

**Planning Commission
June 14, 2022, Meeting
City of Huber Heights**

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

Members absent: None.

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

III. Opening Remarks by the Chairman and Commissioners

IV. Citizens Comments

None.

V. Swearing of Witnesses

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

VI. Pending Business

1. None

VII. New Business

1. **FINAL PLAT - The applicant, DEC Land Co. I LLC, is requesting approval of the final plat for 62 building lots in Carriage Trails – Section 2, Phase 5 (Case FP 22-23).**

Mr. Sorrell stated that the applicant requests approval of the final plat for section two, phase five of the Carriage Trails subdivision. This phase contains 62 lots on approximately 16.32 acres.

Conformance with Zoning Regulations

The detailed development plan was approved by the Planning Commission on August 10, 2021.

Staff Analysis

The applicant requests approval of the final plat for section two, phase five of the Carriage Trails subdivision. This final plat accurately reflects the DDP and simply releases drainage easements between two sections.

Fire: None

City Engineer: None

Recommendation

Staff recommends approval of the final plat submitted on May 2, 2022.

Action

Ms. Opp moved to approve the request by the applicant DEC Land Co. I LLC, for approval of a Final Plat for 62 building lots in Carriage Trails – Section 2, Phase 5 (Case FP 22-23) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, and the Planning Commission Decision Record attached thereto.

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

2. **FINAL PLAT - The applicant, GENERATIONS CONSTRUCTION, LLC, is requesting approval of the final plat for 14 building lots in Callamere Farms, Section 6 (FP 22-26).**

Mr. Sorrell stated that the applicant requests approval of the final plat for section six of the Callamere Farms subdivision. This phase contains 14 lots on approximately 8.03 acres.

Conformance with Zoning Regulations

The detailed development plan was approved by the Planning Commission on March 23, 2021.

Staff Analysis

The applicant requests approval of the final plat for section six of the Callamere Farms subdivision. This final plat accurately reflects the DDP previously approved by the Planning Commission.

Fire: None

City Engineer: None

Recommendation

Staff recommends approval of the final plat submitted on May 30, 2022.

Action

Mr. Jeffries moved to approve the request by the applicant Generations Construction, LLC, for approval of a Final Plat for 14 building lots in Callamere Farms, Section six (FP 22-26) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, and the Planning Commission Decision Record attached thereto.

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

3. **MINOR CHANGE - The applicant, MELISSA BARRETT, is requesting approval of A Minor Change to increase the wall sign area by approximately 60 SF at Kohl's/Sephora in the Northpark Center (MC 22-24).**

Mr. Sorrell stated that the applicant The applicant requests approval to add an additional copy to the existing wall sign, which will increase the size from approximately 192 SF to 252 SF. The request is to facilitate adding the "Sephora" brand to the existing Kohl's sign.

Conformance with Zoning Regulations

Northpark Center Sign Policy

The Northpark Center sign guidelines allow large tenants (over 60,000 SF) to have a maximum wall sign area of up to 250 SF on any one building face and a maximum of 500 SF total. The Kohl's tenant space is approximately 81,000 SF.

Current Application

The applicant seeks a minor change to add one 60 SF internally illuminated wall sign below the existing internally illuminated wall sign to highlight the two brands (Kohl's and Sephora). The total wall sign area will increase from 192 SF to 252SF. With this additional sign, the wall signs slightly exceed the maximum size by 2 SF, which is a negligible overage amount.

Staff Analysis

The applicant seeks a minor change to add one internally illuminated wall sign below an existing internally illuminated wall sign. Total wall sign area will exceed the maximum size by approximately 2 SF, or 1% of the total sign area. Staff feel this is a negligible overage amount and the new sign is visually proportional to the building frontage and existing sign.

Fire: None received

City Engineer: None Received

Recommendation

Staff recommend approval of the minor change to the sign package as submitted.

Action

Mr. Jeffries moved to approve the request by the applicant Melissa Barrett, for approval of a Minor Change to increase the wall sign area by approximately 60 SF at Kohl's/Sephora in the Northpark Center (Case MC 22-24) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, and the Planning Commission Decision Record attached thereto.

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

4. BASIC DEVELOPMENT PLAN AND REZONING - The applicant, HARTMAN I, LLC, is requesting approval of a Basic Development Plan and Rezoning to Planned Office (PO) at property located at 7611 Old Troy Pike (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 a day once the facility is established.

The site plan for this development has evolved no less than four times since the application was originally submitted, and the City Council has requested the Planning Commission review the latest revision prior to their consideration of the rezoning and basic development plan approval request.

The Planning Commission originally heard this case on April 12, 2022. The original application had no direct access to Taylorsville Road. Prior to the Planning Commission meeting a revised plan was submitted which included a "Right-in / Right-out" on Taylorsville to facilitate site access. The access aligned with a large sewer easement on the eastern side of the site. There was significant discussion among the Planning Commission members regarding this access point and its close proximity to the bank driveway and the Old Troy Pike intersection. Ultimately, the Commission recommended approval of the rezoning and basic development plan with the access point on the eastern side.

Based on the location and depth of the sewer line, and a desire to have full turn access from Taylorsville into the site, the applicant revised the site plan and moved the building slightly west and relocated the access point to the west side of the site. Staff received the revised site plan on April 28, 2022, prior to the May 3rd City Council Work Session.

During the work session there was considerable discussion and concern expressed about adding the curb cut along Taylorsville Road. At the City Council meeting, there was additional concerns expressed about the curb cut access along Taylorsville Road.

The applicant has worked with Rural King to obtain an access agreement along the Taylorsville frontage, which enabled the elimination of the curb cut along Taylorsville Road. Subsequently, the applicant has submitted a revised site plan that utilizes the existing Rural King access point along Taylorsville. The site plan also moves the identification sign to the western side of the site.

City Council has requested the Planning Commission review the revised site plan and make a recommendation prior to Council moving forward with the rezoning legislation.

Staff Analysis

This site plan revision goes a long way to addressing the Taylorsville Road access concerns of the Planning Commission and City Council. The revised site plan conforms to the PO district regulations including parking and buffering. The revised plan also allows the possibility of aligning driveways along Taylorsville at some future point when the Rural King property is redeveloped or improved.

Conformance with Zoning Regulations:

1173 (PO) Planned Office District

The proposed use is principally permitted in the PO district.

The required 15-foot perimeter yard is provided in the revised site plan.

Chapter 1181 General Provisions

The proposal meets the requirements of Chapter 1181, with the exception of the following items are 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.

Chapter 1182 Landscaping and Screening Standards

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

Chapter 1185 Parking and Loading

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating areas for parking island landscaping. Based on the interior programming, 45 spaces required, and 50 spaces are illustrated. The applicant is working with Rural King on the exact language to allow access through the Rural King parking area.

Chapter 1189 Signs

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 original site plan had the ground mounted sign located on the eastern edge and the applicant requested an 8-foot tall with a sign area of 80 square feet. The height was to account for the grade change between the site and 5/3rd bank.

The code suggests a height limit of 6-feet and not exceed 75 square feet in sign area. The ground sign has been relocated to the western edge of the site, and the grade change should no longer be a factor.

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 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.

Recommendation

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.
- The applicant shall comply with Chapter 1182 Landscaping and Screening.
- Wall and canopy signs shall be similar to those submitted in the sign package submitted to the Planning Commission on April 12, 2022.
- Ground signs shall not exceed 6-feet in height.
- Applicant shall comply will all fire code requirements.

Discussion on the rezoning.

Action

Ms. Thomas moved to approve the request by the applicant Hartman I, LLC, for approval of a Basic Development Plan and Rezoning to Planned Office (PO) for property located at 7611 Old Troy Pike (RZ BDP 22-13) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, and the Planning Commission Decision Record attached thereto.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Jeffries, Ms. Thomas, and Mr. Walton. NAYS: Ms. Opp and Ms. Vargo. Motion to approve carried 3-2.

5. BASIC DEVELOPMENT PLAN AND REZONING - The applicant, HOMESTEAD DEVELOPMENT, is requesting approval of a Basic Development Plan to construct 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres. Property located at 6209 Brandt Pike (BDP 22-25).

Mr. Sorrell stated that this project grew out from the Brandt Pike Redevelopment Plan (2017), which identified a need and demand for senior housing and market-rate multi-family housing along and near the Brandt Pike corridor. The City subsequently purchased the shopping center to facilitate redevelopment. New developments within this site include: Dayton Metro Library Huber Heights Branch, Dogtown, and the shopping center will be refaced with a brick / stone façade. TIF proceeds from the proposed apartment developments, as well as future developments may fund the façade and public infrastructure upgrades.

The applicant is requesting basic development plan approval for a 184-unit market-rate apartment community and a 135-unit senior apartment community. While this application covers approximately 15.56 acres, the overall area zoned PM exceeds 20 acres.

The area zoned PM has a mix of uses including retail, commercial, public use (library) and planned residential.

All uses being considered are compatible with the neighboring properties.

Extensive natural vegetation exists that will buffer and screen the proposed development and the existing homes to the west.

The overall campus development is focused around a wet detention area and has large areas of open space. The combined proposed residential development sites are approximately 40% open space.

The parking areas are arranged for the convenience of the residents but are broken up with landscape islands and covered parking areas.

Sidewalks are indicated along the future road frontage of non-senior multi-family building. Staff recommends sidewalks also be provided for the senior facility residents.

No sign details were provided for this application but will be submitted during the detailed development phase.

While no height maximum height restriction exists in the PM district, the Brandt Pike Overlay District has a maximum height of three stories or 35 feet. The proposed non-senior apartments have both two- and three-story buildings. The two-story buildings are 34 feet to the roof peak and the three-story buildings are 44 feet to the roof peak. The applicant is proposing the market-rate apartments will have mixture of two- and three-story buildings along the west side of the site, which is closest to the existing single-family neighborhood. This arrangement will breakup the building massing along the western edge and the buildings are sited approximately 150-feet from the back of the single-family homes.

The three-story senior buildings will also be at least 150-feet from the back of the single-family homes. Additionally, the building is oriented in such a way that only the endcaps, and not the full building length, are facing the single-family homes.

Staff feels both the market rate site plan and senior building site plan provides a significant visual buffer and a nine (9) foot variance from the maximum height is acceptable. A landscaping plan has not been submitted at this time. Staff

recommends a mixture of street trees, and clustered plantings along the eastern edge of the market-rate and senior apartments. Staff feels a six-foot high earthen mound is inappropriate for this site and will interfere with pedestrian access from the apartments to the sidewalk network.

The applicant is proposing a five-foot earthen mound and evergreen plantings along the west edge to screen the development from the existing single-family homes.

Areas for parking landscaping are illustrated in the basic development plan. The applicant shall submit additional details during the detailed development phase.

The zoning code requires two-space per multi-family unit. In the non-senior community, the applicant is proposing 357 parking spaces for 184 units, or 1.94 spaces per unit. Of the 184 units, 84 are one-bedroom apartments which are less likely to have two vehicles. Additionally, most communities have begun reducing parking minimums of non-senior multi-family apartments to approximately 1.5 spaces / unit. Staff feels the amount of parking proposed for the non-senior community is adequate.

The applicant is proposing 134 spaces for 135 units, or .99 spaces per unit. Most senior living facilities have a 1:1 parking ratio because the majority of residents either live alone or only have one vehicle in the household. Staff feels the amount of parking provided is acceptable at this time. There is room to provide additional parking in the front of the building if management determines it's necessary in the future. However, at this point in time, staff does not think sacrificing greenspace for parking is necessary.

Staff feels issuing a conditional use permit/approval for this type of development is confusing and unnecessary. Staff recommends incorporating the standards, where appropriate, in the overall basic development plan approval and subsequent detailed development plan approval. This section of the overlay district should be revisited in the future and revised for clarity and intent.

STAFF RECOMMENDATION

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06. Staff recommends approval of the Basic Development Plan submitted on June 3, 2022 to construct approximately 184 market-rate apartments and 134 senior apartments within two residential communities. Staff recommends approval with the following conditions:

- 1) Sidewalks shall be required connecting the senior building and along the future roadway
- 2) All sidewalks shall be a minimum of 5' in width
- 3) Street trees be provided 40-foot on center
- 4) A sign package meeting code shall be submitted with the detailed development plans
- 5) A lighting plan shall be submitted with the detailed development plan
- 6) A landscaping plan shall be submitted with the detailed development plan
- 7) In lieu of mounding and screening along the new roadway, clustered landscaping areas shall be provided between the apartments and sidewalks.
- 8) The applicant will comply with all stormwater requirements, per the City Engineer;

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- 9) The applicant will comply with all Fire Code requirements, per the Huber Heights Fire Department.

Numerous neighbors were present and asked questions about the development.

Action

Ms. Thomas moved to approve the request by the applicant Homestead Development, for approval of a Basic Development Plan to construct 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres. Property located at 6209 Brandt Pike (BDP 22-25) in accordance with the recommendation of Staff's Memorandum dated June 8, 2022, and the Planning Commission Decision Record attached thereto.

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

VIII. Additional Business

None.

IX. Approval of the Minutes

None.

X. Reports and Calendar Review

DDP – The Waverly
DDP – Sheetz
MJC – Wayne High School

XI. Upcoming Meetings

June 8, 2022
July 12, 2022

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:18 p.m.


Terry Walton, Chair


Geri Hoskins, Administrative Secretary


Date


Date