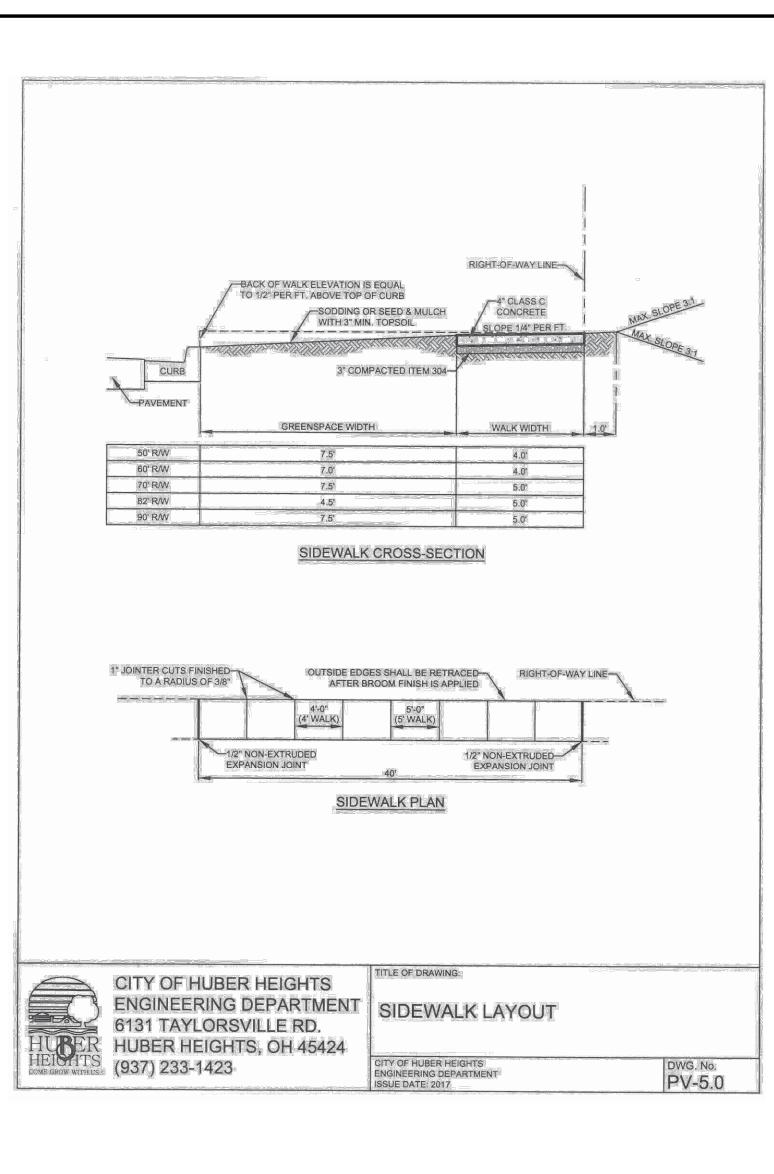
④ ITEM 408: BITUMINOUS PRIME COAT MC-30 @ 0.50 GAL./S.Y. TO BE APPLIED IMMEDIATELY AFTER ITEM 304.

- (5) ITEM 304: AGGREGATE BASE (10" TOTAL MAX. 4" LIFTS)
- (6) ITEM 203: SUBGRADE COMPACTION
- (7) ITEM 659: SEEDING AND MULCHING
- 8 BARRIER CURB & GUTTER

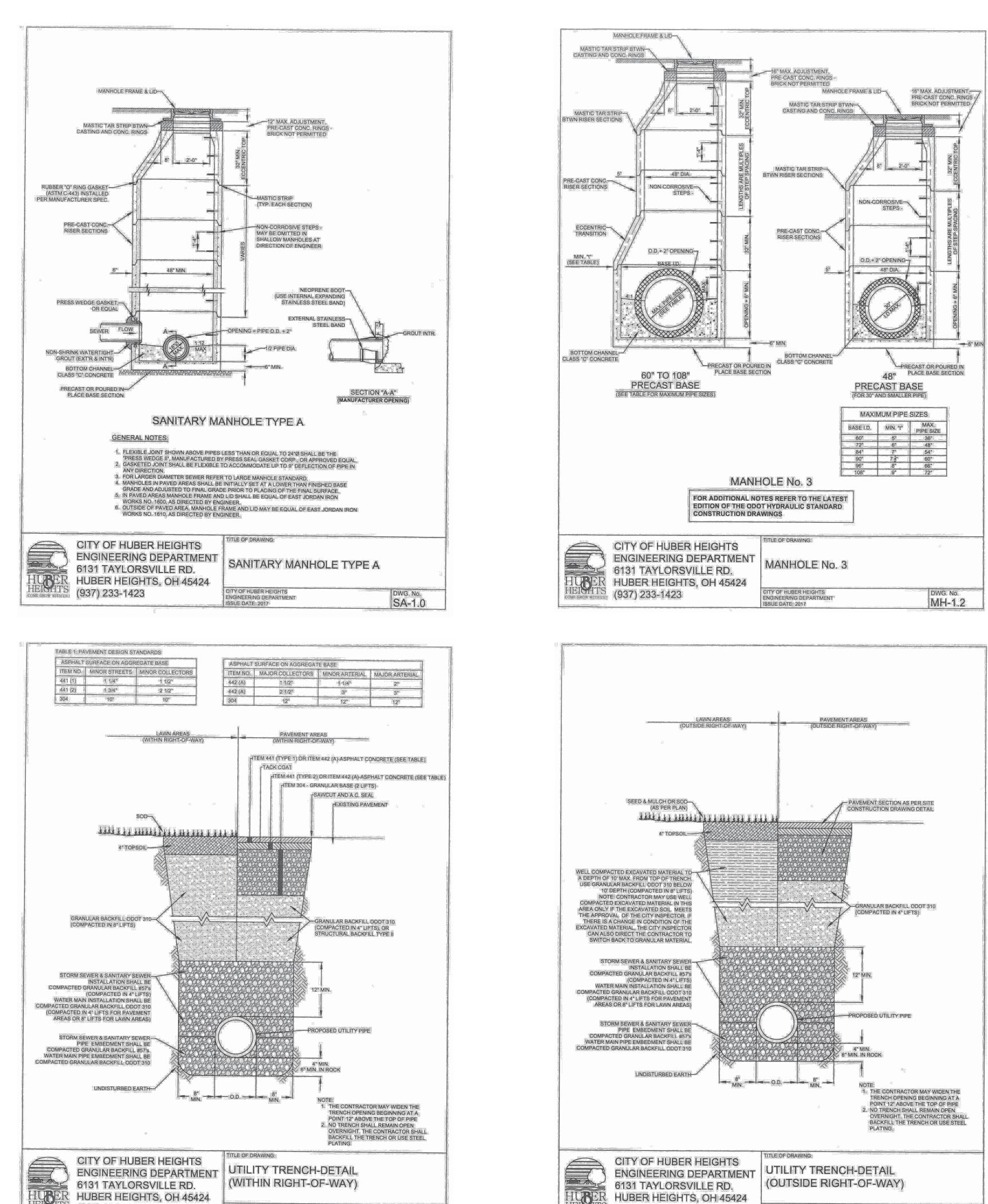
### NOTES:

- 1. ITEM 441 (TYPE 1) ASPHALT SURFACE COURSE SHALL NOT BE APPLIED UNTIL ITEM 441 (TYPE 2) ASPHALT LEVELING COURSE HAS BEEN IN PLACE AT LEAST 9 MONTHS. ANY ITEM 441 (TYPE 2) DETERIORATION OR SETTLEMENT THAT HAS DEVELOPED DURING THIS PERIOD SHALL BE REMOVED AND REPLACED BEFORE THE ITEM 441 (TYPE 1) COURSE IS APPLIED.
- 2. ITEM 407 TACK COAT SHALL BE APPLIED JUST PRIOR TO THE FINAL COURSE OF ITEM 441 LEVELING COURSE IF DIRECTED BY THE CITY ENGINEER
- 3. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE IN CONFORMANCE WITH THE CURRENT EDITION OF THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, CONSTRUCTION AND MATERIAL SPECIFICATION AND/OR AS MODIFIED BY THE CITY OF OF HUBER HEIGHTS.
- 4. ALL UTILITY TRENCHES WITHIN THE STREET RIGHT OF WAY MUST BE BACKFILLED WITH COMPACTED GRANULAR MATERIAL TO SUBGRADE ELEVATION (SEE DETAIL)
- 5. ALL SUBGRADE TO BE COMPACTED TO 95% OF THE MATERIALS MAXIMUM DENSITY BASED ON OPTIMUM WATER CONTENT OF THE SOIL (AASHTO DESIGNATION T-180-57 METHOD "C") TO THE REQUIRED CROWN BEFORE PLACING THE BASE OR ASPHALT COURSES.





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	ζ, OHIO
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CITY OF HUBER HEIGHTS ENGINEERING DEPARTMENT ISSUE DATE: 2017

DWG. No. MS-1.0

HUBER HEIGHTS HEIGHTS (937) 233-1423

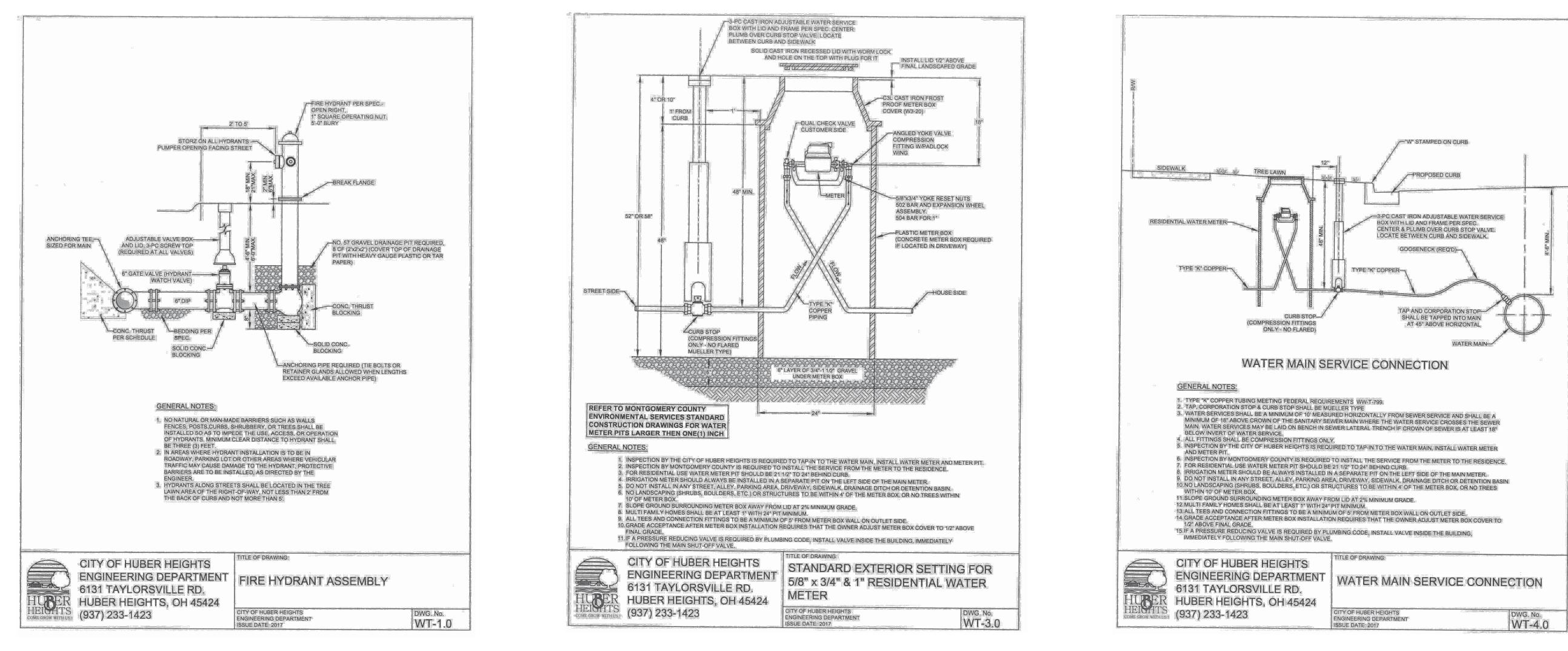
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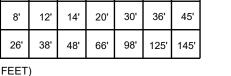
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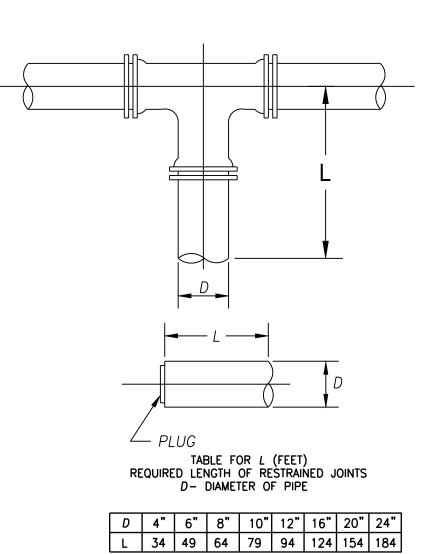


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<sup>D</sup> E	4"	6"	8"	10"	12"	16"	20"	24"	
<sub>11 1/4</sub> <b>o</b>		*	*	*	*	5'	5'	6'	
22 1/2 <b>0</b>	*	2'	3'	5'	6'	8'	10'	12'	"L"
<sub>45</sub> <b>o</b>	4'	8'	12'	14'	20'	30'	36'	45'	
<sub>90</sub>	12'	26'	38'	48'	66'	98'	125'	145'	
	-	FFFT							

TABLE FOR "L" (IN FEET) REQUIRED LENGTH OF RESTRAINED JOINTS "D" - INSIDE DIAMETER OF PIPE "E" - DEGREE OF DEFLECTION

\* REQUIRED RESTRAINED JOINT AT FITTING ONLY





**RESTRAINED JOINT LENGTHS** FOR WATER MAINS

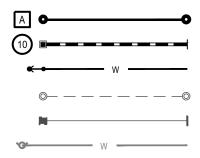
JOINT RESTRAINT FOR DEAD END VALVES, PLUGS, CAPS, AND TEES

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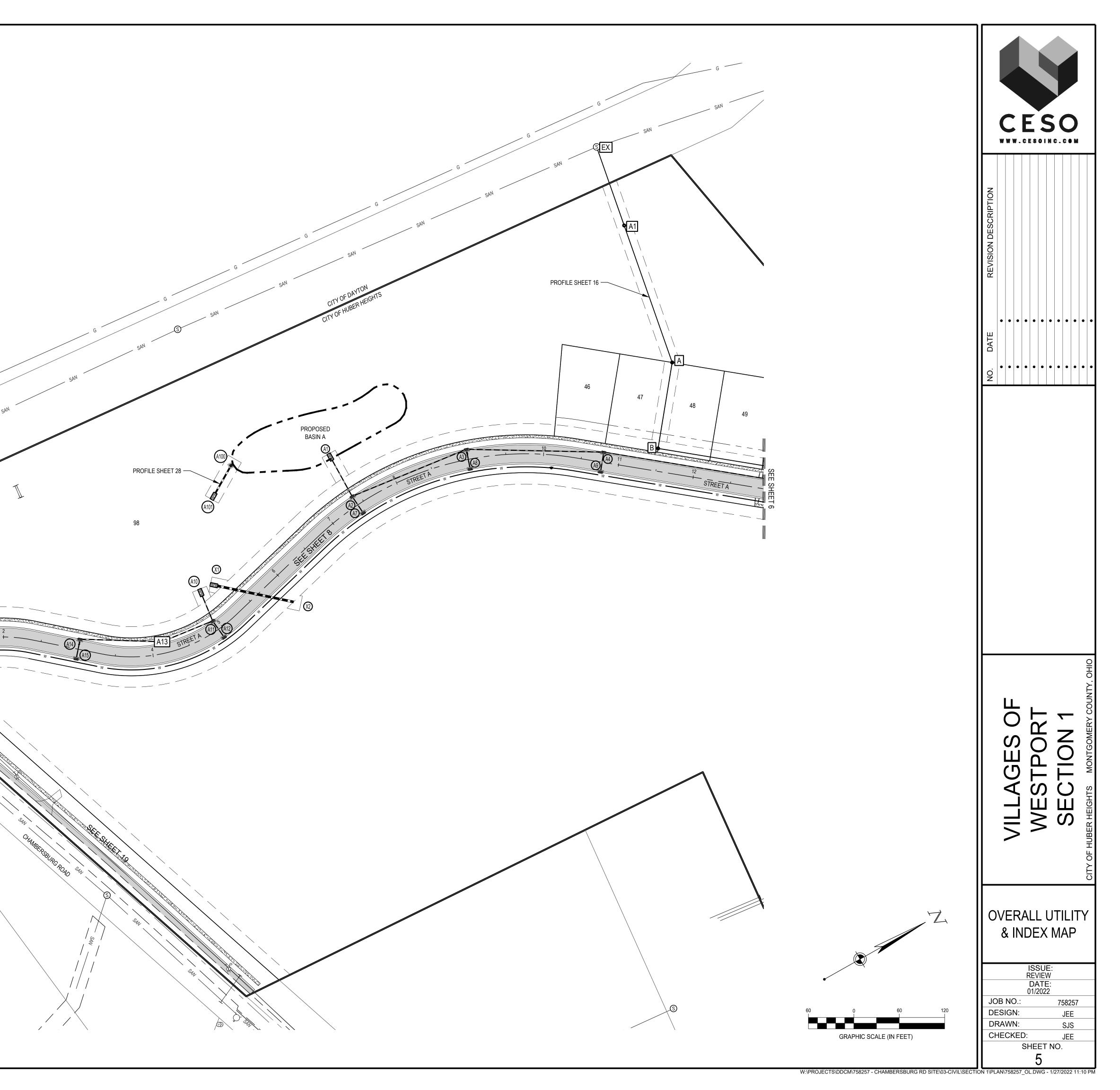
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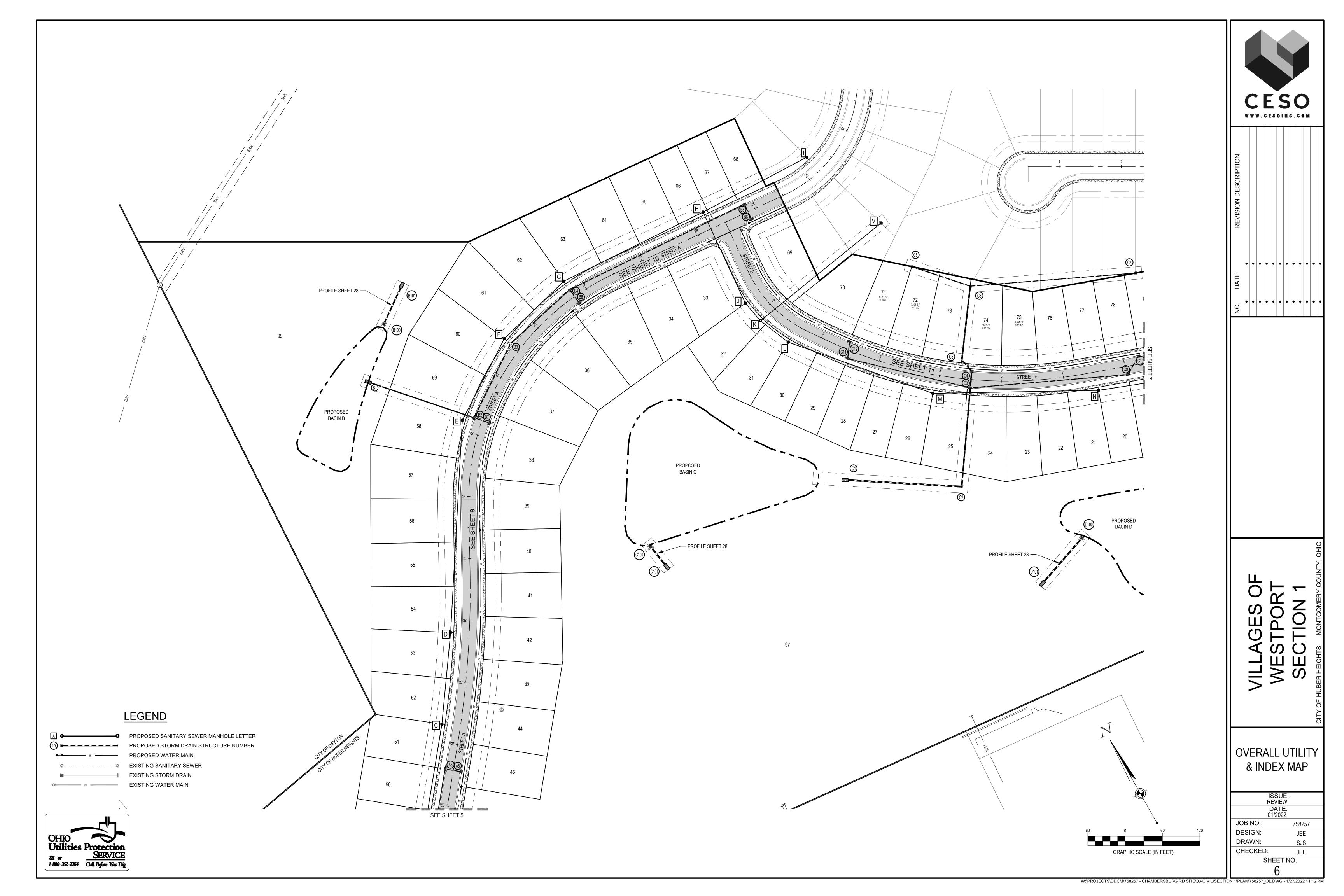
# LEGEND

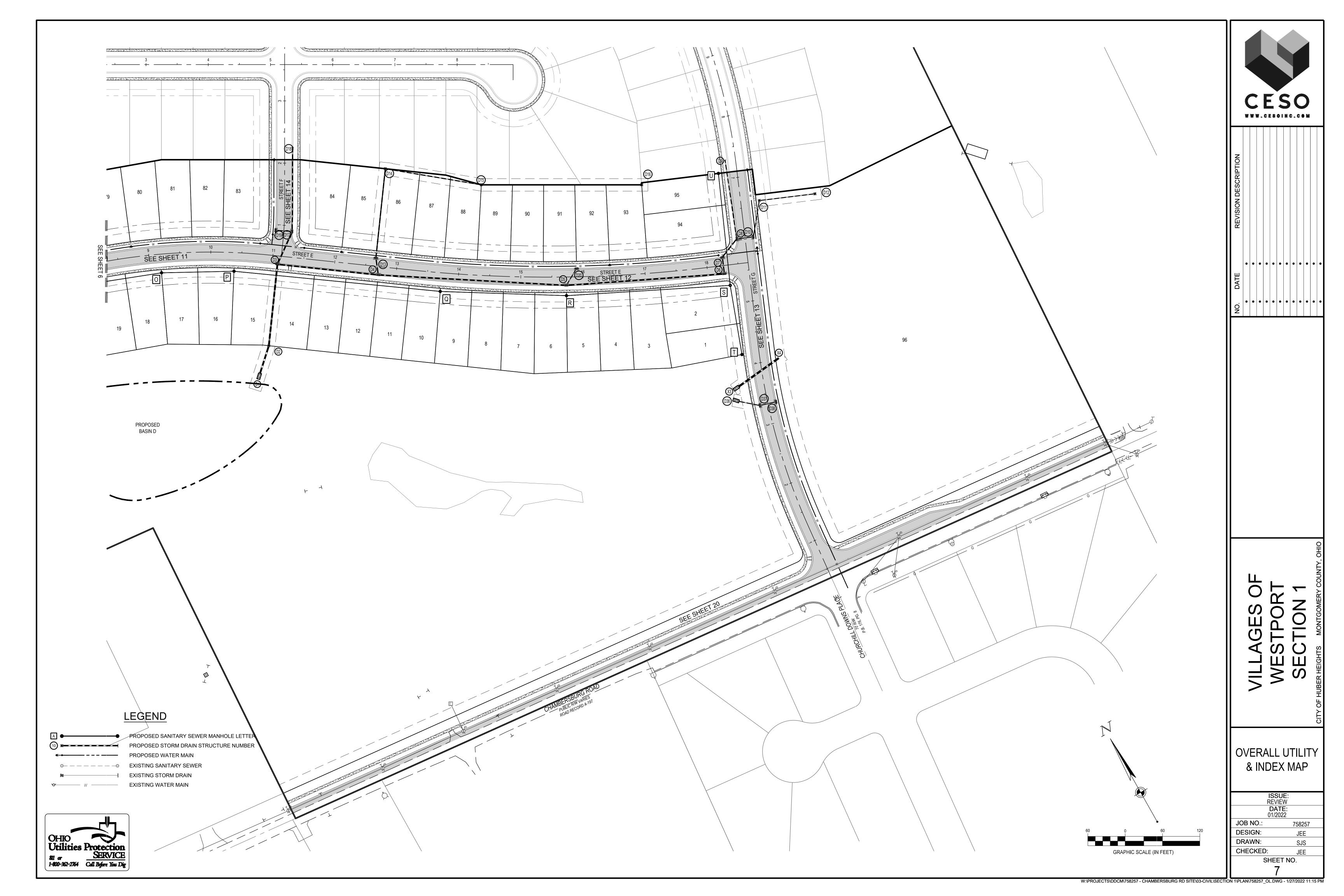


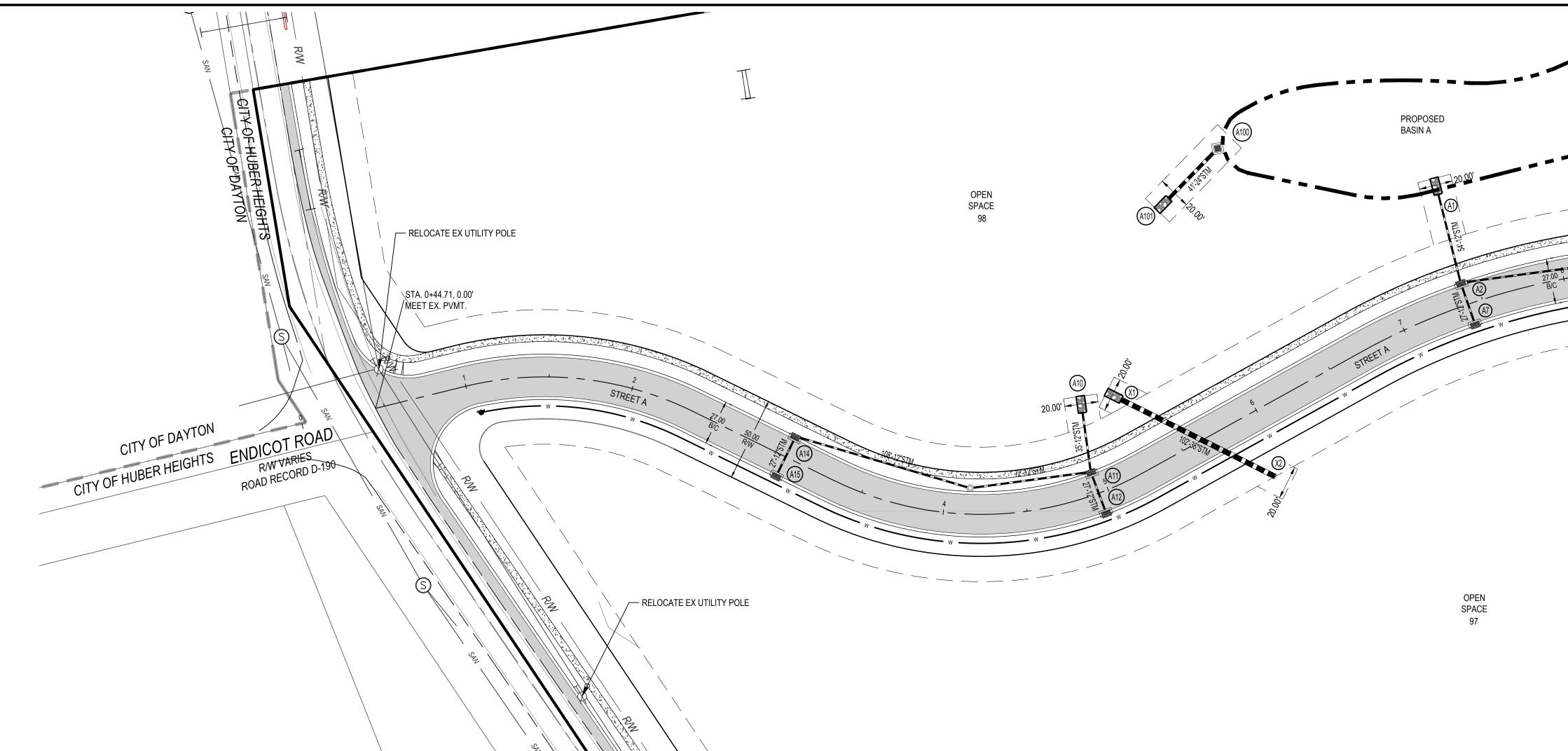
PROPOSED SANITARY SEWER MANHOLE LETTER
 PROPOSED STORM DRAIN STRUCTURE NUMBER
 PROPOSED WATER MAIN
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 EXISTING STORM DRAIN
 EXISTING WATER MAIN

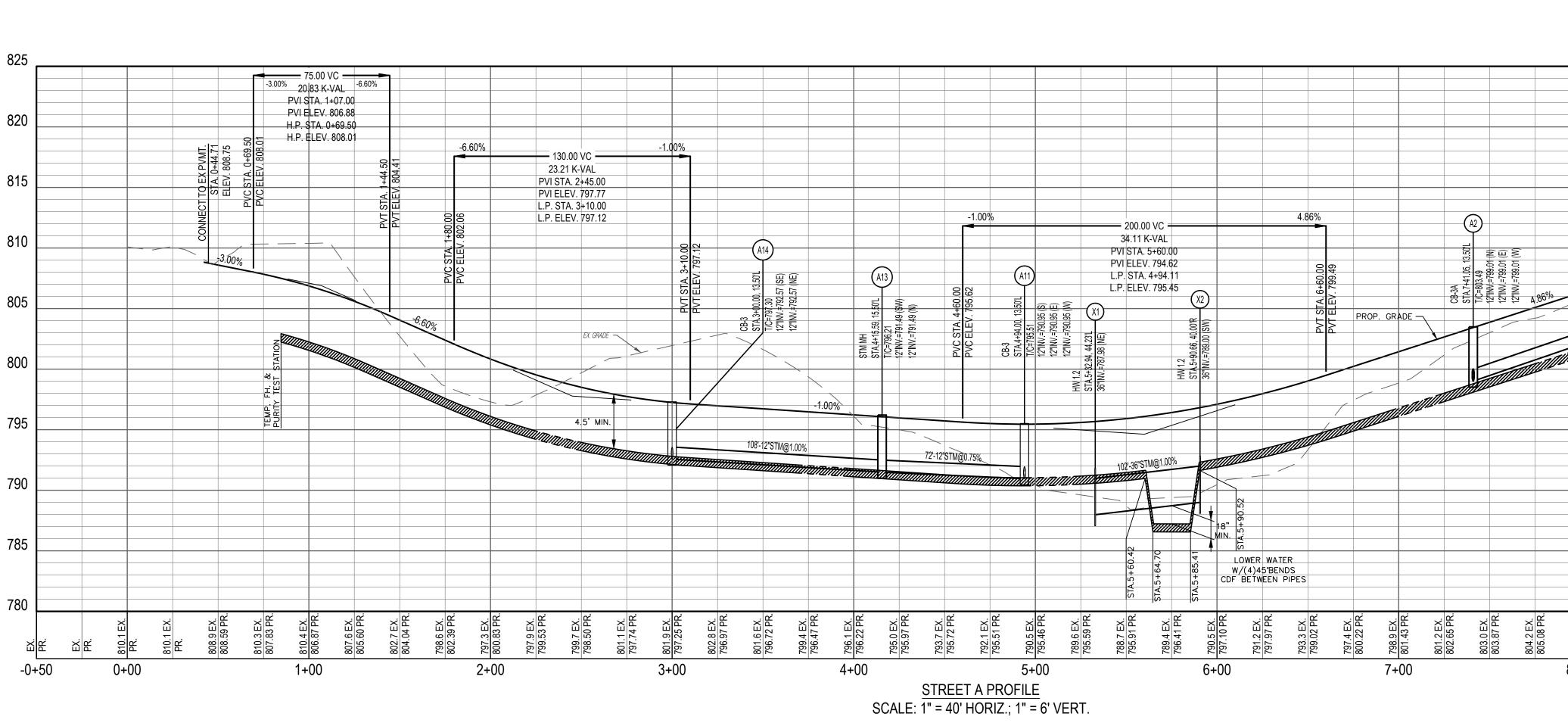


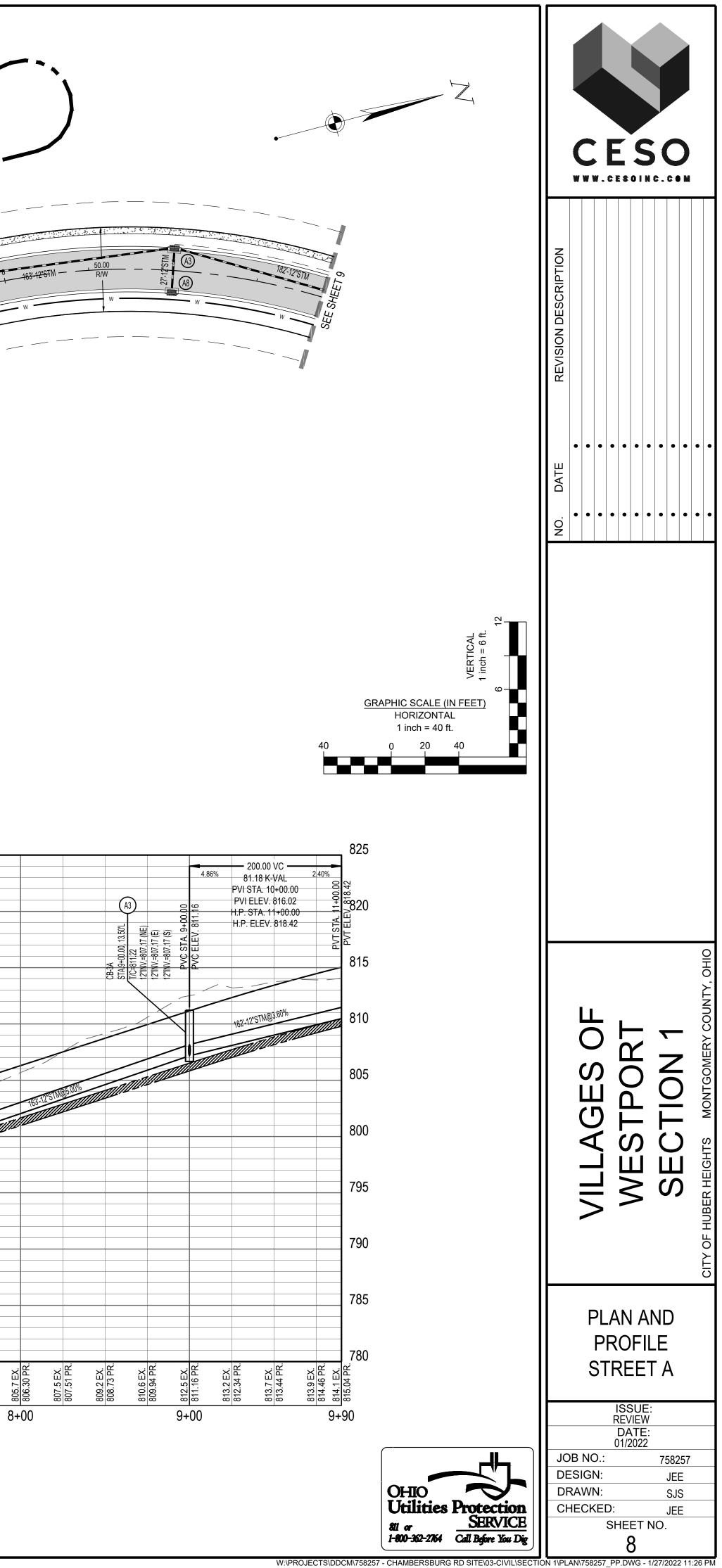


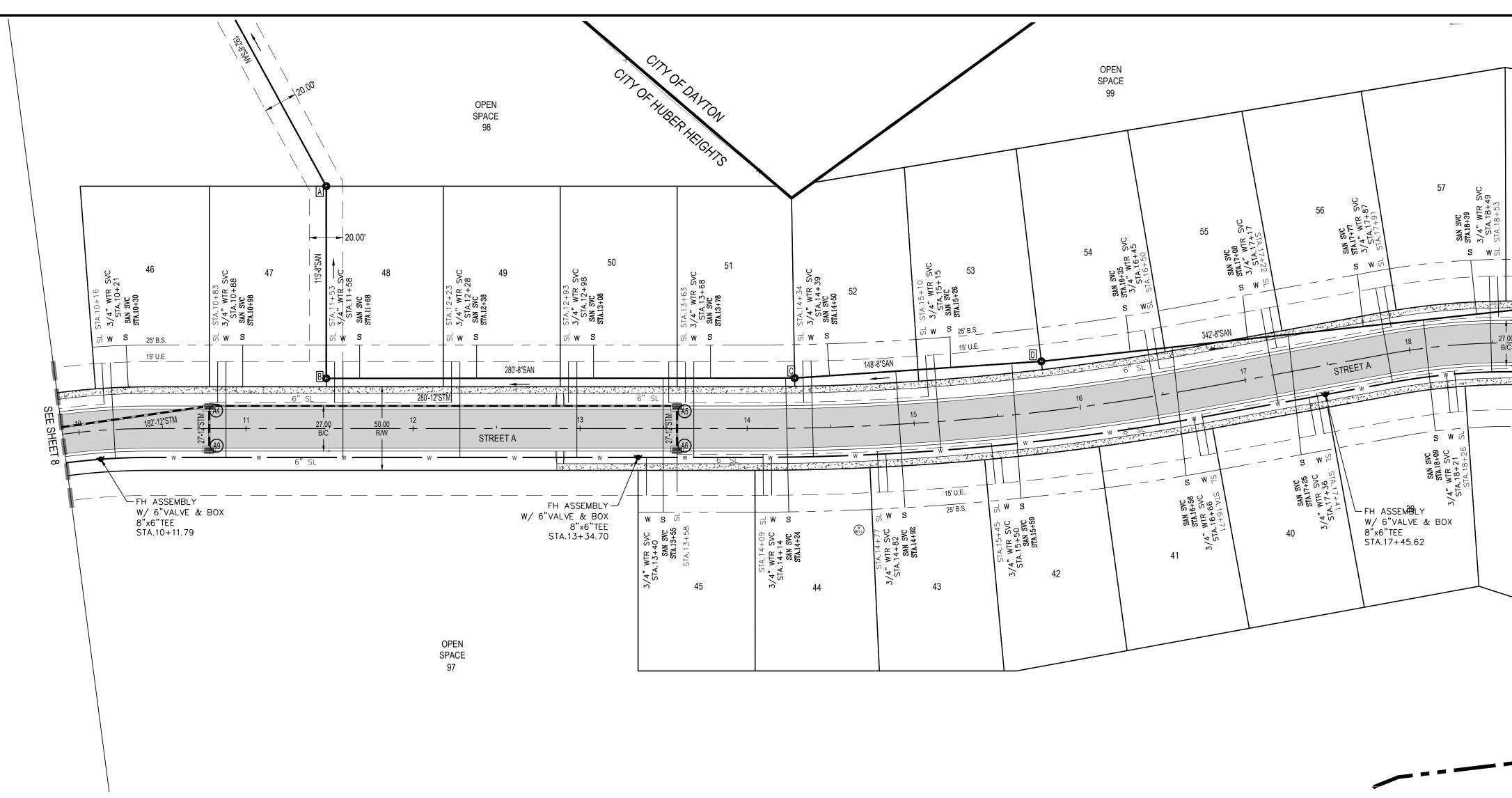


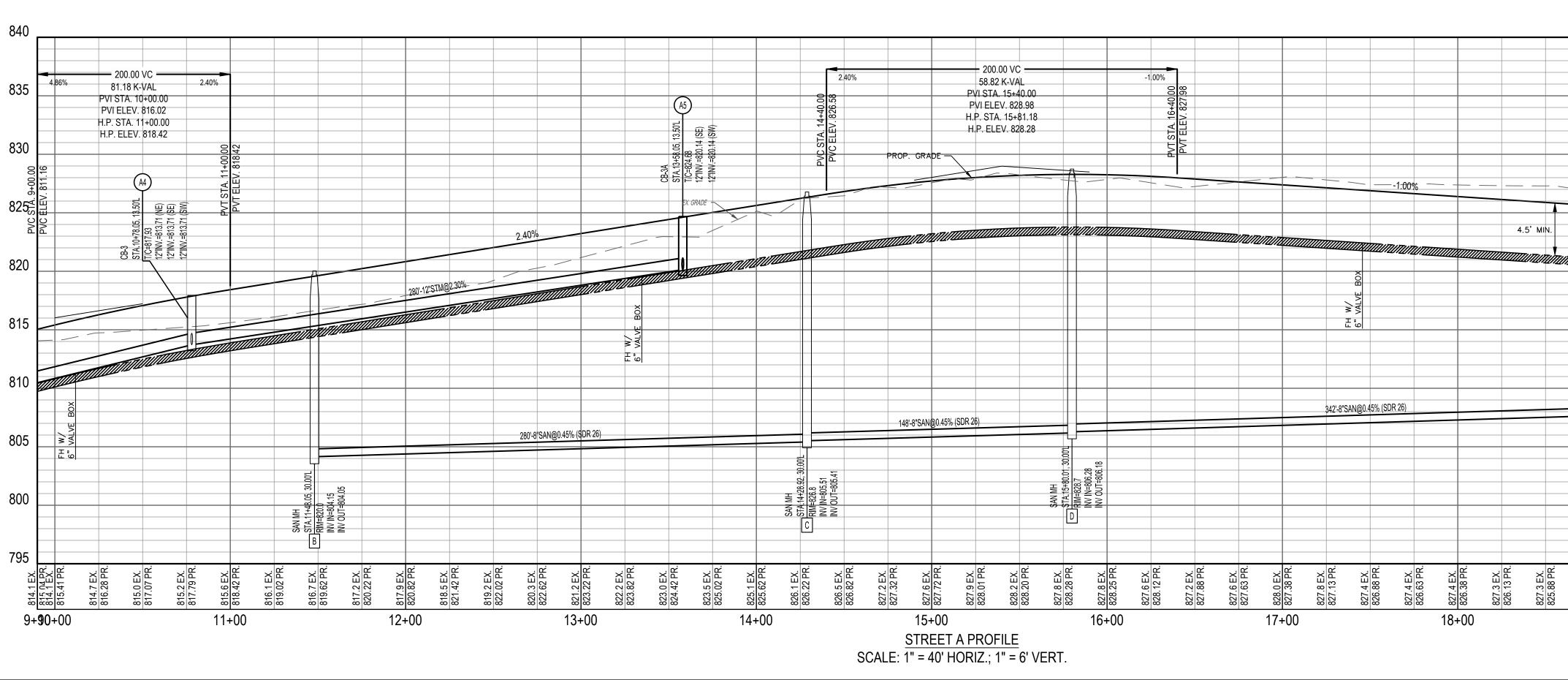


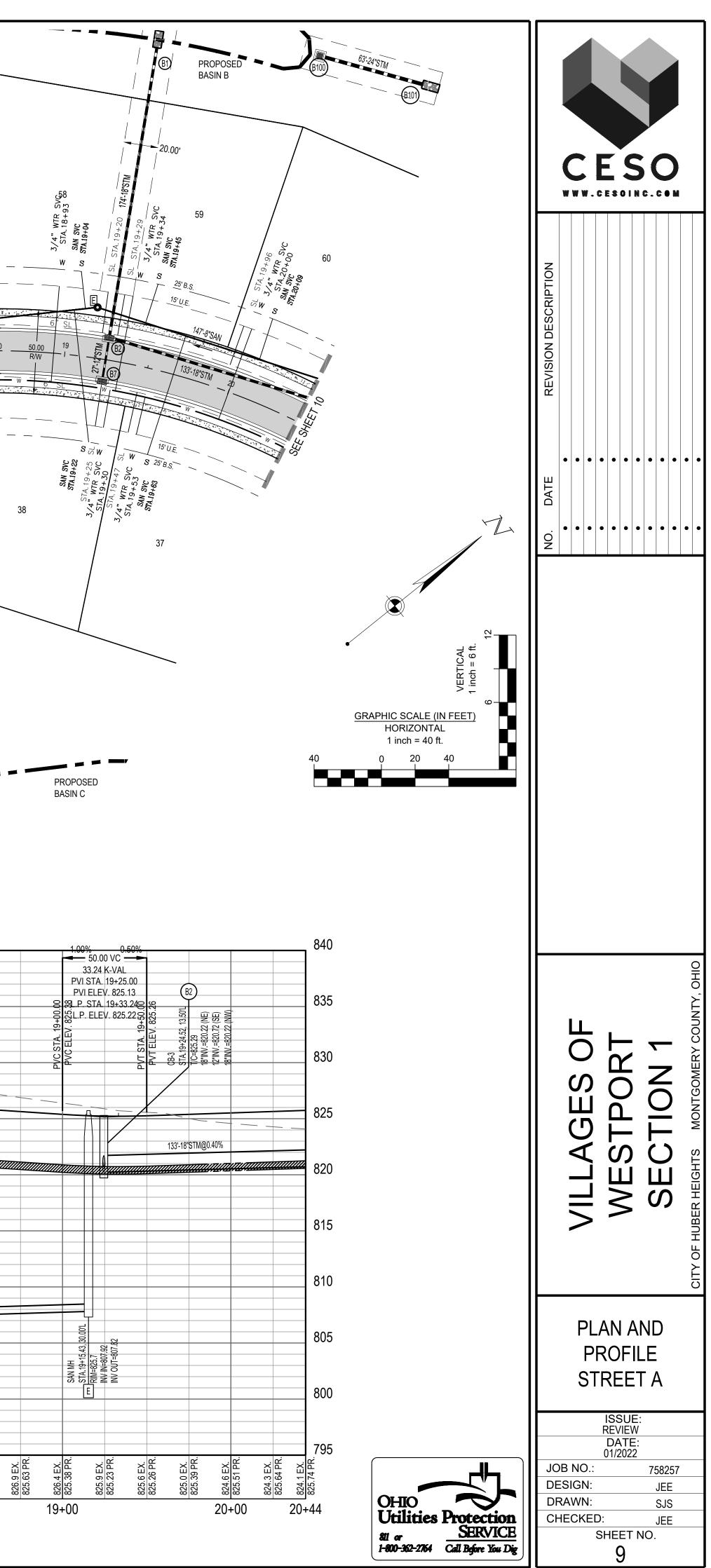




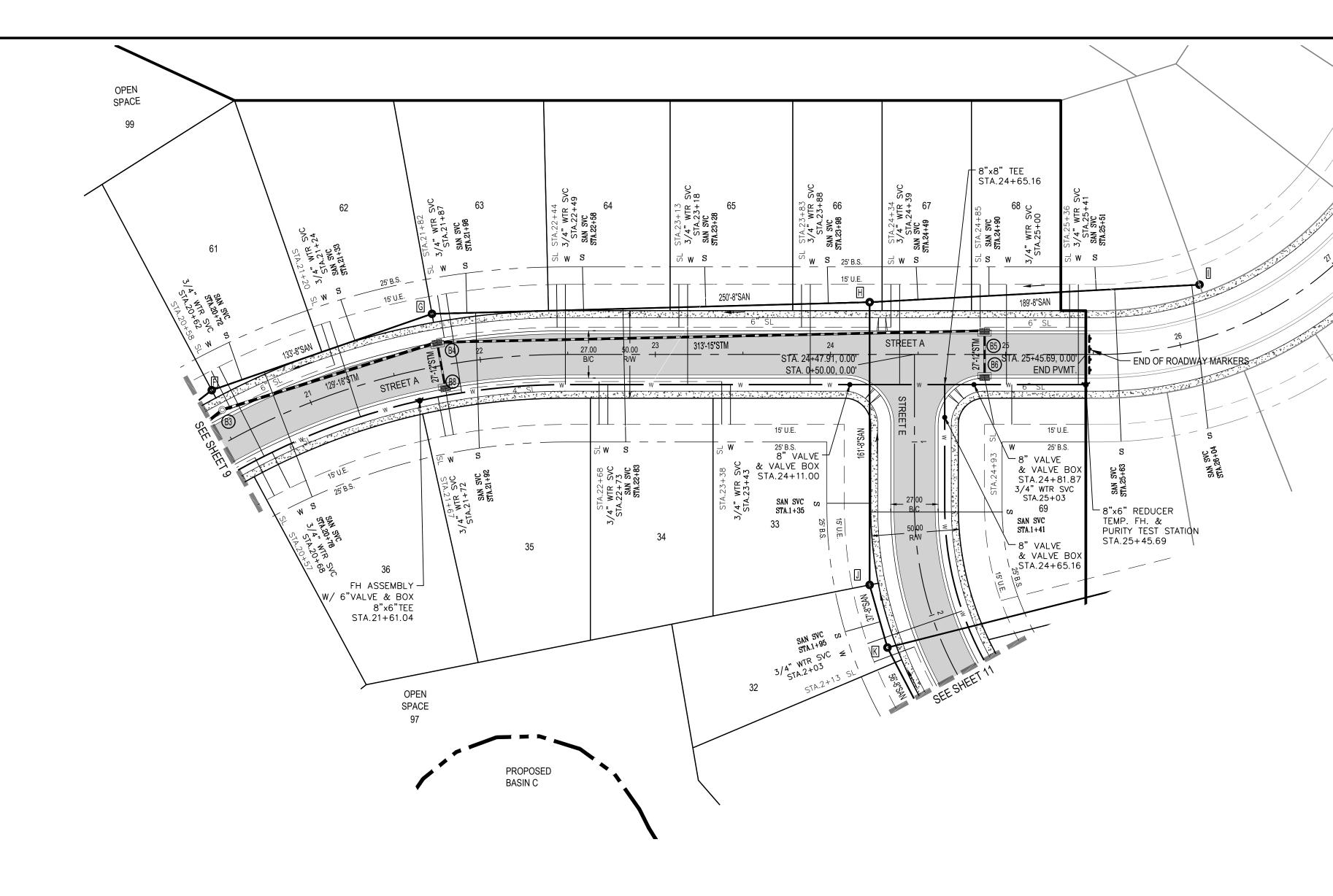


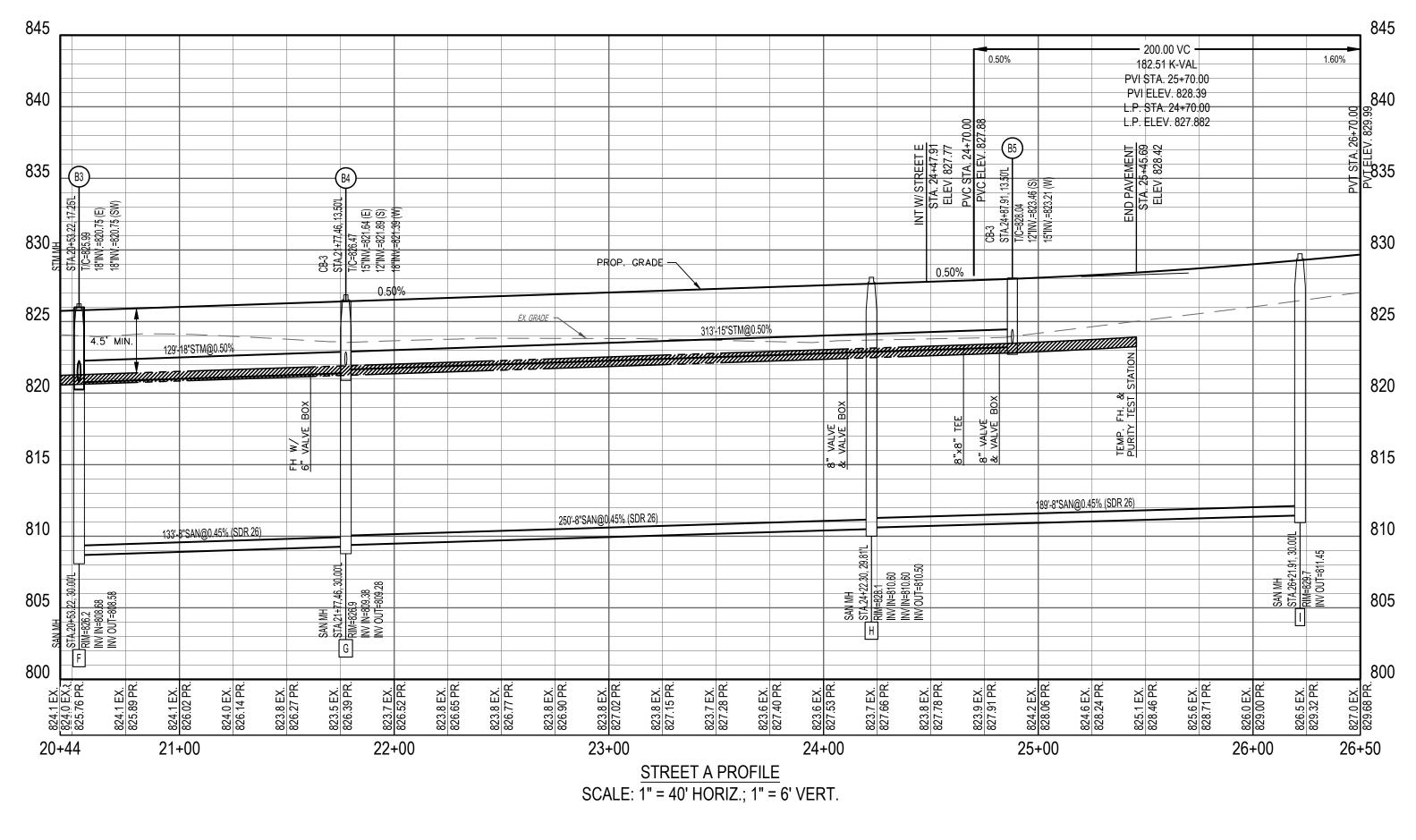


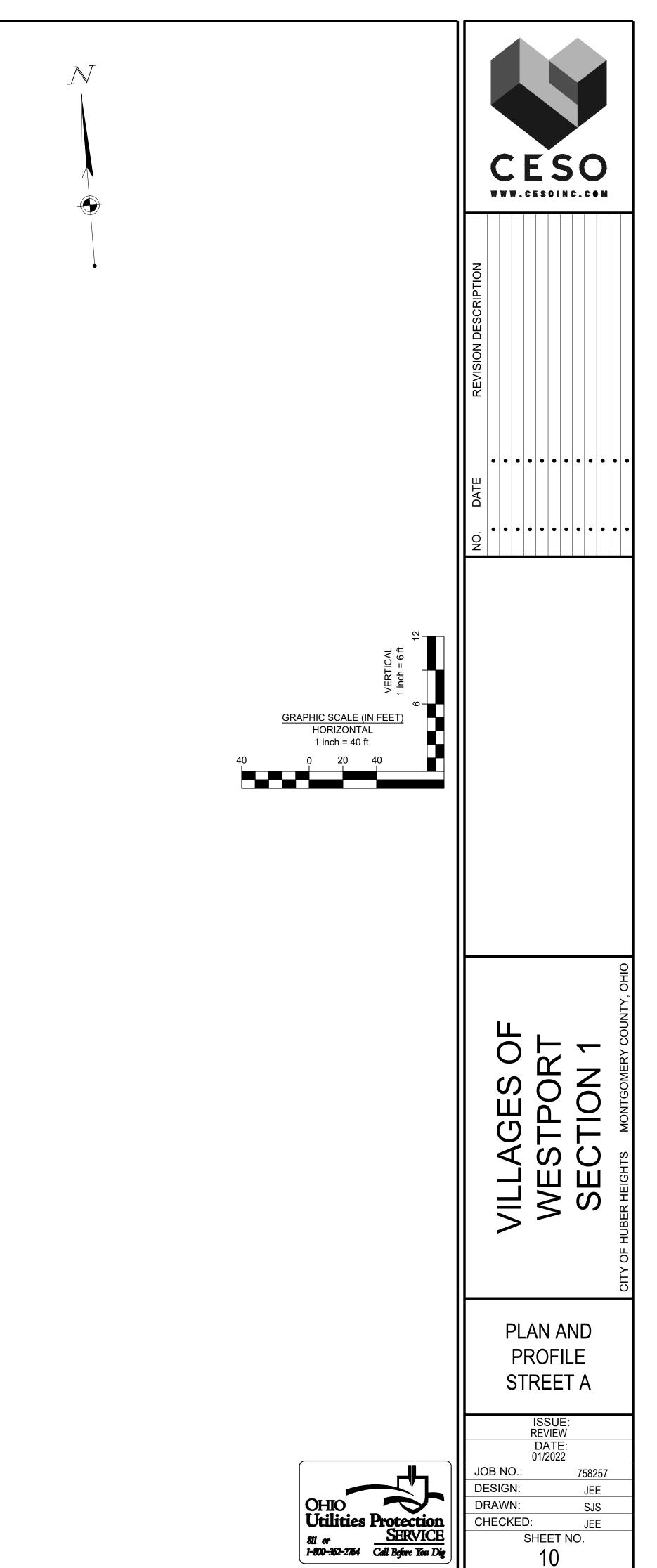




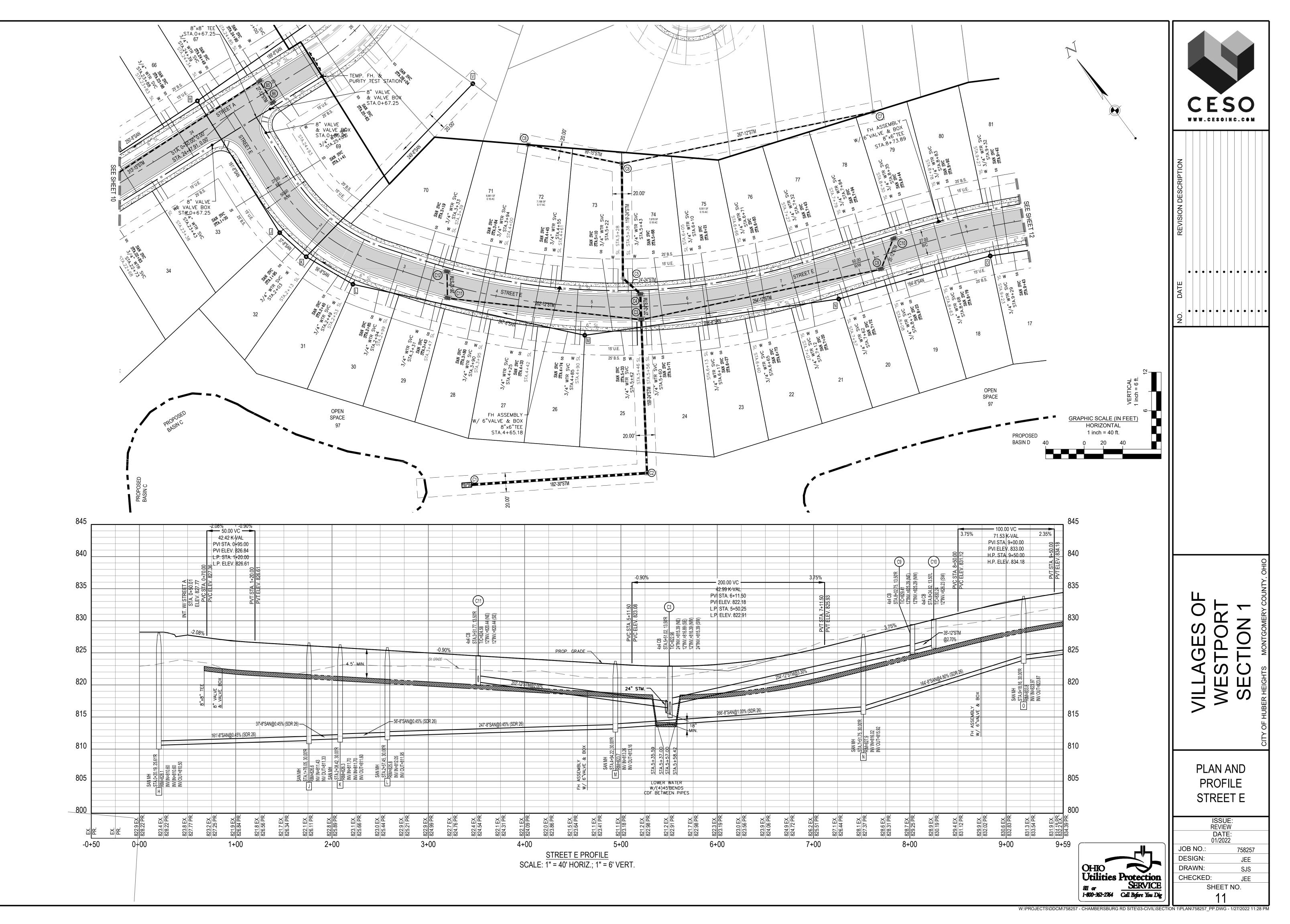
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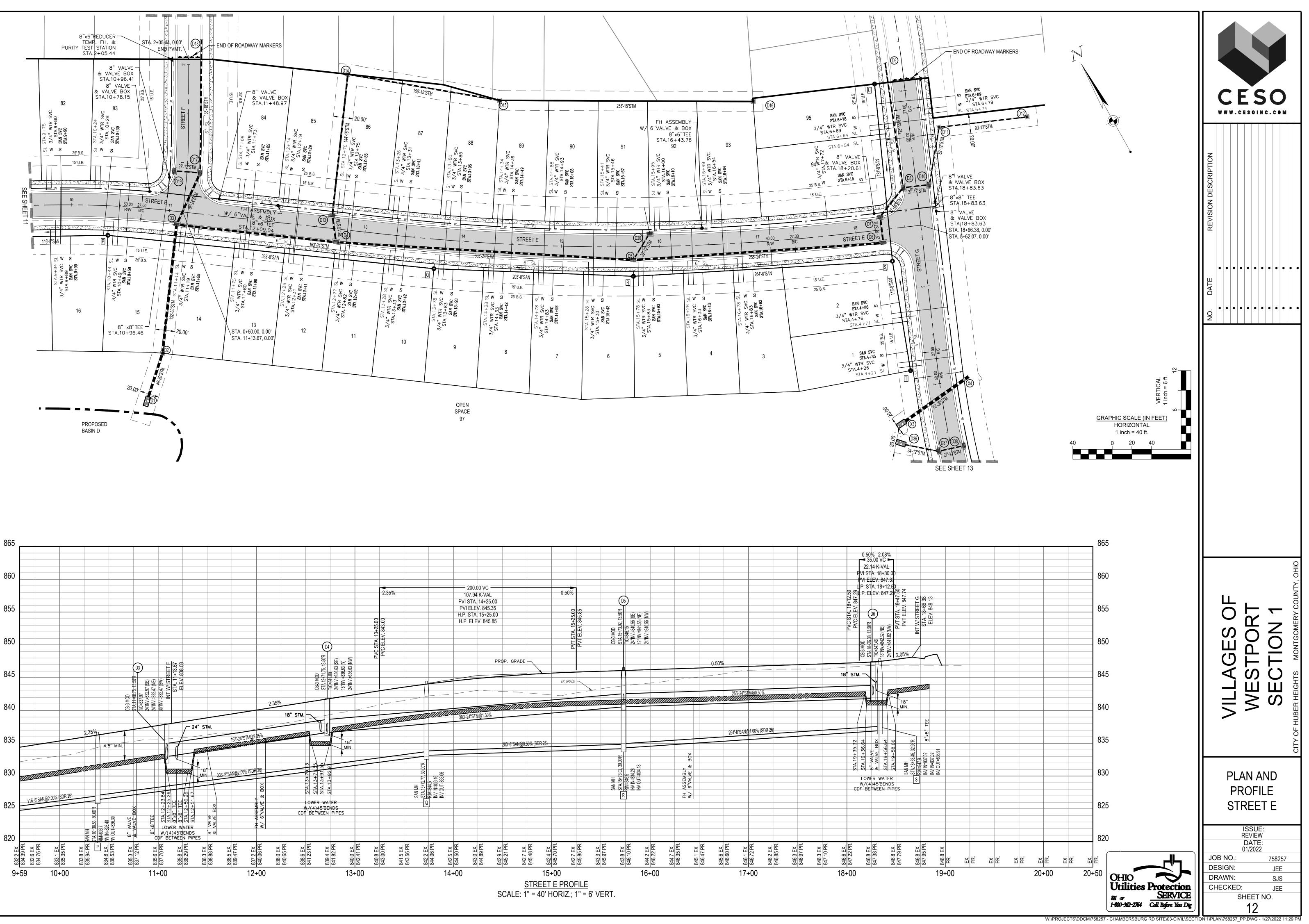


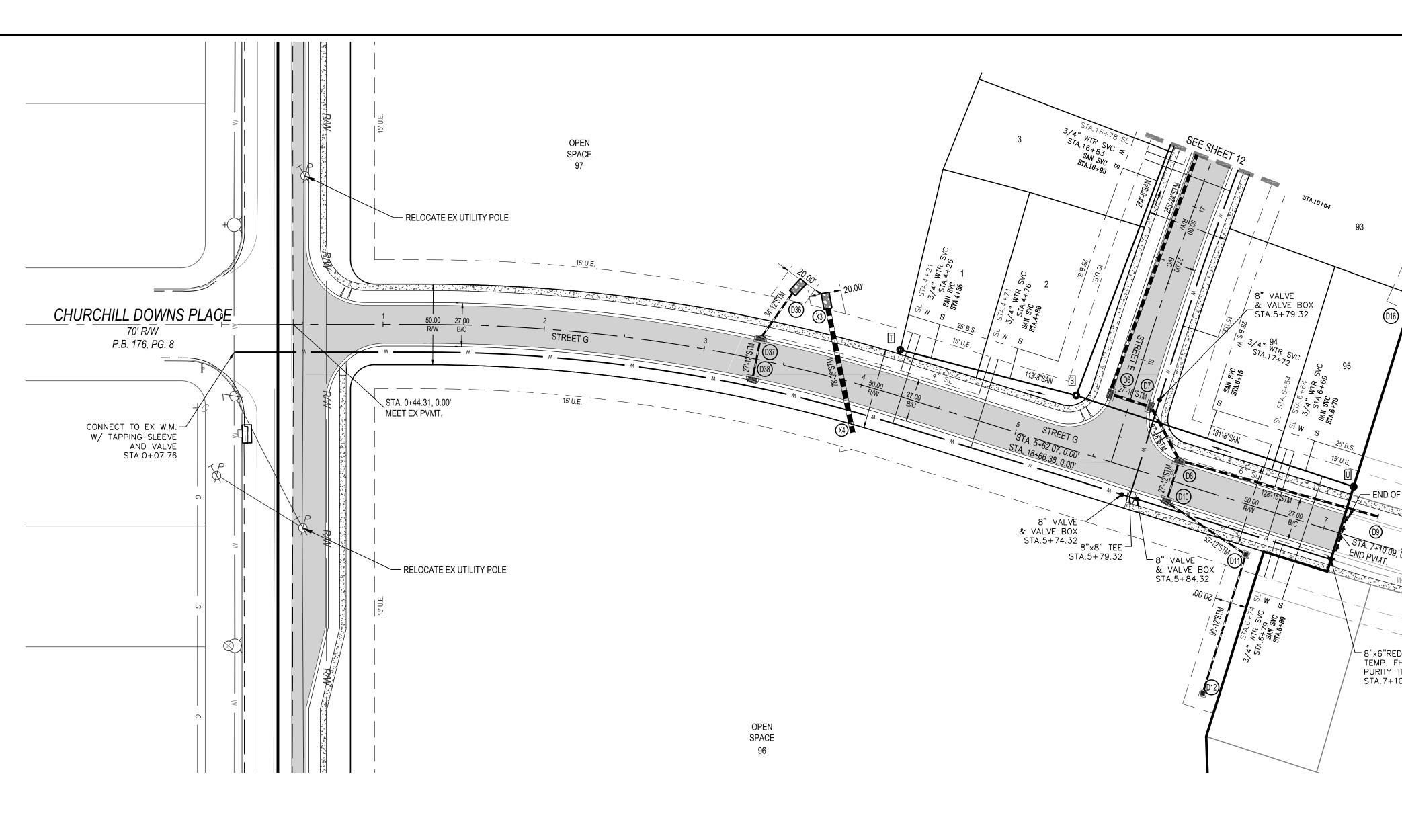


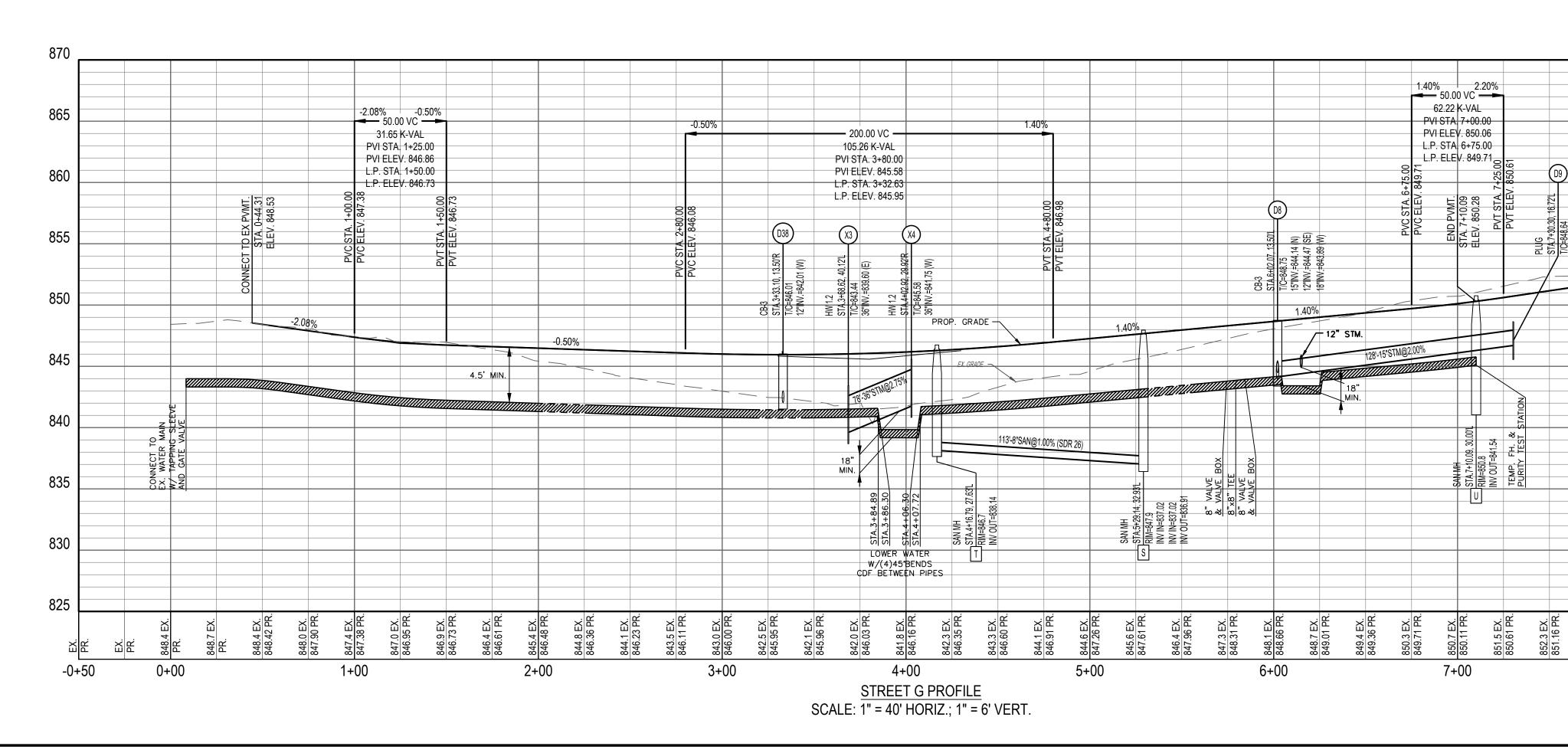
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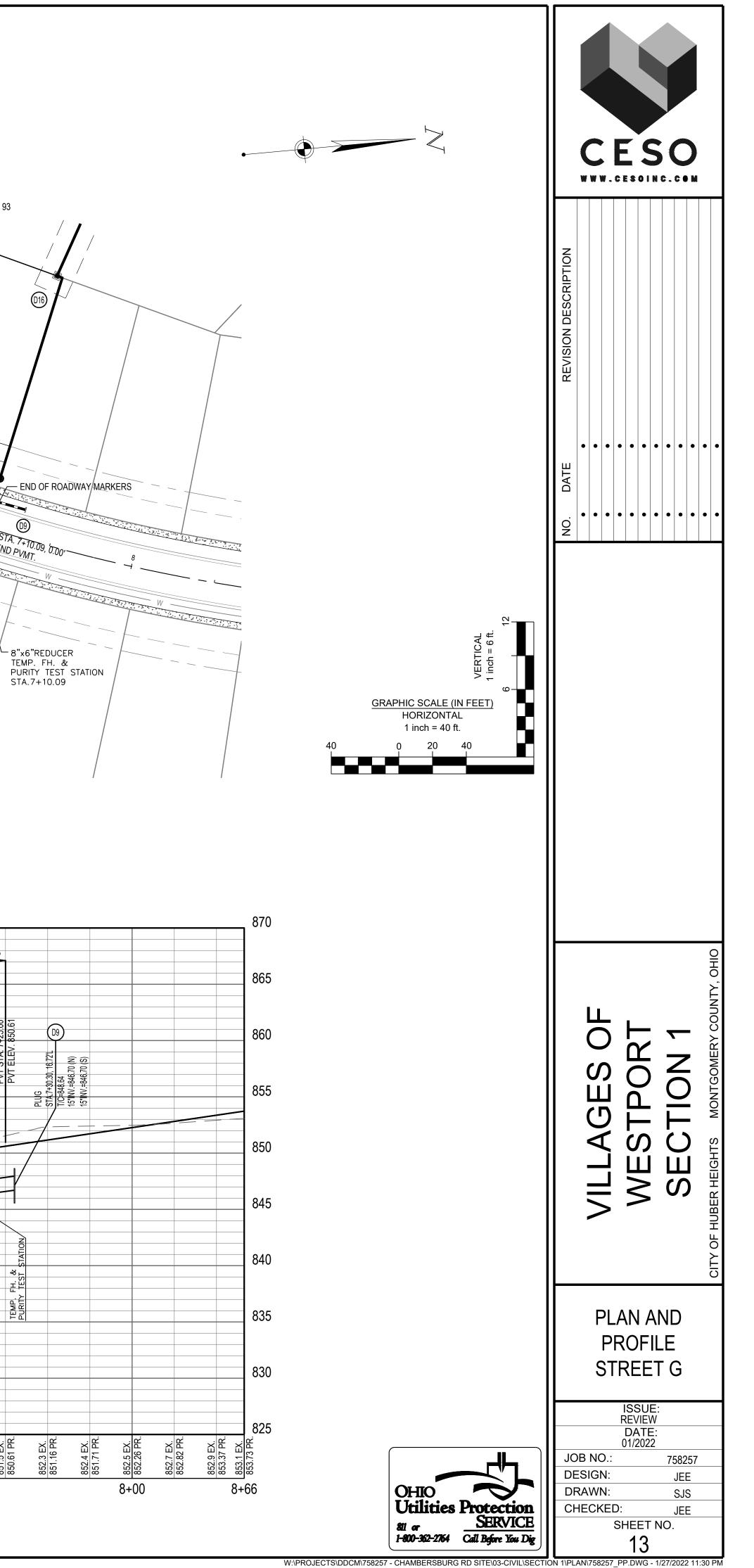


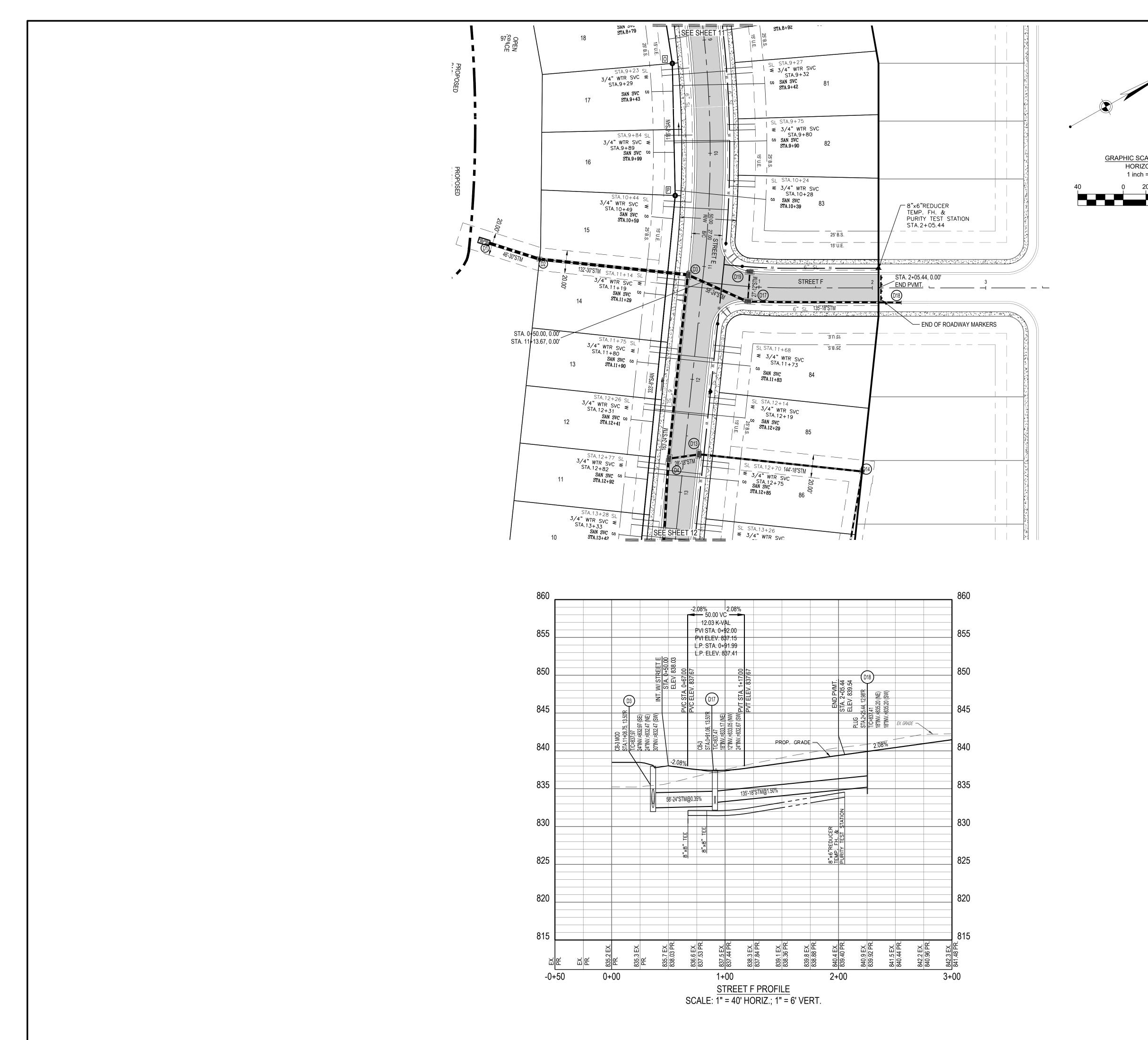






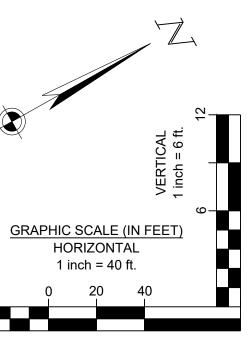


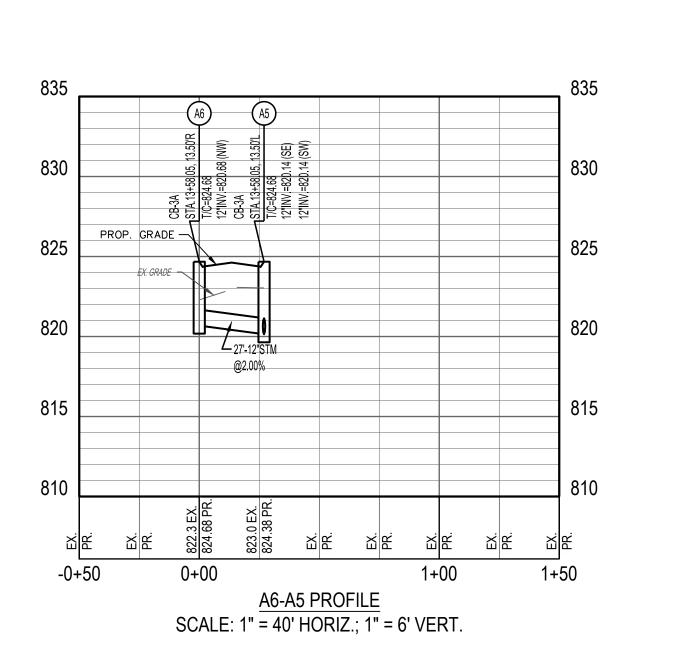


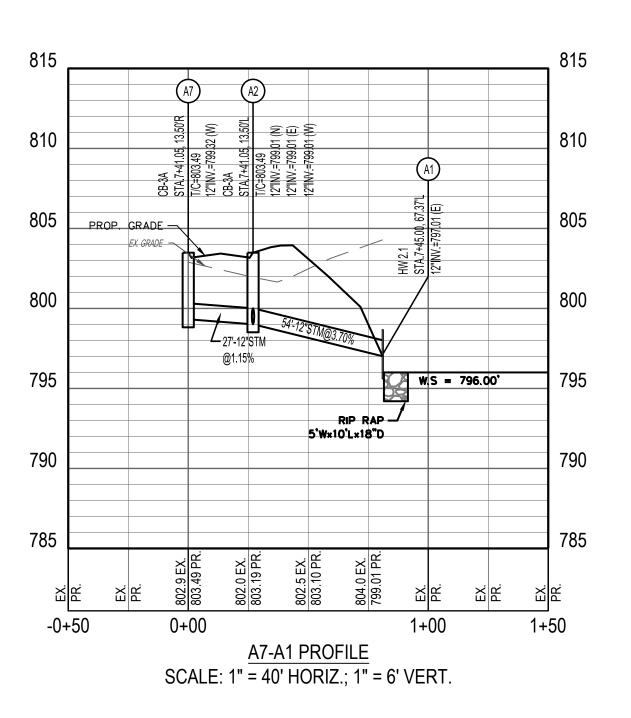


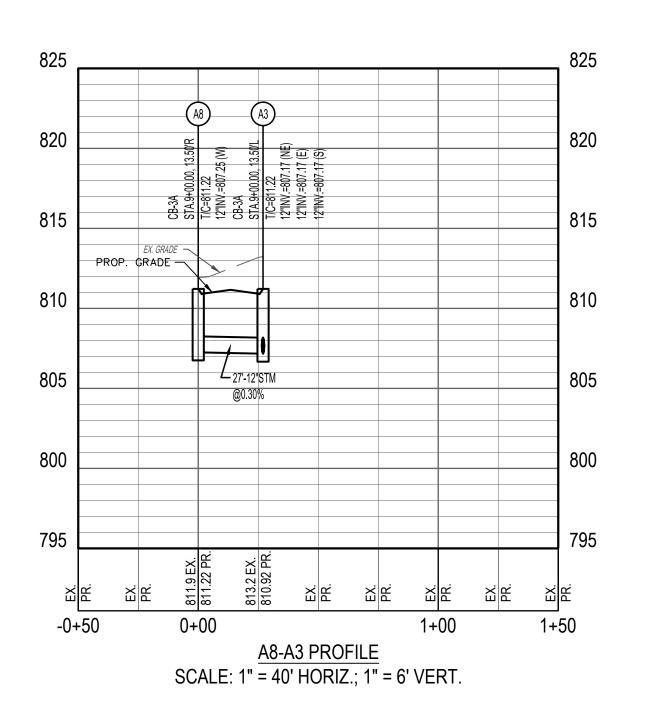
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OHIO Utilities Protection 8tl or 1-800-362-2764 Call Before You Dig	ISSUE: REVIEW DATE: 01/2022 JOB NO.: 758257 DESIGN: JEE DRAWN: SJS CHECKED: JEE SHEET NO. 14

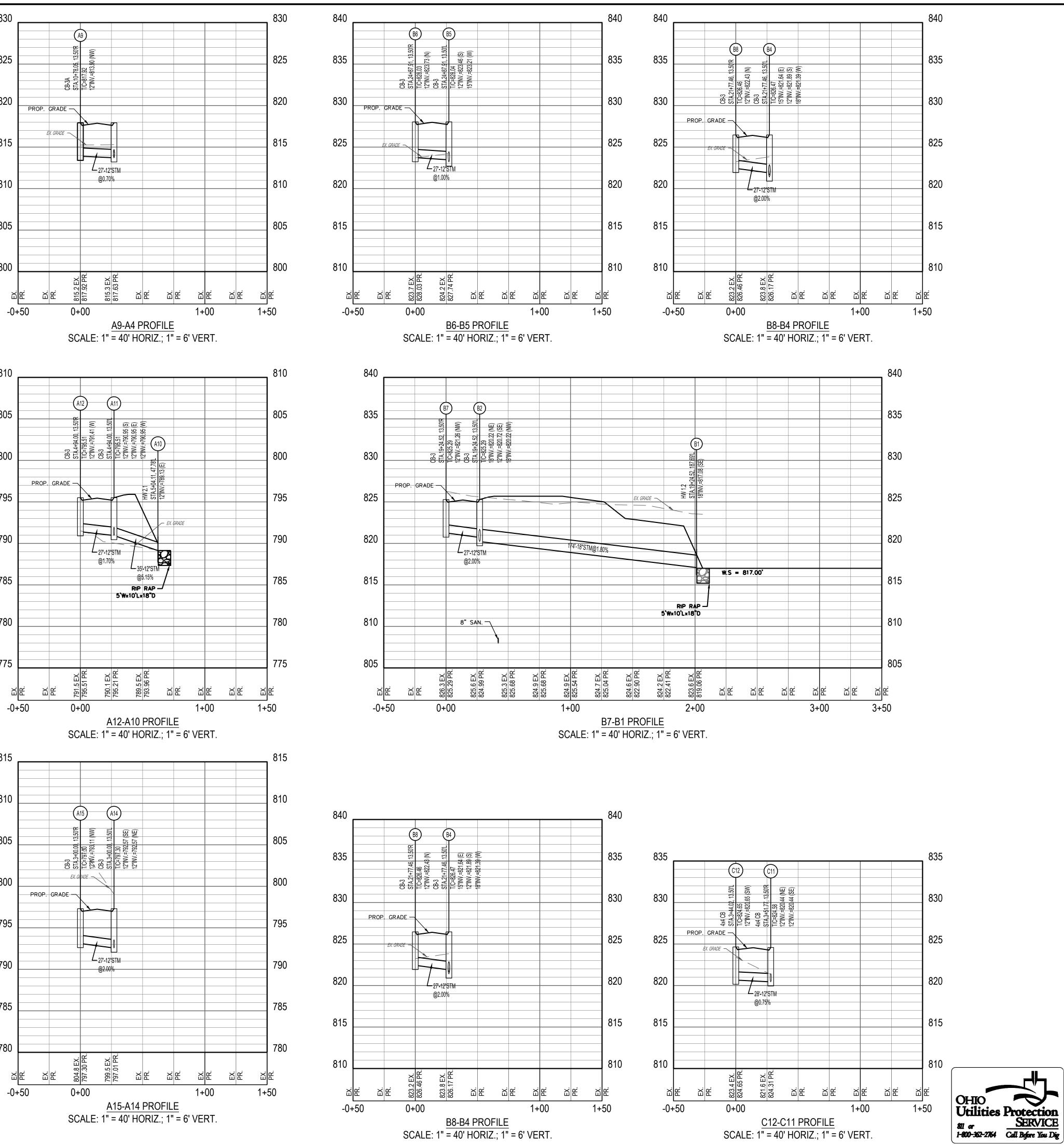
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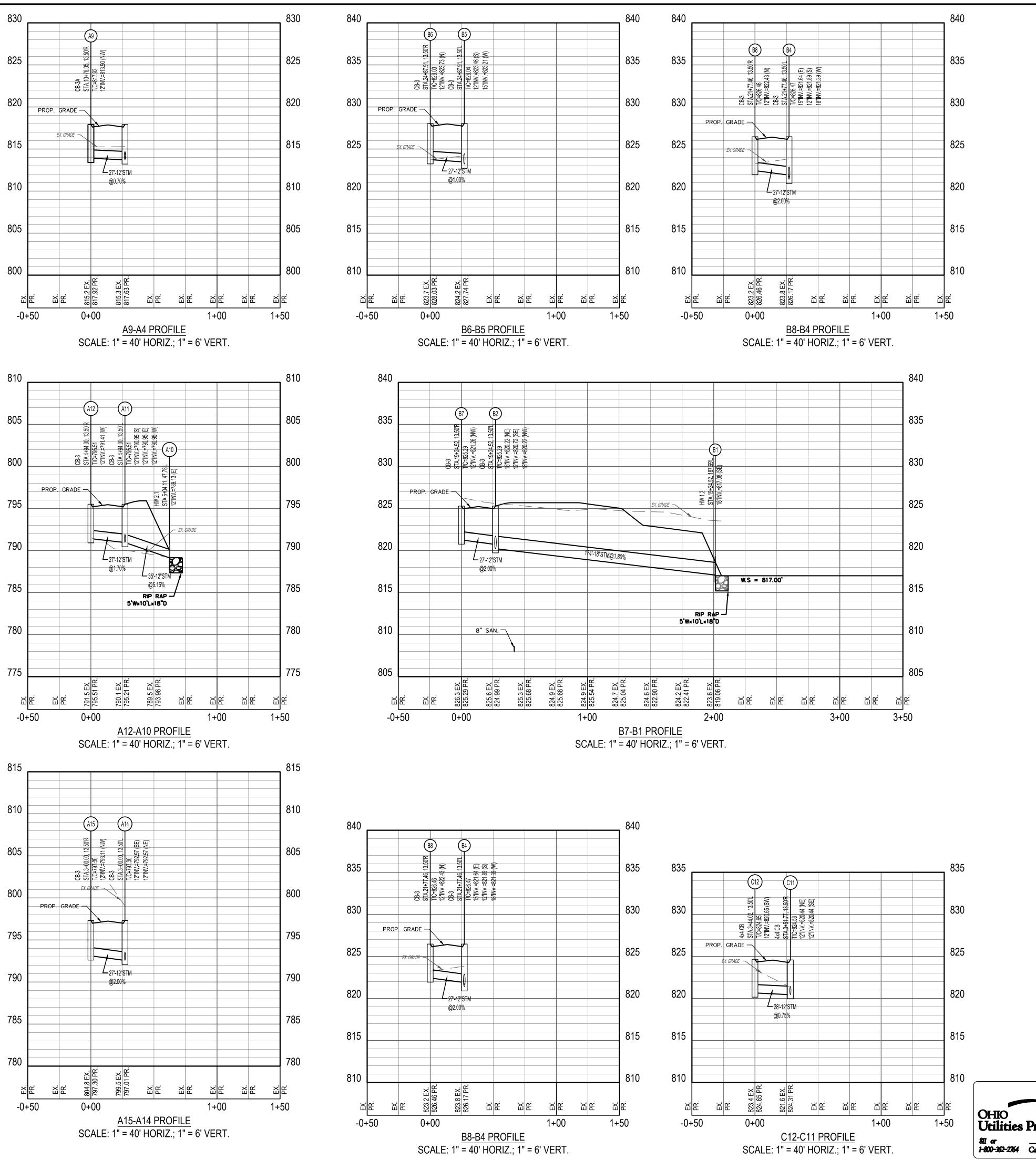


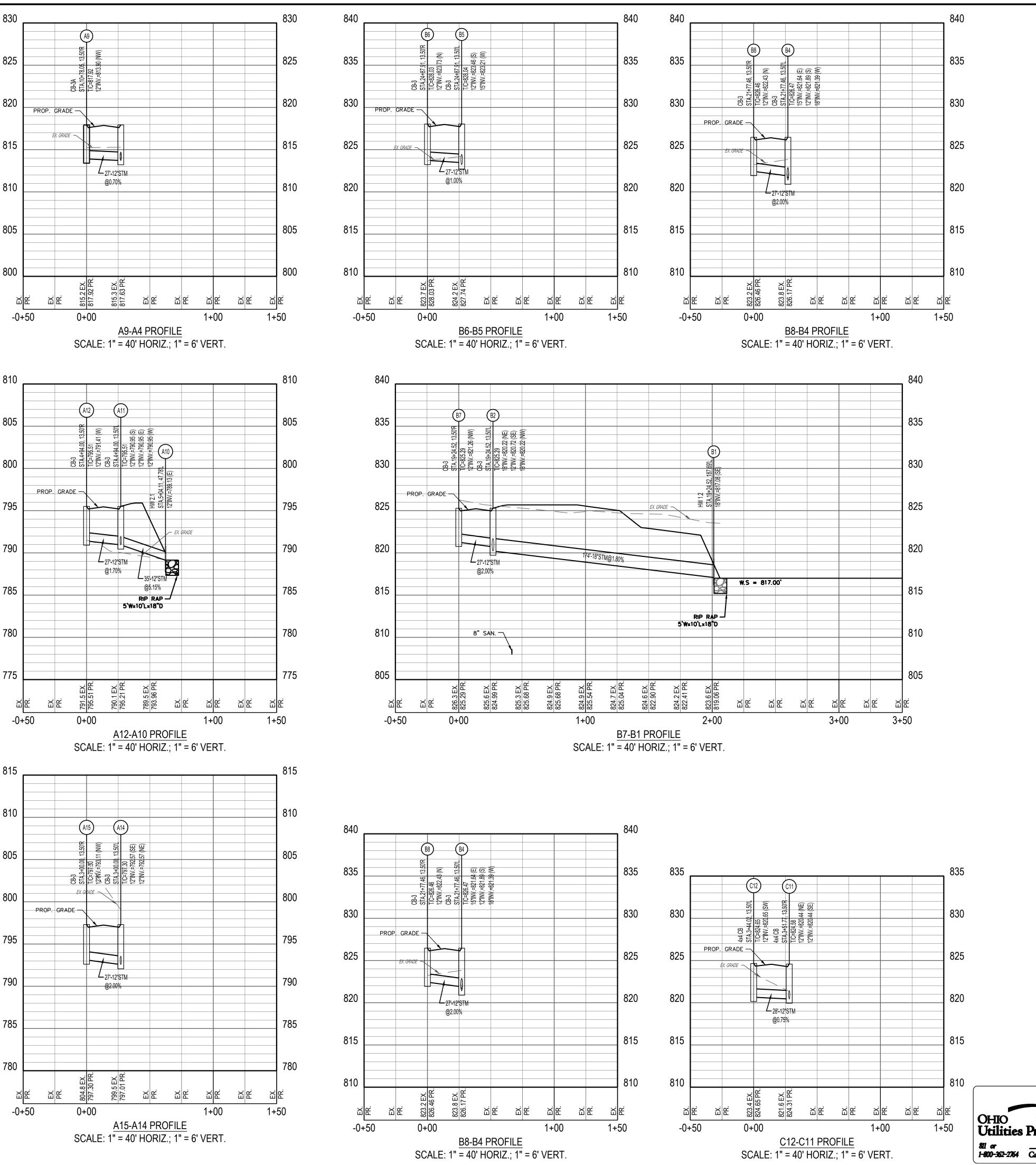


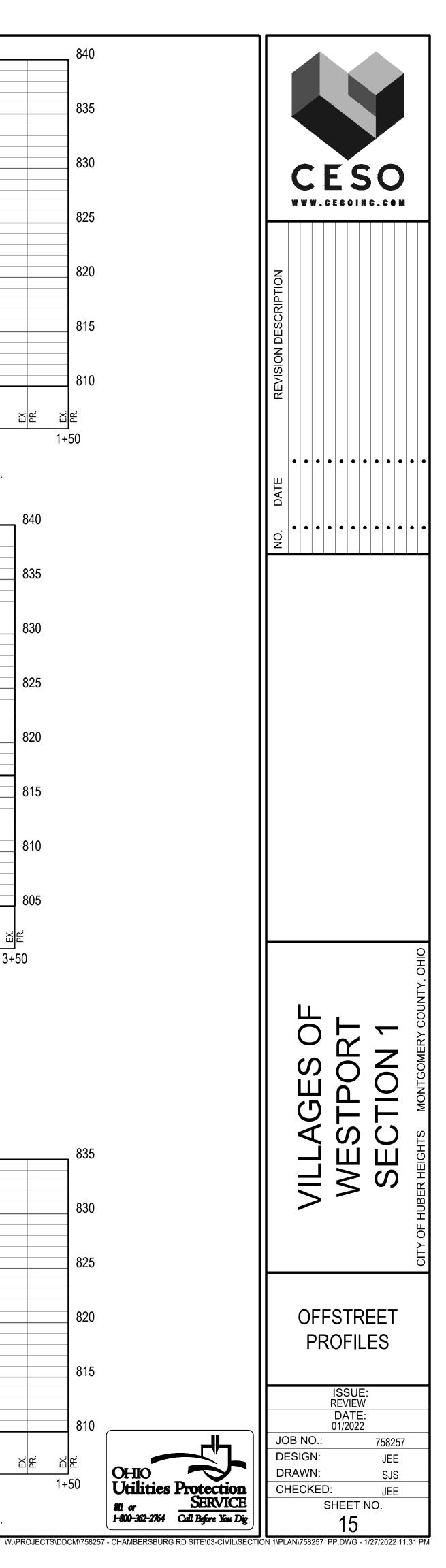


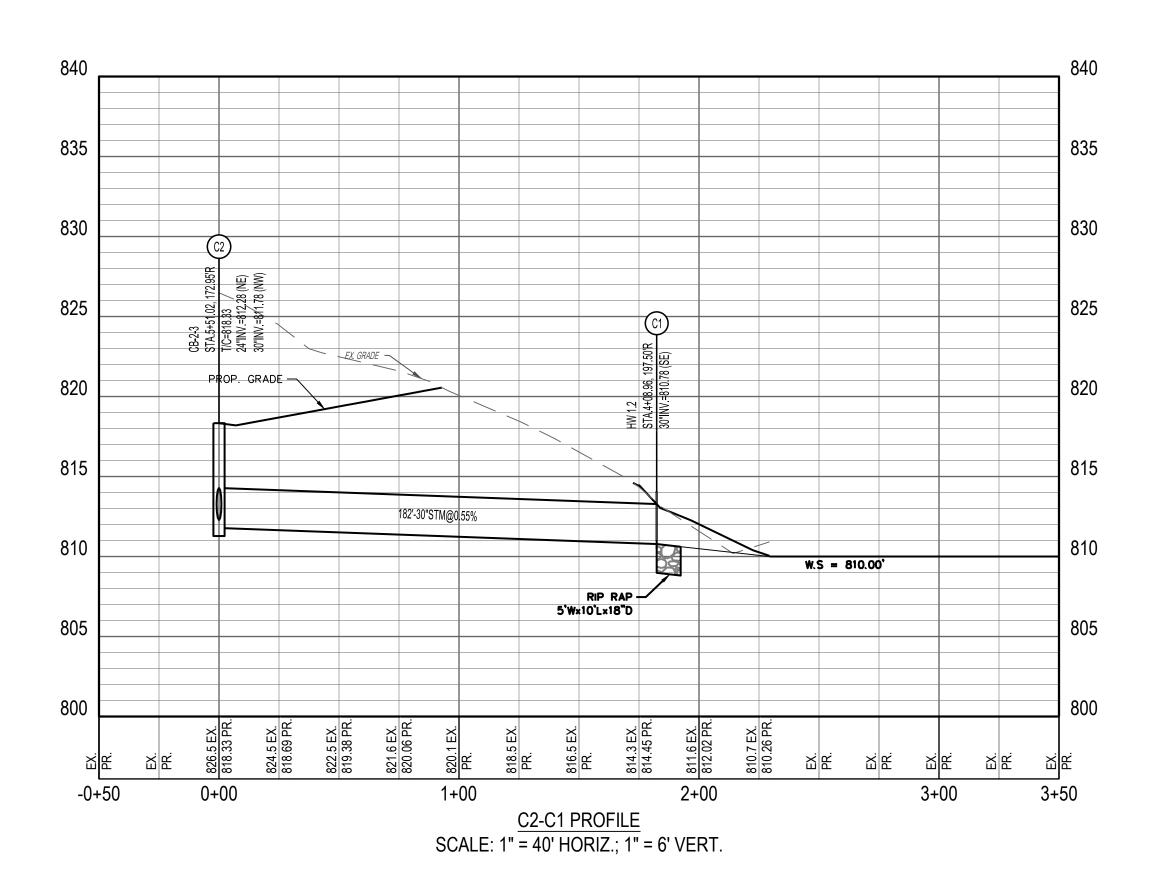


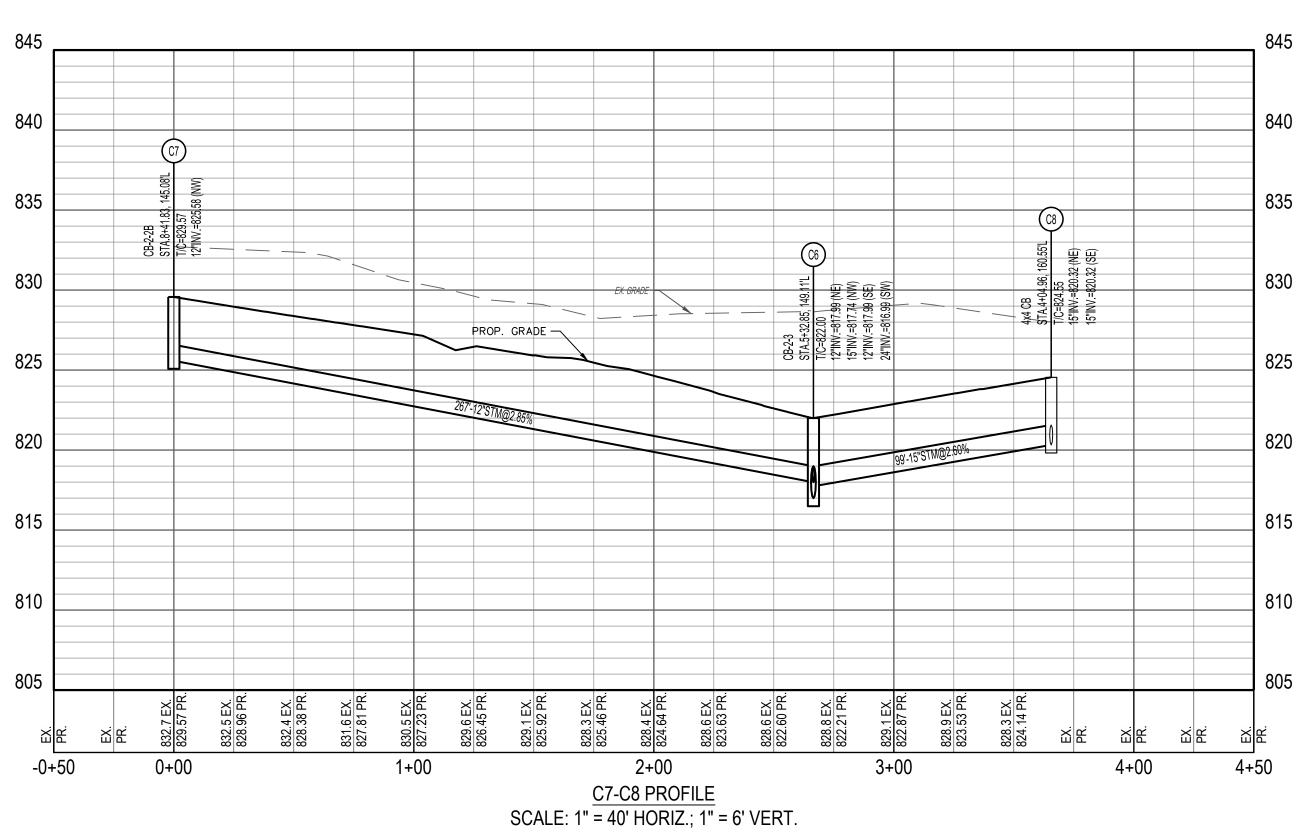


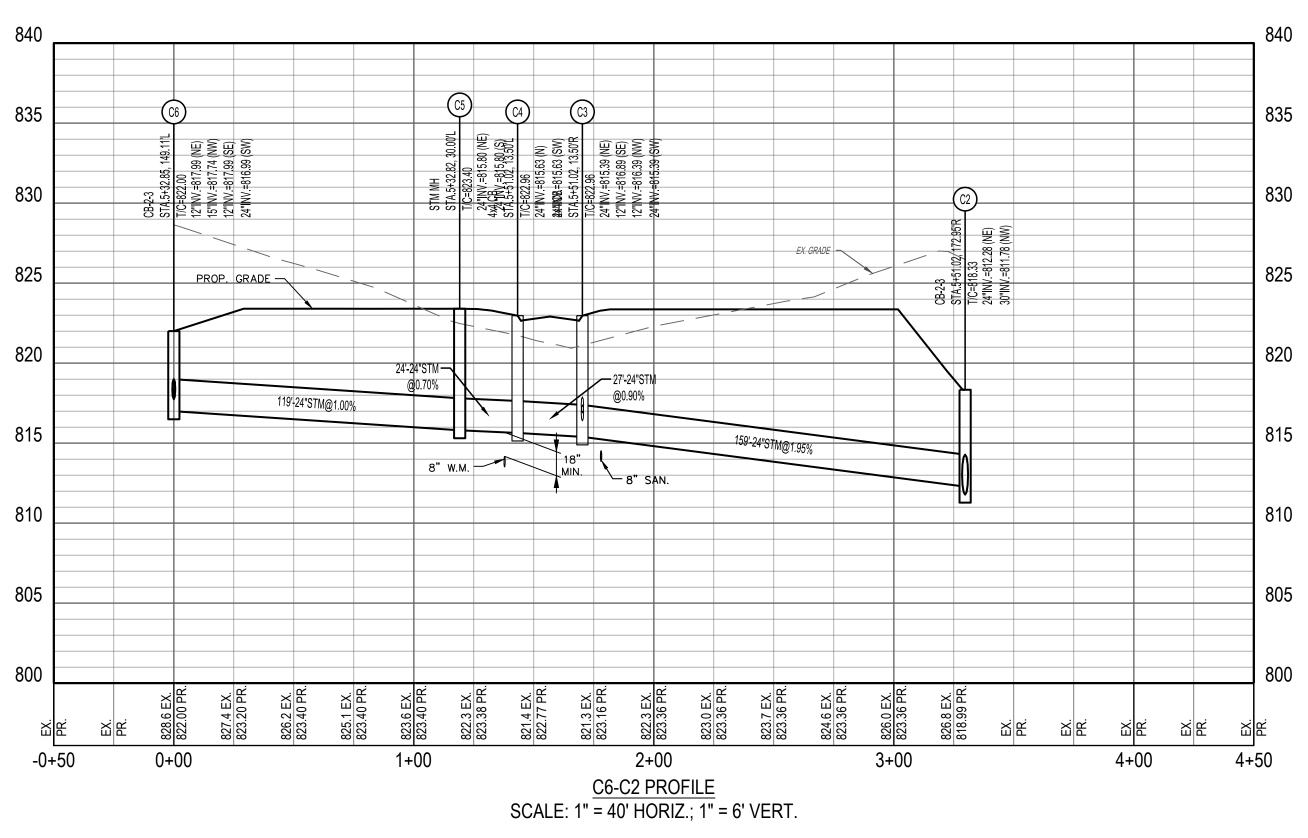


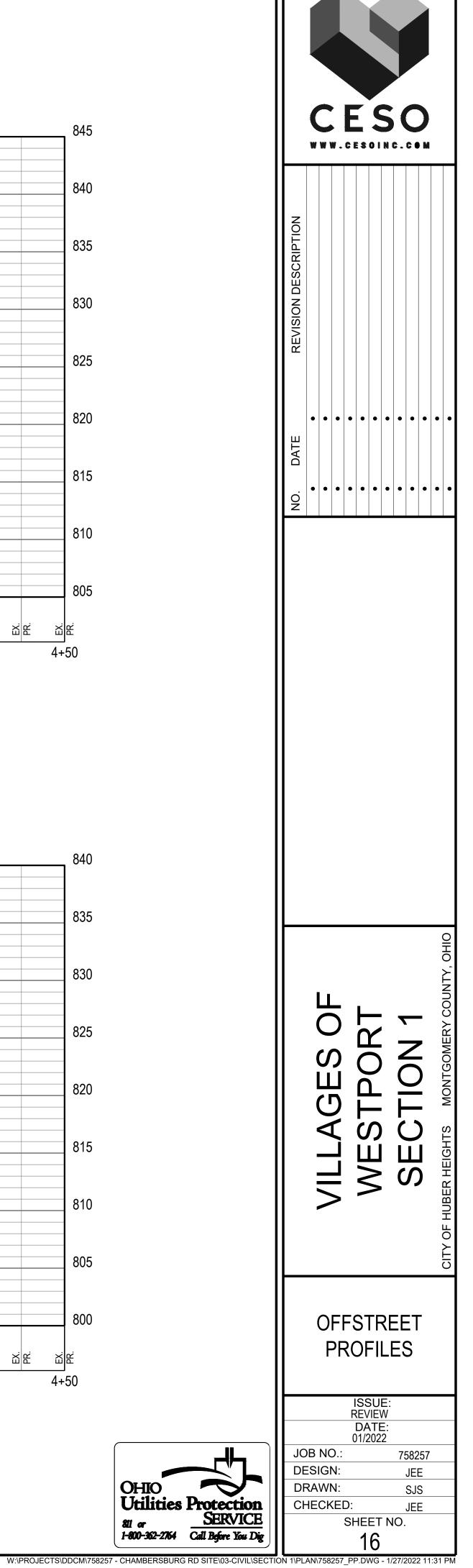


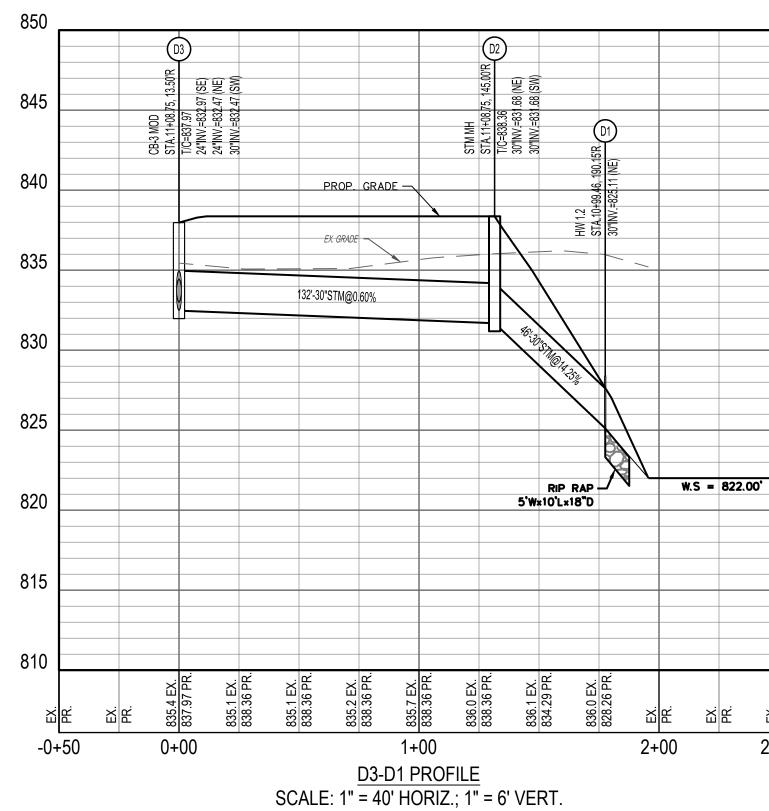


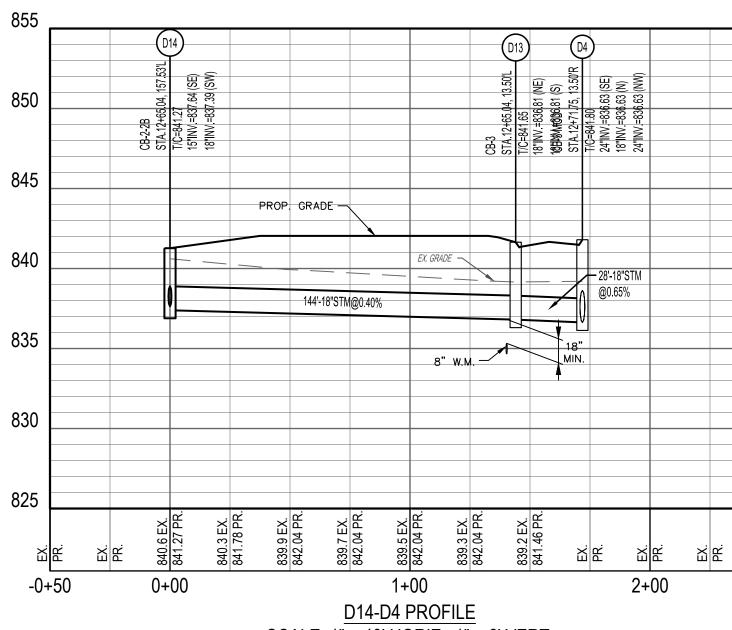




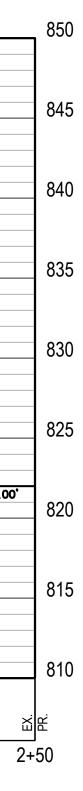








SCALE: 1" = 40' HORIZ.; 1" = 6' VERT.



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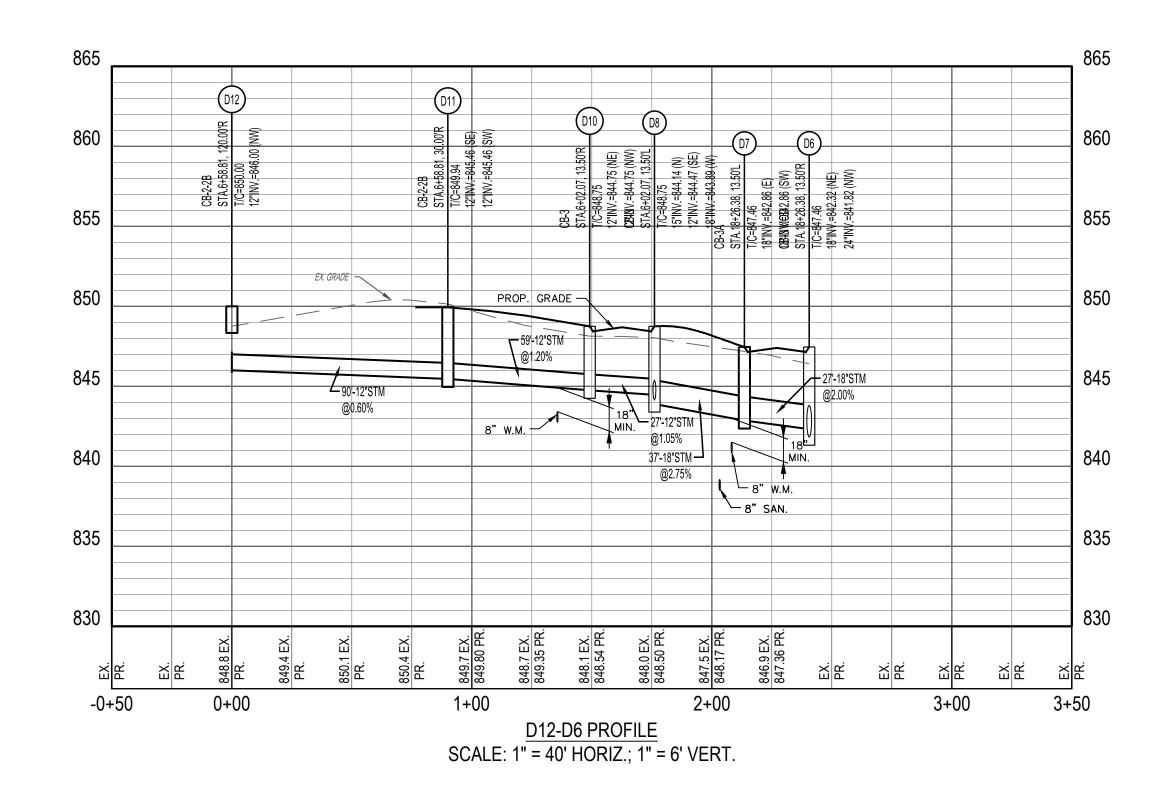
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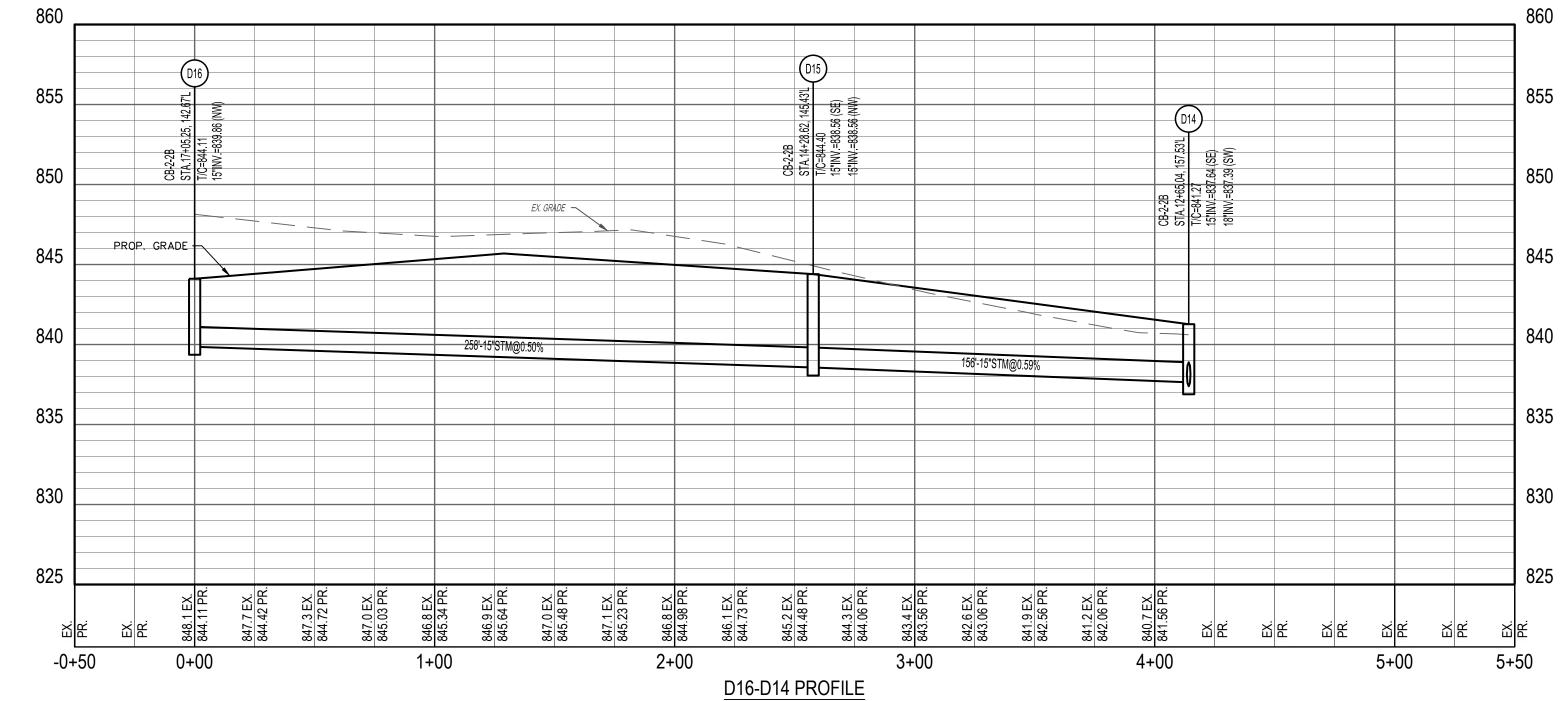
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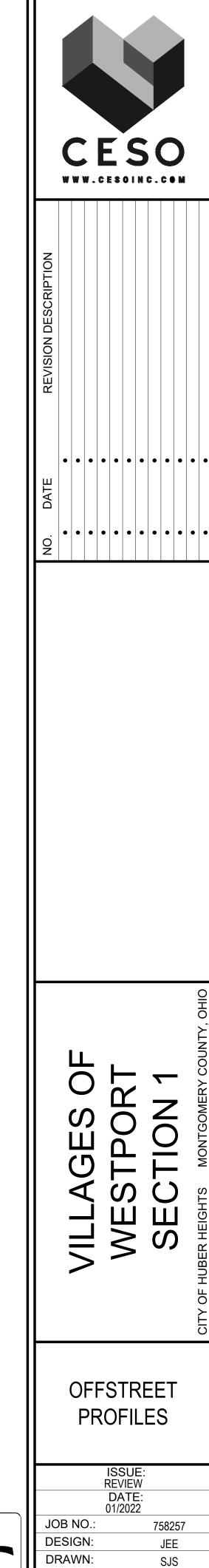
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SCALE: 1" = 40' HORIZ.; 1" = 6' VERT.



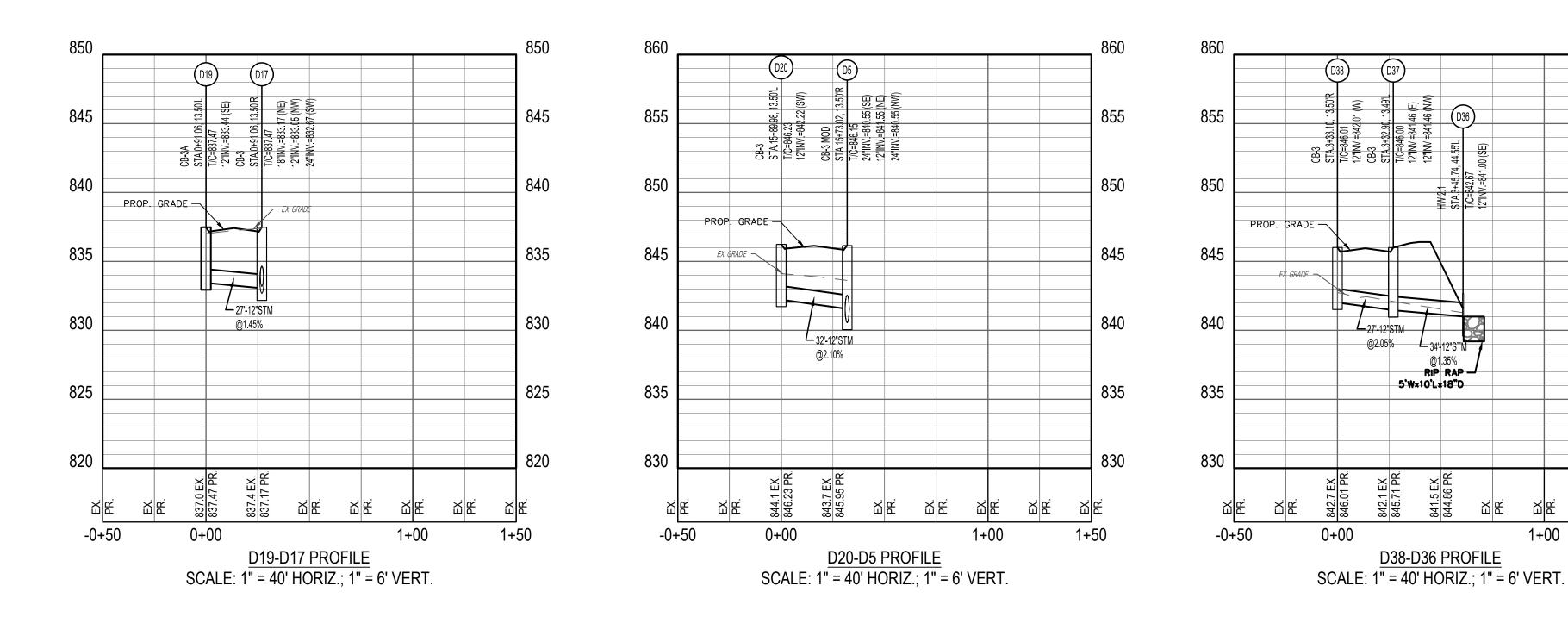
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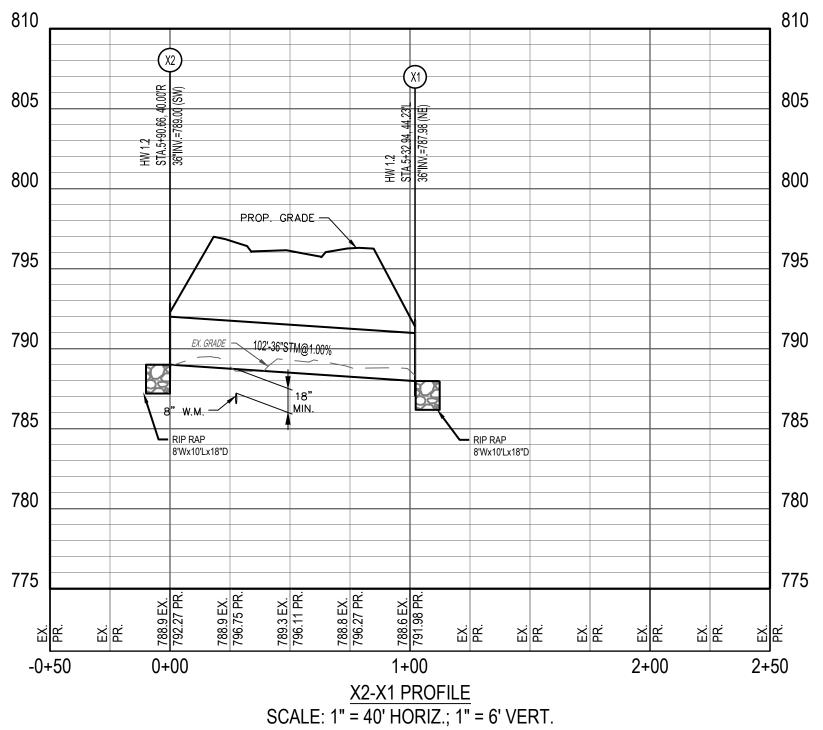
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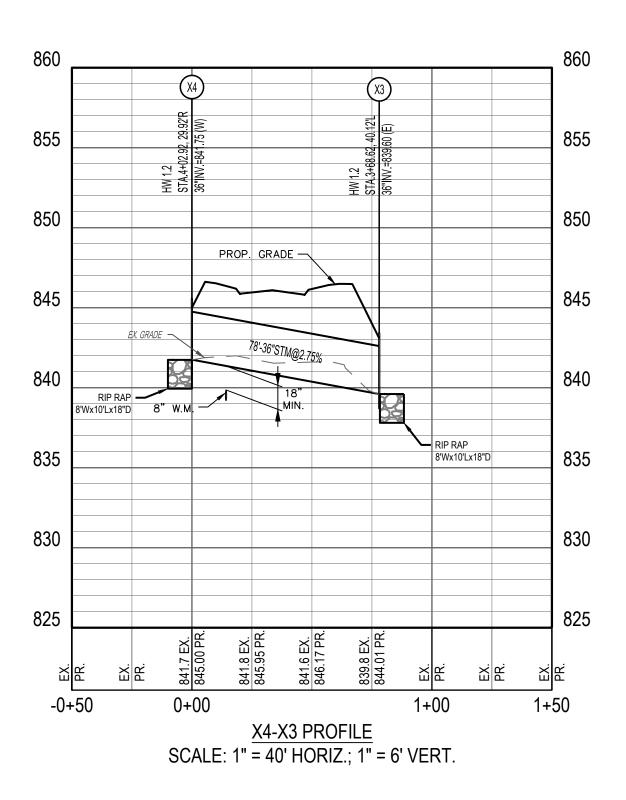
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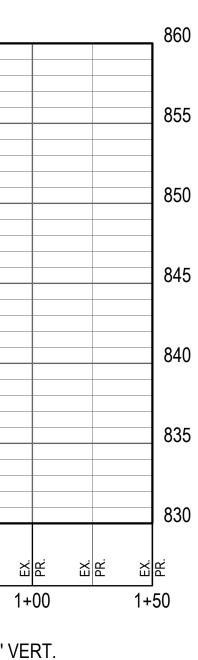
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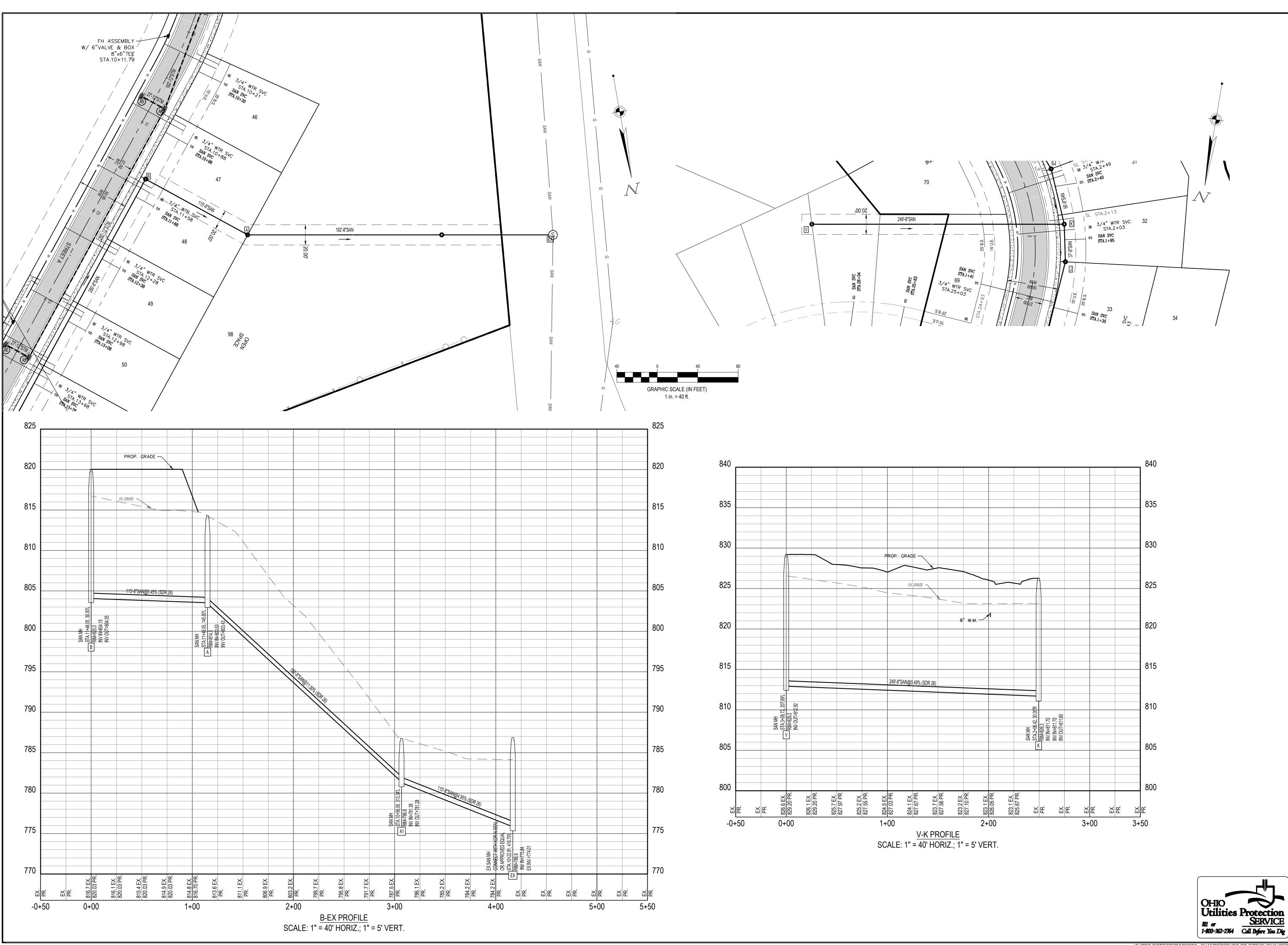


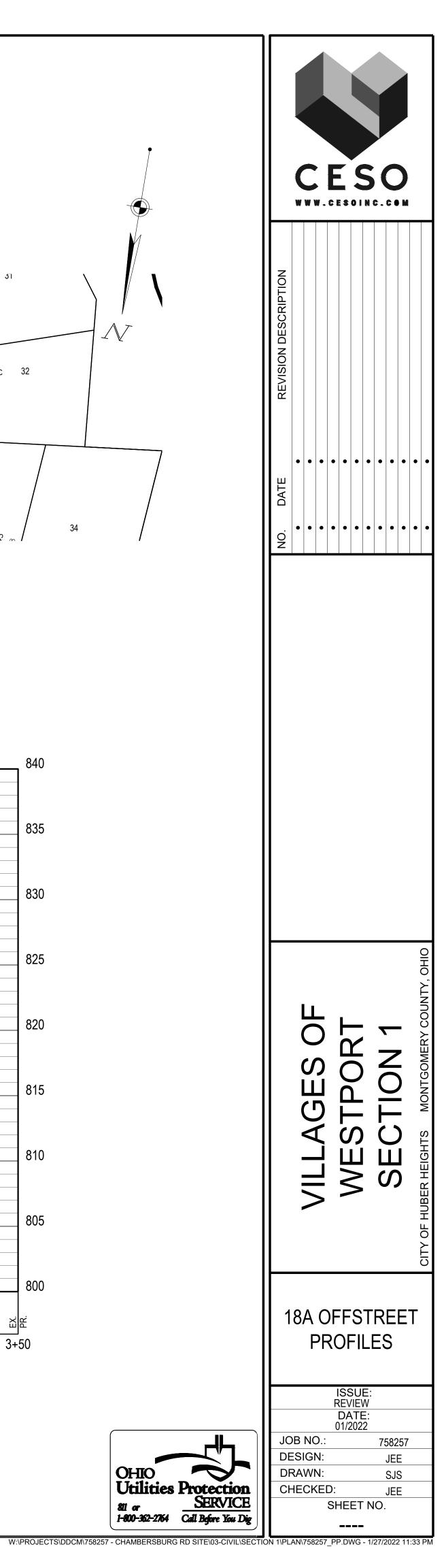


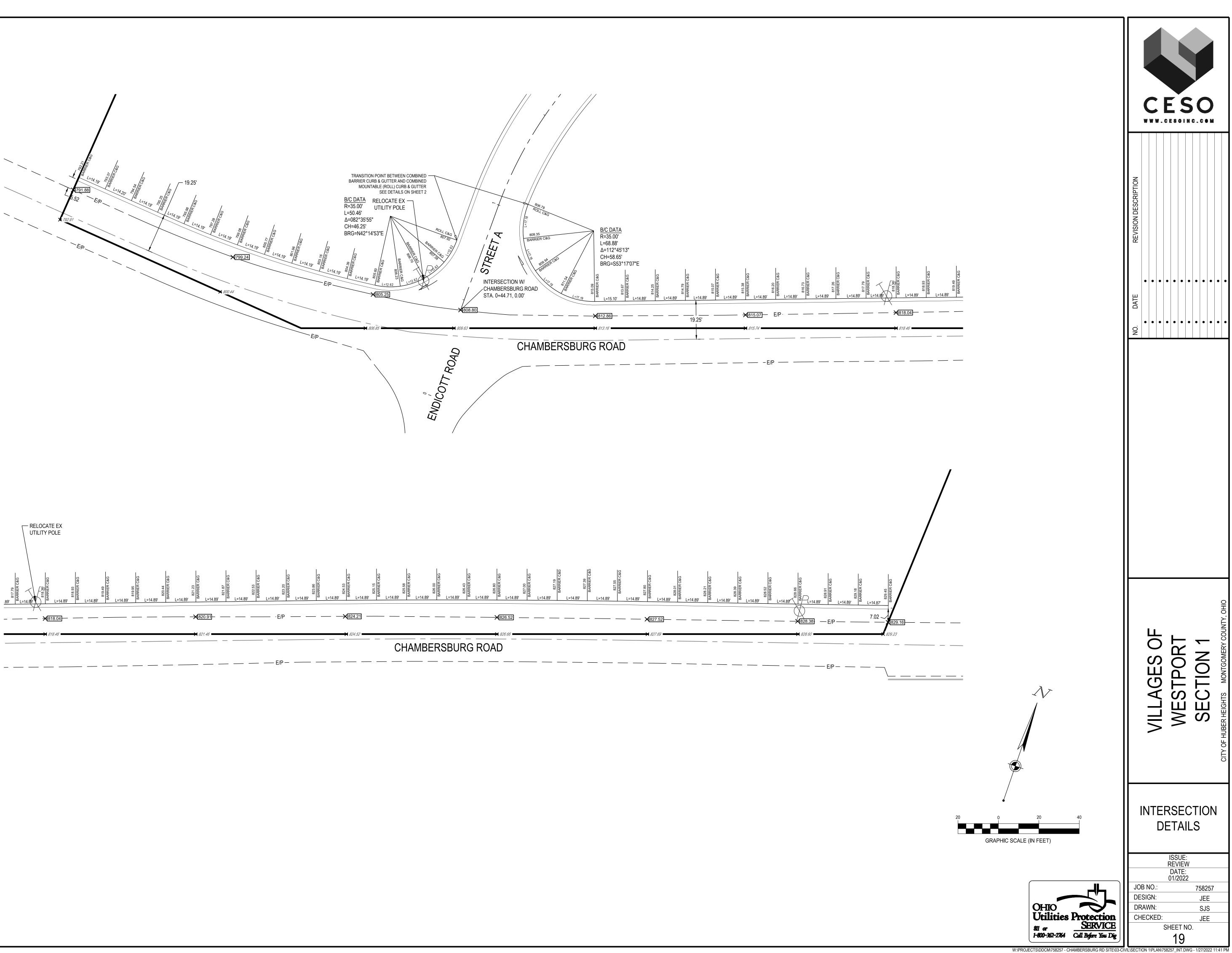
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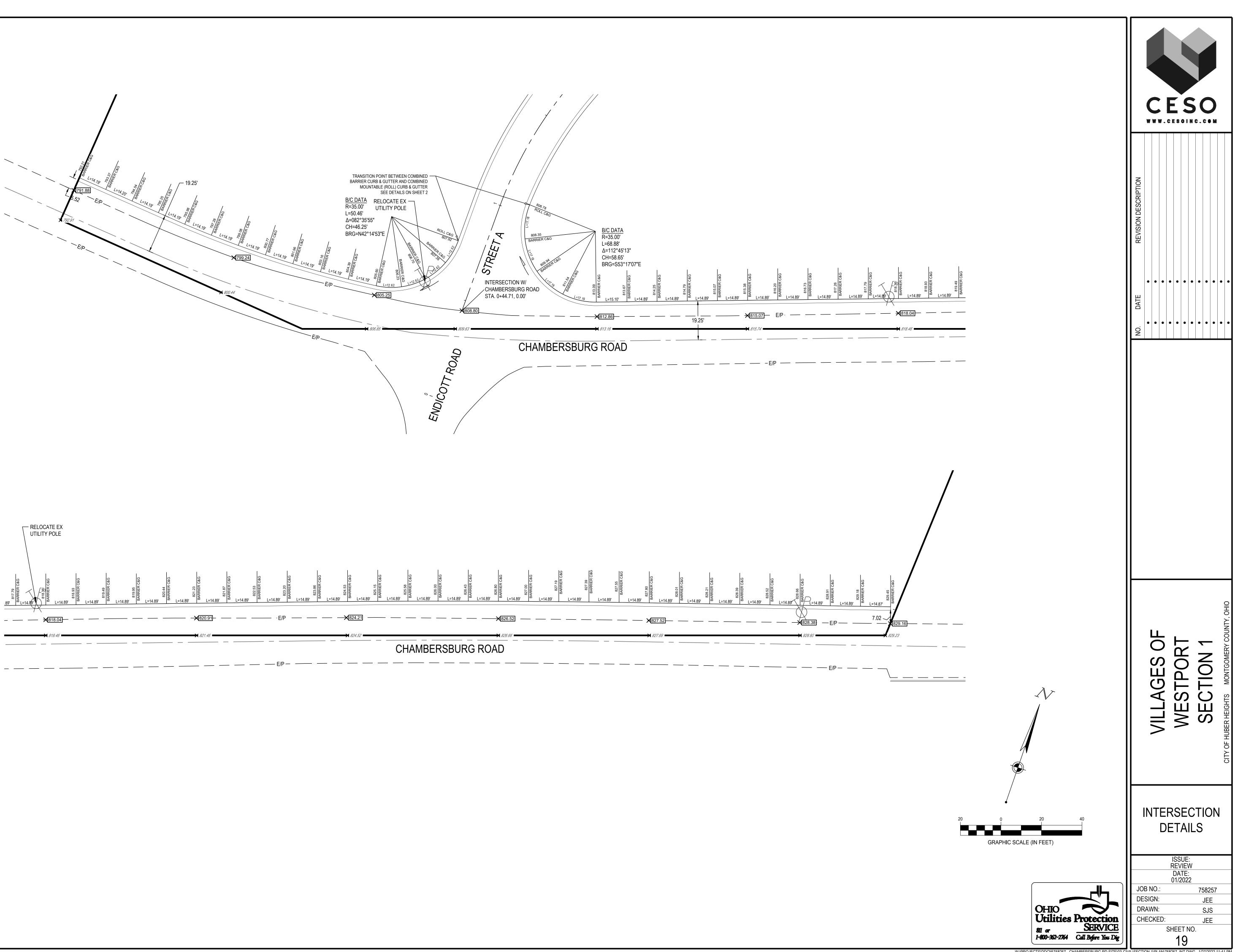
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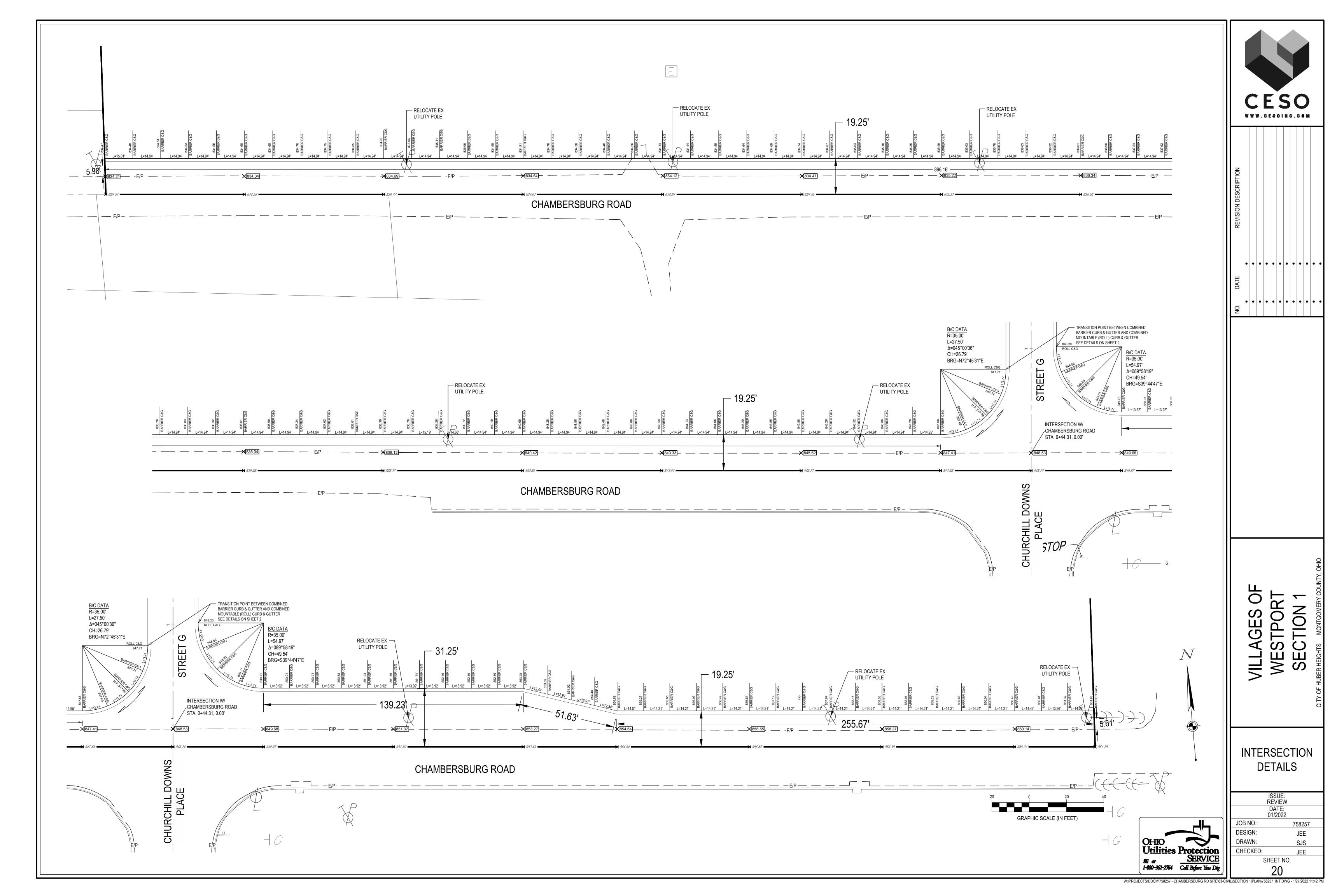
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### NPDES PERMIT

. GENERAL CONTRACTOR SHALL REFERENCE OEPA GENERAL PERMIT OH C000005 PRIOR TO START OF CONSTRUCTION.

NOTES:

- 1. EROSION CONTROL PRACTICES SHALL BE INSTALLED BEFORE ANY MAJOR SOIL DISTURBANCE.
- 2. THE EXPOSED SUB-GRADE AREAS SHOULD BE PROOF ROLLED AND ANY SOFT YIELDING AREA SHOULD BE UNDERCUT.
- 3. ESTABLISH VEGETATION IN ALL BARE AREAS AS PER OEPA N.P.D.E.S. REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR N.P.D.E.S. INSPECTION DURING CONSTRUCTION PERIOD.

# LEGEND

\_\_\_\_\_\_SE \_\_\_\_\_

HVV
VR
CW
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PHASE LINE LIMITS OF DISTURBANCE EXISTING TREE LINE PROPOSED TREE LINE TEMPORARY SILT FENCE EROSION EELS CONSTRUCTION ENTRANCE

HAZARDOUS WASTE STORAGE AREA

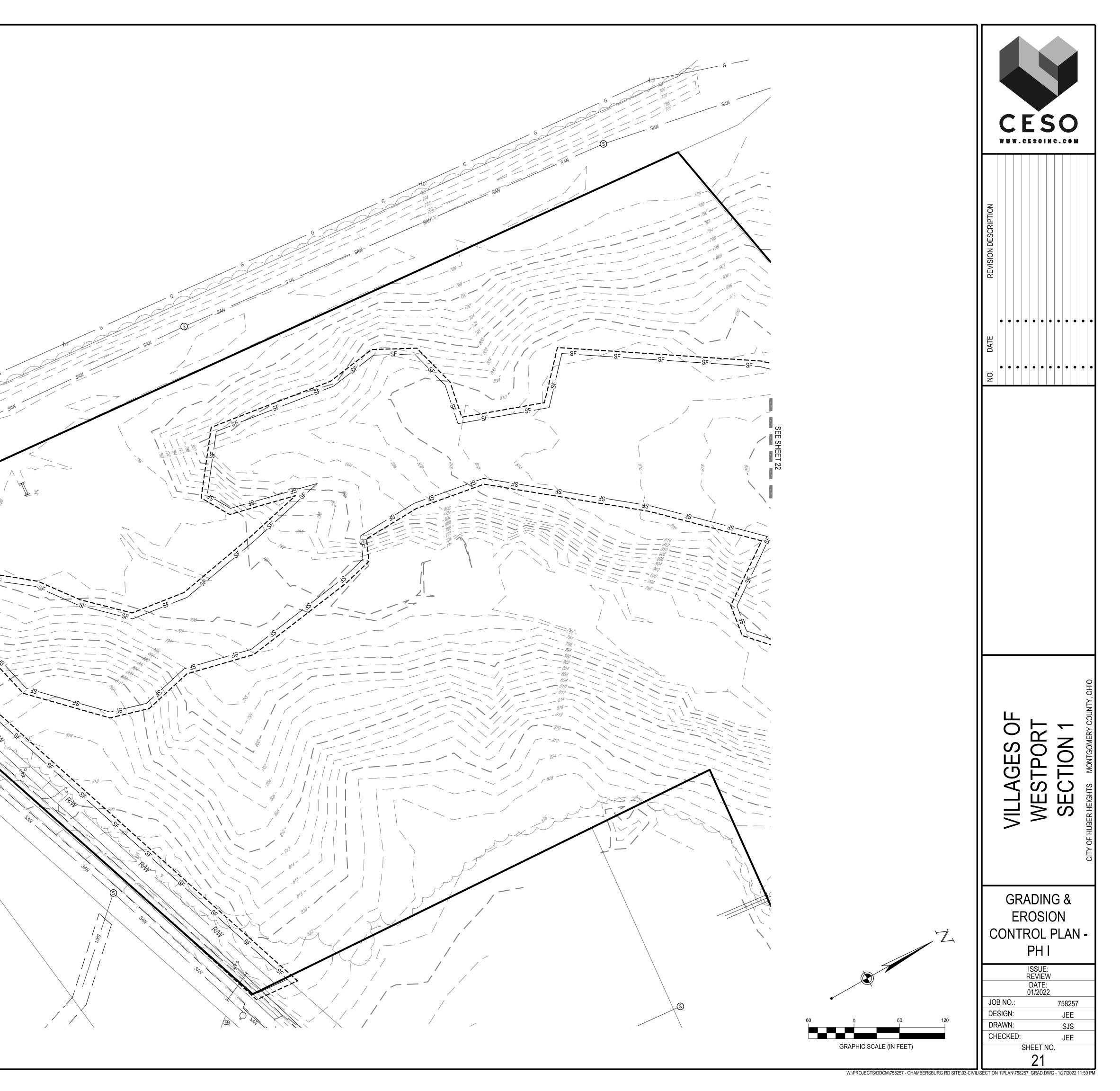
VEHICLE REFUELING AREA

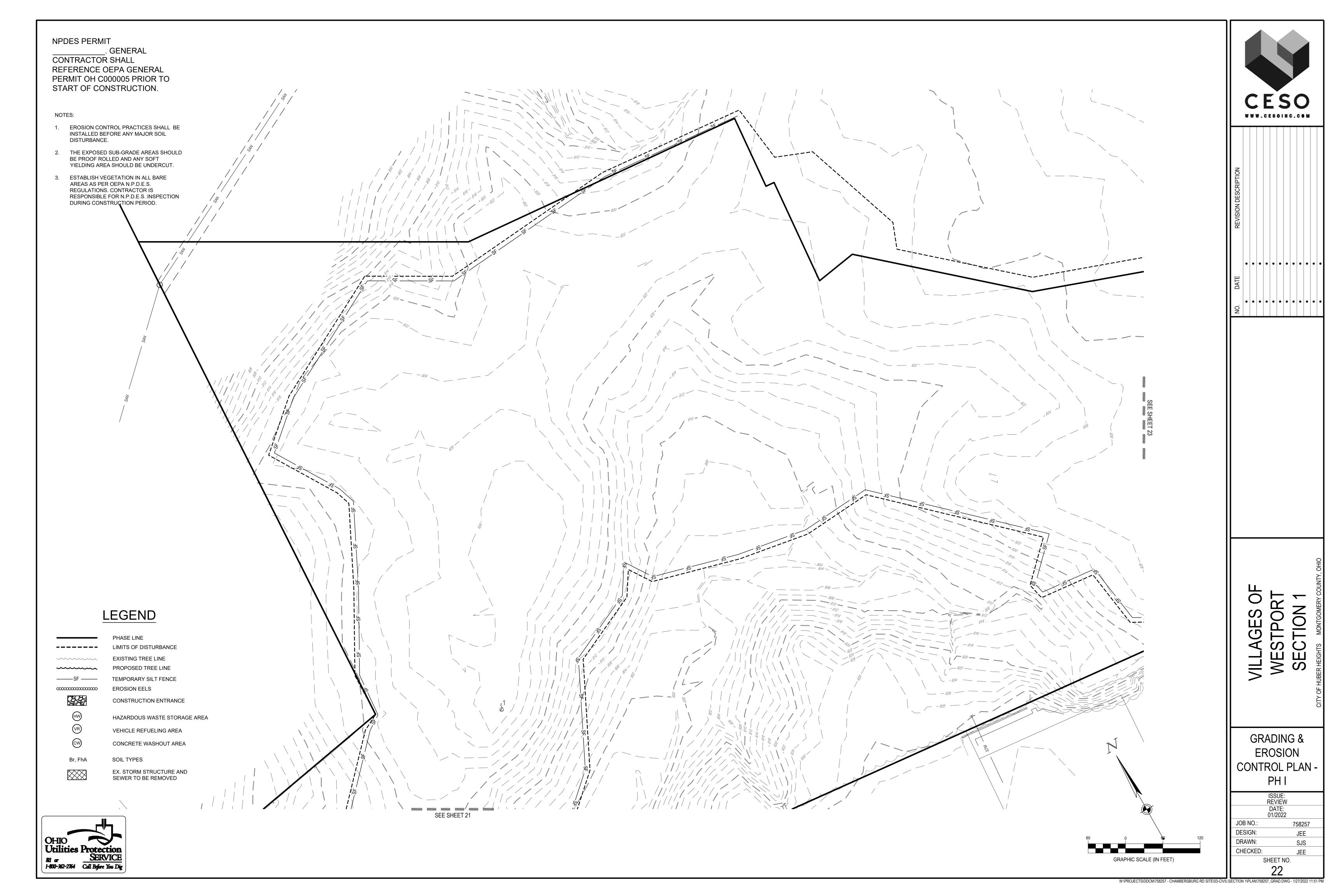
CONCRETE WASHOUT AREA

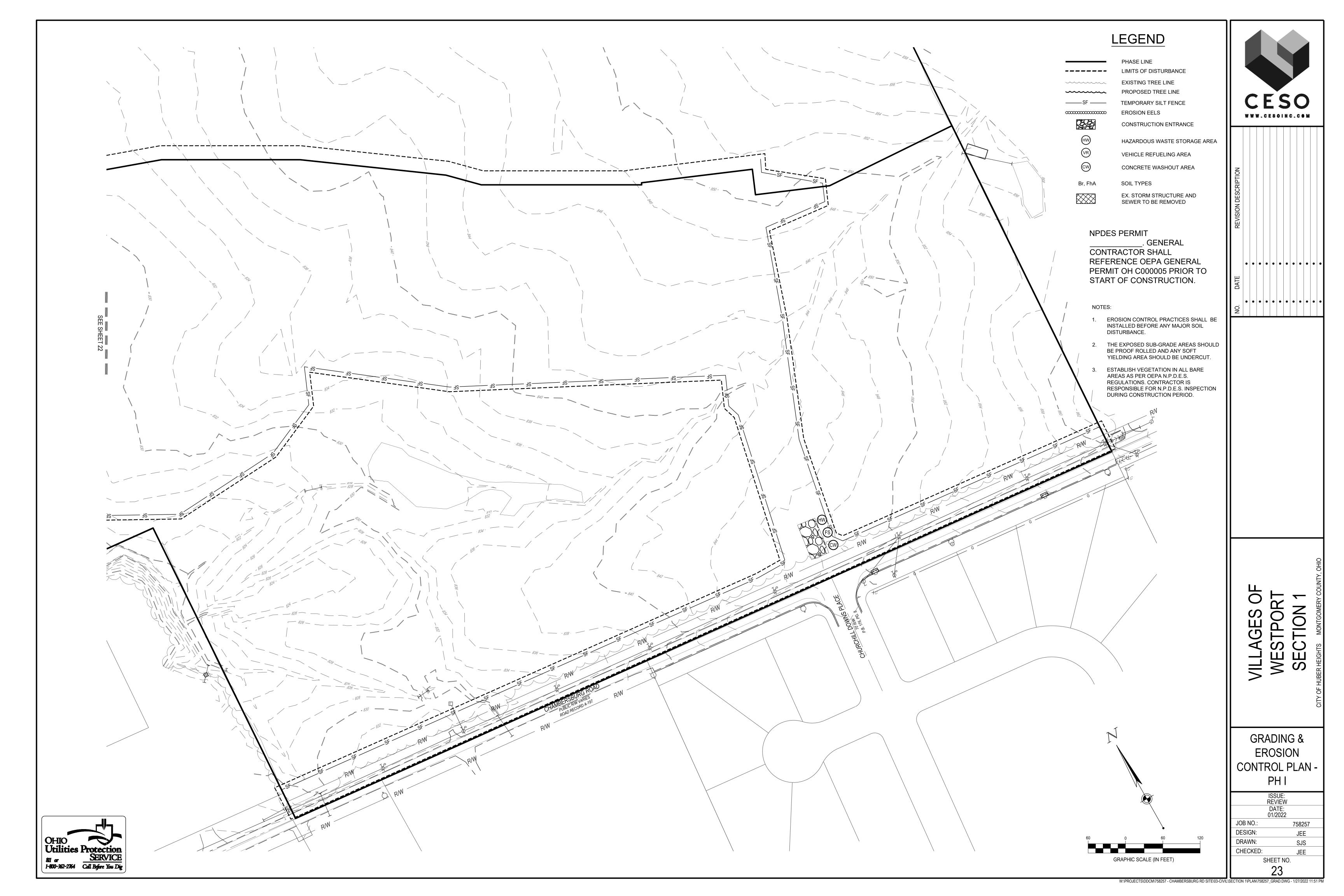
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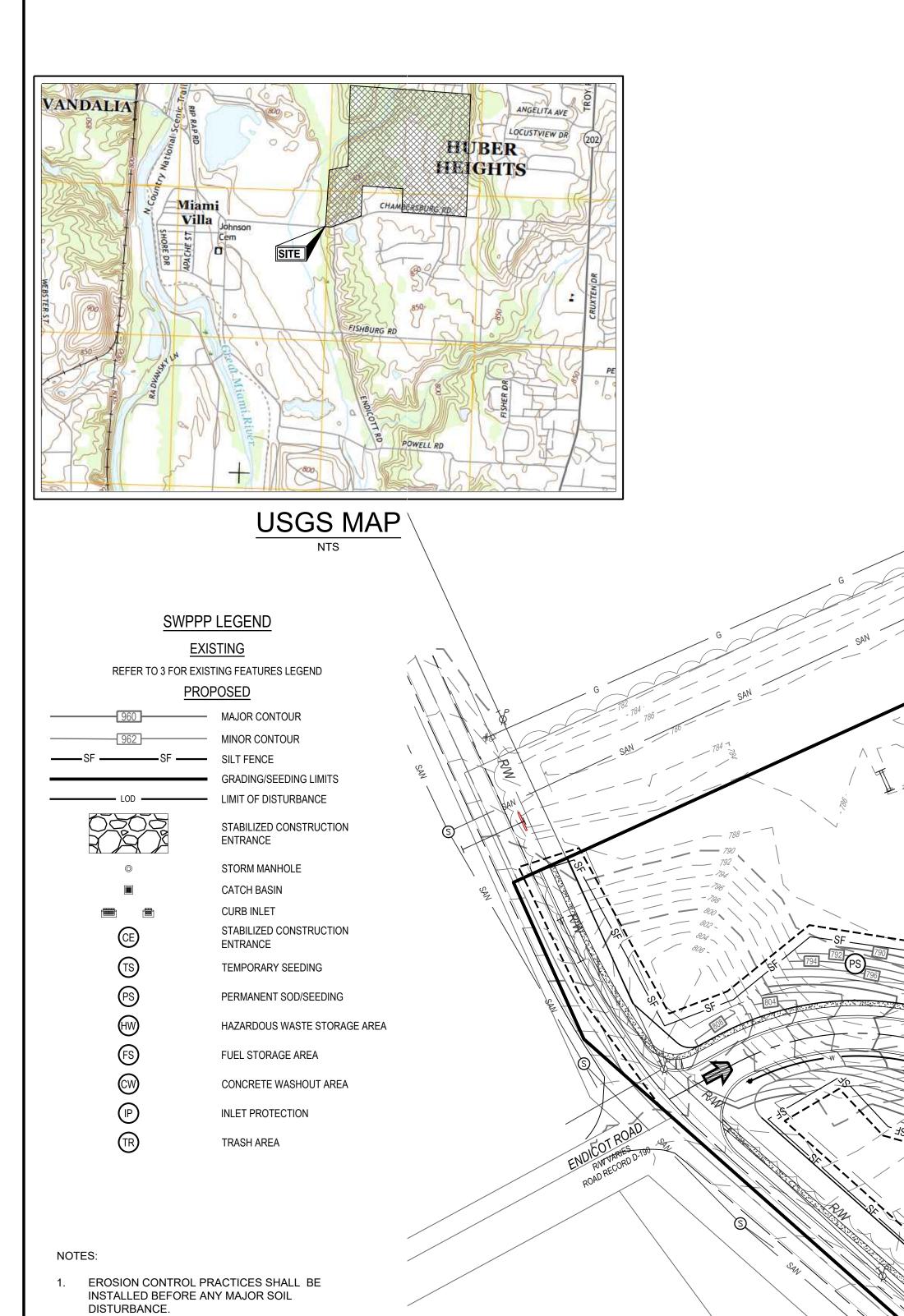
EX. STORM STRUCTURE AND SEWER TO BE REMOVED





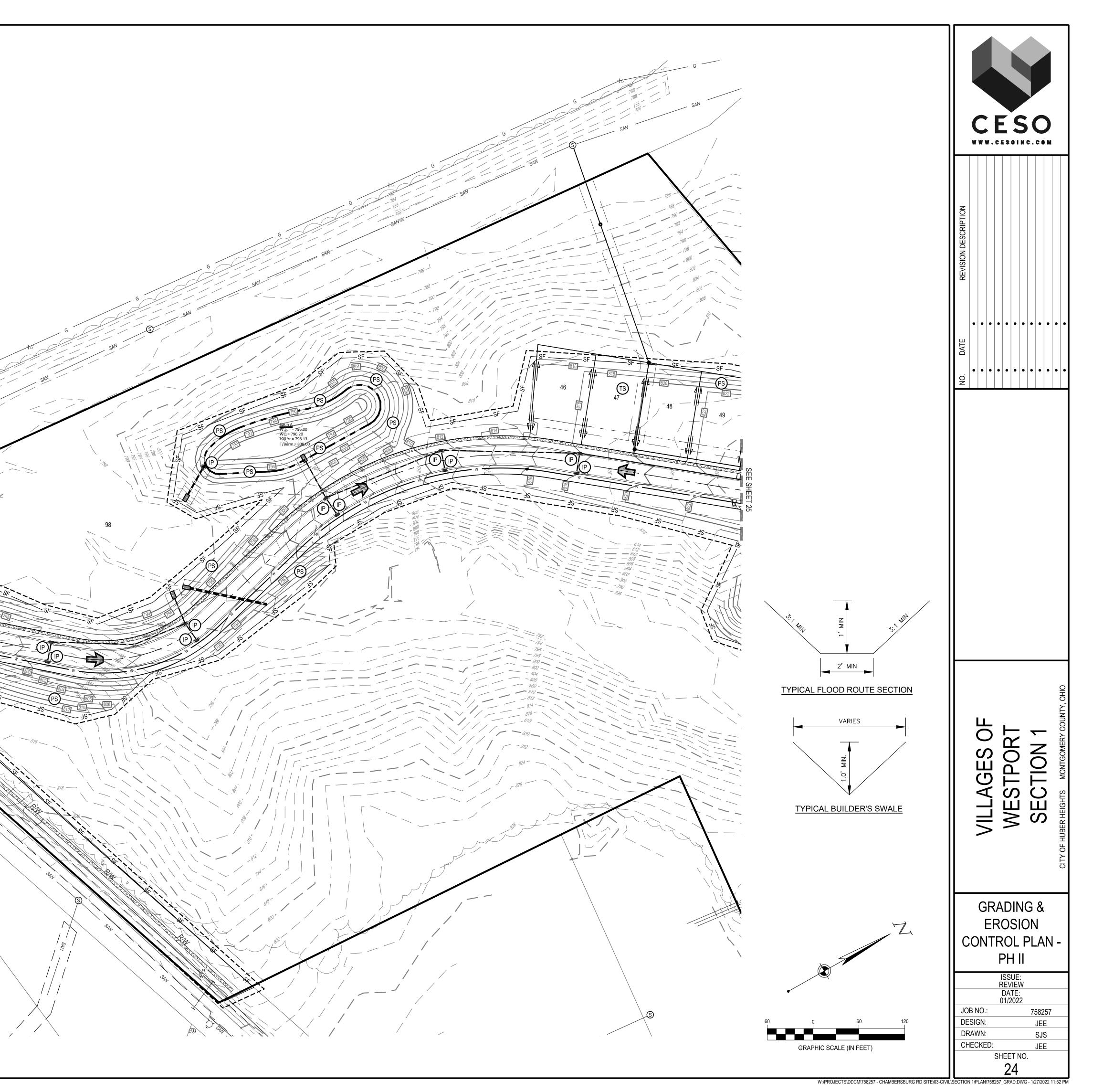


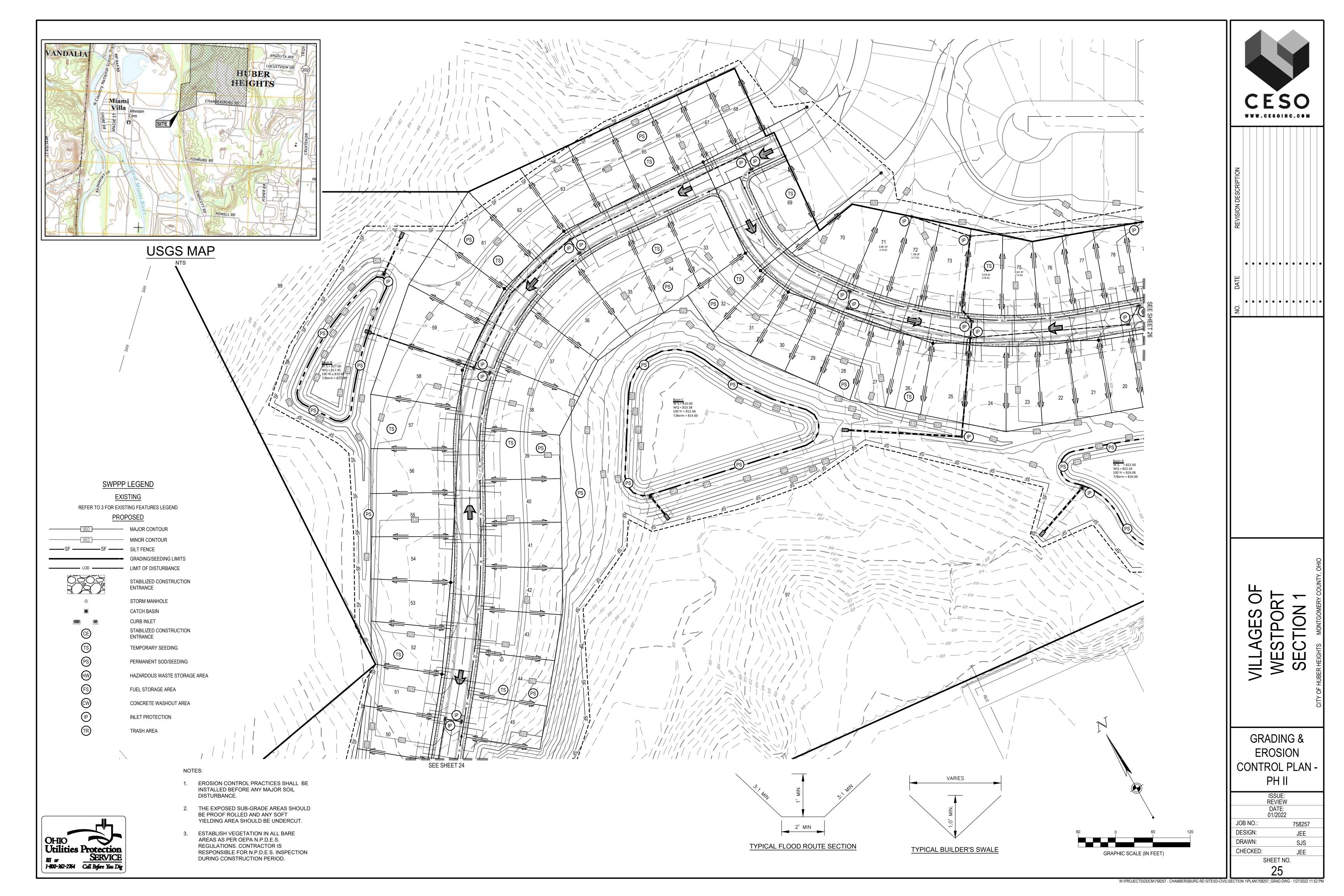


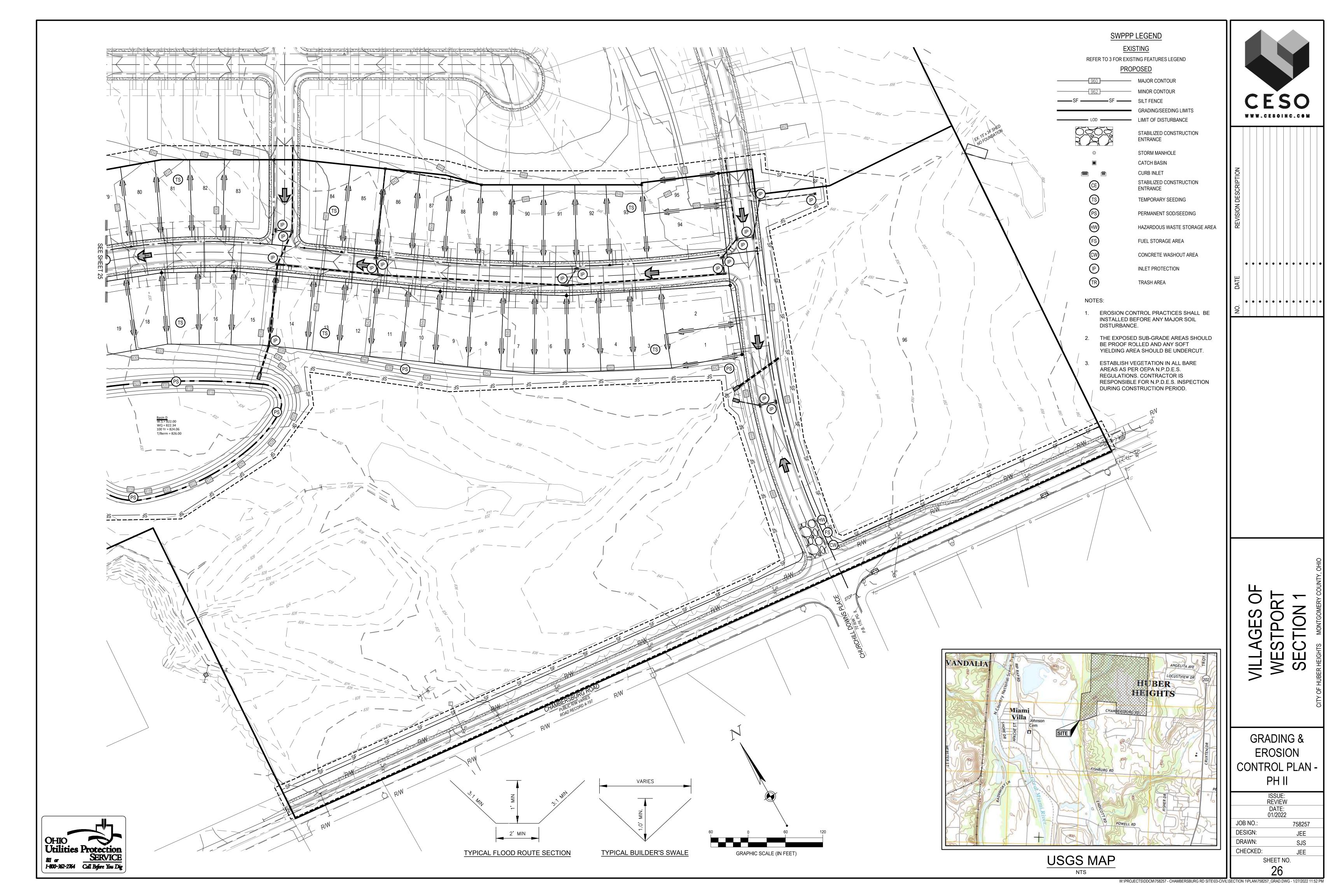


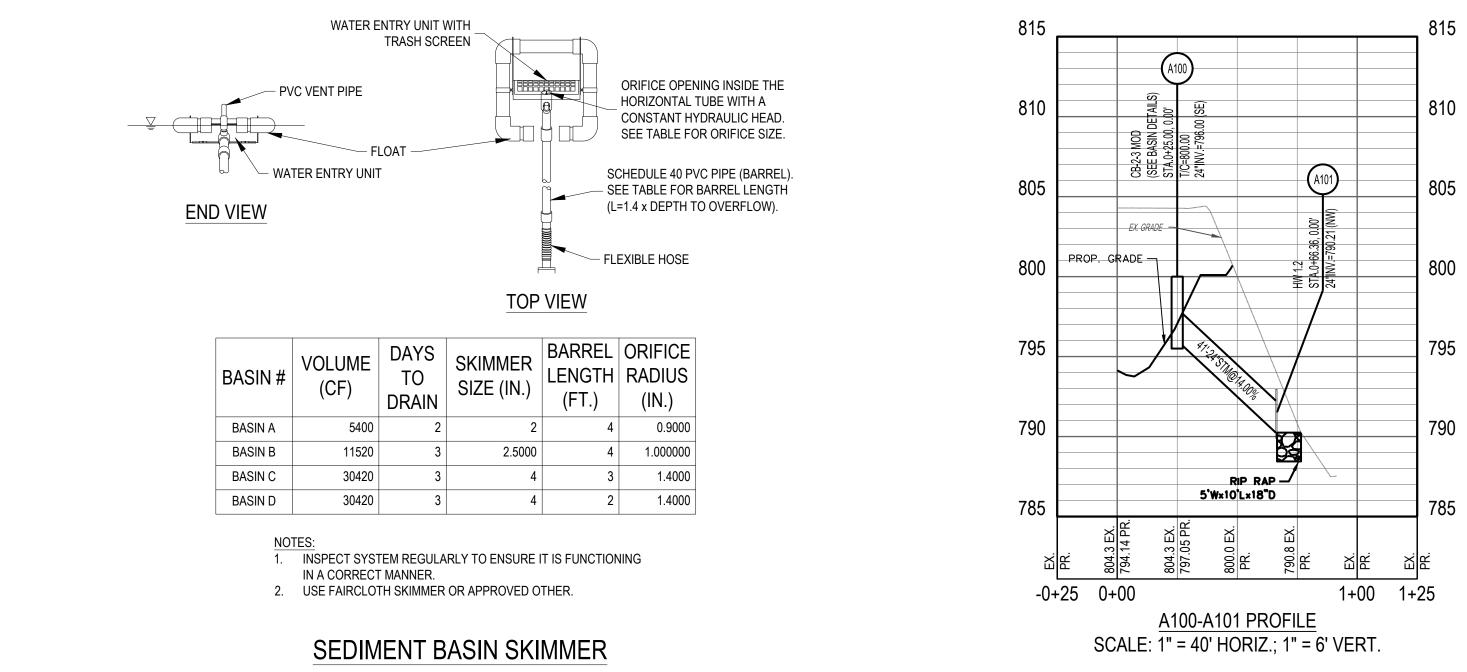
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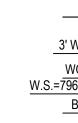


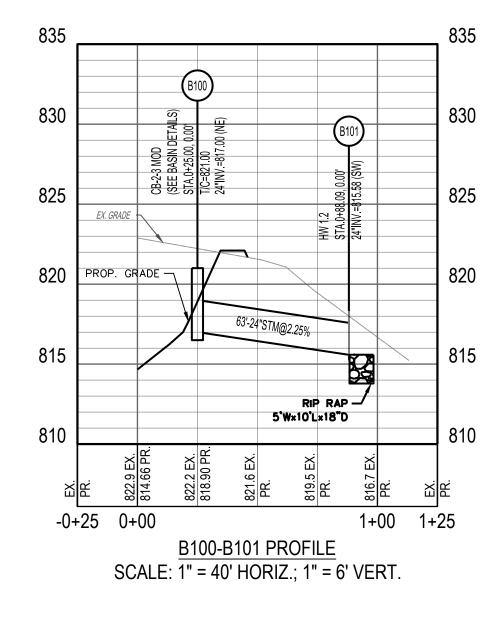


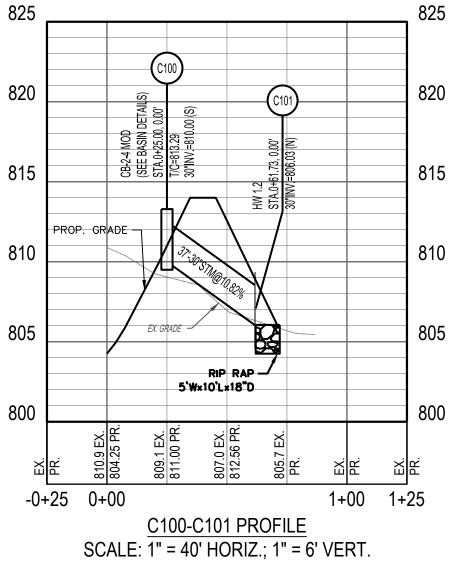
# NTS

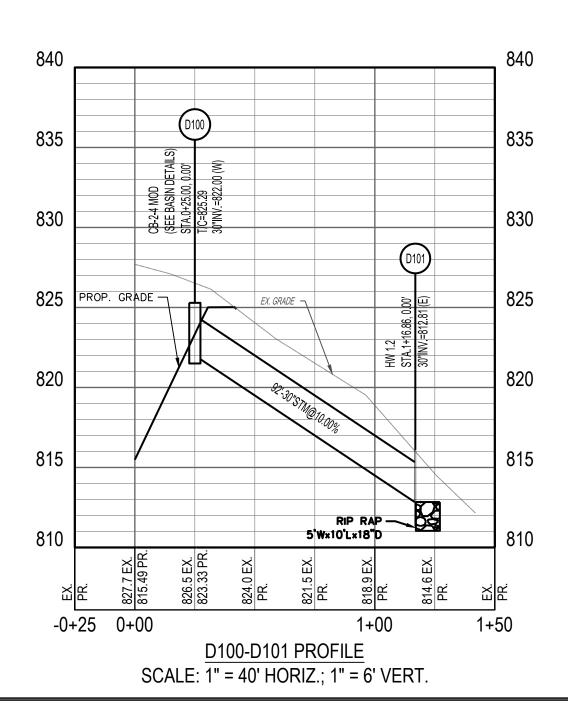
			SED	DIMENT CONTR	OL VOLUMES			
POND	DRAINAGE AREA (AC)	DISTURBED AREA (AC)	REQUIRED DEWATERING ZONE VOLUME (CF)	REQUIRED SEDIMENT ZONE VOLUME (CF)	PROVIDED DEWATERING ZONE VOLUME (CF)	PROVIDED SEDIMENT ZONE VOLUME(CF)	DEWATERING ZONE (FT)	SEDIMENT STORAGE ZONE (FT)
BASIN A	3.00	3.00	5,400	3,000	37,098	53,120	796.00 - 798.40	790.00 - 796.00
BASIN B	6.40	6.40	11,520	6,400	42,709	67,590	817.00 - 819.50	809.00 - 817.00
BASIN C	16.90	16.90	30,420	16,900	98,225	288,690	810.00 - 812.00	802.00 - 810.00
BASIN D	16.90	16.90	30,420	16,900	55,416	272,375	822.00 - 823.00	816.00 - 822.00

TY	PICAL MAINTE	ENANCE ACTIVITIES FOR BASINS
SCHEDULE	INSPECTION ITEM	ACTIVITY
MONTHLY	INLET/OUTLET STRUCTURE & SIDE SLOPES	- DO NOT FERTILIZE VEGETATION SURROUNDING BASIN. - MOW SIDE SLOPES.
ANNUALLY (AND AFTER LARGE STORM EVENTS)	INLET/OUTLET STRUCTURE & SIDE SLOPES	- REMOVE ACCUMULATED SEDIMENT AND DEBRIS FROM INLET AND OUTLET STRUCTURES.
BI-ANNUALLY	STORMWATER BASIN	- CHECK FOR SIGNS OF EUTROPHIC CONDITIONS (ALGAE BUILD-UP). - NOTE SIGNS OF HYDROCARBON BUILD-UP, REMOVE APPROPRIATELY.
ANNUALLY (AND AFTER LARGE STORM EVENTS)	STORMWATER BASIN	<ul> <li>- INSPECT FOR DAMAGE, PAYING PARTICULAR ATTENTION TO THE OUTLET CONTROL STRUCTURE.</li> <li>- MONITOR SEDIMENT ACCUMULATION IN THE FACILITY.</li> <li>- EXAMINE TO ENSURE INLET AND OUTLET DEVICES ARE FREE OF DEBRIS AND ARE OPERATIONAL.</li> <li>- INSPECT FOR INVASIVE VEGETATION IF WETLAND COMPONENTS INCLUDED.</li> </ul>
ANNUALLY	STORMWATER BASIN SEDIMENT ACCUMULATION	- MONITOR SEDIMENT ACCUMULATIONS, AND REMOVE SEDIMENT WHEN THE POOL VOLUME HAS BECOME REDUCED SIGNIFICANTLY (25% OF PERMANENT POOL VOLUME LOST), OR THE POND BECOMES EUTROPHIC
ANNUALLY	BASIN EMBANKMENT	- REPAIR UNDERCUT/ERODED AREAS AND STABILIZE.
ANNUALLY (AND AFTER LARGE STORM EVENTS)	STORM SEWER SYSTEM	- REMOVE DEBRIS FROM THE SEWER SYSTEM TO ENSURE POSITIVE FLOW TO THE BASIN.

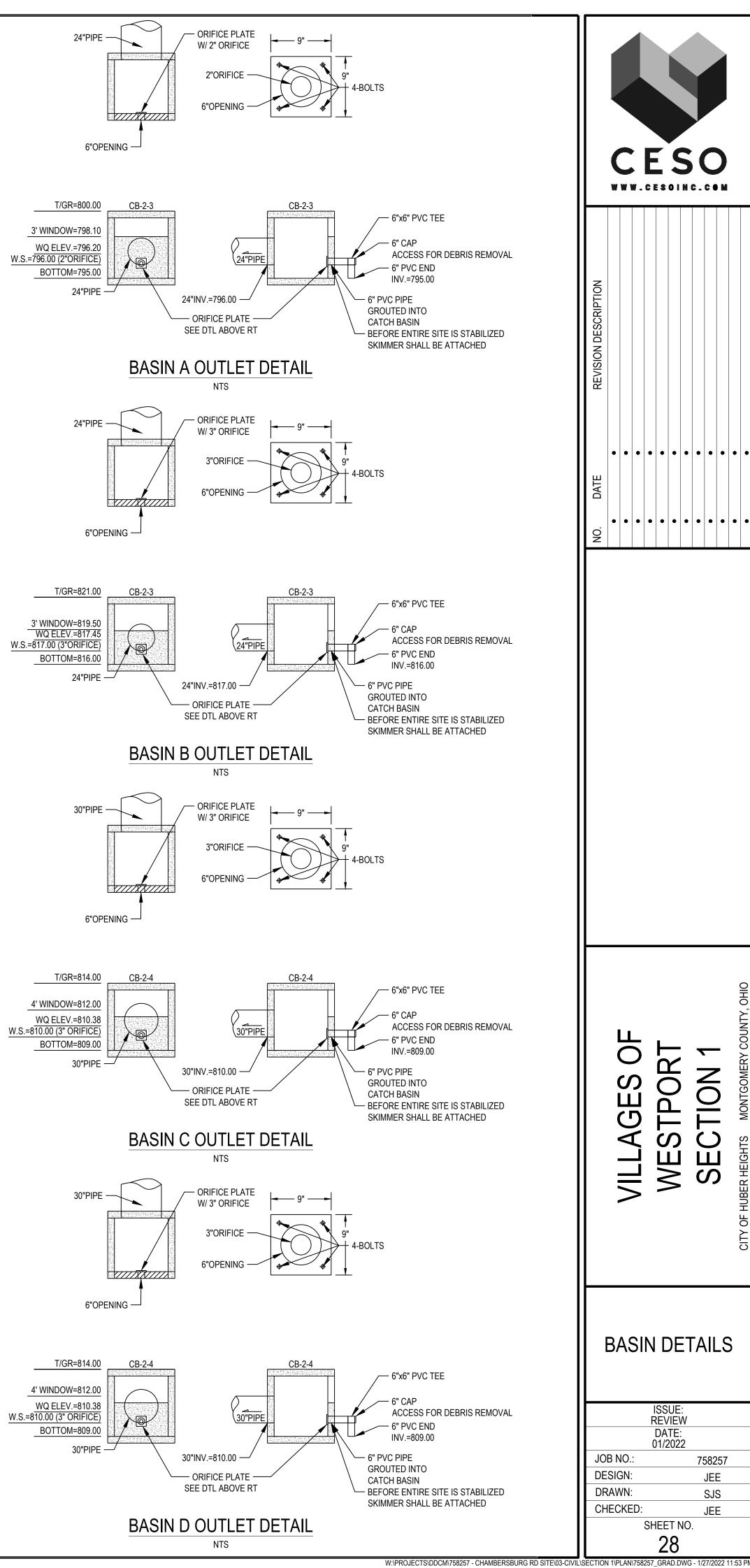












#### SITE DATA OWNER/DEVELOPER MERIDIAN LAND GROUP LTD 7870 E KEMPER RD STE 150 CINCINNATI, OH 45249 PLAN DESIGNER: CESO, INC. 3601 RIGBY ROAD, STE 300 MIAMISBURG, OHIO 45342 DEVELOPMENT NAME AND DESCRIPTION: CHAMBERSBURG ROAD SECTION ONE IS A LOW DENSITY RESIDENTIAL 3 SUBDIVISION THAT WILL CONSIST OF 95 SINGLE FAMILY HOMES. SITE ACREAGE: THE SECTION 1 SITE IS APPROXIMATELY 74.31 ACRES. 4 OVERALL 38.62 TOTAL ACRES WILL BE DISTURBED BY CONSTRUCTION. RUNOFF COEFFICIENT: PRE-CONSTRUCTION RUNOFF COEFFICIENT, C=0.40 POST-CONSTRUCTION RUNOFF COEFFICIENT, C=0.50 **IMPERVIOUS AREA:** PRE-CONSTRUCTION - 0 ACRE, 0% POST-CONSTRUCTION - 11.19 ACRE, 15.0% PRIOR LAND USE THE SITE WAS PREVIOUSLY OCCUPIED BY A COMBINATION OF DENSE WOODS AND MEADOWS. SOIL TYPES: BROOKSTON SILTY CLAY - 17.2% MIAMIAN SILT LOAM - 37.4% LANIER SANDY LOAM - 1.5% CELINA SILT LOAM - 8.1% MILLSDALE SILTY CLAY LOAM - 5.1% CORWIN SILT LOAM - 15.6% CROSBY SILT LOAM - 4.2% MONTGOMERY SILTY CLAY LOAM - 2.9% FOX LOAM - 0.5% RITCHEY SILT LOAM - 4.2% HENNEPIN & MIAMIAN SILT LOAM - 3.3% **ADJACENT AREAS:** THE SITE IS BOUND BY DEVELOPED SECTIONS OF HERBERT C. HUBER PLAT NO. 52, SECTION 8 AND SECTION 8B TO THE NORTH, AND HERBERT C. HUBER PLAT NO. 54 TO THE EAST. THE SITE IS NORTH OF CHAMBERSBURG ROAD AND WEST OF OLD TROY PIKE. STORM WATER MANAGEMENT: THE SITE DRAINS TO AN EXISTING UNNAMED TRIBUTARY THAT OUTLETS INTO THE GREAT MIAMI RIVER WEST OF THE SITE. SEQUENCE OF CONSTRUCTION 9. INSTALL CONSTRUCTION ENTRANCE, HAZARDOUS WASTE STORAGE AREA, VEHICLE REFUELING AREA, AND CONCRETE WASH PIT. 2. CLEAR & GRUB SITE 3. CONSTRUCT BASIN 10 4. ROUGH GRADE SITE 5. CONSTRUCT SANITARY, DISTURBING TRENCH AREA ONLY 6. INSTALL STORM & WATER LINE. PLACING INLET PROTECTION AS INLETS ARE CONSTRUCTED 7. GRADE STREETS FIXING INLET PROTECTION AS NEEDED 11. 8. PAVE STREETS 9. FINAL GRADE LOTS 10. SEED & MULCH ALL DISTURBED AREAS 11. REMOVE ALL EROSION CONTROL PRACTICES 12. **GOOD HOUSEKEEPING**

THE FOLLOWING GOOD HOUSEKEEPING PRACTICES WILL BE FOLLOWED ONSITE DURING THE CONSTRUCTION PROJECT:

AN EFFORT WILL BE MADE TO STORE ONLY ENOUGH PRODUCT REQUIRED TO DO THE JOB.

ALL MATERIALS STORED ONSITE WILL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR APPROPRIATE CONTAINERS, AND IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE. PRODUCTS WILL BE KEPT IN THEIR ORIGINAL CONTAINERS WITH THE ORIGINAL

MANUFACTURER'S LABEL.

SUBSTANCES WILL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.

WHENEVER POSSIBLE, ALL OF A PRODUCT WILL BE USED UP BEFORE DISPOSING OF THE CONTAINER.

MANUFACTURERS' RECOMMENDATIONS FOR PROPER USE AND DISPOSAL WILL BE FOLLOWED.

THE SITE SUPERINTENDENT WILL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS ONSITE.

# **GENERAL LAND CONSERVATION NOTES**

NO DISTURBED AREA WILL BE DENUDED FOR MORE THAN 30 DAYS IF IT IS TO REMAIN DORMANT FOR MORE THAN 45 DAYS UNLESS AUTHORIZED BY THE STATE GOVERNING JURISDICTION'S INSPECTOR. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DISTURBED AREAS WITHIN 14 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE.

ALL STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE PLACED PRIOR TO OR AS THE FIRST STEP IN GRADING FOR ALL SITES.

ALL STORM SEWER, SANITARY SEWER, WATER MAIN AND SERVICE TRENCHES SHALL BE MULCHED AND SEEDED WITHIN 14 DAYS AFTER BACK FILL IF INSTALLATION IS THROUGH STABILIZED AREAS. NO MORE THAN 500 FEET OF TRENCH WILL BE OPEN AT ANY ONE TIME.

ELECTRIC POWER, TELEPHONE, CATV AND GAS SUPPLY TRENCHES SHALL BE COMPACTED SEEDED AND MULCHED WITHIN 14 DAYS AFTER BACK FILL, IF INSTALLATION IS THROUGH STABILIZED AREAS.

ALL TEMPORARY DIVERSIONS, SEDIMENT BASIN EMBANKMENTS AND EARTH STOCKPILES SHALL BE SEEDED AND MULCHED FOR TEMPORARY VEGETATIVE COVER WITHIN 7 DAYS AFTER GRADING. STRAW, HAY MULCH OR EQUIVALENT IS REQUIRED.

ALL STORM SEWER INLETS SHALL BE PROTECTED BY SEDIMENT TRAPS (INLET PROTECTION) WHICH WILL BE MAINTAINED AND MODIFIED AS REQUIRED AS CONSTRUCTION PROGRESSES.

ANY DISTURBED AREA NOT STABILIZED WITH SEEDING, SODDING, PAVING OR BUILT UPON BY NOVEMBER 1ST, OR AREAS DISTURBED AFTER THAT DATE, SHALL BE MULCHED IMMEDIATELY WITH HAY OR STRAW AT THE RATE OF 2 TONS PER ACRE AND OVER-SEEDED BY APRIL 15TH.

AT THE COMPLETION OF CONSTRUCTION, ALL TEMPORARY SEDIMENT CONTROLS SHALL BE REMOVED AND ALL DENUDED AREAS SHALL BE STABILIZED.

HOA SHALL MAINTAIN AND KEEP RECORD OF ANY MAINTENANCE/INSPECTIONS OF COMMON AREAS.

# SWPPP NOTES

- ALL EROSION AND SEDIMENTATION CONTROL SHALL BE PERFORMED ACCORDING TO: SWPPP AND DETAIL "NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM" (NPDES); ANY AND ALL REQUIRED PERMITS, REPORTS, AND RELATED DOCUMENTS. SEE OHIO EPA PERMIT NO. OHC000005 FOR SWPPP RULES AND REGULATIONS. ALL CONTRACTORS AND SUBCONTRACTORS MUST BECOME FAMILIAR WITH ALL OF THE ABOVE.
- TO THE SITE AT NO ADDITIONAL COST TO OWNER THROUGHOUT ALL PHASES OF CONSTRUCTION.
- CONTRACTOR SHALL MINIMIZE CLEARING AND DISTURBANCE TO THE ENVIRONMENT TO THE MAXIMUM THE NATURAL RIPARIAN SETBACK ADJACENT TO STREAMS OR OTHER SURFACE WATER BODIES.
- IMPLEMENTED FOR ALL AREAS REMAINING DISTURBED FOR OVER 14 DAYS.
- APPLIED AS FOLLOWS:
- WITHIN TWO (2) DAYS OF ANY AREA WITHIN 50 FEET OF A STREAM NOT AT FINAL GRADE REMAINING DORMANT FOR OVER FOURTEEN (14) DAYS.
- WITHIN SEVEN (7) DAYS OF ANY AREA THAT WILL BE DORMANT FOR MORE THAN FOURTEEN (14) DAYS. PRIOR TO THE ONSET OF WINTER WEATHER FOR AREAS THAT WILL BE IDLE OVER WINTER. FOR TRANSFER OF PERMIT COVERAGE FOR INDIVIDUALS.
- PERMANENT SOIL STABILIZATION OF DISTURBED AREAS BY MEANS OF VEGETATION, LANDSCAPE TYPE
- FOLLOWS: WITHIN SEVEN (7) DAYS OF ANY AREA THAT WILL BE DORMANT FOR ONE (1) YEAR OR MORE. WITHIN TWO (2) DAYS OF ANY AREA WITHIN 50 FEET OF A STREAM AT FINAL GRADE. WITHIN SEVEN (7) DAYS FOR ANY OTHER AREA AT FINAL GRADE.
- TEMPORARY SEEDING, MULCHING, AND FERTILIZER SPECIFICATIONS: SEEDING: ANNUAL RYEGRASS AT 2.02 #/1,000 S.F. MULCH TO THREE (3) TON/ACRE.
- WAIVED.
- PERMANENT SEEDING SHALL BE IN ACCORDANCE WITH ODOT STANDARD SPECIFICATIONS.
- SLOPES SHALL BE LEFT IN A ROUGHENED CONDITION DURING THE GRADING PHASE TO REDUCE RUNOFF VELOCITIES AND EROSION. ALL SLOPES 3:1 OR GREATER THAN 3:1 SHALL BE FERTILIZED, SEEDED, AND EQUAL AS SPECIFIED IN THE PLANS SHALL BE INSTALLED ON THE SLOPES.
- OHIO EPA SWPPP REGULATIONS REQUIRES THAT A SEDIMENT TRAP OR POND BE SIZED TO PROVIDE AT LESS THAN 5-FEET WITH A LENGTH TO WIDTH RATIO GREATER THAN OR EQUAL TO 2:1)
- BEEN REDUCED BY 40% (APPROXIMATELY ONE-HALF OF POND DEPTH).
- NO SOLID (OTHER THAN SEDIMENT) OR LIQUID WASTE, INCLUDING BUILDING MATERIALS, SHALL BE DISCHARGED IN STORM WATER RUNOFF.
- 13. ALL TOXIC WASTES, HAZARDOUS WASTES AND NON-SEDIMENT POLLUTANTS MUST BE DISPOSED OF IN OCCUR IN DESIGNATED PIT OR DIKED AREAS, WHERE WASHINGS CAN BE REMOVED AND PROPERLY DISPOSED OFF-SITE WHEN THEY HARDEN. STORAGE TANKS SHOULD ALSO BE LOCATED IN PIT OR DIKED BE DISPOSED INTO STORM DRAINS, SEPTIC TANKS OR BY BURYING, BURNING OR MIXING THE WASTES.
- CONTAINERS SHALL BE AVAILABLE FOR DISPOSAL OF DEBRIS, TRASH, HAZARDOUS OR PETROLEUM WASTES. 14 FACILITIES APPROVED FOR THE PERTINENT MATERIAL.
- RUBBISH, TRASH, GARBAGE, LITTER, OR OTHER SUCH MATERIALS SHALL BE DISPOSED INTO SEALED 15. STORM WATER DISCHARGE INTO DRAINAGE DITCHES OR WATERS OF THE STATE.
- 16 CONSTITUENTS TO WATERS OF THE STATE.
- CLEAN CONSTRUCTION WASTES THAT WILL BE DISPOSED INTO THE PROPERTY SHALL BE SUBJECT TO ANY 17 LOCAL PROHIBITIONS FROM THIS TYPE OF DISPOSAL.
- ALL CONSTRUCTION AND DEMOLITION DEBRIS (C&DD) WASTE SHALL BE DISPOSED OF IN AN OHIO EPA 18 APPROVED C&DD LANDFILL AS REQUIRED BY OHIO REVISED CODE 3714. CONSTRUCTION DEBRIS MAY BE ADMINISTRATIVE CODE 3745-20).
- AREA SHALL BE DESIGNATED FOR MIXING OR STORAGE OF COMPOUNDS SUCH AS FERTILIZERS, LIME 19. DRAINAGE DITCHES, FIELD DRAINS, OR OTHER STORMWATER DRAINAGE AREA.
- 20. SHALL BE LOCATED AWAY FROM WATERCOURSES, DRAINAGE DITCHES, FIELD DRAINS, OR OTHER STORMWATER DRAINAGE AREA.
- 21. A SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN MUST BE DEVELOPED FOR SITES WITH GALLONS OR BELOW-GROUND STORAGE OF 4,200 GALLONS OF FUEL.
- 22. ALL DESIGNATED CONCRETE CHUTE OR WASHOUT AREAS SHALL BE LOCATED AWAY FROM WATERCOURSES, DRAINAGE DITCHES, FIELD DRAINS OR OTHER STORMWATER DRAINAGE AREAS.
- THERE IS A POTENTIAL FOR HIGH GROUND WATER AT THIS SITE. CONTRACTOR IS RESPONSIBLE FOR 23. DESIGNING AND IMPLEMENTING A PLAN TO CONTROL BOTH SURFACE AND GROUND WATER DURING THE COURSE OF CONSTRUCTION.
- 24 PIT OR OTHER SEDIMENT REMOVAL DEVICE.
- 25.
- FROM BEING RELEASED:
  - 2. PUMPING RUNOFF INTO A SANITARY SEWER (WITH PRIOR APPROVAL OF THE SANITARY SYSTEM FROM COMING INTO CONTACT WITH THE MATERIAL.

PLANS; ACCORDING TO THE LATEST OHIO EPA AUTHORIZATION FOR CONSTRUCTION ACTIVITY UNDER THE

CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS REQUIRED BY THE SWPPP, ADDITIONAL BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED AS DICTATED BY CONDITIONS AND GRADE CHANGES

EXTENT POSSIBLE OR AS REQUIRED BY THE GENERAL PERMIT. EVERY EFFORT SHALL BE MADE TO PRESERVE

SEDIMENT STRUCTURE AND PERIMETER SEDIMENT BARRIERS SHALL BE IMPLEMENTED AS THE FIRST STEP OF GRADING WITHIN SEVEN (7) DAYS FROM THE START OF CLEARING AND GRUBBING, AND SHALL CONTINUE TO FUNCTION UNTIL THE SLOPE DEVELOPMENT AREA IS RESTABILIZED. SEDIMENT CONTROL DEVICES SHALL BE

TEMPORARY SOIL STABILIZATION OF DISTURBED AREAS BY MEANS OF TEMPORARY VEGETATION, MULCHING, GEOTEXTILES, SOD, PRESERVATION OF EXISTING VEGETATION, AND OTHER APPROVED TECHNIQUES TO BE

RESIDENTIAL SUBDIVISIONS, DISTURBED AREAS MUST BE STABILIZED AT LEAST SEVEN (7) DAYS PRIOR TO

MULCHING, MATTING, SOD, RIP RAP, AND OTHER APPROVED LANDSCAPING TECHNIQUES TO BE APPLIED AS

MULCHING: STRAW MATERIAL SHALL BE UNROTTED SMALL GRAIN STRAW APPLIED AT A RATE OF TWO (2) TON/ACRE, OR 80-100 POUNDS PER 1,000 S.F. MULCH MATERIALS SHALL BE RELATIVELY FREE OF ALL KINDS OF WEEDS AND SHALL BE FREE OF PROHIBITIVE NOXIOUS WEEDS. MULCH SHALL BE SPREAD UNIFORMLY BY HAND OR MECHANICAL MEANS. FROM NOVEMBER 01 THRU MARCH 15 INCREASE THE RATE OF STRAW

FERTILIZER: APPLY FERTILIZER AT HALF THE RATE OF PERMANENT APPLICATION AND AS PER STATE DOT SPECIFICATIONS. IF PROJECT CONDITIONS PREVENT FERTILIZING THE SOIL, THEN THIS ITEM MAY BE

CURLEX BLANKETS BY AMERICAN EXCELSIOR COMPANY, NORTH AMERICAN GREEN, INC. OR AN APPROVED

LEAST 104 CUBIC YARDS (67 CY FOR DEWATERING AND 37 CY FOR SEDIMENT STORAGE) OF STORAGE PER ACRE OF TOTAL CONTRIBUTING AREA. MAXIMUM DEPTH OF SEDIMENT SETTLING POND SHALL BE EQUAL OR

OUTLET STRUCTURES IN SEDIMENTATION BASINS SHALL BE MAINTAINED IN OPERATIONAL CONDITIONS AT ALL TIMES. SEDIMENT MUST BE REMOVED FROM BASINS AND OR TRAPS WHEN THE DESIGN CAPACITY HAS

ACCORDANCE WITH LOCAL. STATE, AND FEDERAL GUIDELINES. WASH OUT OF CEMENT TRUCKS SHOULD AREAS. IN ADDITION, SUFFICIENT OIL AND GREASE ABSORBING MATERIALS AND FLOTATION BOOMS TO CLEAN AND CONTAIN FUEL AND CHEMICAL SPILLS MUST BE KEPT ON SITE. NO TOXIC OR HAZARDOUS WASTES SHALL

ALL CONTAINERS MUST BE COVERED AND LEAK-PROOF. ALL WASTE MATERIAL SHALL BE DISPOSED OF AT

CONTAINERS, MATERIALS SHALL BE PREVENTED FROM LEAVING THE SITE THROUGH THE ACTION OF WIND OR

BRICKS, HARDENING CONCRETE AND SOIL WASTE SHALL BE FREE FROM CONTAMINATION WHICH MAY LEACH

DISPOSED OF ON-SITE, BUT DEMOLITION DEBRIS MUST BE DISPOSED IN AN OHIO EPA APPROVED LANDFILL. ALSO, MATERIALS WHICH CONTAIN ASBESTOS MUST COMPLY WITH AIR POLLUTION REGULATIONS (SEE OHIO

ASPHALT, OR CONCRETE, THESE DESIGNATED AREAS SHALL BE LOCATED AWAY FROM WATERCOURSES,

EQUIPMENT FUELING & MAINTENANCE SHALL BE IN DESIGNATED AREAS ONLY, THESE DESIGNATED AREAS

ONE ABOVE-GROUND STORAGE TANK OF 660 GALLONS OR MORE, TOTAL ABOVE-GROUND STORAGE OF 1,330

DISCHARGE OF WATER WITH POTENTIAL SEDIMENT FROM THE SITE SHALL BE THROUGH A FILTER BAG, SUMP

ALL CONTAMINATED SOIL MUST BE TREATED AND/OR DISPOSED IN AN OHIO EPA APPROVED SOLID WASTE MANAGEMENT FACILITY OR HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITIES (TSDFs).

26. IF THE SITE CONTAINS CONTAMINATED SOIL, THE FOLLOWING SHALL BE USED TO PREVENT CONTAMINATION

1. BERMS, TRENCHES AND PITS TO COLLECT CONTAMINATED RUNOFF AND PREVENT DISCHARGES. OPERATOR) OR INTO A CONTAINER FOR TRANSPORT TO AN APPROPRIATE TREATMENT/DISPOSAL FACILITY. 3. COVERING AREAS OF CONTAMINATION WITH TARPS OR OTHER METHODS THAT PREVENT STORM WATER

# SWPPP NOTES (CONT.)

- 27. IN THE EVENT OF AN ACCIDENTAL SPILL, IMMEDIATE ACTION WILL BE UNDERTAKEN BY THE GENERAL CONTRACTOR TO CONTAIN AND REMOVE THE SPILLED MATERIAL. ALL HAZARDOUS MATERIALS, INCLUDING CONTAMINATED SOIL AND LIQUID CONCRETE WASTE, WILL BE DISPOSED OF BY THE CONTRACTOR IN THE MANNER SPECIFIED BY FEDERAL, STATE AND LOCAL REGULATIONS AND BY THE MANUFACTURER OF SUCH PRODUCTS. AS SOON AS POSSIBLE, THE SPILL WILL BE REPORTED TO THE APPROPRIATE AGENCIES. AS REQUIRED UNDER THE PROVISIONS OF THE CLEAN WATER ACT, ANY SPILL OR DISCHARGE ENTERING WATERS OF THE UNITED STATES WILL BE PROPERLY REPORTED. THE GENERAL CONTRACTOR WILL PREPARE A WRITTEN RECORD OF ANY SPILL AND ASSOCIATED CLEAN-UP ACTIVITIES OF PETROLEUM PRODUCTS OR HAZARDOUS MATERIALS IN EXCESS OF 1 GALLON OR REPORTABLE QUANTITIES, WHICH EVER IS LESS.
- 28. THE CONTRACTOR SHALL CONTACT THE OHIO EPA AT 800.282.9378, THE LOCAL FIRE DEPARTMENT AND THE LOCAL EMERGENCY PLANNING COMMITTEE IN THE EVENT OF A PETROLEUM SPILL (>25 GALLONS) OR THE PRESENCE OF SHEEN.
- 29. OPEN BURNING IS NOT PERMITTED ON THE SITE.
- 30. DUST CONTROL USING APPROVED MATERIALS MUST BE PERFORMED AT ALL TIMES. DUST SUPPRESSANTS SHALL NOT BE APPLIED NEAR CATCH BASINS FOR STORM SEWERS OR OTHER DRAINAGE WAYS. THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION IS PROHIBITED.
- 31. APPROPRIATE MEASURES MUST BE TAKEN TO ENSURE THAT ALL PROPER AIR POLLUTION PERMITS ARE OBTAINED.
- PROCESS WASTEWATERS (EQUIPMENT WASHING, LEACHATE ASSOCIATED WITH ON-SITE WASTE 32. DISPOSAL AND CONCRETE WASH-OUTS) SHALL BE COLLECTED AND DISPOSED OF PROPERLY.
- SANITARY AND WATER PTI FORMS SHALL BE FILED WITH THE OHIO EPA AS REQUIRED. 33
- PROTECTED STORAGE AREAS SHALL BE USED FOR INDUSTRIAL AND CONSTRUCTION MATERIALS IN 34 ORDER TO MINIMIZE THE EXPOSURE OF SUCH MATERIALS TO STORMWATER.
- 35. ALL CONTROL MEASURES STATED IN THE SWPPP SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL TEMPORARY OR PERMANENT STABILIZATION OF THE SITE IS ACHIEVED. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED BY A QUALIFIED PERSON IN ACCORDANCE TO THE CONTRACT DOCUMENTS OR THE APPLICABLE PERMIT, WHICHEVER IS MORE STRINGENT, AND REPAIRED ACCORDING TO THE FOLLOWING:
- 36. INSPECTIONS OF BMPS SHALL BE PERFORMED BY QUALIFIED PERSONS PROVIDED BY THE PERMITTEE AND THE INSPECTION LOGS ARE TO BECOME A PART OF THIS PLAN. INSPECTIONS RECORDS SHALL BE SIGNED BY THE INSPECTOR AND WILL BE KEPT FOR 3 YEARS AFTER THE NOTICE OF TERMINATION IS SUBMITTED.
- 37. INSPECTIONS SHALL BE CONDUCTED AT LEAST ONCE IN EVERY 7 CALENDAR DAYS AND WITHIN 24 HOUR AFTER ANY STORM EVENT GREATER THAN 0.5 INCHES OF RAIN PER 24 HOUR PERIOD, FROM THE BEGINNING OF CONSTRUCTION THROUGH THE FINAL INSPECTION PRIOR TO THE NOTICE OF TERMINATION.
- NON-SEDIMENT POND BMPS TO BE REPAIRED WITHIN 3 DAYS OF INSPECTION AND SEDIMENT POND BMF 38. WITHIN 10 DAYS OF INSPECTION. BMPS NOT MEETING THE INTENDED FUNCTION SHALL BE REPLACED WITHIN 10 DAYS OF INSPECTION. MISSING BMPS SHALL BE INSTALLED WITHIN 10 DAYS OF INSPECTION.
- 39. IF THE SITE IS STABILIZED AND WILL BE DORMANT FOR A LONG PERIOD OF TIME, LESS FREQUENT INSPECTIONS MAY BE REQUESTED OF THE OEPA VIA A WAIVER REQUEST.
- 40. INLET PROTECTION DEVICES AND CONTROLS SHALL BE REPAIRED OR REPLACED WHEN THEY SHOW SIGNS OF UNDERMINING AND OR DETERIORATION.
- 41. ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO ENSURE THAT A GOOD STANDING OF GRASS IS MAINTAINED. AREAS SHOULD BE FERTILIZED, WATERED, AND RESEEDED AS NEEDED.
- 42. SILT FENCES, INLET PROTECTION, SILT DIKES AND PERVIOUS LOGS SHALL BE REPAIRED TO THEIR ORIGINAL CONDITION IF DAMAGED. SEDIMENT ACCUMULATION MUST BE REMOVED WHEN SEDIMENT HEIGHT REACHES ONE-HALF THE HEIGHT OF THE SILT FENCE, INLET PROTECTION, SILT DIKE AND PERVIOUS LOG.
- MINIMIZE OFF-SITE SEDIMENT TRACKING OF VEHICLES BY THE USE OF STONE MATERIAL IN ALL 43. CONSTRUCTION ENTRANCES. ALONG WITH REGULARLY SCHEDULED SWEEPING/GOOD HOUSEKEEPING STABILIZED CONSTRUCTION ENTRANCES TO BE PROPERLY MAINTAINED AND IN GOOD WORKING ORDER AT ALL TIMES: THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE STONE AS CONDITIONS DEMAND.
- 44. IF THE ACTION OF VEHICLES TRAVELING OVER THE STABILIZED CONSTRUCTION ENTRANCE DOES NOT SUFFICIENTLY REMOVE MOST OF THE DIRT AND MUD. THEN THE TIRES MUST BE WASHED BEFORE VEHICLES ENTER A PUBLIC ROAD. PROVISIONS MUST BE MADE TO INTERCEPT THE WATER AND TRAP THE SEDIMENT BEFORE IT IS CARRIED OFF THE SITE.
- ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED ONTO THE ROADWAYS OR INTO THE STORM 45. SEWERS MUST BE REMOVED IMMEDIATELY.
- THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN GOOD CONDITION (SUITABLE FOR 46. PARKING AND STORAGE). THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE TEMPORARY PARKING AS CONDITIONS DEMAND.
- 47. CONTRACTORS AND SUBCONTRACTORS WILL BE RESPONSIBLE FOR REMOVING ALL SEDIMENT FROM THE SITE, INCLUDING DETENTION PONDS, AND STORM SEWER SYSTEMS. SEDIMENT DEPOSITION DURING SITE STABILIZATION MUST ALSO BE REMOVED.
- ALL RIP RAP MUST BE PLACED OVER GEOTEXTILE FILTER. 48.
- STONE CONSTRUCTION ENTRANCE TO BE MAINTAINED BY CONTRACTOR UNTIL SITE HAS BEEN PAVED OR 49. IS NO LONGER REQUIRED.
- ALL CATCH BASIN GRATES ARE TO BE PROTECTED WITH INLET BAGS AFTER THEY ARE INSTALLED. THEY 50. SHOULD BE ROUTINELY CLEANED AND MAINTAINED.
- 51. ROCK CHECK DAMS SHOULD BE ROUTINELY CLEANED ONCE SEDIMENT BEGINS TO APPEAR ON THE UPSTREAM SIDE OF THE ROCK.
- ON-SITE AND OFF-SITE STOCKPILE AND BORROW AREAS SHALL BE PROTECTED FROM EROSION AND 52. SEDIMENTATION BY THE USE OF BEST MANAGEMENT PRACTICES. THESE AREAS MUST BE SHOWN IN THE SITE MAP AND PERMITTED IN ACCORDANCE WITH GENERAL PERMIT REQUIREMENTS.
- CONTRACTOR TO DELINEATE STOCK PILE LOCATION ON PLANS TO BE KEPT ON SITE DURING 53. CONSTRUCTION.
- 54. CONSTRUCT STOCKPILES IN ACCESSIBLE LOCATIONS THAT DO NOT INTERFERE WITH NATURAL DRAINAGE. INSTALL APPROPRIATE SEDIMENT CONTROLS TO TRAP SEDIMENT SUCH AS SILT FENCE IMMEDIATELY ADJACENT TO THE STOCKPILE OR SEDIMENT TRAPS OR BASINS DOWNSTREAM OF STOCKPILE. STOCKPILE SIDE SLOPES SHALL NOT EXCEED A RATIO OF 2:1.
- 55. IF STOCKPILE IS STORED FOR MORE THAN 14 DAYS, IT SHOULD BE TEMPORARY SEEDED, OR COVERED WITH A TARP.
- ALL CONSTRUCTION SHALL BE STABILIZED AT THE END OF EACH DAY; THIS INCLUDES BACKFILLING OF 56. TRENCHES FOR UTILITY CONSTRUCTION AND PLACEMENT OF GRAVEL OR ASPHALT FOR ROAD CONSTRUCTION.
- 57. THE LAST LAYER OF SOIL, INCLUDING TOP SOIL SHOULD BE COMPACTED TO 80% - 85% OF THE MAXIMUM STANDARD PROCTOR DENSITY, IN AREAS OUTSIDE THE PARKING LOT THAT WILL RECEIVE VEGETATION. THIS IS PARTICULARLY IMPORTANT IN CUT SLOPE AND EMBANKMENT AREAS. IN PAVEMENT AND ISLAND AREAS, IT IS RECOMMENDED THAT THE SOIL BE COMPACTED TO 98% AND 95% OF THE MAXIMUM STANDARD PROCTOR DENSITY RESPECTIVELY; THE LAST COMPACTED LAYER MAY BE SCARIFIED TO IMPROVE THE SOIL GROWTH CHARACTERISTICS.
- THE POST CONSTRUCTION WATER QUALITY REQUIREMENTS OF OHIO EPA PERMIT OHC000005 SHALL BE 58. MET BY THE EXISTING WATER QUALITY BASIN.
- ALL WATER FROM DEWATERING ACTIVITES SHALL BE PROCESSED THROUGH A BMP PRIOR TO LEAVING 59. THE SITE.

# STRUCTURAL BMP LONG-TERM MAINTENANCE (GENERAL NOTES)

- 1. THE OWNER AGREES TO MAINTAIN IN PERPETUITY THE STORM WATER MANAGEMENT PRACTICES IN ACCORDANCE WITH APPROVED MAINTENANCE PLANS LISTED IN #2 BELOW AND IN A MANNER THAT WILL PERMIT THE STORM WATER MANAGEMENT PRACTICES TO PERFORM THE PURPOSES FOR WHICH THEY WERE DESIGNED AND CONSTRUCTED. THIS INCLUDES ALL PIPES, STRUCTURES, IMPROVEMENTS, AND VEGETATION PROVIDED TO CONTROL THE QUANTITY OF THE STORM WATER.
- 2. NO ALTERATIONS TO THE WATER QUALITY/DETENTION BASINS WITHOUT APPROVAL FROM THE JURISDICTIONAL REVIEWING AUTHORITY.
- 3. THE OWNER SHALL PROVIDE A MAINTENANCE PLAN FOR EACH STORM WATER MANAGEMENT PRACTICE. THE MAINTENANCE PLANS SHALL INCLUDE A SCHEDULE FOR MONTHLY AND ANNUAL MAINTENANCE. THE OWNER SHALL MAINTAIN, UPDATE AND STORE THE MAINTENANCE RECORDS FOR THE STORM WATER MANAGEMENT PRACTICES. THE SPECIFIC MAINTENANCE PLANS FOR EACH STORM WATER MANAGEMENT PRACTICE ARE AS FOLLOWS.

#### MAINTENANCE TO BE COMPLETED EVERY 3 MONTHS

- REMOVE TRASH AND/OR ACCUMULATED SEDIMENT FROM POND AREA. REMOVE OBSTRUCTIONS IN ORIFICES AND/OR OUTLETS WITHIN POND.
- REMOVE DEBRIS AND SEDIMENT FROM INLET PIPES, OUTLET PIPES AND STRUCTURES.

### MAINTENANCE TO BE COMPLETED YEARLY

- REPAIR EROSION TO OUTFALL OR SPILLWAY OF THE POND
- REPAIR AND/OR REPLACE DAMAGED STRUCTURES, SUCH AS CATCH BASINS, RISERS, PIPES AND HEADWALLS.
- MOW EMBANKMENTS AND REMOVE WOODY VEGETATION ON EMBANKMENTS YEARLY REPORT REQUIREMENTS

SKETCH SHOWING GENERAL AREA OF BMP'S, SUMMARY OF ALL MAINTENANCE ACTIVITIES SINCE LAST ANNUAL INSPECTION, PHOTOS AND DESCRIPTION OF ALL BMP DESIGN FEATURES. INDICATION OF ANY DEVIATION FROM APPROVED PLAN FOR BMP. IDENTIFICATION OF IMPROVEMENTS NECESSARY TO RESTORE ORIGINAL DESIGN FUNCTION MAINTENANCE ACTIVITIES REQUIRED IN THE NEXT 6 MONTHS, IDENTIFICATION AND CONTACT INFORMATION OF ENTITY RESPONSIBLE FOR BMP, AND IDENTIFICATION AND CONTACT INFORMATION FOR ENGINEER PREPARING THE REPORT INCLUDING SIGNATURE AND SEAL.

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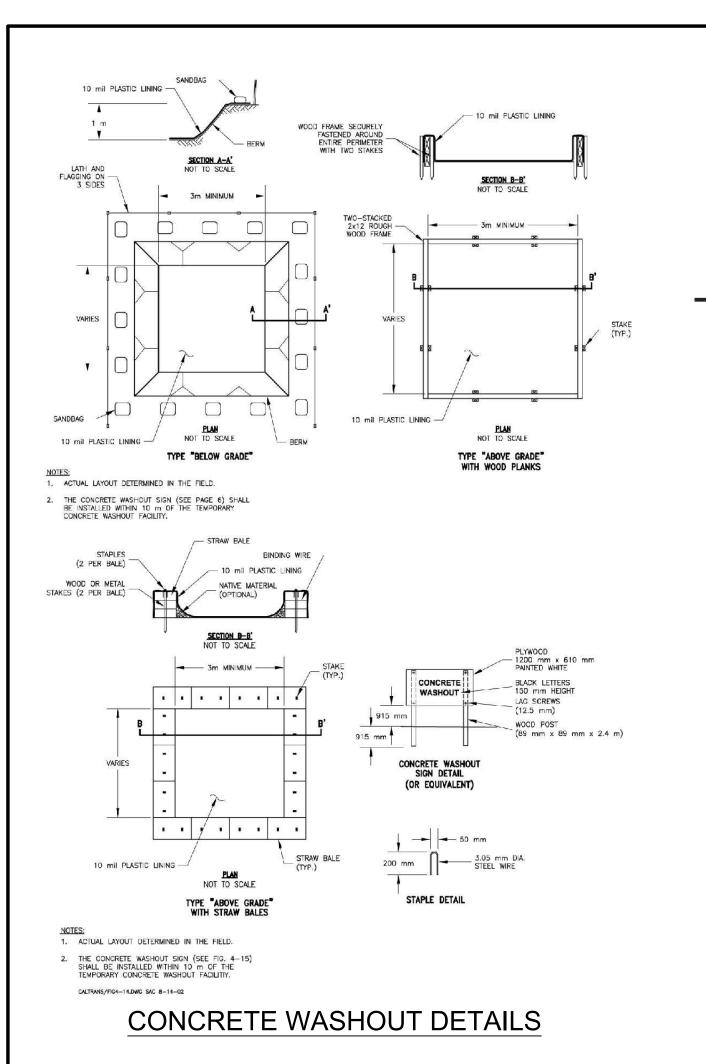
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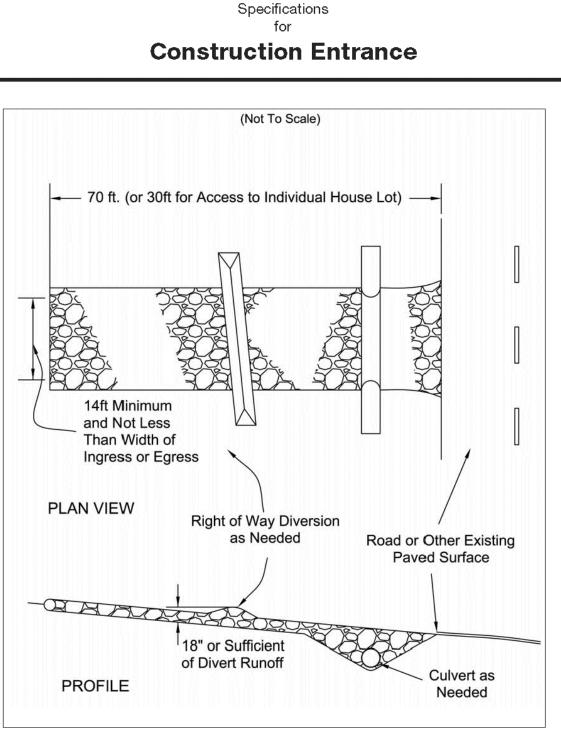
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Specifications for

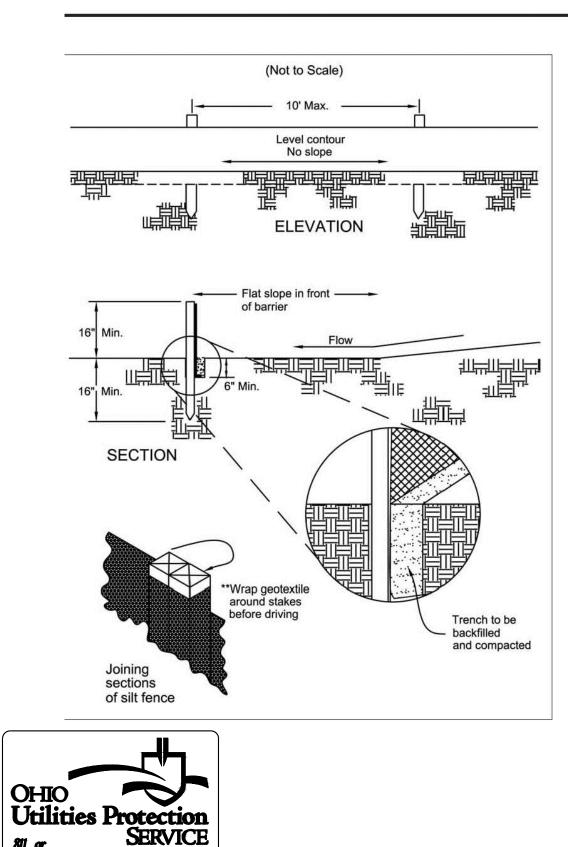
## Silt Fence

- 1. Silt fence shall be constructed before upslope land distur- 9. Seams between sections of silt fence shall be spliced bance begins.
- 2. All silt fence shall be placed as close to the contour as possible so that water will not concentrate at low points in the fence and so that small swales or depressions that may carry small concentrated flows to the silt fence are dissipated along its length.
- 3. Ends of the silt fences shall be brought upslope slightly so that water ponded by the silt fence will be prevented from flowing around the ends.
- 4. Silt fence shall be placed on the flattest area available. 5. Where possible, vegetation shall be preserved for 5 feet
- (or as much as possible) upslope from the silt fence. If vegetation is removed, it shall be reestablished within 7 days from the installation of the silt fence. 6. The height of the silt fence shall be a minimum of 16
- inches above the original ground surface.
- 7. The silt fence shall be placed in an excavated or sliced trench cut a minimum of 6 inches deep. The trench shall be made with a trencher, cable laying machine, slicing machine, or other suitable device that will ensure an adequately uniform trench depth.
- 8. The silt fence shall be placed with the stakes on the downslope side of the geotextile. A minimum of 8 inches of geotextile must be below the ground surface. Excess material shall lay on the bottom of the 6-inch deep trench. The trench shall be backfilled and compacted on both sides of the fabric.

the silt fence.

Table 6.3.2 Minimum criteria for Silt Fence Fabric (0D0T, 2002)					
FABRIC PROPERTIES	VALUES	TEST I			
Minimum Tensile Strength	120 lbs. (535 N)	ASTM			
Maximum Elongation at 60 lbs	50%	ASTM			
Minimum Puncture Strength	50 lbs (220 N)	ASTM			
Minimum Tear Strength	40 lbs (180 N)	ASTM			
Apparent Opening Size	≤ 0.84 mm	ASTM			
Minimum Permittivity	1X10-2 sec1	ASTM			
UV Exposure Strength Retention	70%	ASTM			

#### Specifications for Silt Fence



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#### Specifications for

# **Construction Entrance**

recycled concrete equivalent.

residence lots).

use.

occurs.

Figure 7.4.1

specifications:

Minimum Tensile Strength

Minimum Tear Strength

Minimum Burst Strength

Equivalent Opening Size

Minimum Elongation

Permittivity

Minimum Puncture Strength

2. Length—The Construction entrance shall be as long as

70 ft. (exception: apply 30 ft. minimum to single

required to stabilize high traffic areas but not less than

3. Thickness -The stone layer shall be at least 6 inches thick

4. Width -The entrance shall be at least 14 feet wide, but

5. Geotextile - A geotextile shall be laid over the entire area

prior to placing stone. It shall be composed of strong

Geotextile Specification for Construction Entrance

200 lbş.

80 psi.

50 lbs.

320 psi.

EOS < 0.6 mm.

1×10-3 cm/sec.

20%

rot-proof polymeric fibers and meet the following

for light duty entrances or at least 10 inches for heavy duty

- 1. Stone Size—ODOT # 2 (1.5-2.5 inch) stone shall be used, or 6. Timing—The construction entrance shall be installed as soon as is practicable before major grading activities.
  - 7. Culvert A pipe or culvert shall be constructed under the entrance if needed to prevent surface water from flowing across the entrance or to prevent runoff from being directed out onto paved surfaces.
  - 8. Water Bar A water bar shall be constructed as part of the construction entrance if needed to prevent surface runoff from flowing the length of the construction entrance and out onto paved surfaces.
- not less than the full width at points where ingress or egress 9. Maintenance -Top dressing of additional stone shall be applied as conditions demand. Mud spilled, dropped, washed or tracked onto public roads, or any surface where runoff is not checked by sediment controls, shall be removed immediately. Removal shall be accomplished by scraping or sweeping.
  - 10. Construction entrances shall not be relied upon to remove mud from vehicles and prevent off-site tracking. Vehicles that enter and leave the construction-site shall be restricted from muddy areas.
  - 1. Removal-the entrance shall remain in place until the disturbed area is stabilized or replaced with a permanent roadway or entrance.

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together only at a support post with a minimum 6-in. overlap prior to driving into the ground, (see details).

10. Maintenance—Silt fence shall allow runoff to pass only as diffuse flow through the geotextile. If runoff overtops the silt fence, flows under the fabric or around the fence ends, or in any other way allows a concentrated flow discharge, one of the following shall be performed, as appropriate: 1) the layout of the silt fence shall be changed, 2) accumulated sediment shall be removed, or 3) other practices shall be installed.

Sediment deposits shall be routinely removed when the deposit reaches approximately one-half of the height of

Silt fences shall be inspected after each rainfall and at least daily during a prolonged rainfall. The location of existing silt fence shall be reviewed daily to ensure its proper location and effectiveness. If damaged, the silt fence shall be repaired immediately.

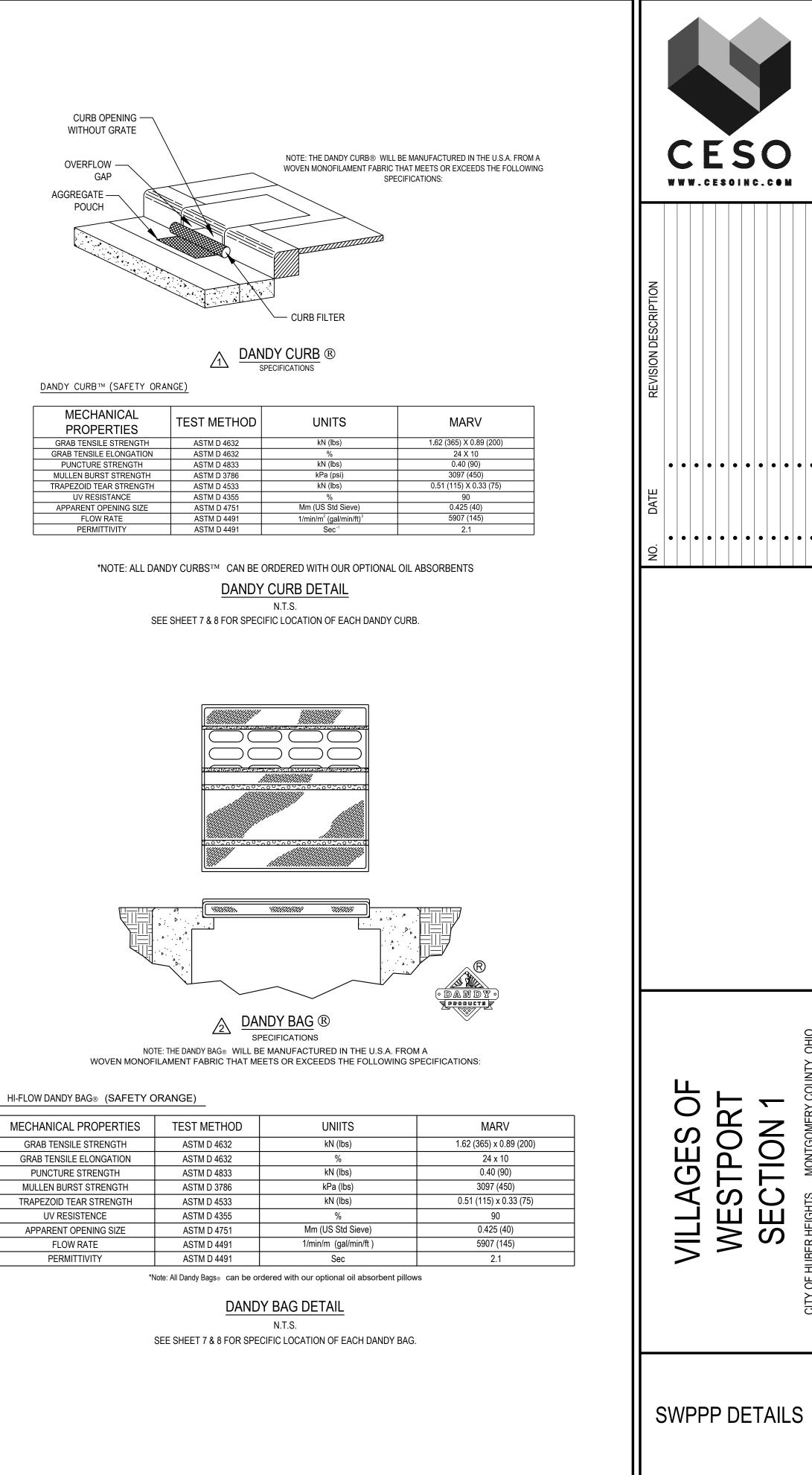
Criteria for silt fence materials

I. Fence post – The length shall be a minimum of 32 inches. Wood posts will be 2-by-2-in. nominal dimensioned hardwood of sound quality. They shall be free of knots, splits and other visible imperfections, that will weaken the posts. The maximum spacing between posts shall be 10 ft. Posts shall be driven a minimum 16 inches into the ground, where possible. If not possible, the posts shall be adequately secured to prevent overturning of the fence due to sediment/water loading.

2. Silt fence fabric - See chart below.



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#### Specifications for

#### Mulching

- applied to disturbed areas within 7 days of grading if the area is to remain dormant (undisturbed) for more than 21 days or on areas and portions of the site which can be brought to final grade.
- 2. Mulch shall consist of one of the following: • Straw - Straw shall be unrotted small grain straw applied at the rate of 2 tons/ac. or 90 lb./1,000 sq. ft. (two to three bales). The straw mulch shall be spread uniformly by hand or mechanically so the soil surface is covered. For uniform distribution of hand-spread mulch, divide area into approximately 1,000 sq.ft. sections and place two 45-lb. bales of straw in each section.
- Hydroseeders Wood cellulose fiber should be used at 2,000 lb./ac. or 46 lb./1,000 sq. ft.
- Other Acceptable mulches include mulch mattings and rolled erosion control products applied according to manufacturer's recommendations or wood mulch/chips applied at 10-20 tons/ac.
- 1. Mulch and other appropriate vegetative practices shall be 3. Mulch Anchoring Mulch shall be anchored immediately to minimize loss by wind or runoff. The following are acceptable methods for anchoring mulch.
  - Mechanical Use a disk, crimper, or similar type tool set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but be left generally longer than 6 inches.
  - Mulch Nettings Use according to the manufacturer's recommendations, following all placement and anchoring requirements. Use in areas of water concentration and steep slopes to hold mulch in place.
  - Synthetic Binders For straw mulch, synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Tack or equal may be used at rates recommended by the manufacturer. All applications of Sythetic Binders must be conducted in such a manner where there is no contact with waters of the state.
  - Wood Cellulose Fiber Wood cellulose fiber may be used for anchoring straw. The fiber binder shall be applied at a net dry weight of 750 lb./acre. The wood cellulose fiber shall be mixed with water and the mixture shall contain a maximum of 50 lb./100 gal. of wood cellulose fiber.

#### Specifications

#### **Small Construction Site Controls**

- 1. Preexisting vegetation shall be retained on idle portions of the building lot for as long as construction operations allow. Clearing shall be done so only active working areas are bare.
- 2. Temporary seed and/or mulch shall be applied to areas, 5. Construction vehicle access shall be limited to one route, such as stockpiles and rough graded areas, that are bare and not actively being worked. This shall apply to areas that will not be reworked for 21 days or more.
- 3. Stockpiles created from basement excavation and grading shall be situated away from streets, swales, or other waterways and shall be seeded and/or mulched immediately.
- 4. Silt fence or other sediment barriers shall control sheet flow runoff from the building lot. These shall not be constructed in channels or areas of concentrated flow. Other sediment controls such as sediment traps and
- inlet protection shall also be used as needed to control sediment runoff. Sediment control practices shall be inspected weekly after storm events, and maintained in good working condition.
- to the greatest extent practical. The access shall be gravel or crushed rock underlain with geotextile.
- 6. Mud tracked onto streets or sediment settled around curb inlet protection shall be removed daily or as needed to prevent it from accumulating. It shall be removed by shoveling and scraping and shall NOT be washed off paved surfaces or into storm drains. Sediment removed shall be placed where it will not be subject to erosion or concentrated runoff.

### **A** Temporary Seeding

Table 7.8.1 Temporary Seeding Species Selection

Seeding Dates	Species	Lb./1000 ft2	Lb/Acre
March 1 to August 15	Oats	3	128 (4 Bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Perennial Ryegrass	1	40
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Annual Ryegrass	1.25	55
	Perennial Ryegrass	3.25	142
	Creeping Red Fescue	0.4	17
	Kentucky Bluegrass	0.4	17
	Oats	3	128 (3 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
August 16th to November	Rye	3	112 (2 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Wheat	3	120 (2 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Perennial Rye	1	40
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Annual Ryegrass Perennial Ryegrass Creeping Red Fescue Kentucky Bluegrass	1.25 3.25 0.4 0.4	40 40 40
November 1 to Feb. 29	Use mulch only or dormant see	ding	•

Note: Other approved species may be substituted.

- 1. Structural erosion and sediment control practices such 4. Soil Amendments—Temporary vegetation seeding rates as diversions and sediment traps shall be installed and stabilized with temporary seeding prior to grading the rest of the construction site.
- 2. Temporary seed shall be applied between construction operations on soil that will not be graded or reworked for 21 days or greater. These idle areas shall be seeded within 7 days after grading.
- 3. The seedbed should be pulverized and loose to ensure the success of establishing vegetation. Temporary seeding should not be postponed if ideal seedbed preparation is not possible.

#### Mulching Temporary Seeding

1. Applications of temporary seeding shall include mulch, which shall be applied during or immediately after seeding. Seedings made during optimum seeding dates on favorable, very flat soil conditions may not need mulch to achieve adequate stabilization.

#### 2. Materials:

- Straw-If straw is used, it shall be unrotted small-grain straw applied at a rate of 2 tons per acre or 90 lbs./ 1,000 sq. ft. (2-3 bales)
- Hydroseeders----If wood cellulose fiber is used, it shall be used at 2000 lbs./ ac. or 46 lb./ 1,000-sg.-ft.
- Other—Other acceptable mulches include mulch mattings applied according to manufacturer's recommendations or wood chips applied at 6 ton/ ac.

Ose multion only of dormain seeding

#### Specifications

### **Temporary Seeding**

interruption.

- 3. Straw Mulch shall be anchored immediately to minimize loss by wind or water. Anchoring methods:
  - Mechanical—A disk, crimper, or similar type tool shall be set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but left to a length of approximately 6 inches.
  - Mulch Netting—Netting shall be used according to the manufacturers recommendations. Netting may be necessary to hold mulch in place in areas of concentrated runoff and on critical slopes.

shall establish adequate stands of vegetation, which may

require the use of soil amendments. Base rates for lime

5. Seeding Method—Seed shall be applied uniformly with a

When feasible, seed that has been broadcast shall be

covered by raking or dragging and then lightly tamped

into place using a roller or cultipacker. If hydroseeding

the seeding shall be done immediately and without

is used, the seed and fertilizer will be mixed on-site and

cyclone spreader, drill, cultipacker seeder, or hydroseeder.

and fertilizer shall be used.

- Synthetic Binders—Synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Track or equivalent may be used at rates recommended by the manufacturer.
- Wood-Cellulose Fiber—Wood-cellulose fiber binder shall be applied at a net dry wt. of 750 lb./ac. The wood-cellulose fiber shall be mixed with water and the mixture shall contain a maximum of 50 lb. / 100 gal.

# A Permanent Seeding

#### Site Preparation

- 1. Subsoiler, plow, or other implement shall be used to reduce soil compaction and allow maximum infiltration.
- (Maximizing infiltration will help control both runoff rate and water quality.) Subsoiling should be done when the soil moisture is low enough to allow the soil to crack or fracture. • From November 20 through March 15, when soil condi-Subsoiling shall not be done on slip-prone areas where soil preparation should be limited to what is necessary for establishing vegetation.
- 2. The site shall be graded as needed to permit the use of con- 
   Apply seed uniformly with a cyclone seeder, drill, cultipacker ventional equipment for seedbed preparation and seeding.
- 3. Topsoil shall be applied where needed to establish vegetation.

#### **Seedbed Preparation**

- 1. Lime—Agricultural ground limestone shall be applied to acid soll as recommended by a soll test. In lieu of a soll test, lime shall be applied at the rate of 100 pounds per 1,000-sq. ft. or 2 tons per acre.
- 2. Fertilizer—Fertilizer shall be applied as recommended by a soil test. In place of a soil test, fertilizer shall be applied at a rate of 25 pounds per 1,000-sq. ft. or 1000 pounds per acre of a 10-10-10 or 12-12-12 analyses.
- 3. The lime and fertilizer shall be worked into the soil with a disk harrow, spring-tooth harrow, or other suitable field implement to a depth of 3 inches. On sloping land, the soil shall be worked on the contour.

#### Seeding Dates and Soil Conditions

Seeding should be done March 1 to May 31 or August 1 to September 30. If seeding occurs outside of the abovespecified dates, additional mulch and irrigation may be required to ensure a minimum of 80% germination. Tillage for seedbed preparation should be done when the soil is dry • Other-Other acceptable mulches include rolled erosion enough to crumble and not form ribbons when compressed by hand. For winter seeding, see the following section on dormant seeding.

#### **Dormant Seedings**

- 1. Seedings should not be made from October 1 through November 20. During this period, the seeds are likely to germinate but probably will not be able to survive the winter.
- 2. The following methods may be used for "Dormant Seeding":

#### 3. Straw and Mulch Anchoring Methods

Straw mulch shall be anchored immediately to minimize loss by wind or water.

- Mechanical—A disk, crimper, or similar type tool shall be set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but, generally, be left longer than 6 inches.
- Mulch Netting—Netting shall be used according to the manufacturer's recommendations. Netting may be necessary to hold mulch in place in areas of concentrated runoff and on critical slopes.
- Asphalt Emulsion—Asphalt shall be applied as recommended by the manufacture or at the rate of 160 gallons per growth. acre.

#### Table 7.10.2 Permanent Seeding

- From October 1 through November 20, prepare the seedbed, add the required amounts of lime and fertilizer, then mulch and anchor. After November 20, and before March 15, broadcast the selected seed mixture. Increase the seeding rates by 50% for this type of seeding.
- tions permit, prepare the seedbed, lime and fertilize, apply the selected seed mixture, mulch and anchor. Increase the seeding rates by 50% for this type of seeding.
- seeder, or hydro-seeder (slurry may include seed and fertilizer) on a firm, moist seedbed.
- Where feasible, except when a cultipacker type seeder is used, the seedbed should be firmed following seeding operations with a cultipacker, roller, or light drag. On sloping land, seeding operations should be on the contour where

#### Mulching

- 1. Mulch material shall be applied immediately after seeding. Dormant seeding shall be mulched. 100% of the ground surface shall be covered with an approved material.
- Materials
- Straw-If straw is used it shall be unrotted small-grain straw applied at the rate of 2 tons per acre or 90 pounds (two to three bales) per 1,000-sq. ft. The mulch shall be spread uniformly by hand or mechanically applied so the soil surface is covered. For uniform distribution of hand-spread mulch, divide area into approximately 1,000-sq.-ft. sections and spread two 45-lb. bales of straw in each section. Hydroseeders-If wood cellulose fiber is used, it shall be
- applied at 2,000 lb./ac. or 46 lb./1,000 sq. ft.
- control mattings or blankets applied according to manufacturer's recommendations or wood chips applied at 6 tons per acre.
- Synthetic Binders—Synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Tack or equivalent may be used at rates specified by the manufacturer.
- Wood Cellulose Fiber-Wood cellulose fiber shall be applied at a net dry weight of 750 pounds per acre. The wood cellulose fiber shall be mixed with water with the mixture containing a maximum of 50 pounds cellulose per 100 gallons of water.

Permanent seeding shall include irrigation to establish vegetation during dry weather or on adverse site conditions, which require adequate moisture for seed germination and plant

Irrigation rates shall be monitored to prevent erosion and damage to seeded areas from excessive runoff.

Coord Mire	See	ding Rate	Notes:
Seed Mix	Lbs./acre	Lbs./1,000 Sq. Feet	Notes.
		General Use	
Creeping Red Fescue Domestic Ryegrass Kentucky Bluegrass	20-40 10-20 20-40	1/2-1 1/4-1/2 1/2-1	For close mowing & for waterways with <2.0 ft/sec velocity
Tall Fescue	40-50	1-1 1/4	
Turf-type (dwarf) Fescue	90	2 1/4	
	S	Steep Banks or Cut Slopes	
Tall Fescue	40-50	1-1 1/4	
Crown Vetch Tall Fescue	10-20 20-30	1/4-1/2 1/2-3/4	Do not seed later than August
Flat Pea Tall Fescue	20-25 20-30	1/2-3/4 1/2-3/4	Do not seed later than August
		Road Ditches and Swales	
Tall Fescue	40-50	1-11/4	
Turf-type (Dwarf) Fescue Kentucky Bluegrass	90 5	2 1/4 0.1	
		Lawns	
Kentucky Bluegrass Perennial Ryegrass	100-120	22	
Kentucky Bluegrass Creeping Red Fescue	100-120	2 1-1/2	For shaded areas

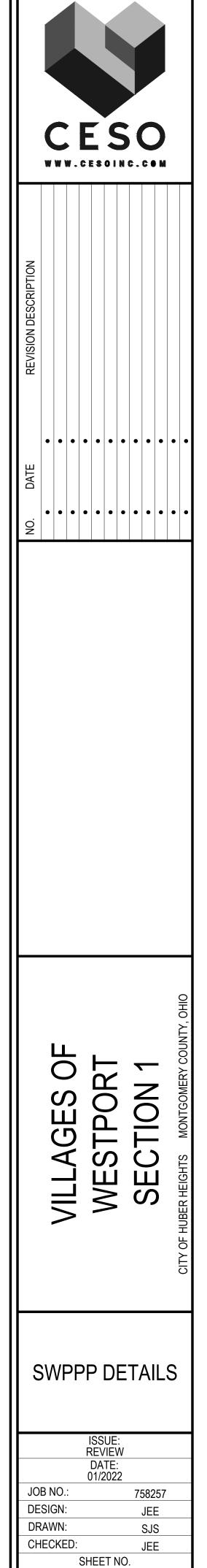
Note: Other approved seed species may be substituted.

#### Specifications

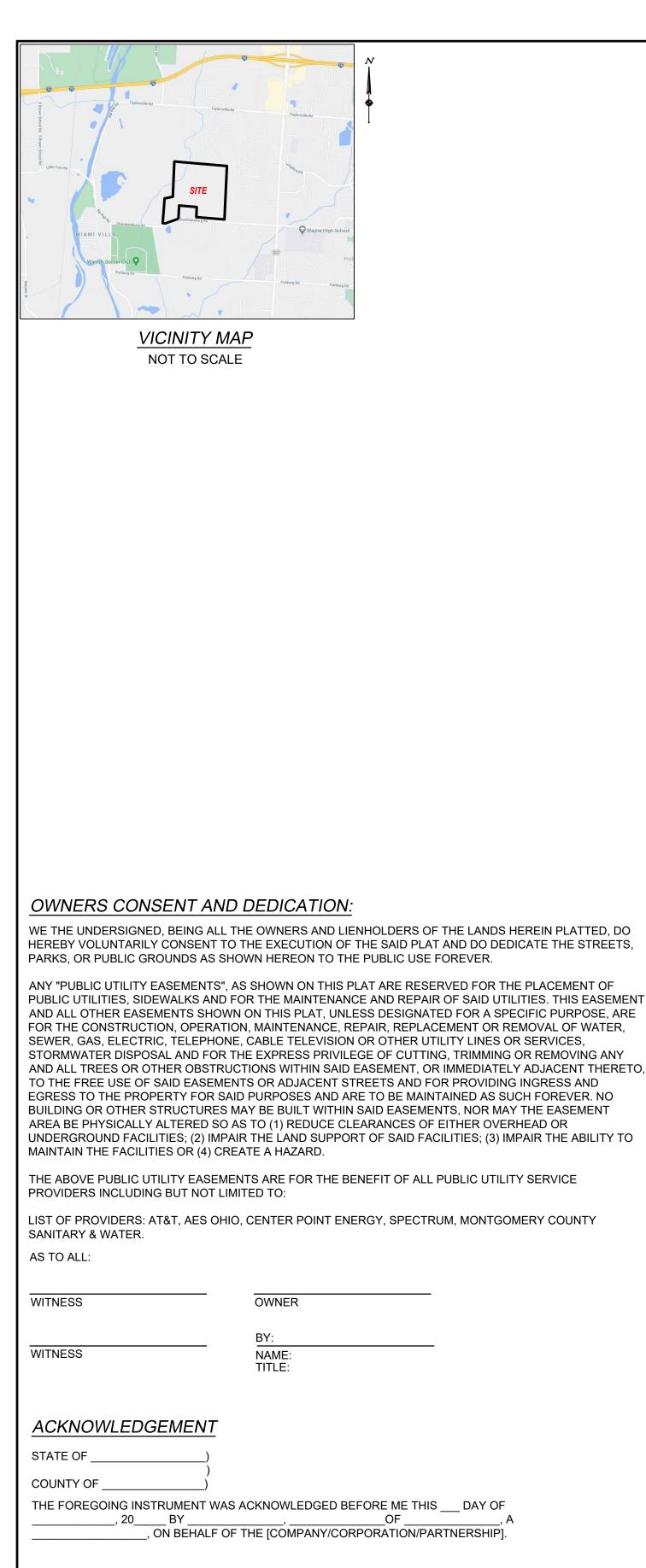
**Additional Construction Site Pollution Controls** 

- **1.** Construction personnel, including subcontractors who may use or handle hazardous
- or toxic materials, shall be made aware of the following general guidelines regarding disposal and handling of hazardous and construction wastes:
- Prevent spills
- Use products up • Follow label directions for disposal
- Remove lids from empty bottles and cans when disposing in trash
- Recycle wastes whenever possible
- Don't pour into waterways, storm drains or onto the ground
- Don't pour down the sink, floor drain or septic tanks
- Don't bury chemicals or containers
- Don't burn chemicals or containers • Don't mix chemicals together
- 2. Containers shall be provided for the proper collection of all waste material including construction debris, trash, petroleum products and any hazardous materials used on-site. Containers shall be covered and not leaking. All waste material shall be disposed of at facilities approved for that material. Construction Demolition and Debris (CD&D) waste must be disposed of at an Ohio EPA approved CD&D landfill.
- 3. No construction related waste materials are to be buried on-site. By exception, clean fill (bricks, hardened concrete, soil) may be utilized in a way which does not encroach upon natural wetlands, streams or floodplains or result in the contamination of waters of the state.
- 4. Handling Construction Chemicals. Mixing, pumping, transferring or other handling of construction chemicals such as fertilizer, lime, asphalt, concrete drying compounds, and all other potentially hazardous materials shall be performed in an area away from any watercourse, ditch or storm drain.
- 5. Equipment Fueling and Maintenance, oil changing, etc., shall be performed away from watercourses, ditches or storm drains, in an area designated for that purpose. The designated area shall be equipped for recycling oil and catching spills. Secondary containment shall be provided for all fuel oil storage tanks. These areas must be inspected every seven days and within 24 hrs. of a 0.5 inch or greater rain event to ensure there are no exposed materials which would contaminate storm water. Site operators must be aware that Spill Prevention Control and Countermeasures (SPCC) requirements may apply. An SPCC plan is required for sites with one single above ground tank of 660 gallons or more, accumulative above ground storage of 1330 gallons or more, or 42,000 gallons of underground storage. Contaminated soils must be disposed of in accordance with Item 8.
- 6. Concrete Wash Water shall not be allowed to flow to streams, ditches, storm drains, or any other water conveyance. A sump or pit with no potential for discharge shall be constructed if needed to contain concrete wash water. Field tile or other subsurface drainage structures within 10 ft. of the sump shall be cut and plugged. For small projects, truck chutes may be rinsed away from any water conveyances.
- 7. Spill Reporting Requirements: Spills on pavement shall be absorbed with sawdust or kitty litter and disposed of with the trash at a licensed sanitary landfill. Hazardous or industrial wastes such as most solvents, gasoline, oil-based paints, and cement curing compounds require special handling. Spills shall be reported to Ohio EPA (1-800-282-9378). Spills of 25 gallons or more of petroleum products shall be reported to Ohio EPA, the local fire department, and the Local Emergency Planning Committee within 30 min. of the discovery of the release. All spills which contact waters of the state must be reported to Ohio EPA.
- 8. Contaminated Soils. If substances such as oil, diesel fuel, hydraulic fluid, antifreeze, etc. are spilled, leaked, or released onto the soil, the soil should be dug up and disposed of at licensed sanitary landfill or other approved petroleum contaminated soil remediation facility. (not a construction/demolition debris landfill). Note that storm water run off associated with contaminated soils are not be authorized under Ohio EPA's General Storm Water Permit associated with Construction Activities.
- 9. Open Burning. No materials containing rubber, grease, asphalt, or petroleum products, such as tires, autoparts, plastics or plastic coated wire may be burned (OAC 3745-19). Open burning is not allowed in restricted areas, which are defined as: 1) within corporation limits; 2) within 1000 feet outside a municipal corporation having a population of 1000 to 10,000; and 3) a one mile zone outside of a corporation of 10, 000 or more. Outside of restricted areas, no open burning is allowed within a 1000 feet of an inhabited building on another property. Open burning is permissible in a restricted area for: heating tar, welding, smudge pots and similar occupational needs, and heating for warmth or outdoor barbeques. Outside of restricted areas, open burning is permissible for landscape or land-clearing wastes (plant material, with prior written permission from Ohio EPA), and agricultural wastes, excluding buildings.
- **10. Dust Control or dust suppressants** shall be used to prevent nuisance conditions, in accordance with the manufacturer's specifications and in a manner, which prevent a discharge to waters of the state. Sufficient distance must be provided between applications and nearby bridges, catch basins, and other waterways. Application (excluding water) may not occur when rain is imminent as noted in the short term forecast. Used oil may not be applied for dust control.
- 11. Other Air Permitting Requirements: Certain activities associated with construction will require air permits including but not limited to: mobile concrete batch plants, mobile asphalt plants, concrete crushers, large generators, etc. These activities will require specific Ohio EPA Air Permits for installation and operation. Operators must seek authorization from the corresponding district of Ohio EPA. For demolition of all commercial sites, a Notification for Restoration and Demolition must be submitted to Ohio EPA to determine if asbestos corrective actions are required.
- **12. Process Waste Water/Leachate Management.** Ohio EPA's Construction General Permit only allows the discharge of storm water and does not include other waste streams/discharges such as vehicle and/or equipment washing, on-site septic leachate concrete wash outs, which are considered process wastewaters. All process wastewaters must be collected and properly disposed at an approved disposal facility. In the event, leachate or septage is discharged; it must be isolated for collection and proper disposal and corrective actions taken to eliminate the source of waste water.
- 13. A Permit To Install (PTI) is required prior to the construction of all centralized sanitary systems, including sewer extensions, and sewerage systems (except those serving one, two, and three family dwellings) and potable water lines. Plans must be submitted and approved by Ohio EPA. Issuance of an Ohio EPA Construction General Storm Water Permit does not authorize the installation of any sewerage system where Ohio EPA has not approved a PTL





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NOTARY PUBLIC

MY COMMISSION EXPIRES:

#### CERTIFICATE OF SURVEYOR:

I CERTIFY THAT THE BOUNDARY OF THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733-37 AND O.R.C CHAPTER 711.01-40. ALL MONUMENTATION IS OR WILL BE SET AS SHOWN.

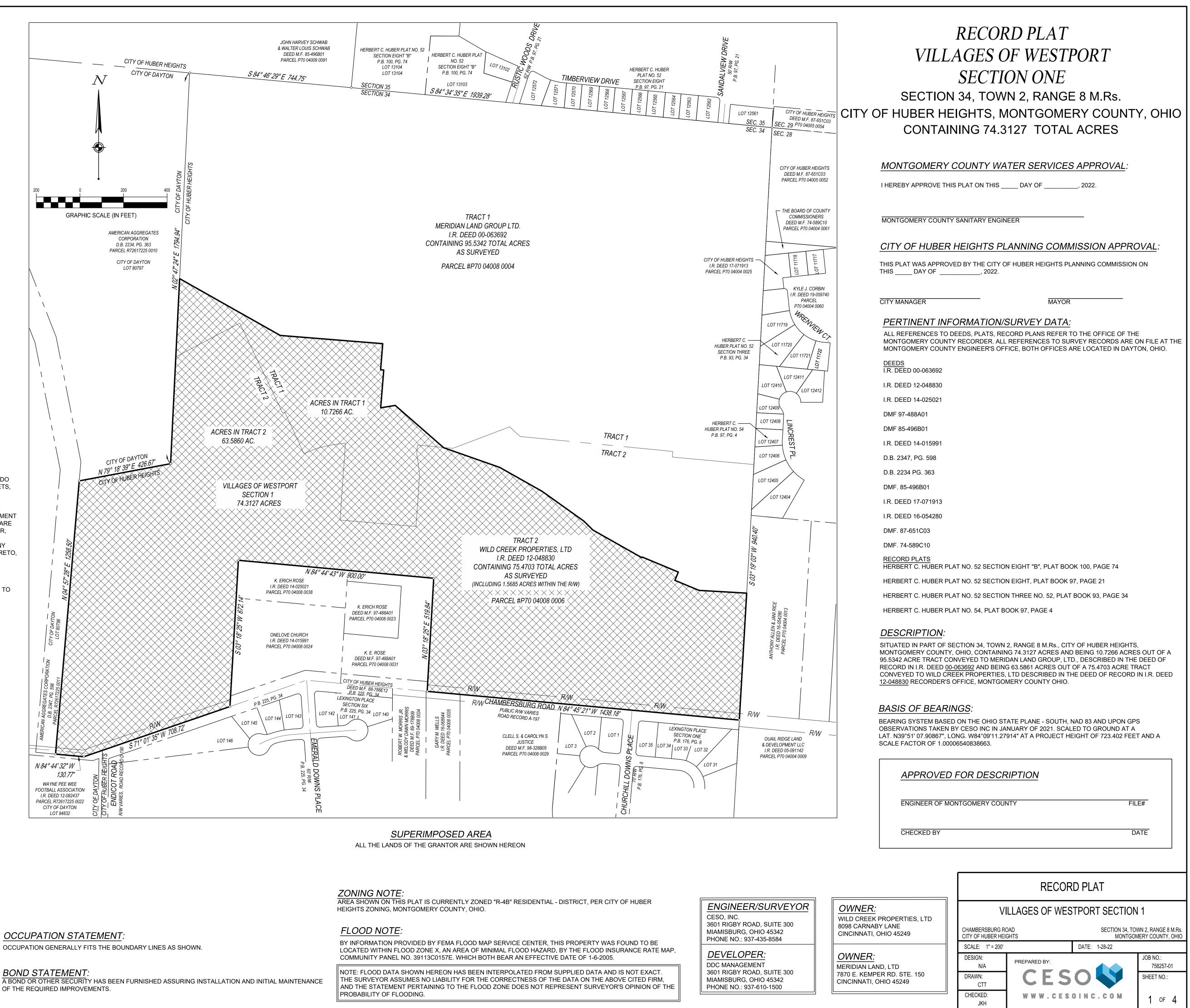
### PRELIMINARY

SEAN T. BROOKS, P.S. OHIO P.S. NO. 8828

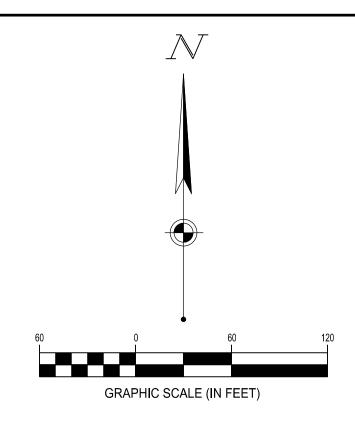
OCCUPATION STATEMENT:

#### BOND STATEMENT:

OF THE REQUIRED IMPROVEMENTS.

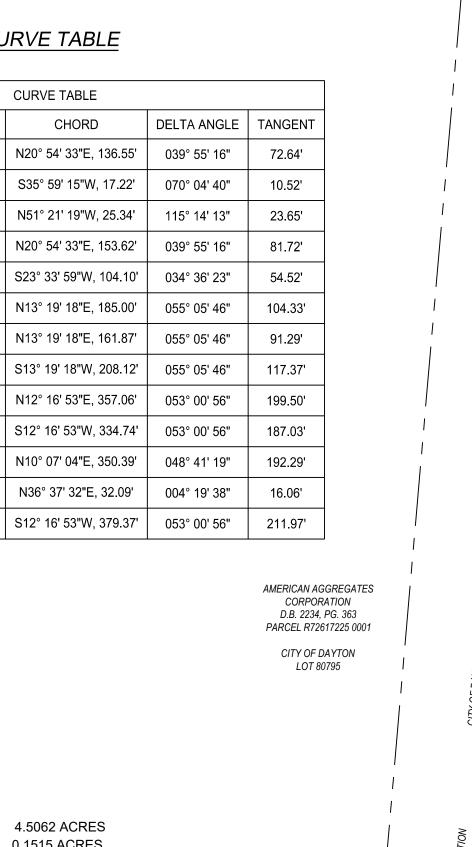


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### CURVE TABLE

			CURVE TABLE		
CURVE	RADIUS	ARC LENGTH	CHORD	DELTA ANGLE	TANGENT
C1	200.00'	139.35'	N20° 54' 33"E, 136.55'	039° 55' 16"	72.64'
C2	15.00'	18.35'	S35° 59' 15"W, 17.22'	070° 04' 40"	10.52'
C3	15.00'	30.17'	N51° 21' 19"W, 25.34'	115° 14' 13"	23.65'
C4	225.00'	156.77'	N20° 54' 33"E, 153.62'	039° 55' 16"	81.72'
C5	175.00'	105.70'	S23° 33' 59"W, 104.10'	034° 36' 23"	54.52'
C6	200.00'	192.32'	N13° 19' 18"E, 185.00'	055° 05' 46"	104.33'
C7	175.00'	168.28'	N13° 19' 18"E, 161.87'	055° 05' 46"	91.29'
C8	225.00'	216.36'	S13° 19' 18"W, 208.12'	055° 05' 46"	117.37'
C9	400.00'	370.12'	N12° 16' 53"E, 357.06'	053° 00' 56"	199.50'
C10	375.00'	346.99'	S12° 16' 53"W, 334.74'	053° 00' 56"	187.03'
C11	425.00'	361.15'	N10° 07' 04"E, 350.39'	048° 41' 19"	192.29'
C12	425.00'	32.10'	N36° 37' 32"E, 32.09'	004° 19' 38"	16.06'
C13	425.00'	393.25'	S12° 16' 53"W, 379.37'	053° 00' 56"	211.97'



#### AREA CALCULATIONS:

ORIGINAL 95.5342 ACF	RE TRACT 1	
LOTS ENTIRELY WITH	IN =	4.5062 ACRES
PARTIAL LOT 22 =		0.1515 ACRES
PARTIAL LOT 23 =		0.0459 ACRES
PARTIAL LOT 30 =		0.1522 ACRES
PARTIAL LOT 37 =		0.1348 ACRES
PARTIAL LOT 60 =		0.1618 ACRES
PARTIAL LOT 73 =		0.1812 ACRES
PARTIAL LOT 74 =		0.0867 ACRES
PARTIAL LOT 75 =		0.0159 ACRES
PARTIAL OPEN SPACE	E LOT 97 =	2.4068 ACRES
PARTIAL OPEN SPACE	E LOT 99 =	1.6584 ACRES
RIGHT-OF-WAY =		1.2252 ACRES
	TOTAL AREA =	10.7266 ACRES

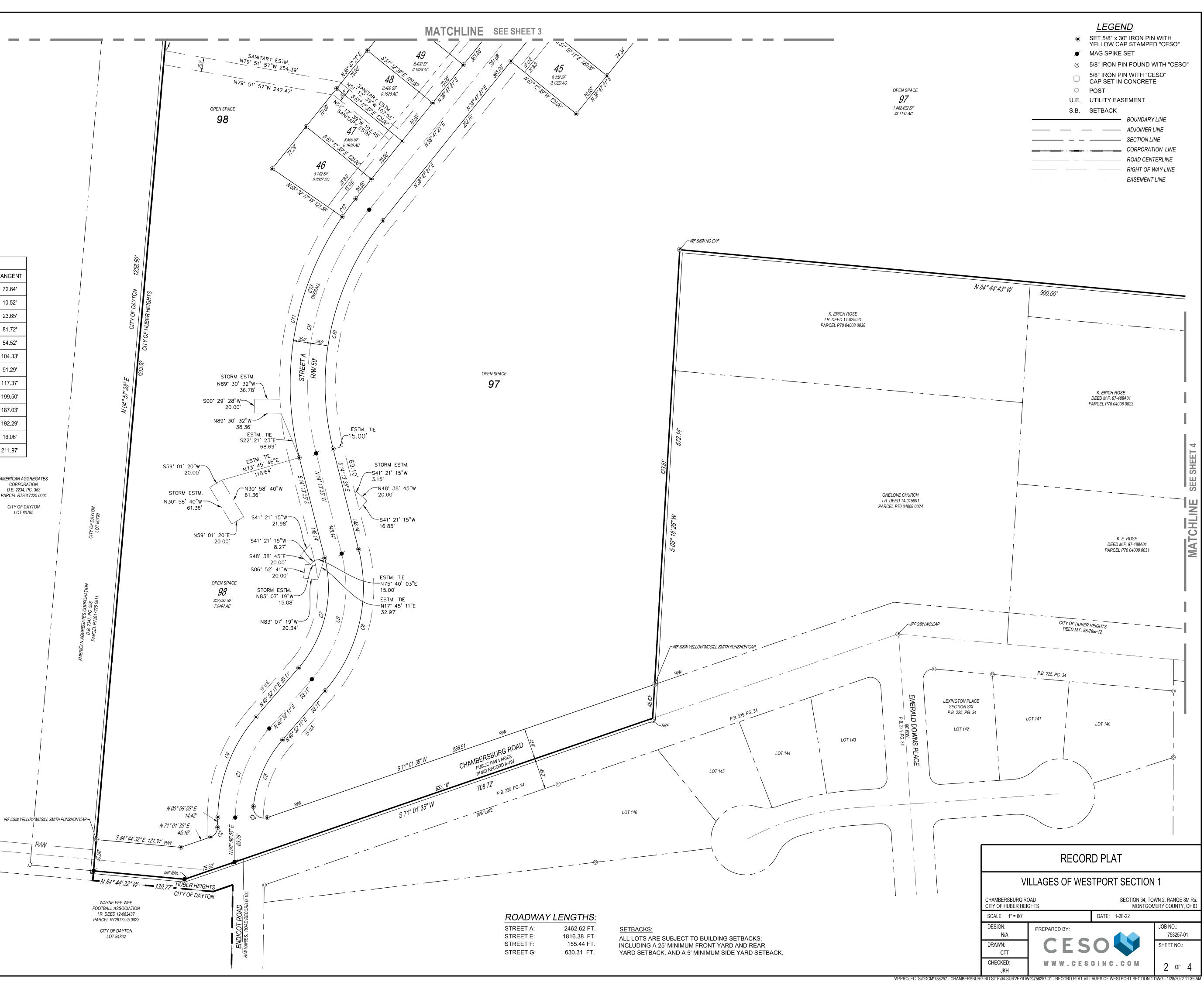
ORIGINAL 75.4703 ACRE TRAC	<u>2T</u> 2
LOTS ENTIRELY WITHIN =	11.1532 ACRES
PARTIAL LOT 22 =	0.0036 ACRES
PARTIAL LOT 23 =	0.1178 ACRES
PARTIAL LOT 30 =	0.0001 ACRES
PARTIAL LOT 37 =	0.1304 ACRES
PARTIAL LOT 60 =	0.0794 ACRES
PARTIAL LOT 73 =	0.0006 ACRES
PARTIAL LOT 74 =	0.0896 ACRES
PARTIAL LOT 75 =	0.1345 ACRES
PARTIAL OPEN SPACE LOT 9	7 = 30.7069 ACRES
PARTIAL OPEN SPACE LOT 99	9 = 2.0307 ACRES
OPEN SPACE LOT 96 =	5.2228 ACRES
OPEN SPACE LOT 98 =	7.0497 ACRES
RIGHT-OF-WAY =	6.8668 ACRES
TOTAL	AREA = 63.5861 ACRES

#### TOTALS

10.7266 ACRES OUT OF TRACT 1 63.5861 ACRES OUT OF TRACT 2 74.3127 TOTAL ACRES

#### OVERALL TOTALS LOT AREA = OPEN SPACE = RIGHT-OF-WAY =

17.1454 ACRES 49.0753 ACRES 8.0920 ACRES TOTAL AREA = 74.3127 ACRES



			CURVE TABLE		
CURVE	RADIUS	ARC LENGTH	CHORD	DELTA ANGLE	TANGEN
C14	1500.00'	271.55'	N33° 36' 10"E, 271.18'	010° 22' 21"	136.15'
C15	1525.00'	1.57'	N38° 45' 35"E, 1.57'	000° 03' 32"	0.78'
C16	1525.00'	68.87'	S37° 26' 12"W, 68.87'	002° 35' 15"	34.44'
C17	1525.00'	68.87'	S34° 50' 56"W, 68.87'	002° 35' 15"	34.44'
C18	1525.00'	68.87'	S32° 15' 41"W, 68.87'	002° 35' 15"	34.44'
C19	1525.00'	67.90'	S29° 41' 32"W, 67.90'	002° 33' 04"	33.96'
C20	1525.00'	276.08'	N33° 36' 10"E, 275.70'	010° 22' 21"	138.42'
C21	1475.00'	25.41'	N38° 17' 44"E, 25.41'	000° 59' 14"	12.71'
C22	1475.00'	74.28'	N36° 21' 35"E, 74.28'	002° 53' 08"	37.15'
C23	1475.00'	74.28'	N33° 28' 27"E, 74.28'	002° 53' 08"	37.15'
C24	1475.00'	74.28'	N30° 35' 19"E, 74.28'	002° 53' 08"	37.15'
C25	1475.00'	18.78'	N28° 46' 51"E, 18.78'	000° 43' 46"	9.39'
C26	1475.00'	267.03'	S33° 36' 10"W, 266.66'	010° 22' 21"	133.88'
C27	400.00'	461.93'	N61° 30' 00"E, 436.69'	066° 10' 02"	260.59'
C28	375.00'	41.88'	N31° 36' 59"E, 41.86'	006° 23' 58"	20.96'
C29	375.00'	102.94'	S42° 40' 43"W, 102.62'	015° 43' 42"	51.80'
C30	375.00'	102.94'	S58° 24' 25"W, 102.62'	015° 43' 42"	51.80'
C31	375.00'	102.94'	S74° 08' 06"W, 102.62'	015° 43' 42"	51.80'
C32	375.00'	82.36'	S88° 17' 29"W, 82.20'	012° 35' 04"	41.35'
C33	375.00'	433.06'	N61° 30' 00"E, 409.40'	066° 10' 02"	244.31'
C34	425.00'	9.44'	S29° 03' 05"W, 9.44'	001° 16' 20"	4.72'
C35	425.00'	66.01'	N34° 08' 12"E, 65.94'	008° 53' 55"	33.07'
C36	425.00'	70.72'	N43° 21' 11"E, 70.64'	009° 32' 02"	35.44'
C37	425.00'	70.73'	N52° 53' 16"E, 70.65'	009° 32' 08"	35.45'
C38	425.00'	66.01'	N62° 06' 17"E, 65.94'	008° 53' 55"	33.07'
C39	425.00'	66.01'	N71° 00' 12"E, 65.94'	008° 53' 55"	33.07'
C40	425.00'	66.01'	N79° 54' 07"E, 65.94'	008° 53' 55"	33.07'
C41	425.00'	66.01'	N88° 48' 02"E, 65.94'	008° 53' 55"	33.07'
C42	425.00'	9.90'	S86° 04' 57"E, 9.90'	001° 20' 07"	4.95'
C43	425.00'	490.80'	S61° 30' 00"W, 463.98'	066° 10' 02"	276.88'
C44	15.00'	23.56'	N40° 24' 59"W, 21.21'	090° 00' 00"	15.00'
C45	15.00'	23.56'	S49° 35' 01"W, 21.21'	090° 00' 00"	15.00'
C46	200.00'	139.86'	N15° 26' 58"W, 137.02'	040° 03' 57"	72.92'
C47	225.00'	44.03'	N1° 01' 20"W, 43.96'	011° 12' 43"	22.08'
C48	225.00'	45.79'	N12° 27' 29"W, 45.71'	011° 39' 35"	22.97'
C49	225.00'	45.79'	N24° 07' 05"W, 45.71'	011° 39' 35"	22.97'
C50	225.00'	21.73'	N32° 42' 54"W, 21.73'	005° 32' 04"	10.88'
C51	225.00'	157.34'	S15° 26' 58"E, 154.15'	040° 03' 57"	82.04'
C52	175.00'	78.62'	S8° 17' 09"E, 77.96'	025° 44' 21"	39.98'
C53	175.00'	43.77'	S28° 19' 14"E, 43.65'	014° 19' 48"	22.00'
C54	175.00'	122.37'	N15° 26' 58"W, 119.90'	040° 03' 57"	63.81'
C56	700.00'	39.17'	N37° 05' 07"W, 39.16'	003° 12' 21"	19.59'
C57	700.00'	49.24'	N40° 42' 12"W, 49.23'	004° 01' 50"	24.63'

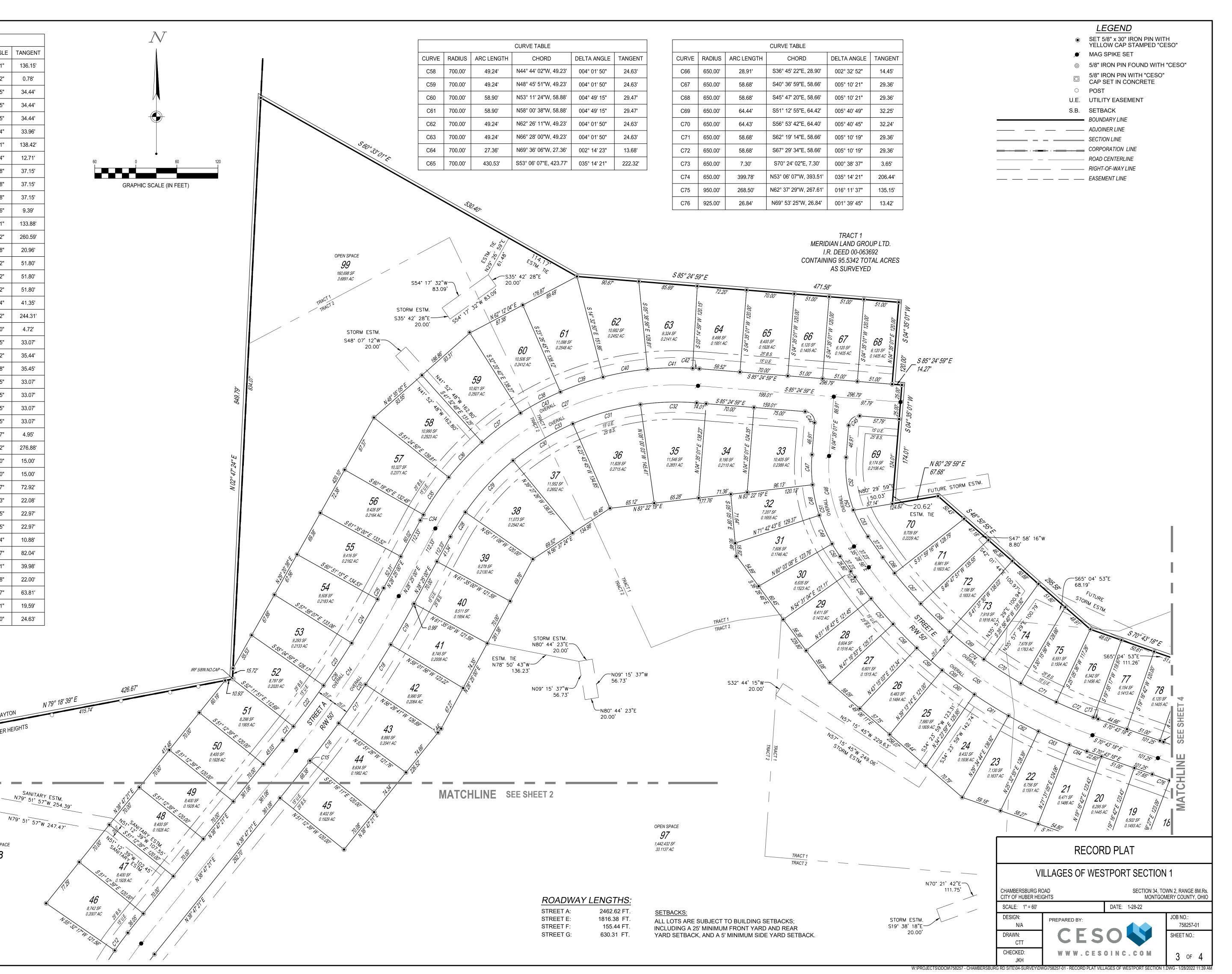
IRF 5/8IN.YELLOW"MCGILL SMITH PUNSHON"CAP -

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CITY OF HUBER HEIGHTS

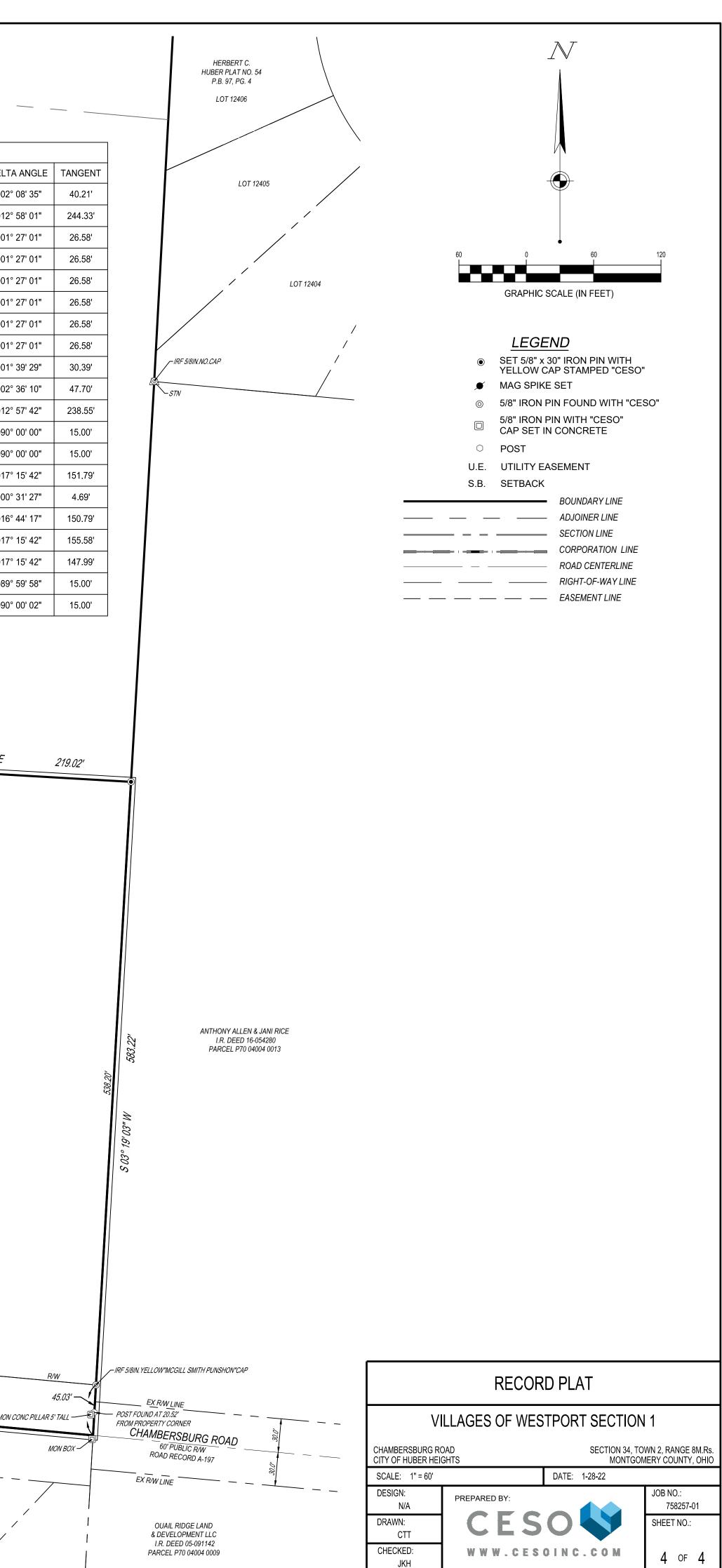
OPEN SPACE

98





					CURVE TABLE			]					
		CURVE	RADIUS	ARC LENGTH	CHORD	DELTA ANGLE	TANGENT						
		C92	15.00'	23.11'	S10° 23' 34"E, 20.89'	088° 16' 12"	14.55'	-					
		C93	2125.00'	480.92'	N61° 00' 41"W, 479.90'	012° 58' 01"	241.49'						
		C94	2150.00'	1.90'	N54° 33' 11"W, 1.90'	000° 03' 02"	0.95'	-				CURVE TABLE	
		C95	2150.00'	50.63'	N55° 15' 11"W, 50.63'	001° 20' 57"	25.32'		CURVE	RADIUS	ARC LENGTH	CHORD	DELTA
		C96	2150.00'	50.65'	N56° 36' 09"W, 50.65'	001° 20' 59"	25.33'		C103	2150.00'	80.42'	S66° 25' 25"E, 80.41'	002° (
		C97	2150.00'	50.65'	N57° 57' 09"W, 50.65'	001° 20' 59"	25.33'		C104	2150.00'	486.58'	S61° 00' 41"E, 485.54'	012° :
		C98	2150.00'	50.65'	N59° 18' 08"W, 50.65'	001° 20' 59"	25.33'	-	C105	2100.00'	53.15'	S55° 15' 30"E, 53.15'	001° :
		C99	2150.00'	50.65'	N60° 39' 08"W, 50.65'	001° 20' 59"	25.33'					S56° 42' 31"E, 53.15'	
		C100	2150.00'	50.65'	N62° 00' 07"W, 50.65'	001° 20' 59"	25.33'	-					
	01.							-					_
		C102	2150.00'	49.73'	N64° 41' 22"W, 49.73'	001° 19' 31"	24.87'	-					
	F. B.							]					
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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:	Villages of Westport – Section 1							
Occupancy Add	ess:	Chambersburg Road							
Type of Permit:		HHP&D Site Plan							
Additional Permi	ts:	Choose an item.							
MCBR BLD:	N/A		HH P&D:	N/A					
MCBR MEC: N/A			HHFD Plan:	21-214/22-029					
MCBR ELE: N/A			HHFD Box:						
REVIEWER: Suson		g	DATE:	2/10/2022					

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

**Requirements:** 

- Fire apparatus access roads will need to comply with OFC 503 as well as the adopted appendices from the OFC (2017) and the Huber Heights Codified Ordinance (HHCO) Section 15.
- Fire Hydrants: Hydrants shall be spaced no greater than 500 feet apart and within 400 feet from any opening in any building. Structure locations are not provided on current drawings so the 400 feet from any opening shall be confirmed during next phase. Hydrant spacing exceeds 500 feet between the hydrant at Endicott and the next hydrant on Street A. Please confirm locations.
- In accordance with Huber Heights Codified Ordinance 1521.06 (b)(1), "The Fire Code Official shall make a determination if a double Storz hydrant is needed in residential areas with single family homes greater than 3600 square feet." If homes in this area exceed 3600 sq. ft. please advise.
- 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. *Dead ends mains are shown at Endicott.* 

• The minimum fire-flow and flow duration requirements for one- and two-family dwellings shall comply with Ohio Fire Code B105.1.

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 2011 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.

#### AI-8203 **Planning Commission** Meeting Date: 02/15/2022 Minutes

Information

Agenda Title Planning Commission December 14, 2021

Purpose and Background

Attachments

Minutes

### Planning Commission December 14, 2021 Meeting City of Huber Heights

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

Members absent: None.

Staff Present: Jason Foster, Economic Development Coordinator, and Geri Hoskins, Planning & Zoning Administrative Secretary.

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

None.

### IV. Citizens Comments

None.

### V. Swearing of Witnesses

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

### VI. Pending Business

None.

### VII. New Business

Mr. Walton asked for a motion to amend tonight's agenda by moving item 7E to 7A to be at the beginning of the Agenda.

### <u>Action</u>

Ms. Thomas moved to amend the agenda, 7E to 7A.

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

# 1. MINOR CHANGE - The applicant, Kap Signs, is requesting approval of a Minor Change for signage for property located at 6170 Brandt Pike (ZC 21-48).

Mr. Foster stated that the applicant requests approval of a Minor Change for signage for Marian Lanes.

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

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

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

This request conforms to the Brandt Pike Revitalization Plan.

Mr. Jeffries asked if straight zoned it would not have to come for approval and Mr. Foster said correct.

Dave Williams from Kap Signs said southbound traffic the grade is much higher southbound on Brandt. Line of site better.

Ms. Thomas asked if adding landscaping and Mr. Williams said there won't be a problem.

Ms. Vargo asked about the height of the pedestal. Mr. Williams said 62 inches.

### <u>Action</u>

Ms. Thomas moved to approve the request by the applicant KAP SIGNS for approval of a Minor Change for signage for property located at 6170 Brandt Pike, Marian Lanes (ZC 21-48) in accordance with the recommendation of Staff's Memorandum dated December 1, 2021, and the Planning Commission Decision Record attached thereto.

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

Next step is to get permits from the Zoning Dept.

### 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 property located at 5840 Old Troy Pike (ZC 21-45).

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

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

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

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

The building is constructed of painted block and has roll-up doors on the front and rear. No improvements to the building were submitted. No dumpster enclosure is present on the property nor is one proposed.

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

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

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

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

Ms. Vargo asked about existing sign being used without a change. Mr. Foster said correct. Ms. Vargo asked about grassy area turned into parking lot. Mr. Foster showed paved area on the left is added pavement. Western property line and portion of northern

property line, that's where the ground sign is. Ms. Vargo asked about sidewalk and Mr. Foster replied there is a sidewalk just to the west of ground sign. 25 ft. of grassy area. Ms. Opp asked how far towards the funeral home? The applicant stated 6 ft. Ms. Opp asked about the back of building. Will wait until the applicant is speaking to answer. Mr. Jeffries asked about the 6 ft property line to funeral line. Mr. Foster said the building setback is 15 ft. Mr. Jeffries asked about previous approval, setbacks and buffering. Mr. Foster said not complete records from before but buffering was required at that time. No match showing where buffer should be. Setbacks were met per the zoning code at that time. Mr. Jeffries asked if it was built to the agreed upon buffers and setbacks at that time? Mr. Foster said yes. There is no drawing about the buffer being completed at that time. Mr. Jeffries asked if plans to fix the rest of the pavement. Mr. Foster said not in the submitted drawings. Discussion on the zoning aspect of rest of pavement. Mr. Jeffries has concerns on agreement from the past. Also, no service center. Mr. Foster said application was for sale of vehicles not service of vehicles.

Mr. Khalilov's son spoke as translator. Ms. Vargo asked if he planned to resurface any asphalt that is there. He replied yes. New asphalt and new extended concrete prior to opening.

Mr. Jeffries asked about inventory. The applicant replied around 30 – 40. Parking spaces at front for customers. Discussion on lighting.

Ms. Opp asked about the building, are you going to work on vehicles. The applicant replied he does want to service cars since they are used cars.

Ms. Thomas said it's for sales only not service. Applicant said not changing the building, small repairs.

Mr. Foster said no indication on the drawing that there would be service on vehicles. New application requires new approval. The use should be spelled out.

Mr. Gary Heller, owner of funeral home. There since 1982. Worked with city on setbacks for a lot of visibility. Concerned with going out that far. Traffic and line of sight. Noise is a big factor. Buffer area never maintained. Drainage.

Ms. Vargo asked about noise. Mr. Heller said working on cars.

Mr. Walton concerned with the landscaping. Also should it have been extended, eliminate some spaces. Sales in the beginning now sales and maintenance. Ms. Opp has concerns about signage. Mr. Foster said it can be refaced without coming to Planning Commission. If altered for size it would go to Planning Commission.

Ms. Thomas asked about the dumpster area. Some idea of where it will go, be gated. Mr. Jeffries surfacing, lighting, dumpster. Should we table and get more info. Mr. Foster suggested to table.

### <u>Action</u>

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

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

Mr. Foster stated that the applicant requests approval of a Rezoning to Planned Residential and Basic Development Plan for 22.968 acres on Bellefontaine Road for a residential subdivision.

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

The Zoning Code is as follows:

Chapter 1172 – (PR) Planned Residential District

1172.01 - Principal permitted uses.

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

- (a) All residential uses permitted in all other chapters of the Zoning Ordinance such as: one family dwellings, two family dwellings, multiple family dwellings, including garden apartments, row houses, quadraminiums and condominiums;
- (b) Churches and other places of worship;
- (c) Colleges, primary and secondary schools under School Board or Parochial supervision, and public libraries;
- (d) Public recreation buildings, parks, playgrounds and athletic fields under School Board, Parochial, other governmental supervision or "homeowners association" supervision; and
- (e) Uses designed solely to serve in a complimentary way the needs of this District above.

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

1172.02 - Accessory uses. The following accessory uses are permitted:

- (a) Uses customarily incidental to all permitted uses; and
- (b) Temporary structures and uses required during construction in this District.

(Ord. 89-O-339, Passed 2-6-89; Ord. No. 2019-O-2398, § 1, 10-14-19)

1172.03 - Development standards.

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

- (a) Minimum "PR" Land Area Requirement.
- (1) A minimum of one acre shall be required.
- (b) Dwelling Unit Density—Five Dwelling Units.
- (1) The average dwelling unit density for the entire district shall not exceed five dwelling units (DU) per acre.
- (2) Minimum area standards such as individual lot size, frontage, setbacks, side, and rear yards shall be those prescribed in the City approved detailed final development plans, except that: A. Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.
- (c) Dwelling Unit Density—Eight Dwelling Units.
- (1) Dwelling unit density for the entire district shall not exceed eight dwelling units per acre of land on which dwellings are constructed. For example, if the entire district is three acres but dwellings are constructed on two acres only, dwelling unit density for the entire district shall not exceed 16 dwellings.
- (2) Minimum area standards such as individual lot size, frontage, setbacks, side, and rear yards shall be those prescribed in the City approved detailed final development plans, except that: A. Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.
- (d)Dwelling Unit Density—Twelve Dwelling Units.
- (1) Dwelling unit density for the entire district shall not exceed 12 dwelling units per acre of land on which dwellings are constructed. For example, if the entire district is three acres but dwellings are constructed on two acres only, dwelling unit density for the entire district shall not exceed 24 dwellings. (2) Minimum area standards such as individual lot size, frontage, setbacks, side and rear yards shall be those prescribed in the City approved detailed final development plans, except that:A.Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.

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

(Case 378, 6-17-76; Case 235, 7-11-94; Ord. 94-O-711, Passed 7-11-94; Ord. 2006-O-1664, Passed 10-23-06)

1172.04 - Parking and loading.

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

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

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

1172.05 - Utilities.

The distribution systems for utilities are required to be underground.

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

The request is for the following:

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

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

This subdivision is proposing attached, patio homes on two styles of lots, 60 foot and 68 foot. Of the 132 total lots, 62 are proposed to be 60-foot lots and 70 are proposed to be 68-foot lots. All lots are proposed to have a minimum lot depth of one hundred ten (110) feet, twenty-five (25) foot front yard setback, a minimum of twenty-five (25) foot rear yard setbacks, and six (6) foot side yard setbacks. The proposal also calls for forty (40%) percent masonry on the front facades of each unit. This is significantly higher than the typical recommendation of twenty-five (25%) percent.

1171.05 - Contents of basic development plan.

- (a) The basic development plan shall consist of at least the following information together with such other data and materials as may be required by the City:
- (1) Site plan showing the actual shape and dimensions of the lot to be built upon or to be changed in its use together with the location of the existing and proposed structures with approximate square footages, number of stories including heights of structures;
- (2) Typical elevation views of the front and side of each type of building;
- (3) Planning location and dimensions of all proposed drives, service access road, sidewalks, and curb openings;

- (4) Parking lot areas (show dimensions of a typical parking space), unloading areas, fire lanes and handicapped parking;
- (5) Landscaping plan, walls and fences;
- (6) Storm water detention and surface drainage;
- (7) Exterior lighting plan;
- (8) Vehicular circulation pattern;
- (9) Location and square footage of signs;
- (10) Topographic survey; and
- (11) Listing of proposed uses taken from the list of permitted and special uses of the PUD zoning district to which rezoning is being sought.

(b)The Planning Commission shall schedule both the proposed rezoning and the issue of approval of the basic development plan for a combined public hearing, following which it shall make its recommendation indicating approval, approval with modification or disapproval.

- (Ord. 2006-O-1655, Passed 9-25-05)
- 1171.06 General standards for approval.

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

- (a) Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;
- (b) Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;
- (c) Is accessible from public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development. Further, the streets and driveways on the site of the proposed development shall be adequate to serve the residents or occupants of the proposed development;
- (d) Shall not impose an undue burden on public services such as utilities, fire, and police protection, and schools;
- (e) Contains such proposed covenants, easements and other provisions relating to the proposed development standards as may reasonably be required for the public health, safety and welfare;
- (f) Shall be landscaped or otherwise improved and the location and arrangement of

structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the existing intended uses, and any part of a PUD not used for structures, parking and loading areas, or accessways;

- (g) Shall preserve natural features such as water courses, trees and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;
- (h) Is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;
- 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.

Mr. Jeffries asked about the emergency safety access/boulevard. Mr. Foster said that would be for Council discussion. It was approved both ways.

Ms. Vargo asked about gas line. Mr. Foster said it does touch this property, there is an easement. Ms. Vargo asked about the electrical grid, Mr. Foster said to the south.

Mr. Jeffries asked about the creek on the northern edge. Defer to the applicant.

Mr. Walton asked how it ties into the Oaks directly across the street and Mr. Foster responded it is directly across the street but does not tie into the Oaks. The entrances would line up. Not part of that development.

Mr. Jeffries asked about the Oaks building materials and frontage, these being 40% is more than our requirement and Mr. Foster said the original approval for the Oaks was 25% and each case after didn't expand that number. Houses that back up to Shady Oak have to be full brick wrap. All PUDs in effect.

Ms. Thomas asked about the entrances lining up, will this have a Boulevard and Mr. Foster said no.

Bob Krohngold from Campbell Berling said rep from Fischer Homes is here also. Attached product, fee simple for sale, mixture of paired patio homes and attached two story town homes both with attached 2 car garages. 22-acre site, next to an electric substation, 3 pipelines, easements, and setbacks. We are open to exploring a Boulevard. Price point below single-family homes. Ms. Vargo asked about price range. Jennifer Gonzalez from Fischer Homes said \$230,000.00. Up to \$250,000.00, semi-custom.

Mr. Krohngold talked about drop lane and acceleration lane coming out of the community. Significant road improvement on that frontage already, would like to amend decision record to say pending the results of a traffic impact study. We did increase setbacks but would like to revise the rear from 25 to 20 ft.

Ms. Thomas asked about proposed lighting and sidewalks. Mr. Krohngold said we team with Miami Valley Lighting and provide streetlights. Yes there will be sidewalks on both sides.

Mr. Jeffries said he wants to still see drop lane and acceleration lane. Mr. Krohngold said he would like to see some restriping. Concerning water, no additional run off? Mr. Krohngold said we'll provide detention.

Ms. Vargo would like staff to make decision if added words if needed. Mr. Krohngold would like guidance from traffic engineer. Mr. Foster stated that in a typical development like this a traffic study would be done.

Discussion on the setbacks and changing the minimum rear yard to 20 ft. Mr. Krohngold said about 10 – 15 range. Will try for 25 ft. max of 15 lots that won't meet that. Mr. Jeffries asked how far away the nearest building is. Mr. Krohngold said next house is pretty far from property line, over 50 ft away.

#### Concerns from neighbors

Cindy Smith all houses in the Oaks required to have 25% of entire building be brick or stone. Unless they border Bellefontaine or Fishburg where they are required to have 50%.

Project doesn't meet City's Comprehensive Plan Density 0.33, The Oaks 2.05, this project 5.7 Traffic issues Parking issues Water absorption Farm animals Large equipment Aging in place housing Rural area Wildlife

Mr. Jeffries asked about the comprehensive plan and Mr. Foster said it was done 2011. Ten-year plan. Does say single family detached homes. 2021 new comprehensive plan probably 2022.

#### Ron Deak

No downtown, expensive to correct now. Plan doesn't compliment anything Stick to original plan 3 car garage, 2500 sq ft basement No storage, then sheds and fences Parking Wetland detention Impervious surface Single family homes One entrance Fire safety Accommodate the developer

Mr. Jeffries said calculations would come at Detailed, that is Engineering. Drainage would not go into pond, tying into stormwater. 100% isn't going to retention pond. Mr. Foster deferred to developer. Emergency access point was presented in original presentation before email.

I personally take offense to saying we are here to accommodate the developer, we are volunteer residents.

Mike Harmon Creek Rural Privacy Fences Water absorption Visual peace, no noise Dogs

William Clark, President of the Oaks HOA Number of units Density Correcting prior mistakes Retain 10-year plan Property value 25% stone

Mellisa Several ponds Large animals Farm equipment Hunting/fishing

Don Stewart Where do we stand, where do we go from here

Mr. Jeffries said this is a recommendation to Council This product is selling in other communities Life-style community patio homes do sell Neighbor sold this property

Bob Krohngold stated impervious issue is an engineering scientific calculation. It will be retained and released at predevelopment rate. The Landings isn't a single-family home, it works as a transition zone. Providing a variety of housing stock. Property value is determined by comps.

Mr. Jeffries asked about barrier around property. Mr. Krohngold said significant buffer in place already. Also, no fences or sheds on this property. There will be people with dogs, I can't control dogs.

Mr. Jeffries asked about demographics, cars per house. Mr. Krohngold said typically not families, 55 or older, room for 2 cars in driveway. Storage in garage, cars parked on the street. Maybe provide off street parking.

William Clark countered and said homes of likeness are used to calculate property value but others are used also.

Ron Hines appraisals look for comps that are very similar. They do compare the surrounding areas.

Tracy Harmon Living space looks out at this Love this area Sewage and pump

Mr. Foster said pump station. Mr. Krohngold stated sanitary sewer lift station. Lift station on Bellefontaine for the Oaks. Gravity sewer.

### Action

Ms. Thomas moved to approve the request by the applicant, CAMPBELL BERLING, for an approval of a Rezoning from AG to PR and a Basic Development Plan for property located on the East side of Bellefontaine and South of Chambersburg Road, further identified as Parcel P70 03908 0126 of the Montgomery County Ohio Recorder's office (ZC 21-47) in accordance with the recommendation of Staff's Memorandum dated December 1, 2021, and the Planning Commission Decision Record written as amended.

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

Ms. Vargo said the only way to guarantee no one builds around you, you need to buy the land yourself.

Next step is the recommendation will be taken to a City Council meeting.

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

Mr. Walton asked Mr. Foster to bring everyone up to date. Mr. Foster said Mr. Conaway is in the audience and perhaps he can give background.

Mr. Ken Conaway from Carriage Trails, they are the current owners of the subject property. Mr. Conaway gave background history of zoning being approved along with Basic Development Plan for the property. Residential and Commercial. Detailed Development Plan was approved and construction began. Only the first phase of Winbrooke was build initially. Approximately 30 lots. Oberer development walked away. City bought the property. City sole purpose was it needed a water tower site. So North of 70 the water system needed expansion. Great elevation. City did a lot split and build the water tower. Carriage Trails continued to grow. 2018 the City approached us about

buying the property and building it out. Targeted effort to achieve a million dollar sales price for remainder of Winbrooke.

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

# STAFF ANALYSIS:

1171.09 - Detailed development plan.

The detailed development plan shall conform substantially to the basic development plan. If desired by the developer, it may be submitted in stages with each stage reflecting a portion of the approved basic plan which is proposed to be recorded and developed; provided however, that such portion conforms to all requirements of this chapter and other applicable ordinances. The requirement procedure for approval of a detailed development plan shall be:

- (a) The detailed plan and supporting data shall be filed with the City. The Planning Commission shall determine that such plan is in conformity with these regulations and in agreement with the approved basic plan.
- (b) After review of the detailed plan and supporting data, the Commission shall approve or disapprove the plan submitted by the developer. Disapproval of the detailed plan shall be based on its failure to comply with the basic development plan and current applicable codes, standards, and regulations.

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

1171.091 - Planning commission/council review.

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

(Case 427; Ord. 2002-O-1367, Passed 9-9-02)

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

# **Building Elevations:**

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

### Site Design and Engineering:

# 1179.06 Development standards.

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:

(a) *Minimum Land Area Requirement.* A minimum of 20 acres shall be required.

- (b) Covenants. The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.
- (c) *Required Mix of Land Uses.* A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.
- (d) Site Planning.
- (1) The combination of different uses whether as part of one building or as part of the overall development shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor, or any other annoyances for any uses within the development or neighboring properties.
- (2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.
- (3) The number of ingress and egress points onto the public streets shall be limited to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.
- (4) Parking systems shall be designed to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.
- (5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.
- (6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces

permitted, type size permitted, and permitted illumination. Compliance with the onsite comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.

- (7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:
  - A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.
  - B. With multiple buildings on a single property, nonresidential buildings or mixed-use buildings shall be at least 20 feet or one-half the height of the taller building apart, whichever is greater from another nonresidential or mixed-use building.
  - C. All nonresidential buildings or mixed-use buildings shall be set back at least 50 feet or the height of the structure, whichever is greater, from any residential property or residential building, whichever is closer, and from the public right-of-way. This setback applies to multiple buildings on a single property, to development within a PM development, and where it abuts to adjacent property.
- (8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.
- (9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.
- (10) Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.
- (11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.
- (12) The distribution systems for utilities are required to be underground.
- (13) The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.
- (14) The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.

(15) With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.

(Case 346; Ord. 99-O-1199, Passed 3-22-99)

The proposal calls for one curb cut to access the facility off Senna Drive. No access will be provided off US Route 40. In the September 28, 2021, Planning Commission meeting, it was discussed to relocate the entrance to US Route 40. The applicant did contact the Ohio Department of Transportation for a curb cut on US Route 40 in an attempt to comply with that discussion and was told he would "more than likely be denied because other reasonable access is available". I then reached out to ODOT and spoke with The Real Estate Administrator. He stated "the applicant can apply for a review, however, typically a curb cut would be denied if other reasonable access is available". The parking requirement for the office is one space for every 300 square feet of gross floor area, which calculates to 4 parking spaces, with 1 of those being designated accessible spaces. 5 total parking spaces are proposed at 9 feet by 19 feet. City standard is 10 feet by 18 feet. Staff recommends the 10-foot-wide space requirement. Paved drive aisles access each building with no dead-end drives. Six-foot wrought iron fencing is proposed at the north and west perimeter of the site with a gate at the front and an emergency gate at the rear and six-foot wood privacy fence is proposed at the south and east perimeters. The interior aisles are 25 and 30 feet in width and exterior aisles vary to allow for emergency vehicle turning movements.

## Utilities:

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

# Signage:

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

# Landscaping:

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

which backs up to residential will include Twelve (12) White Pine trees, thirty-five (35) Norway Spruce trees, and six (6) Black Spruce trees. Additional landscaping has been added from the original submittal. The Landscaping Plan complies with the City Standards.

## <u>Action</u>

Ms. Vargo moved to table the request by the applicant, RJK ASSOCIATES, INC., for an approval of a Detailed Development Plan for 8.755 acres at 5060 US Route 40 (ZC 21-46) in accordance with the recommendation of Staff's Memorandum dated December 14, 2021, and the Planning Commission Decision Record.

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

# 5. DETAILED DEVELOPMENT PLAN – The applicant, GILLIGAN OIL COMPANY, is requesting approval of a Detailed Development Plan for 1.84 acres for property located at the Northeast corner of Taylorsville Road and old troy Pike (ZC 21-49).

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

# STAFF ANALYSIS AND RECOMMENDATION:

### Overview:

The above-described property was rezoned from R-6, residential and B-3, commercial to PM-Planned Mixed Use in 2021. The site is located at the northeast corner of Taylorsville Road and Old Troy Pike. The overall proposal calls for the construction of six commercial buildings to be located on individual lots and 192 market rate apartment units housed in six multi-family buildings. The proposal before Planning Commission calls for the construction of two new restaurant uses which are permitted uses in the Planned Mixed Use zoning district as commercial uses. The first is a new 3,061 square foot quick serve restaurant and the second is a new 2,030 square foot restaurant of the same type. Staff's analysis of the proposal is broken into several segments as follows.

### 1171.09 - Detailed development plan.

The detailed development plan shall conform substantially to the basic development plan. If desired by the developer, it may be submitted in stages with each stage reflecting a portion of the approved basic plan which is proposed to be recorded and developed; provided however, that such portion conforms to all requirements of this chapter and other applicable ordinances. The requirement procedure for approval of a detailed development plan shall be:

- (a) The detailed plan and supporting data shall be filed with the City. The Planning Commission shall determine that such plan is in conformity with these regulations and in agreement with the approved basic plan.
- (b) After review of the detailed plan and supporting data, the Commission shall approve or disapprove the plan submitted by the developer. Disapproval of the detailed plan shall be based on its failure to comply with the basic development plan and current applicable codes, standards, and regulations.

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

1171.091 - Planning commission/council review.

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

(Case 427; Ord. 2002-O-1367, Passed 9-9-02)

# **Building Elevations:**

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

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

# Site Design and Engineering:

# 1179.06 Development standards.

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:

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- (a) *Minimum Land Area Requirement.* A minimum of 20 acres shall be required.
- (b) Covenants. The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.
- (c) *Required Mix of Land Uses.* A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.
- (d) Site Planning.
- (1) The combination of different uses whether as part of one building or as part of the overall development shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor, or any other annoyances for any uses within the development or neighboring properties.
- (2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.
- (3) The number of ingress and egress points onto the public streets shall be limited in order to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.
- (4) Parking systems shall be designed so as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.
- (5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.

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- (6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces permitted, type size permitted, and permitted illumination. Compliance with the on-site comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.
- (7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:
  - A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.
  - B. With multiple buildings on a single property, nonresidential buildings or mixed-use buildings shall be at least 20 feet or one-half the height of the taller building apart, whichever is greater from another nonresidential or mixed-use building.
  - C. All nonresidential buildings or mixed-use buildings shall be set back at least 50 feet or the height of the structure, whichever is greater, from any residential property or residential building, whichever is closer, and from the public right-of-way. This setback applies to multiple buildings on a single property, to development within a PM development, and where it abuts to adjacent property.
- (8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.
- (9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.
- (10) Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.
- (11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.
- (12) The distribution systems for utilities are required to be underground.

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- (13) The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.
- (14) The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.
- (15) With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.

(Case 346; Ord. 99-O-1199, Passed 3-22-99)

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

Parking is as follows.

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

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

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

Both users are exceeding the parking requirement per Code.

# Utilities:

Both buildings will be serviced by connections to public water and sanitary sewer connections. Gas, telephone, and electric are also available at the site limits. Drainage is being collected through catch basins and storm sewer routing the

Planning Commission Meeting December 14, 2021 flow to the existing retention pond to the east. There is no need for additional storm water detention. Lighting shall meet the standards of City Code 1181.21.

## Signage:

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

# Lot 4 (Popeye's)

Wall Signs (5 total)

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

Four entry/exit signs are also shown on the plan

# Lot 5 (Dunkin)

Wall Signs (3 total)

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

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

### Landscaping:

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

### Action

Ms. Thomas moved to approve the request by the applicant, GILLIGAN OIL COMPANY, for an approval of a Detailed Development Plan for 1.84 acres for property located at the Northeast corner of Taylorsville Road and old troy Pike (ZC 21-49) in accordance with the recommendation of Staff's Memorandum dated December 14, 2021, and the Planning Commission Decision Record.

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.

### VIII. Additional Business

1. Approval of 2022 Meeting Schedule will be at the next meeting.

### IX. Approval of the Minutes

Without objection, the minutes of the September 28, 2021, and the November 9, 2021, Planning Commission meeting are approved.

### X. Reports and Calendar Review

Mr. Foster stated that G2 Tactical Special Use

### XI. Upcoming Meetings

January 11, 2022 January 25, 2022

### XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 10:00 p.m.

Terry Walton, Chair

Date

Geri Hoskins, Administrative Secretary

Date