

## AGENDA CITY PLANNING COMMISSION

City Hall - Council Chambers
6131 Taylorsville Road
August 9, 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
7. New Business
A. MINOR CHANGE - The applicant, McBRIDE DALE CLARION, is requesting approval of a Minor Change for year-long outdoor sales at the Kroger Store and Fuel Center. Property is located at 7747 Old Troy Pike (MC 22-30).
B. LOT SPLITS - The applicant, LUIS RIANCHO \& ASSOCIATES, INC, is requesting approval to replat one 19.1291 acre lot into 4 existing lots with total acreage between 19.94 and 10.78 acres. Property is located at 7860 Bellefontaine Road (LS 22-32).
C. DETAILED DEVELOPMENT PLAN - The applicant, APP ARCHITECTURE, is requesting approval of a Detailed Development Plan to create a freestanding emergency and urgent care center. Property is located at 7611 Old Troy Pike (DDP 22-29).
8. Additional Business
9. Approval of Minutes
A. Planning Commission July 12, 2022
10. Reports and Calendar Review
11. Upcoming Meetings
A. August 23, 2022

September 13, 2022
12. Adjournment

Al-8580
7. A.

Planning Commission
Meeting Date: 08/09/2022
Minor Change
Information
Agenda Title
MINOR CHANGE - The applicant, McBRIDE DALE CLARION, is requesting approval of a Minor Change for year-long outdoor sales at the Kroger Store and Fuel Center. Property is located at 7747 Old Troy Pike (MC 22-30).

Purpose and Background

Attachments
Staff Report
Decision Record
Site Plan

# Memorandum <br> Staff Report for Meeting of August 9, 2022 

To: Huber Heights City Planning Commission
From: Aaron K. Sorrell, Interim City Planner
Date: $\quad$ August 4, 2022
Subject: MC 22-30 Minor Change to DDP to permit year-round outdoor sales
[. Application dated July 15, 2022
Department of Planning and Zoning
City of Huber Heights

| APPLICANT/OWNER: | Anne McBride <br> McBride Dale Clarion - Applicant <br>  <br>  <br>  <br> LEVELOPMENT NAME: <br> Kroger Limited Partnership - Tenant |
| :--- | :--- |
| ADDRESS/LOCATION: | Waynetowne Plaza / Kroger |
| ZONING/ACREAGE: | Planned Commercial / 5.9 acres Troy Pike |
| EXISTING LAND USE: | Retail |
| ZONING | Planned Commercial / Retail |
| ADJACENT LAND: | The applicant requests approval for year-round <br> outdoor sales at the Kroger store and fuel center. |
| REQUEST: |  |

ORIGINAL APPROVAL:

APPLICABLE HHCC:
CORRESPONDENCE:

Chapter 1171, 1181
In Favor - None Received In Opposition - None Received

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview

The applicant requests approval for year-round outdoor sales at the Kroger store and fueling center. Historically, Kroger has maintained outdoor sales in both areas and has annually received zoning permits for those activities. However, the zoning code is very prescriptive about the seasonality of outdoor sales. Under the zoning code, Kroger is limited to outdoor sales of those specific seasonal products from April 1 through December 31. Kroger desires additional flexibility on product types and sales periods.

## Applicable Zoning Regulations

The applicable zoning regulations are cited below.

## Chapter 1181 General Provisions

### 1181.12 Outdoor retail sales and displays.

(a) For the purpose of this chapter the term "outdoor sales" includes any outdoor display of merchandise. No sale may be conducted outside an enclosed building in any zoning district except retail sales in the B-1, B-2, B-3 and PC Planned Commercial Districts and A Districts, except temporary sales (garage sales, etc.) permitted under Section 1181.15, and except retail sales in an I-1 District. Within a PC Planned Commercial District, the operation of outdoor sales shall not require Planning Commission approval, but nothing in this section would permit the outdoor sales in a Planned Commercial District where such sales are expressly prohibited by a given site's basic or detailed development plan.
(b) All such outdoor retail sales shall comply with the following conditions, requirements and time restrictions (excluding temporary sales permitted and regulated under Section 1181.15).
(1) Application for a Zoning Certificate shall be filed with an accompanying fee not less than ten days prior to the requested sale.
(2) Only the following specific types of outdoor retail sales may be permitted and only for the time periods described below:
A. Farm produce and firewood may be sold seasonally as an accessory use to an agricultural use, but only to the extent they are grown on property owned or leased by the owner of the Agricultural District land where the sales occur. Such sales of firewood shall be limited to October 1 to February 1. Sales of produce shall be limited to May 1 to October 31.
B. Garden and landscaping vegetation and materials, including but not limited to, peat moss, bark, mulch, fertilizer, marble chips, soil, sod, power lawn equipment, outdoor cooking equipment and accessories may be sold on a seasonal basis from April 1 to September 30 in B-1, B-2, B-3, PC and I-1 Districts. Power snow removal equipment may be sold on a seasonal basis from September 1 to February 28 in those same zoning districts.
C. Christmas trees, tree stands and greenery may be sold on a temporary basis between Thanksgiving and Christmas in the B-1, B-2, B-3 and PC Planned Commercial Districts and in the I-1 District.
D. Promotional sales of merchandise normally offered for sale by a City business may be conducted on the permanent building location of that business for a period not exceeding three days with a frequency of no more than two in any calendar year. Such promotional sales may occur only in the B-1, B-2, B-3 and PC Planned Commercial Districts and in the I-1 District.
E. Outdoor sales of merchandise normally offered for sale (within proper zoning districts) by a City business engaged in the sale of farm implements, automobiles, trailers or boats, or in the lumber yard, greenhouse/nursery or monument business.
(3) All cleanup of this area, including removal of merchandise, fixtures, etc., shall be completed within 48 hours after the sales activity and by the date specified on the zoning certificate otherwise no additional certificates shall be issued for 12 months after the date of the violation notice.
(4) Sales area shall allow for adequate pedestrian walkways and shall not extend into any fire lanes. The placement of the sales area shall not encroach upon any parking requirements of the district.
(5) The height of any outdoor sales shall not exceed five feet.
(6) The outdoor sales area shall be placed so as not to interfere with traffic circulation.
(7) The outdoor sales area shall not consume any of the required parking spaces for the business(s) for which it is located.
(8) Outdoor sales areas shall be in good order and well maintained.

## Conformance with Zoning Regulations

Under the zoning code, Kroger is limited to selling gardening and landscaping products from April 1 to September 30; and winter trees and greenery from late November to December 31.

Historically, Kroger has obtained seasonal sales permits for the store, which expire on September 30 each year. The product is seasonally appropriate and changes based on customer demand. The outdoor sales areas at the store are located on either side of the entrance. Kroger plans to continue the same sales area at the store and is not looking to expand into any fire lanes, parking areas or interfere with pedestrian access.

Kroger desires to expand the time and seasonal products available for sale to include items such as:

- Spring: Plants, patio furniture, firewood, garden accessories, and related items.
- Summer: Plants, patio furniture, firewood, water toys, vegetables, and related items.
- Fall: Pumpkins, gourds, plants, firewood, etc.
- Winter: Trees, wreaths, greens, and other winter-appropriate items.

In addition to the Kroger store, there are outdoor sales at the fueling center. The product has been located along the perimeter of the fueling center and under the canopy. Products include washer fluid, oil, snacks, mulch, salt, and other bulk garden goods. The products are generally well screened from the roadway by the existing mature landscaping. The applicant wants to continue the year-round outdoor sales of those related items in their current location.

## Standards for Approval

### 1171.11 Changes in the basic and detailed development plans.

A PUD shall be developed only according to the approved and recorded detailed development plan and supporting data together with all recorded amendments and shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises (including the internal use of buildings and structures) and location of structures in the PUD as set forth therein.
(a) Major Changes. Changes which alter the concept, uses or intent of the PUD including increases in the number of units per acre, change in location or amount of nonresidential land uses, more than 15 percent modification in proportion of housing types, significant redesign of roadways, utilities or drainage, may be approved only by submission of a new basic plan and supporting data in accordance with Sections 1171.03, 1171.04 and 1171.05.
(b) Minor Changes. The Zoning Officer recommends to the Planning Commission approval or disapproval of the minor changes in the PUD. Minor changes are defined as any change not defined as a major change.

## Staff Analysis

Kroger has maintained their outdoor storage areas cleanly and safely. The store entrance is well maintained and free of clutter. The outdoor storage at the fueling center is primarily palletized products such as mulch, soil, salt, and auto-related products. The more oversized palletized products are located along the perimeter of the fueling center. The perimeter storage is reasonably well screened from the public right of way and adjacent properties. The outdoor sales under the fueling canopy are primarily located at the sales booth.

Staff feels the applicant's request to permit year-round sales at the Kroger store is reasonable given its historic operating history, nature of the product and location. The outdoor sales at the Kroger store are under the front entrance roof and not in a traditional open-air display area.

Staff feels the applicant's request to permit year-round sales at the fueling center is acceptable under the following conditions:

1. East Perimeter:
a. Additional landscaping/screening bushes along the east perimeter are replaced or added to fill gaps and better screen the product from the adjacent property.
b. The product is not stacked higher than the existing screening vegetation or five feet, whichever is less.
c. The existing dumpster is screened according to code or removed from the site.
2. North Perimeter:
a. The landscaping/screening bushes along the north perimeter are replaced or added to fill gaps and better screen the product from Waynetowne Boulevard.
b. The product is not stacked higher than the existing screening vegetation or five feet, whichever is less.
c. The product shall not be displayed or stored west of the air hose compressor.

## Additional Comments:

Fire: None received

City Engineer: None Received

## Recommendation

Staff recommends approval of the minor change to permit year-round outdoor sales at the Kroger store and fueling center according to the application and site plan dated July 25,2022 , with the following conditions:

1. Products for sale shall be those generally described in the application and customarily associated with the applicant's business.
2. The applicant shall comply with Section 1181.12 (b)(4),(5),(6),(7),(8)
3. Product along the east and north perimeter of the fueling station shall not be stacked higher than the screening vegetation or five feet, whichever is less.
4. Additional screening and landscaping bushes along the east perimeter of the fueling center shall be added to fill gaps and better screen the product from the adjacent property.
5. Additional screening and landscaping bushes along the north perimeter of the fueling center are replaced or added to fill gaps and better screen the product from Waynetowne Boulevard.
6. Product along the north perimeter shall not be displayed or stored west of the air hose compressor.
7. The existing fuel center trash/recycling dumpster is screened according to code within 90 days or removed from the site within 45 days.
8. A revised site plan shall be submitted reflecting any conditions imposed by the Planning Commission before issuing an updated zoning permit.

## Planning Commission Action

The Planning Commission may, with a motion:

1) Approve the minor change, with or without conditions
2) Deny the minor change.

## Planning Commission Decision Record

WHEREAS, on July 15, 2022, the applicant, McBride Dale Clarion, requested approval of a Minor Change for year-round outdoor sales at the Kroger store and fuel center. Property is located at 7747 Old Troy Pike further identified as Parcel Number P70 040050135 of the Montgomery County Auditor's Map (Case MC 2230), and;

WHEREAS, on August 9, 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 approve the request by the applicant, McBride Dale Clarion, requested approval of a Minor Change for year-round outdoor sales at the Kroger store and fuel center. Property is located at 7747 Old Troy Pike (Case MC 22-30), in accordance with the recommendation of Staff's Memorandum dated August 4, 2022, with the following conditions:

1. Products for sale shall be those generally described in the application and customarily associated with the applicant's business.
2. Applicant shall comply with Section 1181.12 (b)(4),(5),(6),(7),(8)
3. Product along the east and north perimeter of the fueling station shall not be stacked higher than the screening vegetation or five feet, whichever is less.
4. Additional screening and landscaping bushes along the east perimeter of the fueling center shall be added to fill gaps and better screen the product from the adjacent property.
5. Additional screening and landscaping bushes along the north perimeter of the fueling center are replaced or added to fill gaps and better screen the product from Waynetowne Boulevard.
6. Product along the north perimeter shall not be displayed or stored west of the air hose compressor.

MC 22-30 - Decision Record
7. The existing fuel center trash/recycling dumpster is screened according to code within 90 days or removed from the site within 45 days.
8. A revised site plan shall be submitted reflecting any conditions imposed by the Planning Commission, prior to the issuance of an updated zoning permit.

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

Terry Walton, Chair Date<br>Planning Commission



AI-8581
7. B.

Planning Commission
Meeting Date: 08/09/2022
Lot Splits
Information
Agenda Title
LOT SPLITS - The applicant, LUIS RIANCHO \& ASSOCIATES, INC, is requesting approval to replat one 19.1291 acre lot into 4 existing lots with total acreage between 19.94 and 10.78 acres. Property is located at 7860 Bellefontaine Road (LS 22-32).

Purpose and Background

Attachments<br>Staff Report<br>Decision Record<br>drawing<br>Legal Description<br>Legal Description<br>Legal Description<br>Legal Description<br>drawing<br>Legal Description<br>Legal Description<br>Legal Description<br>Legal Description

# Memorandum <br> Staff Report for Meeting of August 9, 2022 

| To: Huber Heights City | Huber Heights City Planning Commission |
| :---: | :---: |
| From: Aaron K. Sorrell, In Community Planning | Aaron K. Sorrell, Interim City Planner Community Planning Insights |
| Date: August 3, 2022 | August 3, 2022 |
| Subject: LS 22-32 7860 Bell | LS 22-32 7860 Bellefontaine Road |
|  | n dated August 2, 2022 |
| Department of Planning and Zoning | Planning and Zoning City of Huber Heights |
| APPLICANT/OWNER: | /OWNER: <br> Luis Riancho - Applicant <br> Darin Schmidt - Owner |
| DEVELOPMENT NAME: | ENT NAME: N/A |
| ADDRESS/LOCATION: | OCATION: 7860 Bellefontaine Road |
| ZONING/ACREAGE: | REAGE: $\quad$ Agriculture (A) 19.1291 acres |
| EXISTING LAND USE: | AND USE: Agricultural |
| ZONING |  |
| ADJACENT LAND: | LAND: A |
| REQUEST: | The applicant requests to replat one 19.1291 acre lot into four existing lots with total acreage between 19.94 and 10.78 acres. |
| ORIGINAL APPROVAL: | APPROVAL: N/A |
| APPLICABLE HHCC: | E HHCC: Chapter 1107, 1142 |
| CORRESPONDENCE: | NDENCE: <br> In Favor - None Received In Opposition - None Received |

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview

This site was recently the subject of a rezoning request to construct a paintball facility. Four adjacent neighbors are purchasing the site and enlarging their existing lots. All current lots are zoned Agriculture and there is no anticipated change of use.

The city is requesting right of way dedication, consistent with the thoroughfare plan.

## Staff Analysis

The applicant requests to replat one 19.1291-acre lot into four existing lots with total acreages between 19.94 and 10.78 acres. All lots meet minimum zoning requirements.

The proposed replat meets all requirements of the subdivision regulations and the applicant is dedicating various depths of right-of-way consistent with the thoroughfare plan.

## Additional Comments:

Fire: None received

City Engineer: None received

## Recommendation

After reviewing the applicant's proposal, staff recommends approval of the replat of 19.1291 acres submitted with the application dated August 2, 2022.

## Planning Commission Action

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

1) Approve the lot split as submitted (staff recommendation);
2) Approve the lot split with conditions; or,
3) Deny the lot split.

## Planning Commission Decision Record

WHEREAS, on August 2, 2022, the applicant, Luis Riancho \& Associates, Inc., requested approval to Replat one 19.1291-acre lot into 4 existing lots with total acreage between 19.94 and 10.78 acres. Property is located at 7860 Bellefontaine Road further identified as Parcel Number P70 039050060 of the Montgomery County Auditor's Map (Case LS 22-32), and;

WHEREAS, on August 9, 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 approve the request by the applicant, Luis Riancho \& Associates Inc., requested approval to Replat one 19.1291-acre lot into 4 existing lots with total acreage between 19.94 and 10.78 acres. Property is located at 7860 Bellefontaine Road (Case LS 22-32), in accordance with the recommendation of Staff's Memorandum dated August 3, 2022.

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


LUIS G. RIANCHO, PS
LUIS G. RIANCHO \& ASSOCIATES, INC. SURVEYING

GPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
BOUNDARY \& TOPOGRAPHIC SURVEYS

TEL (937) 836-1585
FAX (937) 836-9974
Email: Igriancho@woh.rr.com

D22037-1
July 5, 2022
Description of Parcel "A", Containing 2.6188 Acres
Bellefontaine Road
City of Huber Heights, Montgomery County, Ohio
Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being part of a 19.097 acre tract of land conveyed to Angela R. \& Darin S. Schmidt by deed recorded in Instrument Record Deed 21069236 (Parcel ID P70 03905 0060) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47$ ") West for one thousand nine and 85/100 (1009.85) feet to a railroad spike found at the southwest corner of a 8.165 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed 02-048281, said railroad spike being also at the southeast corner of a 8.347 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed 17-047987;
thence in a northerly direction with the west line of said 8.165 acre Moore land and with the east line of said 8.347 acre Whaley land, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East for one thousand seven hundred ninety-eight and 13/100 (1798.13) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northwest corner of said 8.165 acre Moore land and northeast corner of said 8.347 acre Whaley land, said iron pin being also in the south line of said 19.097 acre Schmidt land and the TRUE POINT OF BEGINNING;
thence in a northerly direction with a new dividing line and northerly extension of the last described course, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47$ ") East

D22037-1
Desc. of 2.6188 Acre Parcel
Bellefontaine Road
City of Huber Heights -2-
07/05/2022
for six hundred twenty-three and 96/100 (623.96) feet to an iron pin set in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for one hundred seventythree and $31 / 100$ (173.31) feet to a $3 / 4$ " iron pin found at the northwest corner of a 11.3663 acre tract of land conveyed to Georgia M. Maietta by deed recorded in Instrument Record CF/T-04-110342, said iron pin being also in the east line of said 19.097 acre Schmidt land;
thence in a southerly direction with the west line of said 11.3663 acre Maietta land and with the east line of said 19.097 acre Schmidt land, South five degrees nine minutes eleven seconds ( $05^{\circ} 09^{\prime} 11$ ") West for six hundred sixty-seven and 04/100 (667.04) feet to an iron pin set at the southeast corner of said 19.097 acre Schmidt land, said iron pin being also in the north line of said 8.165 acre Moore land;
thence in a northwesterly direction with the north line of said 8.165 acre Moore land and with the south line of said 19.097 acre Schmidt land, North seventy-two degrees fifty-eight minutes twenty-one seconds ( $72^{\circ} 58^{\prime} 21$ ") West for one hundred eighty-three and 99/100 (183.99) feet returning to the TRUE POINT OF BEGINNING, containing 2.6188 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described parcel is not to be a separate building lot and is intended to be attached to the adjacent said 8.165 acre Moore tract.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

D22037-1
Desc. of 2.6188 Acre Parcel
Bellefontaine Road
City of Huber Heights -3- 07/05/2022
Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ .

Luis G. Riancho
Registered Surveyor
State of Ohio \#5287
Date

LUIS G. RIANCHO, PS
LUIS G. RIANCHO \& ASSOCIATES, INC. SURVEYING

GPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
BOUNDARY \& TOPOGRAPHIC SURVEYS

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D22037-2<br>July 5, 2022<br>Description of Parcel "B", Containing 2.7546 Acres<br>Bellefontaine Road<br>City of Huber Heights, Montgomery County, Ohio

Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being part of a 19.097 acre tract of land conveyed to Angela R. \& Darin S. Schmidt by deed recorded in Instrument Record Deed 21069236 (Parcel ID P70 03905 0060) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47$ ") West for one thousand nine and $85 / 100$ (1009.85) feet to a railroad spike found at the southwest corner of a 8.165 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed 02-048281, said railroad spike being also at the southeast corner of a 8.347 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed 17-047987;
thence in a northerly direction with the west line of said 8.165 acre Moore land and with the east line of said 8.347 acre Whaley land, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East for one thousand seven hundred ninety-eight and 13/100 (1798.13) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northwest corner of said 8.165 acre Moore land and northeast corner of said 8.347 acre Whaley land, said iron pin being also in the south line of said 19.097 acre Schmidt land and the TRUE POINT OF BEGINNING;
thence in a northwesterly direction with the north line of said 8.347 acre Whaley land and with the south line of said 19.097 acre Schmidt land, North seventy-two degrees fifty-eight

D22037-2
Desc. of 2.7546 Acre Parcel
Bellefontaine Road
City of Huber Heights -2-
07/05/2022
minutes twenty-one seconds ( $72^{\circ} 58^{\prime} 21^{\prime \prime}$ ) West for two hundred three and 92/100 (203.92) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northwest corner of said 8.347 acre Whaley land;
thence in a northerly direction with a new dividing line, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46$, 47") East for five hundred seventy-five and 94/100 (575.94) feet to an iron pin set in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for two hundred and 17/100 (200.17) feet to an iron pin set;
thence in a southerly direction with a new dividing line, South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) West for six hundred twenty-three and 96/100 (623.96) feet returning to the TRUE POINT OF BEGINNING, containing 2.7546 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described parcel is not to be a separate building lot and is intended to be attached to the adjacent said 8.347 acre Whaley tract.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

D22037-2
Desc. of 2.7546 Acre Parcel
Bellefontaine Road
City of Huber Heights -3- 07/05/2022
Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ .

Luis G. Riancho<br>Registered Surveyor<br>State of Ohio \#5287<br>Date<br>$\qquad$

LUIS G. RIANCHO, PS
LUIS G. RIANCHO \& ASSOCIATES, INC. SURVEYING

GPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
BOUNDARY \& TOPOGRAPHIC SURVEYS

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FAX (937) 836-9974
Email: Igriancho@woh.rr.com

D22037-3
July 5, 2022
Description of Parcel "C", Containing 2.5341 Acres
Bellefontaine Road
City of Huber Heights, Montgomery County, Ohio
Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being part of a 19.097 acre tract of land conveyed to Angela R. \& Darin S. Schmidt by deed recorded in Instrument Record Deed 21069236 (Parcel ID P70 03905 0060) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47$ ") West for one thousand four hundred nine and 85/100 (1409.85) feet to a railroad spike found at the southwest corner of a 8.530 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed 01-088785, said railroad spike being also at the southeast corner of a 0.161 acre tract of land conveyed to City of Huber Heights by deed recorded in D.M.F. 91-434C10;
thence in a northerly direction with the west line of said 8.530 acre Blachins land and with the east line of said 0.161 acre City of Huber Heights land and with the east line of a 8.726 acre tract of land conveyed to Matthew A. Slusher \& Kimberly Williamson by deed recorded in Instrument Record Deed 16-069994, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46$ ' 47") East for one thousand eight hundred seventy-seven and 63/100 (1877.63) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northwest corner of said 8.530 acre Blachins land and northeast corner of said 8.726 acre Slusher \& Williamson land, said iron pin being also in the south line of said 19.097 acre Schmidt land and the TRUE POINT OF
BEGINNING;
Continued on Page 2

D22037-3
Desc. of 2.5341 Acre Parcel
Bellefontaine Road
City of Huber Heights -2-
07/05/2022
thence in a northerly direction with a new dividing line and northerly extension of the last described course, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East for five hundred twenty-seven and 91/100 (527.91) feet to an iron pin set in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for two hundred and 17/100 (200.17) feet to an iron pin set;
thence in a southerly direction with a new dividing line, South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) West for five hundred seventy-five and 94/100 (575.94) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northeast corner of said 8.530 acre Blachins land in the south line of said 19.097 acre Schmidt land;
thence in a northwesterly direction with the north line of said 8.530 acre Blachins land and with the south line of said 19.097 acre Schmidt land, North seventy-two degrees fifty-eight minutes twenty-one seconds ( $72^{\circ} 58^{\prime} 21^{\prime \prime}$ ) West for two hundred three and 92/100 (203.92) feet returning to the TRUE POINT OF BEGINNING, containing 2.5341 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described parcel is not to be a separate building lot and is intended to be attached to the adjacent said 8.530 acre Blachins tract.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

D22037-3
Desc. of 2.5341 Acre Parcel
Bellefontaine Road
City of Huber Heights -3- 07/05/2022
Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ .

Luis G. Riancho<br>Registered Surveyor<br>State of Ohio \#5287<br>Date<br>$\qquad$

LUIS G. RIANCHO, PS
LUIS G. RIANCHO \& ASSOCIATES, INC. SURVEYING

GPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
140 W. WENGER ROAD
ENGLEWOOD, OHIO
45322-2727
TEL (937) 836-1585
FAX (937) 836-9974
Email: Igriancho@woh.rr.com
D22037-4
July 5, 2022
Description of Parcel "D", Containing 11.2216 Acres
Bellefontaine Road
City of Huber Heights, Montgomery County, Ohio
Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being part of a 19.097 acre tract of land conveyed to Angela R. \& Darin S. Schmidt by deed recorded in Instrument Record Deed 21069236 (Parcel ID P70 03905 0060) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for one thousand four hundred nine and 85/100 (1409.85) feet to a railroad spike found at the southwest corner of a 8.530 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed 01-088785, said railroad spike being also at the southeast corner of a 0.161 acre tract of land conveyed to City of Huber Heights by deed recorded in D.M.F. 91-434C10;
thence in a northerly direction with the west line of said 8.530 acre Blachins land and with the east line of said 0.161 acre City of Huber Heights land and with the east line of a 8.726 acre tract of land conveyed to Matthew A. Slusher \& Kimberly Williamson by deed recorded in Instrument Record Deed 16-069994, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46$ ' 47") East for one thousand eight hundred seventy-seven and 63/100 (1877.63) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northwest corner of said 8.530 acre Blachins land and northeast corner of said 8.726 acre Slusher \& Williamson land, said iron pin being also in the south line of said 19.097 acre Schmidt land and the TRUE POINT OF
BEGINNING;
Continued on Page 2

D22037-4
Desc. of 11.2216 Acre Parcel
Bellefontaine Road
City of Huber Heights
thence in a northwesterly direction with the north line of said 8.726 acre Slusher \& Williamson land and with the north line of a 30.487 acre tract of land conveyed to Edwin I. Howell by deed recorded in Instrument Record AF/D-19-000295, Parcel 2 and with the south line of said 19.097 acre Schmidt land, North seventy-two degrees fifty-eight minutes twentyone seconds ( $72^{\circ} 58$ ' $21^{\prime \prime}$ ) West, passing a $5 / 8^{\prime \prime}$ iron pin capped "Tri-City" at 218.92 feet at the corner common to said Slusher/Williamson and Howell lands, for a total distance of six hundred thirty-four and $45 / 100$ (634.45) feet to a $3 / 4$ " iron pin found at a corner in the north line of said 30.487 acre Howell land;
thence in a southerly direction continuing with the north line of said 30.487 acre Howell land, South thirteen degrees seventeen minutes seventeen seconds ( $13^{\circ} 17^{\prime} 17^{\prime \prime}$ ) West for one hundred fifty and 09/100 (150.09) feet to a $5 / 8^{\prime \prime}$ iron pin capped "Tri-City" found at a corner in the north line of said 30.487 acre Howell land, said iron pin being also at the southeast corner of a 1.212 acre tract of land conveyed to Fay E. or Shirley M. Leiter, Trs. by deed recorded in D.M.F. 97-041A04;
thence in a northwesterly direction with the north line of said 1.212 acre Leiter, Trs. land, North sixty-nine degrees three minutes twenty-nine seconds ( $69^{\circ} 03^{\prime} 28$ ") West for six hundred twenty-two and 02/100 (622.02) feet to a 3/4" iron pin found in the easterly line of the right-of-way of Bellefontaine Road (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-C;
thence in a northeasterly direction with the easterly line of said Bellefontaine Road on the following three (3) courses:

1) North fifty-four degrees forty-one minutes twenty-five seconds ( $54^{\circ} 41^{\prime} 25^{\prime \prime}$ ) East for one hundred twenty-two and 24/100 (122.24) feet to an iron pin set at an angle point;
2) North forty-nine degrees seven minutes fifty-two seconds ( $49^{\circ} 07^{\prime} 52^{\prime \prime}$ ) East for two hundred and 25/100 (200.25) feet to a 5/8" iron pin found bent at an angle point;
3) North forty-six degrees sixteen minutes seven seconds ( $46^{\circ} 16^{\prime} 07^{\prime \prime}$ ) East for one hundred sixty-four and $00 / 100$ (164.00) feet to a $5 / 8$ " iron pin found bent in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA;

D22037-4
Desc. of 11.2216 Acre Parcel
Bellefontaine Road
City of Huber Heights -3-
07/05/2022
thence in an easterly direction with the said south line of Interstate Route 70 on the following three (3) courses:

1) South eighty-four degrees forty-seven minutes forty-six seconds ( $84^{\circ} 47^{\prime} 46$ ’) East for eighty-nine and 67/100 (89.67) feet to a $5 / 8$ " iron pin found;
2) South eighty-seven degrees thirty-two minutes nine seconds ( $87^{\circ} 32^{\prime} 09^{\prime \prime}$ ) East for three hundred and 38/100 (300.38) feet to an iron pin set;
3) South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for five hundred seventeen and 06/100 (517.06) feet to an iron pin set;
thence in a southerly direction with a new dividing line, South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47$ ") West for five hundred twenty-seven and 91/100 (527.91) feet returning to the TRUE POINT OF BEGINNING, containing 11.2216 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer’s Office Record of Land Surveys Volume 2022, Page $\qquad$ —.

Luis G. Riancho
Registered Surveyor
State of Ohio \#5287
Date


LUIS G. RIANCHO, PS

## LUIS G. RIANCHO \& ASSOCIATES, INC.

 SURVEYINGGPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
BOUNDARY \& TOPOGRAPHIC SURVEYS

ENGLEWOOD, OHIO
45322-2727
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Email: Igriancho@woh.rr.com

D22037-5
July 5, 2022
Description of Parcel Combination "A", Containing 10.7834 Acres
Taylorsville Road
City of Huber Heights, Montgomery County, Ohio
Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and all of a 8.165 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed 02-048281 (Parcel ID P70 039050082 ) and all of a 2.6188 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed $\qquad$ (Parcel ID P70 03905 $\qquad$ ) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for eight hundred nine and 85/100 (809.85) feet to a railroad spike found at the southwest corner of an 11.3663 acre tract of land conveyed to Georgia M. Maietta by deed recorded in Instrument Record CF/T-04-110342 and the TRUE POINT OF BEGINNING;
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for two hundred and 00/100 (200.00) feet to a railroad spike found at the southeast corner of a 8.347 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed 17-047987;
thence in a northerly direction with the east line of said 8.347 acre Whaley land and with the east line of a 2.7536 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley

D22037-5
Desc. of 10.7834 Acre Parcel
Taylorsville Road
City of Huber Heights
-2-
07/05/2022
by deed recorded in Instrument Record Deed $\qquad$
$\qquad$ , North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47$ ") East, passing an iron pin set at 35.00 feet, for a total distance of two thousand four hundred twenty-two and 09/100 (2422.09) feet to a 5/8" iron pin capped "LGR" found in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA, reference a 5/8" iron pin capped "Tri-City" found 623.96 feet south from said "LGR" iron pin on line last described;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for one hundred seventythree and 31/100 (173.31) feet to a $3 / 4$ " iron pin found at the northwest corner of said 11.3663 acre Maietta land;
thence in a southerly direction with the west line of said 11.3663 acre Maietta land on the following three (3) courses:

1) South five degrees nine minutes eleven seconds ( $05^{\circ} 09^{\prime} 11^{\prime \prime}$ ) West for six hundred sixtysix and 82/100 (666.82) feet to a $5 / 8^{\prime \prime}$ iron pin capped "LGR" found;
2) South seventy-two degrees fifty-eight minutes twenty-one seconds ( $72^{\circ} 58^{\prime} 21$ ") East for nineteen and 93/100 (19.93) feet to an iron pin set;
3) South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) West for one thousand seven hundred fifty-eight and 38/100 (1758.38) feet returning to the TRUE POINT OF BEGINNING, reference an iron pin set 35.00 feet north from said true point of beginning on line last described, containing 10.7834 acres more or less and subject to a 35 foot wide easement taken by parallel lines off the south side of the above described tract for public roadway purposes and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described 10.7834 acre parcel contains 0.1607 acres in public right-of-way leaving a net of 10.6227 acres.

D22037-5
Desc. of 10.7834 Acre Parcel
Taylorsville Road
City of Huber Heights
-3-
Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ —.

Luis G. Riancho
Registered Surveyor
State of Ohio \#5287
Date $\qquad$

LUIS G. RIANCHO, PS

## LUIS G. RIANCHO \& ASSOCIATES, INC.

 SURVEYINGGPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING
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D22037-6<br>July 5, 2022<br>Description of Combination Parcel "B", Containing 11.1017 Acres<br>Taylorsville Road<br>City of Huber Heights, Montgomery County, Ohio

Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being all of a 8.347 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed 17-047987 (Parcel ID P70 03905 0081) and all of a 2.7546 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed $\qquad$ - $\qquad$ (Parcel ID P70 03905 $\qquad$ ) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47$ ") West for one thousand nine and 85/100 (1009.85) feet to a railroad spike found at the southwest corner of a 8.165 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed 02-048281 and the TRUE POINT OF BEGINNING;
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for two hundred and 00/100 (200.00) feet to a railroad spike found at the southeast corner of a 8.530 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed 01-088785;
thence in a northerly direction with the east line of said 8.530 acre Blachins land and with the

D22037-6
Desc. of 11.1017 Acre Parcel
Taylorsville Road
City of Huber Heights -2-

07/05/2022
east line of a 2.5341 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed __-_ _ North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46$ ' 47 ") East, passing a $5 / 8$ " iron pin found at 30.00 feet, for a total distance of two thousand four hundred thirteen and $82 / 100$ (2413.82) feet to a $5 / 8$ " iron pin capped "LGR" found in the south line of the limited access right-of-way of Interstate Route 70 (Right-ofWay Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA, reference a $5 / 8$ " iron pin capped "Tri-City" found 575.94 feet south from said "LGR" iron pin on line last described;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for two hundred and 17/100 (200.17) feet to a 5/8" iron pin capped "LGR" found at the northwest corner of a 2.6188 acre tract of land conveyed to Richard A. \& Susanne M. Moore by deed recorded in Instrument Record Deed $\qquad$
$\qquad$ ;
thence in a southerly direction with the west line of said 2.6188 acre Moore land and with the west line of said 8.165 acre Moore land, South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) West, passing a $5 / 8^{\prime \prime}$ iron pin capped "Tri-City" found at 623.96 feet, for a total distance of two thousand four hundred twenty-two and 09/100 (2422.09) feet returning to the TRUE POINT OF BEGINNING, reference an iron pin set 16.50 feet north from said true point of beginning on line last described, containing 11.1017 acres more or less and subject to a 35 foot wide easement taken by parallel lines off the south side of the above described tract for public roadway purposes and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described 11.1017 acre parcel contains 0.1607 acres in public right-of-way leaving a net of 10.9410 acres.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Continued on Page 3

D22037-6
Desc. of 11.1017 Acre Parcel
Taylorsville Road
City of Huber Heights -3- 07/05/2022
Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ .

Luis G. Riancho<br>Registered Surveyor<br>State of Ohio \#5287<br>Date<br>$\qquad$

LUIS G. RIANCHO, PS

GPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING

TEL (937) 836-1585
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D22037-7<br>July 5, 2022<br>Description of Combination Parcel "C", Containing 11.0639 Acres<br>Taylorsville Road<br>City of Huber Heights, Montgomery County, Ohio

Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being all of a 8.530 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed 01-088785 (Parcel ID P70 03905 0077) and all of a 2.5341 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed $\qquad$ (Parcel ID P70 03905 ___) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for one thousand two hundred nine and $85 / 100$ (1209.85) feet to a railroad spike found at the southwest corner of a 8.347 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed 17-047987 and the TRUE POINT OF BEGINNING;
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for two hundred and 00/100 (200.00) feet to a railroad spike found at the southeast corner of a 0.161 acre tract of land conveyed to City of Huber Heights by deed recorded in D.M.F. 91-434C10;
thence in a northerly direction with the east line of said 0.161 acre City of Huber Heights land and with the east line of a 8.726 acre tract of land conveyed to Matthew A. Slusher \&

D22037-7
Desc. of 11.0639 Acre Parcel
Taylorsville Road
City of Huber Heights
-2-
07/05/2022
Kimberly Williamson by deed recorded in Instrument Record Deed 16-069994 and with the east line of a 11.2216 acre tract of land conveyed to Matthew A. Slusher \& Kimberly Williamson by deed recorded in Instrument Record Deed __-__, North five degrees fortysix minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East, passing a $5 / 8^{\prime \prime}$ iron pin found at 30.00 feet, passing also an iron pin set at 35.00 feet, for a total distance of two thousand four hundred five and 54/100 (2405.54) feet to a 5/8" iron pin capped "LGR" found in the south line of the limited access right-of-way of Interstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA, reference a $5 / 8$ " iron pin capped "Tri-City" found 527.91 feet south from said "LGR" iron pin on line last described;
thence in an easterly direction with the said south line of Interstate Route 70, South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for two hundred and 17/100 (200.17) feet to a 5/8" iron pin capped "LGR" found at the northwest corner of a 2.7546 acre tract of land conveyed to Bruce M. Whaley, Jr. \& Tonya R. Whaley by deed recorded in Instrument Record Deed $\qquad$ -_ ; ;
thence in a southerly direction with the west line of said 2.7546 acre Whaley land and with the west line of said 8.347 acre Whaley land, South five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47$ ") West, passing a $5 / 8^{\prime \prime}$ iron pin capped "Tri-City" found at 575.94 feet, for a total distance of two thousand four hundred thirteen and 82/100 (2413.82) feet returning to the TRUE POINT OF BEGINNING, reference a $5 / 8$ " iron pin found 30.00 feet north from said true point of beginning on line last described, containing 11.0639 acres more or less and subject to a 35 foot wide easement taken by parallel lines off the south side of the above described tract for public roadway purposes and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: The above described 11.0639 acre parcel contains 0.1607 acres in public right-of-way leaving a net of 10.9032 acres.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

D22037-7
Desc. of 11.0639 Acre Parcel
Taylorsville Road
City of Huber Heights -3- 07/05/2022
Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2022, Page $\qquad$ —.

Luis G. Riancho
Registered Surveyor
State of Ohio \#5287
Date $\qquad$

LUIS G. RIANCHO, PS

## LUIS G. RIANCHO \& ASSOCIATES, INC.

 SURVEYINGGPS SERVICES
HIGHWAY \& CONSTRUCTION STAKING

TEL (937) 836-1585
FAX (937) 836-9974
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D22037-8<br>July 5, 2022<br>Description of Combination Parcel "D", Containing 19.9474 Acres<br>Taylorsville Road<br>City of Huber Heights, Montgomery County, Ohio

Located in the northeast quarter of Section 11, Town 2, Range 8 M.Rs., City of Huber Heights, County of Montgomery, State of Ohio and being all of a 8.726 acre tract of land conveyed to Matthew A. Slusher \& Kimberly Williamson by deed recorded in Instrument Record Deed 16-069994 (Parcel ID P70 03905 0076) and all of a 11.2216 acre tract of land conveyed to Matthew A. Slusher \& Kimberly Williamson by deed recorded in Instrument Record Deed $\qquad$ - $\qquad$ (Parcel ID P70 $03905 \ldots \ldots$ ) and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said northeast quarter of Section 11 in the centerline of Taylorsville Road (Right-of-Way Varies);
thence in a westerly direction with the south line of said northeast quarter of Section 11 and centerline of said Taylorsville Road, North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47$ ") West for one thousand four hundred nine and 85/100 (1409.85) feet to a railroad spike found at the southwest corner of a 8.530 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed 01-088785, said railroad spike being also at the southeast corner of a 0.161 acre tract of land conveyed to City of Huber Heights by deed recorded in D.M.F. 91-434C10;
thence in a northerly direction with the east line of said 0.161 acre City of Huber Heights land and with the west line of said 8.530 acre Blachins land, North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East, passing a $5 / 8$ " iron pin found at 30.00 feet, for a total distance of thirty-five and 00/100 (35.00) feet to an iron pin set at the northeast corner of said 0.161 acre City of Huber Heights land and the TRUE POINT OF BEGINNING;

D22037-8
Desc. of 19.9474 Acre Parcel
Taylorsville Road
City of Huber Heights
-2-
07/05/2022
thence in a westerly direction with the north line of said 0.161 acre City of Huber Heights land being thirty-five and 00/100 (35.00) feet north of and parallel to the south line of the said northeast quarter of Section 11, North eight-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for two hundred and 00/100 (200.00) feet to an iron pin set at the northwest corner of said 0.161 acre City of Huber Heights land in the east line of a 30.487 acre tract of land conveyed to Edwin I. Howell by deed recorded in Instrument Record AF/D-19-000295, Parcel 2;
thence in a northerly direction with the east line of said 30.487 acre Howell land on the following three (3) courses:

1) North five degrees forty-six minutes forty-seven seconds ( $05^{\circ} 46^{\prime} 47^{\prime \prime}$ ) East for one thousand sixty-four and 90/100 (1064.90) feet to a $5 / 8^{\prime \prime}$ iron pin found at an angle point;
2) North one degree ten minutes four seconds ( $01^{\circ} 10^{\prime} 04^{\prime \prime}$ ) East for sixty-one and 48/100 (61.48) feet to a $5 / 8^{\prime \prime}$ iron pin found at an angle point;
3) North five degrees two minutes thirty-two seconds ( $05^{\circ} 02^{\prime} 32^{\prime \prime}$ ) East for seven hundred fifty-nine and 18/100 (759.18) feet to a $5 / 8$ " iron pin capped "Tri-City" found at the northeast corner of said 30.487 acre Howell land;
thence in a northwesterly direction with the north line of said 30.487 acre Howell land, North seventy-two degrees fifty-eight minutes twenty-one seconds ( $72^{\circ} 58$ ' 21 ") West for four hundred fifteen and $53 / 100(415.53)$ feet to a $3 / 4$ " iron pin found at a corner in the north line of said 30.487 acre Howell land;
thence in a southerly direction continuing with the north line of said 30.487 acre Howell land, South thirteen degrees seventeen minutes seventeen seconds ( $13^{\circ} 17^{\prime} 17^{\prime \prime}$ ) West for one hundred fifty and 09/100 (150.09) feet to a $5 / 8$ " iron pin capped "Tri-City" found at a corner in the north line of said 30.487 acre Howell land, said iron pin being also at the southeast corner of a 1.212 acre tract of land conveyed to Fay E. or Shirley M. Leiter, Trs. by deed recorded in D.M.F. 97-041A04;
thence in a northwesterly direction with the north line of said 1.212 acre Leiter, Trs. land, North sixty-nine degrees three minutes twenty-nine seconds ( $69^{\circ} 03^{\prime} 28$ ") West for six hundred twenty-two and 02/100 (622.02) feet to a $3 / 4^{\prime \prime}$ iron pin found in the easterly line of

D22037-8
Desc. of 19.9474 Acre Parcel
Taylorsville Road
City of Huber Heights
-3-
07/05/2022
the right-of-way of Bellefontaine Road (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-C;
thence in a northeasterly direction with the easterly line of said Bellefontaine Road on the following three (3) courses:

1) North fifty-four degrees forty-one minutes twenty-five seconds ( $54^{\circ} 41^{\prime} 25^{\prime \prime}$ ) East for one hundred twenty-two and 24/100 (122.24) feet to a $5 / 8$ " iron pin capped "LGR" found at an angle point;
2) North forty-nine degrees seven minutes fifty-two seconds ( $49^{\circ} 07^{\prime} 52^{\prime \prime}$ ) East for two hundred and 25/100 (200.25) feet to a $5 / 8^{\prime \prime}$ iron pin found bent at an angle point;
3) North forty-six degrees sixteen minutes seven seconds ( $46^{\circ} 16^{\prime} 07^{\prime \prime}$ ) East for one hundred sixty-four and 00/100 (164.00) feet to a $5 / 8$ " iron pin found bent in the south line of the limited access right-of-way of Insterstate Route 70 (Right-of-Way Varies) conveyed to State of Ohio by Court of Common Pleas No. 110983, Parcel No. 72-B-LA;
thence in an easterly direction with the said south line of Interstate Route 70 on the following three (3) courses:
4) South eighty-four degrees forty-seven minutes forty-six seconds ( $84^{\circ} 47^{\prime} 46$ ’") East for eighty-nine and 67/100 (89.67) feet to a $5 / 8$ " iron pin found;
5) South eighty-seven degrees thirty-two minutes nine seconds ( $87^{\circ} 32^{\prime} 09^{\prime \prime}$ ) East for three hundred and 38/100 (300.38) feet to a $5 / 8$ " iron pin capped "LGR" found;
6) South eighty-six degrees thirty-four minutes fifty-seven seconds ( $86^{\circ} 34^{\prime} 57^{\prime \prime}$ ) East for five hundred seventeen and 06/100 (517.06) feet to a $5 / 8^{\prime \prime}$ iron pin capped "LGR" found at the northwest corner of a 2.5341 acre tract of land conveyed to Nicholas R. Blachins by deed recorded in Instrument Record Deed $\qquad$ ;
thence in a southerly direction with the west line of said 2.5341 acre Blachins land and with the west line of said 8.530 acre Blachins land, South five degrees forty-six minutes fortyseven seconds ( $05^{\circ} 46^{\prime} 47$ ") West, passing a $5 / 8^{\prime \prime}$ iron pin capped "Tri-City" found at 527.91 feet, for a total distance of two thousand three hundred seventy and 54/100 (2370.54) feet

D22037-8
Desc. of 19.9474 Acre Parcel
Taylorsville Road
City of Huber Heights -4-
07/05/2022
returning to the TRUE POINT OF BEGINNING, containing 19.9474 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio \#5287, dated June 2022.

Note: Basis of bearing: North eighty-four degrees twelve minutes forty-seven seconds ( $84^{\circ} 12^{\prime} 47^{\prime \prime}$ ) West for the south line of the northeast quarter of Section 11 and centerline of Taylorsville Road from GPS observations utilizing ODOT VRS, State Plane Coordinate System, NAD’83 (2011) (Geoid'12), Ohio South Zone.

Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Note: All iron pins set are \#5 rebars, capped and stamped "LGR \& ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer’s Office Record of Land Surveys Volume 2022, Page $\qquad$ —.

Luis G. Riancho
Registered Surveyor
State of Ohio \#5287
Date $\qquad$

Al-8582
7. C.

Planning Commission
Meeting Date: 08/09/2022
Detailed Development Plan
Information
Agenda Title
DETAILED DEVELOPMENT PLAN - The applicant, APP ARCHITECTURE, is requesting approval of a Detailed Development Plan to create a freestanding emergency and urgent care center. Property is located at 7611 Old Troy Pike (DDP 22-29).

Purpose and Background

Attachments
Staff Report
Decision Record
Drawings
Fire Assessment

# Memorandum <br> Staff Report for Meeting of August 9, 2022 



## STAFF ANALYSIS AND RECOMMENDATION:

## Overview

The applicant requests approval of a detailed development plan to construct a 10,800square-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 patients per day once established.

The Basic Development Plan and rezoning public hearing was held by the City Council on Monday, July 25, 2022. This staff report assumes the rezoning and Basic Development Plan will be approved on Monday, August 8, 2022 . If approved by Council, the Detailed Development Plan will be considered by the Planning Commission the following day. While this is not our typical practice, accommodations have been made for other developments in an equivalent manner. No zoning permits will be issued until the rezoning is effective 30 days after Council approval.

To address the concerns of a third curb-cut along Taylorsville, the applicant has worked with Rural King to obtain an access agreement along the Taylorsville frontage and use the existing Rural King entrance. The site plan also moves the identification sign to the western side of the site.

On June 3, 2022, the Planning Commission voted to recommend approval of the rezoning from Planned Commercial to Planned Office and approval of the basic development plan with the following conditions:

1. Street trees shall be placed every 40 feet along Taylorsville Road.
2. The applicant shall comply with Chapter 1181.18 Screening of Service Structures.
3. The applicant shall comply with Chapter 1181.21 Lighting Standards.
4. The applicant shall comply with Chapter 1182 Landscaping and Screening.
5. Wall and canopy signs shall be similar to those submitted in the sign package submitted to the Planning Commission on April 12, 2022.
6. Ground signs shall not exceed 6 feet in height.
7. The applicant shall comply will all fire code requirements.

The applicant has submitted a Detailed Development that meets these conditions.

## Staff Analysis

This revised Basic Development plan addressed the Taylorsville Road access concerns of the Planning Commission and City Council. The Detailed Development Plan substantially conforms to the approved Basic Development and conforms to the PO district regulations including parking and buffering.

## 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 Detailed Development Plan.

## Chapter 1181 General Provisions

The Detailed Development Plan meets the requirements of Chapter 1181:

## Street Trees

The Detailed Development Plan indicates street trees placed 25' on center, consistent with the zoning code.

## Lighting

The Detailed Development Plans include a photometric study that illustrates the light trespass is minimal and meets code requirements along the public right of way. There is slight light trespass onto the adjacent parking lots, but those parking areas are also illuminated; therefore, there is no impact from the light trespass.

## Screening of Service Structures

The Detailed Development Plan indicates the dumpster and service structures will be screened according to code.

## Chapter 1182 Landscaping and Screening Standards

The Detailed Development Plan illustrates a significant landscaping and screening program associated with the development. The plan conforms to the street tree frontage requirements and all perimeter parking landscape requirements.

## Chapter 1185 Parking and Loading

The Detailed Development Plan meets the requirements of Chapter 1185. The applicant is illustrating areas for parking island landscaping. Based on the interior programming, 45 spaces are required, and 50 spaces are illustrated.

The applicant has secured an agreement with Rural King for access through the Rural King parking area parallel to Taylorsville Road.

## 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 sign package submitted with the application is consistent with the conditions imposed by the Planning Commission.

## Recommendation

Staff feels the standards of approval outlined in 1171.09 can be met, and therefore staff recommends approval of the Detailed Development Plan with the following conditions:

1. The applicant shall comply will all fire code requirements.
2. The applicant shall comply with all conditions imposed by the City Council as a condition of the rezoning and Basic Development Plan approval.

## Planning Commission Action

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

1. Approve the Detailed Development Plan with or without conditions.
2. Deny the Detailed Development Plan.

## Planning Commission Decision Record

WHEREAS, on June 17, 2022, the applicant, App Architecture, requested approval of a Detailed Development Plan to construct a 10,800 SF emergency medical facility. Property is located at 7611 Old Troy Pike (Currently Rural King parking/display area) further identified as Parcel Number P70 040050140 of the Montgomery County Auditor's Map (Case DDP 22-29), and;

WHEREAS, on August 9, 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 approve the request by the applicant, App Architecture, requested approval of a Detailed Development Plan to construct a 10,800 SF emergency medical facility. Property is located at 7611 Old Troy Pike (Currently Rural king parking/display area) (Case DDP 22-29), in accordance with the recommendation of Staff's Memorandum dated July 19, 2022, with the following conditions:

1. The applicant shall comply with all fire code requirements.
2. The applicant shall comply with all conditions imposed by the city council as a condition of the rezoning and Basic Development Plan approval.

Seconded by Roll call showed: YEAS: NAYS: Motion to recommend approval carried .
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UTILITY PLAN




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| EXISTING IMPERVIOUS AREA: <br> TOTAL IMPERVIOUS AREA AFTER CONSTRUCTION <br> INCREASE IN IMPERVIOUS AREA |  |
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| STORAGE DURING THE PROPOSED CONSTRUCTION. WORK WILL GENERALLY PROCEED FROM DOWNSTREAM TO UPSTREAM IN THESE AS FOLLOWS: <br> A) INSTALI EROSION CONTROL ITEMS |  |
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EMERGENCY ACTION \& SPILL PREVENTION PLAN

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## GENERAL NOTES






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CONSTRUCTION.

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 STABLLZATION PRACTICES

| TABLE 1: PERMANENT STABILIZATION |  |
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| TABLE 2: TEMPORARY STABILIZATION |  |
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| FOR ALL CONSTRUCTION ACTIVITIES, ANY DISTURBED AREAS THAT WILL BE DORMANT FOR MORE THAN 14 |  |
|  | FOR RESIDENTIAL SUBDIVISIONS, DISTURBED AREAS MUST BE STABILIZED AT LEAST SEVEN DAYS PRIOR TO TRANSFER OF PERMIT COVERAGE IDUAL LOT(S). |
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|  | Latex Emulsion | ${ }^{2.51}$ | Fine | ${ }^{235}$ |
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(1) EXTERIOR ELEVATION - SOUTH

3/32" = 1'-0"

(2) EXTERIOR ELEVATION - WEST


## Exterior Signage Site Plan



## Exterior Signage Dimensions



Example AMBULANCE signage
35 SF
Cap Height 2'-0"
Font: The Sans B7 Bold

## Variance required

signage to he considered to he for public health emergency purposes

### 1189.07 Signs permitted for businesses

Single wall signs not to exceed 75 SF.
For 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 SF.


Example EMERGENCY signage (QTY 2)
Would be installed on both sides of building element
75 SF x $2=150$ SF
Cap Height $3^{\prime}-0^{\prime \prime}$
Font: The Sans B7 Bold

Variance required
signage to he considered to he for public health emergency purposes

## Exterior Signage Elevations


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(C1) $\frac{\text { EXTERIOR ELEVATION-EAST }}{16 \sigma^{-1-1}-1}$

(E1) $\frac{\text { EXTERIOR ELEVATION - NORTH }}{1 \sigma^{\circ}-1-T^{\circ}}$


## Freestanding Ground Sign

### 1189.07 Signs permitted for businesses

Only one ground sign permitted on a premises.
The ground sign shall not exceed 75 SF in total sign area.
Ground signs shall not exceed $6^{\prime}$ in height.
Signs shall be setback a minimum of 15 'from the right-of-way.


Example Freestanding ground sign
Address and building name TBD

## Huber Heights Fire Division

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

| Occupancy Name: | Medical Building - Revision 2 |
| :--- | :--- |
| Occupancy Address: | 7611 Taylorsville Road |


| Type of Permit: | HHP\&D Site Plan |
| :--- | :--- |
| Additional Permits: | Choose an item. |
| Additional Permits: | Choose an item. |


| MCBR BLD: | N/A | HH P\&D: |  |
| :--- | :--- | :--- | :--- |
| MCBR MEC: |  | HHFD Plan: | $22-053 / 22-120 / 22-155$ |
| MCBR ELE: |  | HHFD Box: | 14 |
| REVIEWER: | Susong | DATE: | $7 / 18 / 2022$ |

## Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices
Plan submittal is approved as shown on drawing. Proposed use has not been clarified on drawing. Cover sheet indicates medical facility.

- The turn radius appears to comply with Ohio Fire Code D103.3 and 503.2.4.
- Site utility drawing indicates a FDC (fire department connection) and hydrant on fire line. There is no indication of size of main. It is recommended that one tap be made in street then domestic and fire services split within a meter pit large enough to handle both services. Fire hydrant would need to be installed before the FDC (fire department connection) and within 75 feet. Huber Heights Codified Ordinance 1521.01(e).
- There shall be no overhead obstructions below 13 feet 6 inches for fire apparatus clearance. Ohio Fire Code 503.2.1.
- A 3 -foot ( 914 mm ) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. (No trees, bushes, plantings, etc.) Ohio Fire Code 507.5.5.

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

[^0]
## Al-8583

9. A.

Planning Commission
Meeting Date: 08/09/2022
Minutes
Information
Agenda Title
Planning Commission July 12, 2022
Purpose and Background

| Minutes | Attachments |
| :--- | :--- |

## Planning Commission

July 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. 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. DETAILED DEVELOPMENT PLAN - The applicant, CAMPBELL BERLING HUBER HEIGHTS, LLC, is requesting a Detailed Development Plan to create 97 units on 22.38 acres. Property is located on the East side of Bellefontaine Road and South of Chambersburg Road (DDP 22-28).

Ms. Sorrell stated that the Planning Commission recommended approval of a rezoning from Agriculture to Planned Residential, and a Combined Basic and Detailed Development Plan for the Addington Subdivision on March 29, 2022, by a vote of 5-0. The subdivision contains 97 units, comprised of 29 single-family lots and 34 two-family townhomes. The average density is approximately 4.33/units per acre.

After much discussion, on May 23, 2022, the City Council voted 5-3 to approve the rezoning to Planned Residential and the basic development plan only, with the following conditions:

1. Dwelling shall average 40 percent of the surface area of the front façade finished with brick or stone masonry products.

Planning Commission Meeting
July 12, 2022
2. The applicant will comply with all stormwater requirements, per the City Engineer.
3. The applicant will comply with all Fire Code requirements, per the Huber Heights Fire Department.
4. The applicant shall restripe Bellefontaine Road to provide a center turn lane for traffic turning northwest on to Oak Ridge Drive and southeast onto proposed "Road 1" from Bellefontaine Road.
5. The applicant shall leave the existing tree line along the project's north boundary as a natural buffer, adding additional coniferous trees and shrubs from Lots 2-12 every 15 -feet on center to increase buffer screening.
6. The applicant shall provide a Boulevard entry at the intersection of Bellefontaine Road and "Road 1" as approved by the City Engineer and Fire Department.

The applicant has subsequently revised the plans and is seeking approval of the Detailed Development Plan.

## Staff Analysis:

The Detailed Development Plan PUD Development Standards substantially conform to the approved Basic Development Plan (BPD) and the additional conditions imposed by the City Council.

Specifically:

- Lot sizes and unit counts conform to the approved BDP.
- Turning lane striping on Bellefontaine Road is indicated in the drawings.
- A boulevard entrance is provided at Bellefontaine Road and Waverly Way.
- A 20-foot-wide landscape screen (preservation easement) is illustrated on the drawings and articulated in the PUD standards.
- All streets shall be public and built to city standards.
- The sidewalk along Bellefontaine Road shall five-feet wide, and the neighborhood sidewalks are four-feet wide, which meets city code.
- The development standards limit the entry signage to six-feet high and 12 -feet in length.


## Masonry Requirements:

The ordinance states that the front façade of the dwellings will average $40 \%$ of their surface area finished with brick or stone masonry products.

## Paired Structures

Each of the paired structures, the Wembly and the Paired Townhouse have two exterior options. If the façade with the least amount of masonry is chosen for each building, the average masonry will be $41 \%$, which meets the ordinance requirements.

|  |  | Each Front Building Façade |  | Total Front Building Façade |  | \% <br> Masonry | Average Masonry |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| del/Typ | Number | Masonry | Surface Area | Masonry | Surface Area |  |  |
| Wembly - | 15 | 194.16 | 317.28 | 2912.4 | 4759.2 | 61.2\% |  |

Planning Commission Meeting
July 12, 2022
Ranch

| Paired <br> townhome | 19 | 113.96 | 399.64 | 2165.24 | 7593.16 | $28.5 \%$ |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | 5077.64 | 12352.36 |  | $41 \%$ |

## Single-Family Structures

Fischer Homes will be the single-family home builder featuring their "Maple Street Collection". There are eleven models, each with three to five exterior options. The amount of brick / masonry façade varies in the collection from as little as $31 \%$ to approximately $86 \%$. Thirty-one of the 41 options exceed the $40 \%$ brick / masonry requirement, and therefore staff feels compliance is very achievable.

## Screening and Buffering:

The rezoning and BDP ordinance states: "the applicant shall leave the existing tree line along the project's north boundary as a natural buffer, adding additional coniferous trees and shrubs from Lots 2-12 every 15-feet on center to increase buffer screening."

The landscape architect suggests that instead of planting additional trees or bushes along the rear of lots $9-12$; that the plantings be concentrated along the rear of lots $5-8$ because grading requirements will impact the existing trees on lots $6-8$. Additionally, he felt planting new vegetation under the existing vegetation will not yield healthy plants. Staff is comfortable with this alternative, with the understanding that additional plantings may be necessary by the developer if the onsite grading results in the removal of more mature trees than anticipated and significantly lessens the buffering effects.

## STAFF RECOMMENDATION

It is the staff's opinion that the application, PUD Development Standards and restrictive covenants conforms to the approved Basic Development Plan. Staff recommends approval of the Detailed Development Plan with the following conditions:

1. The attached PUD Development Standards shall be incorporated into the Detailed Development Plan.
2. Applicant shall install additional plantings along lots 9-12 at the direction of city staff to achieve appropriate buffering.
3. The applicant will comply with all stormwater requirements, per the City Engineer.
4. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Discussion on masonry percentage, restriping of Bellefontaine Road, 6 ft . buffer, and wood chip path.

Greg Berling said he preferred paved path but up to the pipeline company, paved path around the lake.

Planning Commission Meeting
July 12, 2022
Cindy Smith asked about the restriping of Bellefontaine and the berm on Fishburg.

## Action

Ms. Thomas moved to approve the request by the applicant CAMPBELL BERLING HUBER HEIGHTS, LLC, for approval of a Detailed Development Plan to create 97 units on 22.38 acres. Property is located on the East side of Bellefontaine Road and South of Chambersburg Road (DDP 22-28) in accordance with the recommendation of Staff's Memorandum dated July 6, 2022, and the amended 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

Without objection, the minutes of the May 24, 2022, and June 28, 2022, Planning Commission meeting are approved.

## X. Reports and Calendar Review

DDP - Medical Facility

## XI. Upcoming Meetings

July 26, 2022
August 09, 2022

## XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:30 p.m.

Terry Walton, Chair

Geri Hoskins, Administrative Secretary

## Date

Date


[^0]:    Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in ALL respects to this code, as prescribed in SECTION (D) 104.1 of the $\mathbf{2 0 1 7}$ Ohio Fire Code. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with ALL 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.

