

**Planning Commission
April 12, 2022, Meeting
City of Huber Heights**

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

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

Members absent: Ms. Opp.

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

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

IV. **Citizens Comments**

None.

V. **Swearing of Witnesses**

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

VI. **Pending Business**

None.

VII. **New Business**

1. **REZONING AND BASIC DEVELOPMENT PLAN - The applicant, HARTMAN I, LLC, is requesting approval of a Rezoning to Planned Office (PO) and a Basic Development Plan for property located at 7611 Old Troy Pike for a new Medical Facility. (RZ BDP 22-13).**

Mr. Sorrell stated that the applicant requests approval of a basic development plan and rezoning from Planned Commercial to Planned Office to construct a 10,800 square foot healthcare facility for outpatient and emergency services. The applicant anticipates an initial volume of 30 – 40 patients per day, with a maximum of 50 – 60 day once the facility is established.

The site is approximately 1.1 acres and is currently used as an area for outdoor display and storage for the Rural King.

The applicable zoning chapters include: 1171 General Provisions, 1173 Planned Office District, 1181 General Provisions, 1182 Landscaping and Screening, 1185 Parking and Loading.

The proposed use is principally permitted in the PO district.

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This medical facility is being proposed within an area that is currently underutilized parking and outdoor storage area for Rural King. However, staff requested the applicant minimally disrupt and to the greatest extent possible, maintain the current parking isle orientations. Additionally, since there is an abundance of existing parking, staff requested the applicant share parking with Rural King to the extent possible.

Therefore, the basic development plan cannot fully comply with the buffer yard requirements of the Planned Office District. The current plan indicates a 30-foot perimeter buffer yard along the east property line, and a 10-foot buffer yard to the south which aligns with the current parking travel lanes. A quasi-15-foot buffer area to the north separates the emergency entrance from a travel lane. Parking is shared on the west property line, though landscape islands have been added to break up the parking area and delineate the new medical facility.

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

- Street trees shall be placed every 40-feet along the public street.
- No exterior lighting plan was submitted. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.
- Mechanical, waste, and service screening is not illustrated with great detail, but shall comply with the zoning code.

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

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating areas for parking island landscaping. The maximum required number of parking spaces required is unknown at this time because the interior program has not been finalized. The plan indicates 41 proposed spaces that are either on-site or immediately adjacent to the facility. If significantly more parking spaces are required and joint parking agreement may be required.

The applicant is requesting a mixture of signage including one ground mounted sign, three corporate wall signs, three "Emergency" wall signs and one "Ambulance" canopy sign.

The proposed ground mounted sign is 8-feet tall with a sign area of 80 square feet. The code suggests a height limit of 6-feet and not exceed 75 square feet in sign area.

The two "Emergency" wall signs are 75 square feet each, and the three corporate wall signs are 50 square feet each, totaling 300 square feet. The code suggests single wall signs shall not exceed 75 square feet each, and a cumulative total of no more than 150 square feet. If the commission considers the "emergency" signs to be exempt, the wall signs are compliant.

The "Ambulance" canopy sign is 35 square feet and mounted above the canopy. The code suggests canopy signs are only permitted along street frontage and

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may not project above the canopy. While not along a street frontage, the canopy covers the ambulance entrance and a variance from the code requirements seems reasonable.

Fire: See Attached.

City Engineer:

- Construct the right-in / right-out as large as possible and install “No Left Turn” sign and curb delineators

Staff feels the standards of approval outlined in 1171.06 can be met and therefore staff recommends approval of the rezoning from Planned Commercial to Planned Office and approval of the basic development plan with the following conditions:

- Street trees shall be placed every 40-feet along Taylorsville Road.
- The applicant shall comply with Chapter 1181.18 Screening of Service Structures.
- The applicant shall comply with Chapter 1181.21 Lighting Standards.
- General Landscaping and Screening.
- The applicant shall comply with Chapter 1182 Landscaping and Screening.
- Applicant shall comply will all fire code requirements.

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

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

Jerry Royce
Brian Dean
Dianna Conboy

Discussion on building placement with easement, parking, entrance, and signage.

Action

Ms. Thomas moved to approve the request by the applicant Hartman I, LLC, for approval of a Rezoning to Planned Office (PO) and a Basic Development Plan for property located at 7611 Old Troy Pike, Parcel Number P70 04005 0140 of the Montgomery County, Ohio Recorder's Office (RZ BDP 22-13) in accordance with the recommendation of Staff's Memorandum dated April 6, 2022, and the Planning Commission Decision Record attached thereto.

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

Moves on to City Council.

2. MAJOR CHANE TO THE BASIC DEVELOPMENT PLAN AND APPROVAL OF A DETAILED DEVELOPMENT PLAN - The applicant, PARVEEN WADHWA, is requesting approval of a Major Change to the Basic Development Plan and Approval of a Detailed Development Plan for a Commercial Lot located at 6025 Taylorsville Road (MJC DDP 22-14).

Mr. Sorrell stated that on November 9, 20 21 the Planning Commission approved a rezoning and basic development plan for a 7,200 square foot multi-tenant building housing a convenience store and laundromat. The applicant is requesting a major change to the detailed development plan to add a service bay and increase the size of the building to 7,680 square feet.

The Planning Commission approved the basic development plan with the following development standards:

Setbacks:

Front: 75' building and 25' parking setback

Side: 50' building setback when adjoining an 'R' district
15' landscaping buffer

Rear: 32' building setback and 19' landscape buffer

Parking:

1 space for 200 sq. ft. for the first 2,000 sq ft. then 1 space for every 250 sq. ft.

Required: 31 spaces / 2 handicap spaces

Provided: 31 spaces / 2 handicap spaces

Screening:

6' tall screening alongside and rear yards abutting a residential district.

The detailed development plan proposal meets all of the basic development plan standards approved by the planning commission. Additionally, the detailed development plan generally meets or exceeds the following zoning requirements:

1181 General Provisions:

Street Trees: The detailed development plan exceeds the one tree per 40 feet of frontage requirement. Trees are spaced approximately every 30 feet.

Utility Screening: All utilities and service structures are appropriately screened per the zoning code.

Lighting Standards: The lighting plan indicates light fixtures are to be mounted approximately 23 feet high (25 feet is the maximum permitted). Light trespass does not exceed the 0.5 footcandle maximum at the property lines abutting the residential areas.

Commercial Building Design Standards: While not technically required in the Planned Commercial District, the building is clad in all brick, with the exception of doors, windows and sign areas.

1182 Landscaping and Screening:

The site plan and lot coverage is consistent with the basic development plan approved by Planning Commission. Screening is provided through a significant amount of dense evergreen plantings along the side and rear yards abutting the residential areas.

Additionally, the detailed development plan meets all parking lot landscaping requirements outlined in 1182.04.

1185 Parking and Loading:

The detailed development plan illustrates the 31 spaces required in the basic development plan. Additionally, all spaces are designed appropriately.

1189 Signage:

The detailed development plan indicates a signage plan will be submitted separately. Therefore, staff recommends that conformance with Chapter 1189 be a condition of approval of the major change to the basic development plan and the detailed development plan.

The applicant seeks a major change to the basic development plan to broaden the approved uses to commercial, retail and office uses. Staff feels the broader spectrum of permitted uses (retail, commercial, office) are appropriate for the building design that was approved by through the rezoning and basic development plan review process.

Additionally, the applicant is requesting approval of the detailed development plan. The detailed development plan meets all requirements outlined in the basic development plan. Additionally, the detailed development plan meets or exceeds all other relevant sections of the zoning code.

Fire: See Attached.

City Engineer:

- Entrances to the site to be constructed according to the City's Commercial Drive Detail. The entrance from Taylorsville Road is to be 36' wide.
- Connect all building downspouts to catch basins
- Show the existing 10' easement on the property to the north (behind Right-of-Way) for water service.
- Sanitary service connection on property to the east (Hilltop Condominiums) requires a new easement.
- Provide location and detail (City Standard) for the 2" water meter pit. The pit shall be located behind the sidewalk within the building lot (not inside the building).
- Maintain existing sidewalk across the drive approach areas until the new drive approach is constructed.

Staff feels the general standards for approval are met and recommends approval of the major change basic development plan and approval of the detailed development plan subject to review and approval of the City Engineer.

The planning commission may approve, approve with conditions or deny the major change to the basic development plan.

The planning commission may approve or deny the detailed development plan.

Parveen Wadhwa

Discussion on uses, restricted hours, sweepstakes cafés not permitted, state liquor licenses, and 7,200 square feet.

Action

Ms. Thomas moved to approve the request by the applicant Parveen Wadhwa, for approval of a Major Change to the Basic Development Plan and Approval of a Detailed Development Plan at 6025 Taylorsville Road, Parcel Number P70 04005-0006 of the Montgomery County Ohio Records (MJC DDP 22-14) in accordance with the recommendation of Staff's Memorandum dated April 6, 2022, and the amended Planning Commission Decision Record attached thereto.

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

Moves on to City Council.

3. MAJOR CHANE TO THE DETAILED DEVELOPMENT PLAN - The applicant, HALLE PROPERTIES, LLC, is requesting approval of a Major Change to an Approved Detailed Development Plan for Discount Tire (MJC 22-15).

Mr. Sorrell stated that on September 28, 2021, the Planning Commission approved the detailed development plan for a 7,020 square foot Discount Tire retail store. The applicant is requesting a major change to the detailed development plan to add a service bay and increase the size of the building to 7,680 square feet.

The revised proposal is very similar to the concept originally approved by the Planning Commission. In addition to the larger building, parking has been reduced from 39 spaces to 30 spaces. Only nine spaces are required under the zoning code.

The proposed landscaping plan is very similar to the originally approved plans and meet the landscaping requirements.

It does not appear that signs were included in the original review and approval by the Zoning Commission. Three internally illuminated wall signs are proposed. The largest, facing Old Troy Pike is approximately 85 square feet and the two

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smaller wall signs are approximately 66 square feet each, which is a total of 217 square feet of wall sign area.

The zoning code gives the Planning Commission great flexibility in approving signage in planned development districts. The code guidance for wall signs in commercial districts is a total of 150 square feet and no sign should exceed 75 square feet. The two recent sign approvals (Popeyes and Dunkin Donuts) met these standards. However, those buildings are significantly smaller (3,200 SF and 2,030 SF) than what is proposed in this application. Given the larger building size, larger wall signs may be warranted.

The applicant seeks a major change to increase the building size of a previously approved detailed development plan and approval of the sign package. Aside from the change of building size, the plans are very similar to the previous approval and meet the requirements of the Basic Development Plan.

Fire: None received

City Engineer:

- Provide location of closest fire hydrant – distance needs to be checked by the Fire Department.
- Connect all building downspouts to catch basins.
- Provide location and details of the water meter pit.
- Provide detail for Right in/Right out island unless that is part of a different contract.

Staff recommends approval of the major change to the detailed development plan as submitted.

The planning commission may approve, approve with conditions or deny the major change to the detailed development plan.

Steven McCleary

Discussion on parking, what was approved and what is now required, moving of handicap spaces.

Action

Mr. Jeffries moved to approve the request by the applicant Halle Properties, LLC, for approval of a Major Change to an Approved Detailed Development Plan for Property at 7578 Old Troy Pike, Parcel Numbers P70 04005-0015 and P70 04005 0043 of the Montgomery County Ohio Records (MJC DDP 22-15) in accordance with the recommendation of Staff's Memorandum dated April 4, 2022, and the amended Planning Commission Decision Record attached thereto.

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

VIII. Additional Business

None.

IX. Approval of the Minutes

Without objection, the minutes of the March 29, 2022, Planning Commission meeting are approved.

X. Reports and Calendar Review

Rezoning and Lot Split, 9416 Taylorsville Road
Detailed Development Plan, The Gables
Detailed Development Plan, The Hamptons

XI. Upcoming Meetings

April 26, 2022
May 10, 2022

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:45 p.m.



Terry Walton, Chair

Geri Hoskins, Administrative Secretary

5/10/2022

Date

5/10/2022

Date