

**Planning Commission  
June 28, 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**

Ms. Thomas moved to change the agenda by adding a presentation by Joe Nickel from YARD Company and moving 7A to 7B and 7B to 7A.

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

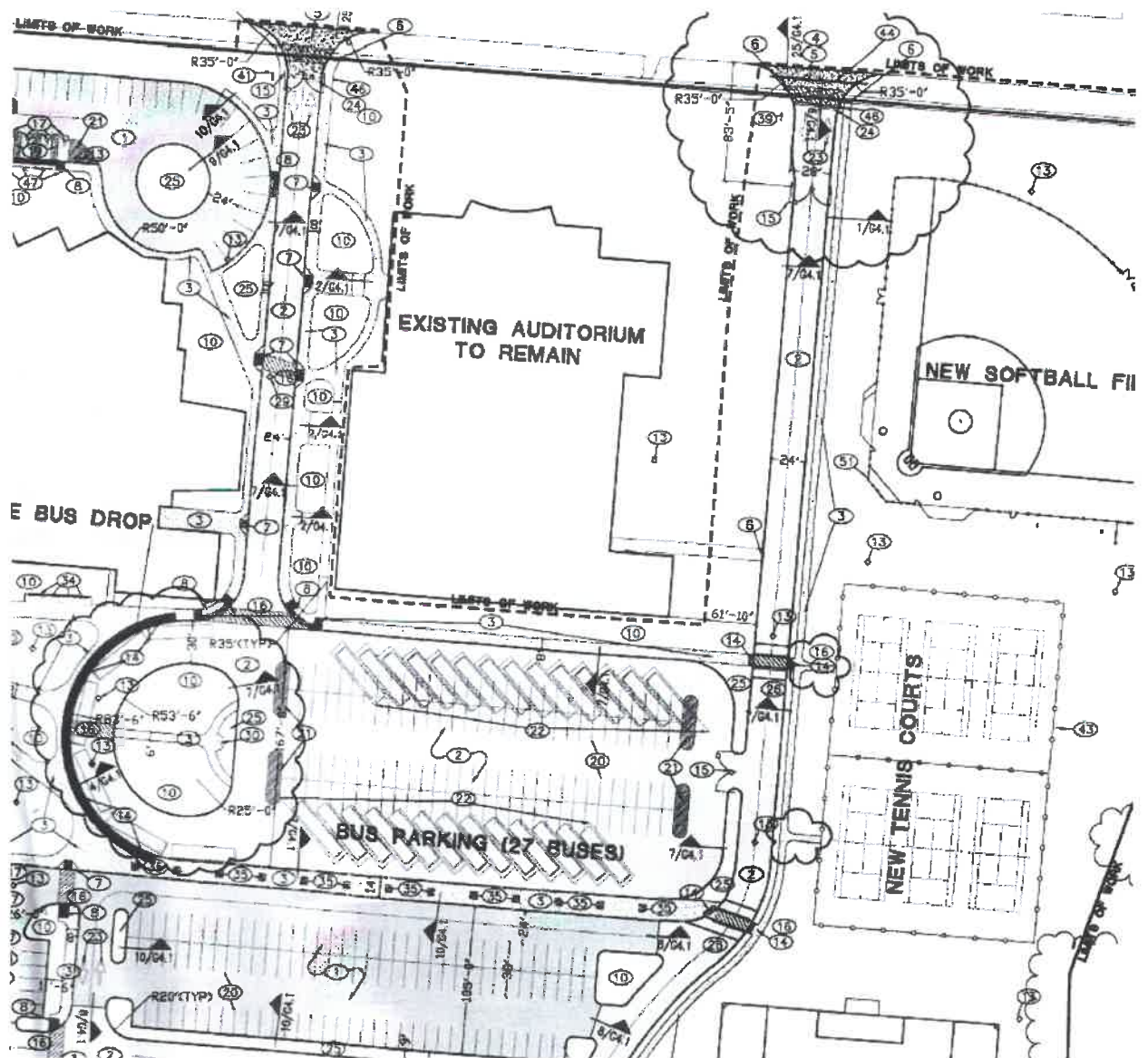
1. **JOE NICKEL FROM YARD COMPANY** gave a brief presentation on their help to develop the Comprehensive Plan.

Library  
Alematic  
Pool  
Music Nights  
Farmer's Market  
Final Recommendation

- 2. MAJOR CHANGE** - The applicant, RUETSCHLE ARCHITECTS, is requesting a Major Change to the Combined Basic and Detailed Development Plan to construct an 11,623 SF career technology addition to the existing auditorium facility. Property is located at 5400 Chambersburg Road (MJC 22-27).

Mr. Sorrell stated that in late October 2009, the Planning Commission approved a combined basic and detailed development plan to construct a new high school, softball field, tennis courts and associated student and staff parking areas.

At the time of approval, an existing auditorium along Chambersburg Road was improved during the school upgrades. A partial section of the approved BDP is below:



While the approved BPD illustrates bus parking in the lot immediately south of the auditorium, the school no longer stages buses there. It has been using the east/west drive near the current student parking area.

The applicant is now proposing to add an 11,623 addition to the rear of the existing auditorium to facilitate the development of the career technology center and a covered pedestrian walkway.

Parking will be reconfigured, and there is an overall net reduction of 26 parking spaces, which is simply one row of existing parking. No changes to the current bus parking, circulation, or other student/event parking are anticipated.

**Conformance with Zoning Regulations**

The use conforms with all requirements of Chapter 1174. The applicant is requesting an amendment to facilitate the addition of 11,623 SF to an existing building. The addition is in the interior of the campus and will not be seen from Chambersburg Road.

Staff feels the impact on parking is negligible. There are currently 1175 spaces throughout the campus. At the time of the original basic and detailed development plan approval in 2009, the high school required 460 spaces, and the stadium required 1175 spaces. The original parking calculation was based on 146 employees, 1680 students and 68 classrooms.

The current enrollment is 1569 students, and with this addition, there will be six additional classrooms. The stadium seating stays the same. The reduction from 1175 spaces to 1149 should have a negligible impact on the school's daily operations or impact to surrounding properties.

**Landscaping**

The applicant proposes improving the interior street tree landscaping along the impacted perimeter roads. This is an improvement from the original basic and detailed development plan.

**Building Materials**

The building will be clad with a brick exterior, similar to the existing auditorium.

As outlined above, the new high school was approved in October 2009. The addition of the career center will provide additional educational opportunities for Huber Heights students. It is the staff's opinion the impact of the reduced parking are negligible.

Additionally, the applicant is proposing additional interior landscaping that will improve the overall aesthetics of the campus. No other changes to the approved basic and detailed development plan are presented. Staff feels the General Standards for Approval outlined in Chapter 1171.06 can be satisfied and recommend approval.

**Additional Comments:**

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

**City Engineer:** No comments received.

**Recommendation**

Staff recommends approving the major change to the basic and detailed development plan submitted on June 2, 2022.

Mike Ruetschle and Gary Doll spoke.

**Action**

Mr. Jeffries moved to approve the request by the applicant RUETSCHLE RCHITECTS, for approval of a Major Change to the Combined Basic and Detailed Development Plan to construct an 11,623 SF career technology addition to the existing auditorium facility. Property is located at 5400 Chambersburg Road (Case MJC 22-27) in accordance with the recommendation of Staff's Memorandum dated June 22, 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.

- 3. MAJOR CHANGE - The applicant, SKILKEN GOLD REAL ESTATE DEVELOPMENT, LLC, is requesting approval of A Major Change to the Basic Development Plan for a proposed 6,138 SF Convenience Store with Fuel Canopy, a 1,648 SF Car Wash and Vacuum Stalls. Property is located at NE Corner of Old Troy Pike and Taylorsville Road (Case MJC 22-21).**

Mr. Sorrell stated that the applicant requests approval to construct a 6,138 SF convenience store with fueling pumps and a 1,648 SF carwash. During the informal review with the Planning Commission there was significant discussion about the proposed use as compared to the uses illustrated on the adopted basic development plan. The Planning Commission expressed concerns about the perceived deviation from the originally illustrated uses and layout on the south side of the development, and members felt that the City Council should have an opportunity to review the new development proposal. It was recommended by the Planning Commission and agreed to by the applicant that they would request a major change to the basic development plan, which allows City Council the opportunity to review the proposal.

**Background**

On May 21, 2021, the Planning Commission approved (4-1) a rezoning to PM and basic development plan to facilitate the redevelopment of two parcels totaling 17.2 acres into a mixed-use development which includes a variety of commercial, office, and retail uses, along with a 192-unit apartment community. The rezoning was, and continues to be, consistent with the Comprehensive Plan.

**Transportation Improvements**

As part of the rezoning and basic development plan approval, the developer is widening the north side of Taylorsville Road to add a lane and widening the east side of Old Troy Pike to Huber Road to add a lane. Additionally, a new traffic signal will be installed along Old Troy Pike to facilitate better site access and the existing Huntington Bank and Starbucks sites will have access to this signalized intersection. The site is being cleared and roadway improvements will begin shortly.

For the sites under consideration in this application, the interior drive network and access to Taylorsville Road and Old Troy Pike is unchanged from the approved rezoning and basic development plan.

The city is planning to carry the Old Troy Pike widening from former Huber Road to I-70.

### **Allowable Uses**

For the sites in this application, the basic development plan presented at the May 14<sup>th</sup> Planning Commission meeting illustrated a proposed bank, medical facility, and future outparcel. The basic development plan simply outlines allowable uses, site access, internal circulation (drive-aisles) and illustrates possible individual site plan concepts.

During the meeting, planning staff indicated to the Planning Commission the three sites were illustrative only, and those uses may change during the detailed development plan process. When the Planning Commission approved the basic development plan, it set the range of allowable uses (those permitted in the PM district), transportation improvements, site access, and internal site circulation.

The applicant is now proposing a convenience store and fueling station on the western parcels and a car wash on the eastern parcel in place of the illustrated bank, medical building and future outparcel.

Chapter 1179.02 states: *"The uses outlined as permitted uses in the (PR) Planned Residential District, (PO) Planned Office District, (PP) Planned Public and Private Buildings and Grounds District, and (PC) Planned Commercial District are principal uses permitted in the (PM) Planned Mixed Use District except as prohibited in this chapter."*

As such, the following related uses are permitted in PM district:

- Retail, office, and commercial establishments
- Personal service commercial establishments
- Filling stations
- Service stations

The proposed uses are permitted within this adopted basic development plan.

### **Ground Signs**

The approved basic development plan approved two multi-tenant ID signs, and one general ID sign adjacent to the public right of way. The approved locations are illustrated below. Sign "A" is 16'-8" and located at the main signalized intersection along Old Troy Pike. Sign "B" is 14'-2" and located along Taylorsville Road. Sign "C", the smallest ID sign, is 5' tall and located at the corner of Taylorsville Road and Old Troy Pike.

After the informal review with the Planning Commission, the applicant relocated the proposed vacuum stands from along Taylorsville Road to behind the car wash. The revised location will reduce the noise impacts to surrounding residents. Additionally, the more intense activities such as fueling pumps, and the main access to the convenience store, are located adjacent to Old Troy Pike, away from surrounding residential areas. The car wash is a single bay wash whose doors close during the washing procedure.

The approved basic development plan requires a minimum of 25 percent green space. The proposal shall also meet this requirement, which will be evaluated at the Detailed Development Plan stage.

A lighting plan was submitted with the application and appears to meet the lighting standards in terms of height and light trespass. A final review will be completed during the detailed development plan phase.

The applicant is proposing brick structures consistent with the non-residential material requirements and the basic development plan. A final review will be completed during the detailed development plan phase.

### **Staff Analysis**

The applicant requests to construct a 6,138 SF convenience store with fueling pumps and a 1,648 SF carwash. On May 21, 2021, the Planning Commission approved (4-1) a rezoning to PM and a basic development plan to facilitate the redevelopment of two parcels totaling 17.2 acres into a mixed-use development including a variety of commercial, office, and retail uses, along with a 192-unit apartment community. The rezoning was, and continues to be, consistent with the Comprehensive Plan.

When the Planning Commission approved the basic development plan, it set the range of allowable uses (those permitted in the PM district), site access, and internal site circulation. The applicant is proposing a convenience store and fueling station on the western parcels and a car wash on the eastern parcel bisected by the interior street network. The proposed uses are permitted within the adopted basic development plan.

Additionally, the revised traffic study indicates there will be minimal changes in the level of service and delay by the proposed development compared to three previous lots originally studied. No additional roadway improvements are necessary beyond the roadway widenings currently underway. The internal circulation system proposed by the applicant remains unchanged from the approved basic development plan.

Since the informal review before the Planning Commission, the applicant has made two key revisions to the application. First, the carwash and vacuum stations were redesigned to reduce noise impacts to the surrounding properties. Secondly, two 30' tall pylon gas price signs were reduced to 6'-10" tall.

Since the approved basic development plan only permitted three signs adjacent to the right of way, the two proposed 6'-10" gas price ground signs require major change approval from the Planning Commission. Staff feels the two proposed gas price ground signs are modestly sized and highly complementary in design to the previously approved Broad Reach ID signs.

**Additional Comments:**

**Fire:** See Attached.

**City Engineer:** The City Engineer has expressed a concern about customers parking along the eastern edge of the building backing into the drive aisle, and a concern about drive-thru customers crossing a drive aisle after ordering and stacking at the pick-up window.

This site is not unique with parking along a drive aisle; most of the sites along Old Troy Pike are similarly situated. Regarding drive-thru customers crossing the drive aisle, the applicant has stated that drive-thru customers are approximately 10% of sales and the applicant does not anticipate congestion issues related to vehicle stacking.

**Recommendation**

The application for a major change was initiated at the request of the Planning Commission and their desire for City Council to review this development application.

Only the two proposed ground signs must be approved through the major change. Staff feels the major change requested by the applicant meets the standards outlined in Chapter 1171.06 for the following reasons:

- The proposed uses are consistent with the Comprehensive Plan;
- The proposed uses are currently permitted within the approved basic development plan;
- All site access locations and interior circulation remain unchanged;
- The replacement of the convenience store, fueling station and carwash will result in minimal changes in the level of service and delay along the thoroughfares compared to the three lots and uses originally studied; and,
- The two-ground mounted gas price signs are modest in height and designed in a complementary manner to the previously approved development ID signs.

Staff recommends approval with the following conditions:

- All conditions approved by the Planning Commission on May 21, 2021, shall remain in effect;

- The two additional ground mounted gas price signs shall not exceed 6'-10";
- The applicant shall comply with all engineering, building and fire codes; and,
- The applicant shall update the basic development plan to reflect all conditions imposed by the planning commission.

Lengthy discussions on stacking of cars, road widening, gaining left turn, additional lane on Troy Pike, curb cut management,

Mike Castellitto from Broadreach talked about widening Taylorsville and Troy Pike, lanes shifted, traffic control measures in place, history and relationship with the city, agreement pertains to property, not tenants.

Frank Petruziello talked about Sheetz selling gas but restaurant was original business, seating for 30, food to order, touch screens, drive-thru 10% of business. Traffic load won't change.

Discussion on vacuums and parking 49 required spaces, hours of operation, security, highly competitive. Signage and additional lanes. Eliminate 3 vacuums, hours of operation at Detailed Development Plan. All fire concerns are being addressed.

### **Action**

Ms. Vargo moved to approve the request by the applicant SKILKEN GOLD REAL ESTATE DEVELOPMENT, for approval of a Major Change to the Basic Development Plan for a proposed 6,138 SF Convenience store a with Fuel Canopy, a 1,648 SF Car Wash and Vacuum Stalls. Property is located at NE Corner of Old Troy Pike and Taylorsville Road (Case MJC 22-21) in accordance with the recommendation of Staff's Memorandum dated June 22, 2022, and the amended Planning Commission Decision Record attached thereto.

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

### **VIII. Additional Business**

None.

### **IX. Approval of the Minutes**

Without objection, the minutes of the June 14, 2022, Planning Commission meeting are approved.

### **X. Reports and Calendar Review**

DDP – The Waverly  
DDP – Medical Facility



**XI. Upcoming Meetings**

July 12, 2022  
July 26, 2022

**XII. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:01 p.m.

  
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Terry Walton, Chair

  
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Geri Hoskins, Administrative Secretary

  
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Date

  
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Date