



**AGENDA**  
**CITY PLANNING COMMISSION**

City Hall - Council Chambers  
6131 Taylorsville Road  
January 10, 2023  
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. LOT SPLIT/REPLAT - The applicant, HOMESTEAD DEVELOPMENT, is requesting approval of a Lot Split/Replat of 23.749 acres to create two lots to facilitate the redevelopment of the former Marian Meadows shopping center. Property is located West of the terminus of Miami Valley Way (LS 23-01).
8. Additional Business
  - A. Election of Officers

1. Chair
2. Vice Chair
9. Approval of Minutes
  - A. Planning Commission December 13, 2022
10. Reports and Calendar Review
  - A. Approval of 2023 Meeting Schedule
11. Upcoming Meetings
  - A. January 24, 2023  
February 14, 2023
12. Adjournment

**AI-8924**

**7. A.**

**Planning Commission**

Meeting Date: 01/10/2023

Lot Split/Replat

---

Information

Agenda Title

LOT SPLIT/REPLAT - The applicant, HOMESTEAD DEVELOPMENT, is requesting approval of a Lot Split/Replat of 23.749 acres to create two lots to facilitate the redevelopment of the former Marian Meadows shopping center. Property is located West of the terminus of Miami Valley Way (LS 23-01).

Purpose and Background

---

Attachments

Staff Report

Decision Record

Drawings

---

# Memorandum

Staff Report for Meeting of January 10, 2023

To: Huber Heights City Planning Commission  
From: Aaron K. Sorrell, City Planner  
Date: January 4, 2023  
Subject: LS 23-01 Lot Split/Replat – Premier Health (Miami Valley Way/Brandt Pike)

Application dated December 15, 2022

Department of Planning and Zoning

City of Huber Heights

**APPLICANT/OWNER:** Homestead Development - Applicant  
Premier Health & City of Huber Heights - Owners

**DEVELOPMENT NAME:** Heritage Commons (formerly Marian Meadows)

**ADDRESS/LOCATION:** West of the terminus of Miami Valley Way

**ZONING/ACREAGE:** Planned Mixed Use (I-1) 23.749 acres

**EXISTING LAND USE:** Mixed Use

## **ZONING**

**ADJACENT LAND:** West: R-4; North: PC; East & South: PM

**REQUEST:** The applicant requests approval of a lot split and replat of 23.749 acres to create two lots to facilitate the redevelopment of the former Marian Meadows shopping center.

**ORIGINAL APPROVAL:** N/A

**APPLICABLE HHCC:** Chapter 1107 (Subdivision Regulations)

**CORRESPONDENCE:** In Favor – None Received  
In Opposition – None Received

## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview**

This application contains two real estate actions: First is a lot split to transfer (swap) property between the City of Huber Heights and Premier Health Center, totaling 0.619 acres. The second is a replat of one parcel into two lots of record. These actions will facilitate the construction of the previously approved Marian Meadows residential apartments, now called Heritage Commons and Homestead Senior Living. The internal roads serving the development are still being designed, and the right-of-way dedication will be a separate forthcoming application. The approved master plan is attached for your reference.

### **Staff Analysis**

This application is the first two steps of three required to subdivide lands and dedicate the necessary public right of way needed for the redevelopment of the former shopping center.

The first step is a lot split that transfers land between the City of Huber Heights and Premier Health to provide for the new street alignments. Premier is transferring 0.470 acres to the city and the city is transferring 0.149 acres to Premier. Premier will have one contiguous parcel for future development.

The second step is a replat of the city-owned land totaling 23.749 acres into two lots:

Lot 1 contains 12.272 acres. The west side of this lot is the site of the planned Heritage Commons apartments. A future replat will dedicate the public streets and retention areas to serve this development.

Lot 2 contains 11.477 acres. The west side of this lot is the site of the senior apartments. A future replat will dedicate the public streets to serve this development, retention and open space areas, and connection to Brandt Pike.

The proposed replat meets all requirements of the subdivision regulations.

### **Additional Comments:**

**Fire:** Approves the replat as submitted.

**City Engineer:** Approves the replat as submitted.

### **Recommendation**

Staff recommends approval of the application as submitted.

### **Planning Commission Action**

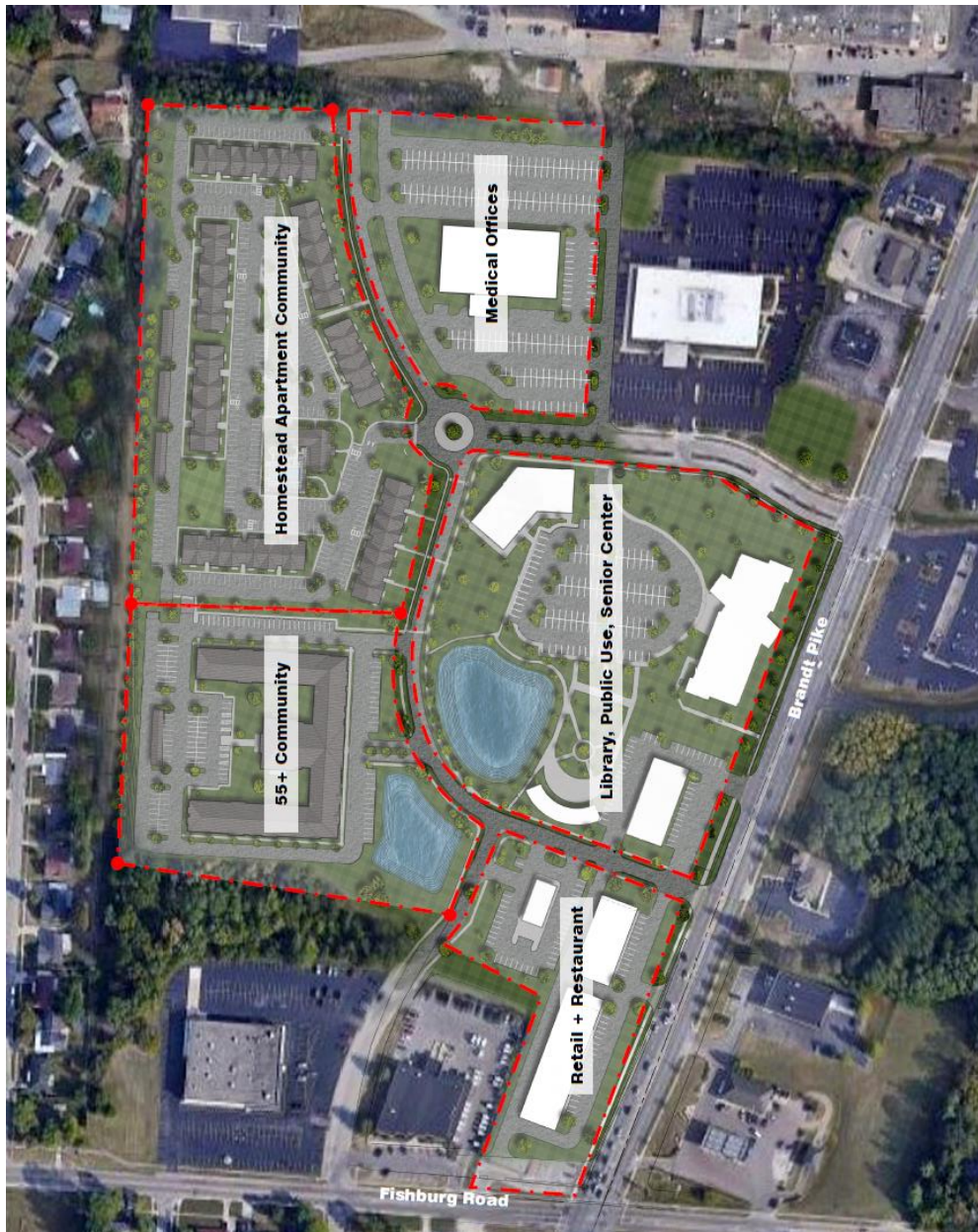
Planning Commission may take the following actions with a motion to:

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

## Approved Basic Development Plan

Lot 1 contains the Homestead Apartment Community, roundabout and area west of the library.

Lot 2 contains the senior apartments, both retention areas, and the land south of the library.





## **Planning Commission Decision Record**

WHEREAS, on December 15, 2022, the applicant, Homestead Development, requested approval of a Lot split and Replat of 23.749 acres to create two lots to facilitate the redevelopment of the former Marian Meadows shopping center. Property is located west of the terminus of Miami Valley Way, further identified as Parcel Numbers P70 03912 0139 and P70 03912 0140 of the Montgomery County Auditor's Map (Case LS 23-01), and;

WHEREAS, on January 10, 2023, 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, Homestead Development, for approval of a Lot split and Replat of 23.749 acres to create two lots to facilitate the redevelopment of the former Marian Meadows shopping center. Property is located west of the terminus of Miami Valley Way, (Case LS 23-01), in accordance with the recommendation of Staff's Memorandum dated January 4, 2023, with the following conditions:

1. Approve as submitted.

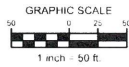
Seconded by Roll call showed: YEAS:    NAYS:    Motion to recommend approval carried .

---

Terry Walton, Chair  
Planning Commission

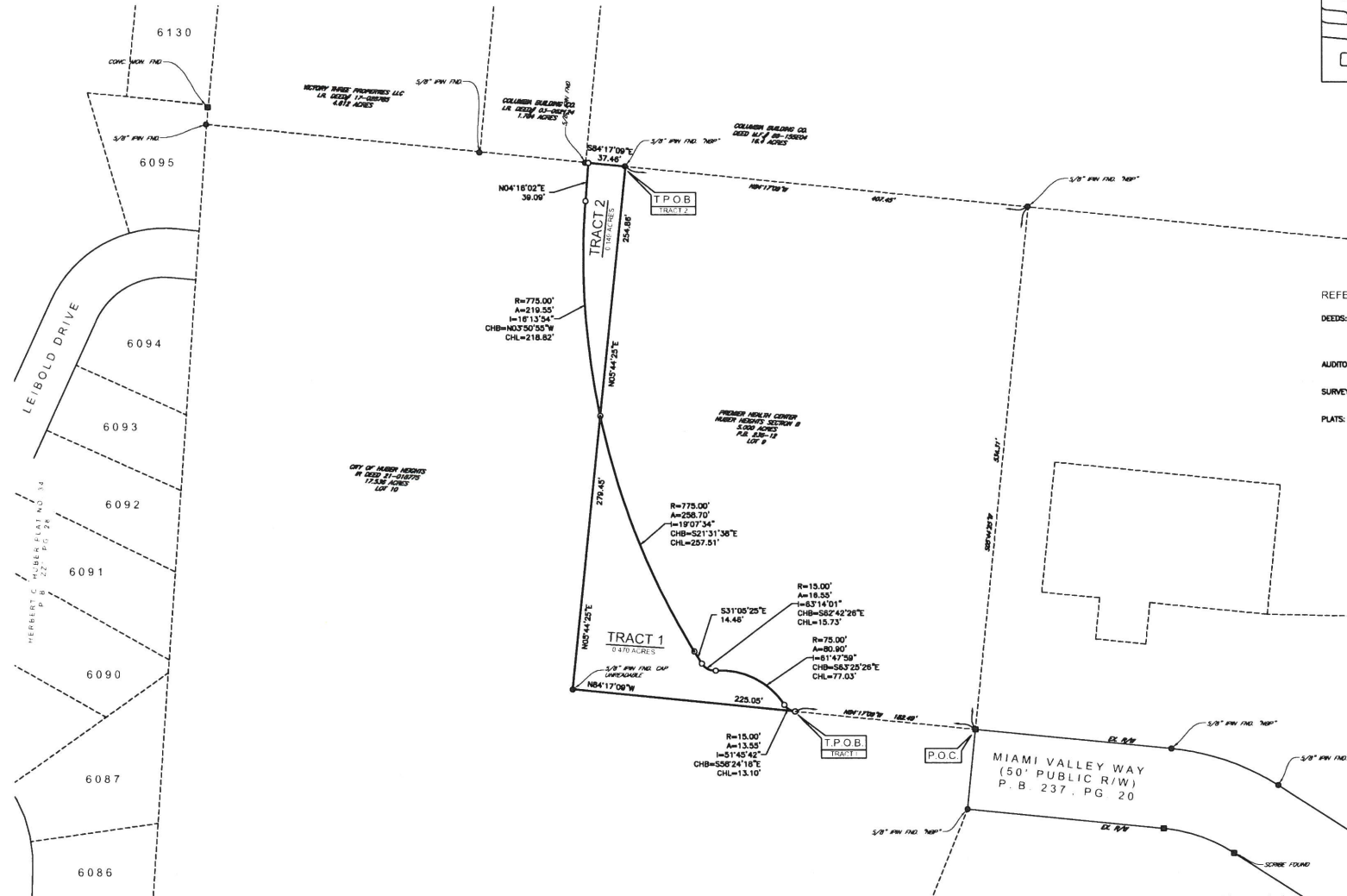
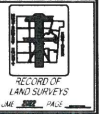
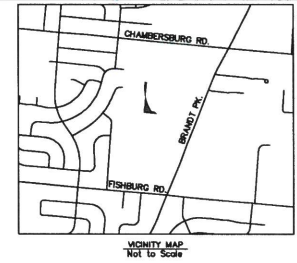
---

Date



LOT SPLIT  
**PREMIER HEALTH LOT SPLIT**  
SECTION 22, TOWN 2, RANGE 8 E  
HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO  
TRACT I = 0.470 ACRES  
TRACT II = 0.149 ACRES  
0.619 TOTAL ACRES

BASIS OF BEARING: BEARINGS ARE BASED ON SOUTH LINE OF LOT 9 OF THE PREMIER HEALTH CENTER HUBER HEIGHTS SECTION 8, TAKEN FROM STATE PLANE COORDINATE SYSTEM, NAD83(2011) ADJUSTMENT, GEOID12a, OHIO SOUTH ZONE, O.D.O.T. VRS/CORS NETWORK (BEARING N 84°17'59" W)



REFERENCES:

DEEDS: CITY OF HUBER HEIGHTS  
I.R. DEED# 21-018775

PREMIER HEALTH CENTER

AUDITORS: HUBER HEIGHTS  
BOOK 39, PG. 12

SURVEYS: SUR 2000-0304

PLATS: SOUTHPOINTE CROSSING  
P.B. 237, PG. 20

PREMIER HEALTH CENTER, HUBER HEIGHTS SECTION 8  
P.B. 236, PG. 12

CERTIFICATION:  
I CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 STANDARDS FOR BOUNDARY SURVEYS. ALL MONUMENTATION IS OR TO BE SET AS SHOWN.

MICHAEL A. NOVEAN  
OHIO PROFESSIONAL SURVEYOR NO. 8101

DATE

MONUMENTATION LEGEND

- IRON PIN FOUND
- ◆ NAIL FOUND
- 5/8" I.P. SET

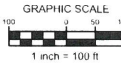
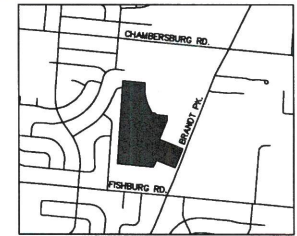
SURVEYOR NOTES

1. LINES OF OCCUPATION (WHERE EXISTING) IN GENERAL AGREE WITH PROPERTY LINES.
2. ALL MONUMENTATION FOUND IN GOOD CONDITION UNLESS NOTED OTHERWISE.
3. PROPOSED SURVEY MONUMENTS WILL BE SET AFTER APPROVAL OF SURVEY AND TRANSFER OF PROPERTY.
4. IRON PINS SET ARE 30" x 5/8" REBAR, CAPPED "BURKHARDT ENGINEERING"
5. MAG NAILS SET ARE 1 1/2" x 1/4" MAG NAILS
6. ALL DEED, SURVEY AND PLAT RECORDS SHOWN ON THIS SURVEY WERE USED IN THE PERFORMANCE OF THIS SURVEY.

Drawn: RJK	Plat: 22.112
Checked: MAN	Draw: 22.112.dwg
Scale: 1" = 50'	
Date: 12.13.2022	
Sheet: PLAT OF SURVEY LOT SPLIT	
Sheet No: 1 of 1	

RECORD PLAN  
HERITAGE COMMONS  
SECTION "A"

BEING A REPLAT OF LOTS 9 & 10 OF  
PREMIER HEALTH - HUBER HEIGHTS SECTION "B",  
AS RECORDED IN P.B. 236, PG. 12  
SECTION 22, TOWN 2, RANGE 8, M. RS.,  
MONTGOMERY COUNTY, OHIO  
TOTAL AREA = 23.749 ACRES  
NOVEMBER 2022



BASIS OF BEARING: BEARINGS ARE BASED ON THE WEST LINE  
OF LOT 10 OF PREMIER HEALTH-HUBER HEIGHTS SECTION "B",  
TAKEN FROM STATE PLANE COORDINATE SYSTEM, NAD83(2011)  
ADJUSTMENT, GEOID18, OHIO SOUTH ZONE, O.D.O.T. VRS/CONS  
NETWORK (BEARING N 03°59'41" E)

DESCRIPTION

The within plot is a Replat of 23.749 acres and being part of Lots 9 & 10 of Premier  
Health Center - Huber Heights Section "B" as recorded in Plat Book 236, PG. 12 of the  
Montgomery County Plat Records, and comprising all of that land conveyed to City of  
Huber Heights by deed recorded in L.R. Deed # 25-021560, 21-014001, 21-018775 &  
22-015020 of the Deed Records of Montgomery County, Ohio.

Containing a total of 23.749 acres, of which 23.749 acres are in lots.

DEDICATION

We, the undersigned, being all the owners and lessors of the lands herein plotted, do hereby  
acknowledge the making and signing of said record plan to be our voluntary act and deed, and reserve the  
assessments shown within the plot to the public for use hereon.  
Easements shown within the plot are for the construction, operation, maintenance, repair and replacement  
of water, sewer, gas, electric, telephone or other services and for the express privileges of removing any and  
all trees or other obstructions to the free use of said utilities, and for providing ingress to and egress from the  
premises for said purposes, and are to be maintained as such forever.

Signed and Acknowledged  
in the Presence of:

Owner:

Witness (signature)

Witness (signature)

Owner (signature)

Witness (printed name)

Witness (printed name)

Owner (printed name)

ACKNOWLEDGEMENT

State of Ohio, Montgomery County, S.S.  
Be it remembered on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in  
and for said state, personally came \_\_\_\_\_, to be known,  
and acknowledged the signing and execution of the foregoing plat to be their voluntary act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and date  
written above.

Notary Public in and for Montgomery County, Ohio  
My Commission Expires \_\_\_\_\_

OWNER'S STATEMENT

Date \_\_\_\_\_, 20\_\_\_\_  
State of Ohio, County of Montgomery, S.S.

\_\_\_\_\_, being duly sworn, says that all persons and corporations, to  
the best of his/her knowledge, interested in this dedication, either as owners or lessors, have united in  
its execution.

In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and date  
above written.

Notary Public in and for Montgomery County, Ohio  
My Commission Expires \_\_\_\_\_

MONUMENTATION LEGEND

- IRON PIN FOUND
- ◆ NAIL FOUND
- SCRIBE FOUND
- 5/8" I.P. SET

CERTIFICATE OF SURVEYOR

I hereby certify the plot/subdivision was prepared in accordance with Ohio  
Administrative Code Chapter 4733.37 Standards for Surveys and also conforms to the  
Ohio Revised Code Chapter 711 for record plans and was conducted under my direct  
supervision, based on fieldwork in September 2021. All measurements are correct and  
monuments are to be set as shown. Curve distances are measured on the arc. Iron  
pins to be set at all lot corners are 5/8" x 30" nails.

Michael A. Nowson  
Ohio Professional Registered  
Surveyor No. 910

SURVEYOR NOTES

1. LINES OF OCCUPATION (WHERE EXISTING) IN GENERAL AGREE WITH PROPERTY LINES.
2. ALL MONUMENTATION FOUND IN GOOD CONDITION UNLESS NOTED OTHERWISE.
3. PROPOSED SURVEY MONUMENTS WILL BE SET AFTER APPROVAL OF SURVEY AND  
TRANSFER OF PROPERTY.
4. IRON PINS SET ARE 3/4" x 5/8" IRON, CAPPED "BURKHARDT ENGINEERING"
5. HAND NAILS SET ARE 1 1/2" x 1/4" AND NAILS.
6. ALL DEED, SURVEY AND PLAT RECORDS SHOWN ON THIS SURVEY WERE USED IN THE  
PERFORMANCE OF THIS SURVEY.

Line Table		
Line #	Length	Direction
L1	98.65	N68°12'34"W
L2	202.93	N75°02'54"W
L3	35.06	N86°05'47"W
L4	30.47	S78°04'24"W
L5	228.42	N86°00'19"W
L6	35.92	S74°01'28"W
L7	84.15	N86°00'19"W
L8	84.15	S86°00'19"W
L9	35.92	N74°01'28"E
L10	228.42	S86°00'19"E
L11	30.47	N78°04'24"E
L12	35.06	S86°05'47"E
L13	202.93	S75°02'54"E
L14	98.65	S68°12'34"E

SUPERIMPOSED AREA NOTE  
ALL OF THE LANDS OF THE DEDICATOR OF  
SUCH PLAT ARE DRAWN AS SHOWN HEREON

COLUMBIAN BUILDING CO.  
DEED 16.4 ACRES

LOT 1  
12.272 ACRES

LOT 2  
11.477 ACRES

APPROVED FOR DESCRIPTION  
MONTGOMERY COUNTY ENGINEER DATE  
Checked By DATE  
FILE

**AI-8922**

**9. A.**

**Planning Commission**

Meeting Date: 01/10/2023

Minutes

---

Information

Agenda Title

Planning Commission December 13, 2022

Purpose and Background

---

Attachments

Minutes

---

**Planning Commission  
December 13, 2022, Meeting  
City of Huber Heights**

I. Chair Terry Walton called the meeting to order at approximately 6:02 p.m.

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

Members absent: Ms. Opp and Ms. Thomas, both excused.

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. **TEXT AMENDMENTS - The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval of various text amendments to the Zoning ordinance of the City of Huber Heights pertaining to Special Use within the Agricultural District, permitted uses within the Planned Commercial and Planned Industrial District and changes to the home occupation regulations (TA22-42).**

**Suggested Text Amendment #1: Expand the definition of Home Occupations (Section 1123.53).**

The home occupation definition is very limiting, especially considering the number of professions that have broadened work-at-home opportunities and advances in technology that make working from a home office easier. Additionally, traditional concerns about impacts from a home occupation such as delivery vehicles have primarily vanished with the increased popularity of Etsy, Amazon and other retailers who ship directly to consumers. Fed Ex, UPS and Amazon delivery vehicles are a ubiquitous sight in all residential areas.

**Suggested Text Amendment #2 & #3: Expand Special Uses within the Agricultural District (Chapter 1142)**

There is a limited list of allowable special uses in the agricultural district, and expanding this list and with appropriate standards will provide the BZA with additional options and widen the potential use of lands without impacting adjacent property owners. Unlike a rezoning or variance, the special use permit expires if the use is discontinued for more than one year.

### **Bed and Breakfast Establishments**

I recommend adding “Bed and Breakfast Establishments” and “Automotive / Vehicle Repair” to the list of Special Uses within the Agricultural District. Currently, Bed and Breakfast (B&B) uses are not defined nor allowed in Huber Heights. While there are currently no B&B’s, there are a few unique buildings that may lend themselves to operating as a B&B, and they have very limited impact on neighboring properties. Most surrounding jurisdictions permit B&B’s in many residential areas.

### **Indoor Automotive / Vehicle Repair**

Allowing the BZA to consider automotive/vehicle repair as a Special Use within the Agricultural District may have provided the BZA with additional options when they were reviewing the Skilwies variance request. This approach is preferable to a rezoning or variance, because the use is no longer allowed if voluntarily discontinued after one year.

### **Self-Storage Facilities**

Self-Storage Facilities have been a topic of discussion both in Huber Heights and surrounding jurisdictions due to the recent acceleration in their development. While these facilities provide a service to the renters, they generate little employment opportunities, income tax, or vibrancy along a commercial corridor or areas designed to be active and vibrant.

Currently, there is no consistent definition for self-storage facilities within the zoning code. The terms “warehouse”, “mini-warehouse” and “mini-storage warehouse” are used in the code but none of the terms are defined.

### **Action**

Mr. Jeffries moved to approve the request by the City of Huber Heights, for approval of various text amendments to the Zoning ordinance of the City of Huber Heights pertaining to Special Uses within the Agricultural District, permitted uses within the Planned Commercial and Planned Industrial District and changes to the home occupation regulations (TA 22-42.1).

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

### **Action**

Ms. Vargo moved to approve the request by the City of Huber Heights, for approval of various text amendments to the Zoning ordinance of the City of Huber Heights pertaining to Special Uses within the Agricultural District, permitted uses within the Planned Commercial and Planned Industrial District and changes to the home occupation regulations (TA 22-42.2).

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

**Action**

Ms. Vargo moved to approve the request by the City of Huber Heights, for approval of various text amendments to the Zoning ordinance of the City of Huber Heights pertaining to Special Uses within the Agricultural District, permitted uses within the Planned Commercial and Planned Industrial District and changes to the home occupation regulations (TA 22-42.3).

Seconded by Mr. Jeffries. Roll call showed: YEAS: Ms. Vargo and Mr. Walton. NAYS: Mr. Jeffries. Motion to approve denied 2-1.

**Action**

Mr. Jeffries moved to approve the request by the City of Huber Heights, for approval of various text amendments to the Zoning ordinance of the City of Huber Heights pertaining to Special Uses within the Agricultural District, permitted uses within the Planned Commercial and Planned Industrial District and changes to the home occupation regulations (TA 22-42.4).

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

**2. BASIC DEVELOPMENT PLAN AND REZONING - The applicant, THOMAS E. DUSA, is requesting approval of a Basic Development Plan and Rezoning to PI (Planned Industrial) to construct a truck repair facility and truck/trailer drop lot on approximately three (3) acres. Property is located at the South East Corner of Technology Blvd and Artz Road (RZ BDP 22-35).**

Mr. Sorrell stated that the applicant requests approval of a basic development plan and rezoning to Planned Industrial to construct a truck stop and repair facility on a three (3) acre parcel. The site is very close to the I-70 / SR 235 interchange.

The land is currently zoned B-3. The surrounding lands are predominantly zoned I-1 and used for manufacturing or logistics purposes. There is a significant amount of agricultural / vacant land immediately east of this site in Clark County that has development potential but limited access to SR 235 and I-70.

Approximately 35 acres was recently rezoned to Planned Commercial to accommodate a fueling station, truck stop and repair facility. The City Council amended the basic development plan to increase the number of truck stop spaces to 30, from 10 spaces that was approved by the Planning Commission.

The applicant has provided additional details regarding the building design and use of the site. Staff feels a repair facility with overnight parking as an accessory use is consistent with the comprehensive plan at this location; however, a simple drop lot facility for overnight parking or trailer storage, without driver support services is not consistent with the comprehensive plan.

Tom Dusa was present.

Discussion on the appropriate use, gateway entrance, and details.

Mr. Jeffries moved to approve the request by the applicant, THOMAS E. DUSA, for approval of Basic Development Plan and Rezoning to PI (Planned Industrial) to construct a truck repair facility and truck/trailer drop lot on approximately three acres. Property is located at the SouthEast Corner of Technology Blvd and Artz Road (RZ BDP 22-35).

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

## **VII. New Business**

- 1. MINOR CHANGE - The applicant, KAP SIGNS, is requesting approval of a Minor Change to add one 5'-8" ground sign. Property is located at 7050 Executive Blvd (MC 22-44).**

Mr. Sorrell stated that the Planning Commission granted approval for three wall signs in October 2014. At that time, no ground signs were planned or requested. At that time, the vegetation along Executive Boulevard did not obscure building visibility. Today, the vegetation has matured and obstructs building visibility from westbound traffic.

Staff supports the minor change to add one ground sign as detailed in the application dated November 17, 2022. Building visibility is difficult for westbound traffic since the vegetation has matured. There are similar ground signs along Executive Boulevard which meet the zoning code requirements.

David Williams from Kap Signs was present.

### **Action**

Ms. Vargo moved to approve the request by the applicant, Kap Signs, for approval of a Minor Change to add one ground sign. Property is located at 7050 Executive Blvd (MC 22-44).

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

- 2. MAJOR CHANGE - The applicant, JOHN KOPILCHACK, is requesting approval of a Major Change to the combined basic and detailed development plan for addition to the existing medical facility. Property is located at 8501 Old Troy Pike (MJC 22-43).**

Mr. Sorrell stated in October 2014, the Planning Commission approved a combined basic and detailed development plan to construct a Dayton Children's Urgent Care facility on the site of a previous medical office use.

The applicant is now proposing to add a 10,600 SF addition to the rear of the existing facility.

The expansion will encroach into the parking area which will reduce the number of spaces by eight (8) spaces to a total of 153 spaces. The expansion materials and design will be similar to the existing facility.

The proposed 10,600 SF building expansion will add 12 additional exam rooms, bringing the total to 40 exam rooms and the total size of the facility to just under 35,000 SF. The expansion will have minor impact on the parking, but staff feels the amount of parking provided is more than adequate for this facility.

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.

Mr. John Kopilchack was present.

### **Action**

Ms. Vargo moved to approve the request by the applicant, John Kopilchack, for approval of a Major Change to the combined basic and detailed development plan for addition to the existing medical facility. Property is located at 8501 Old Troy Pike (MJC 22-43).

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

### **3. REZONING - The applicants, RICHARD BAUMER and STACI CARRE, are requesting approval of a Rezoning from I-1 to R1. Properties are located at 7767 and 7777 Wildcat Road (RZ 22-41).**

Mr. Sorrell stated in 1994, many of the properties along Wildcat Road were rezoned to Industrial to facilitate redevelopment on the east side of Wildcat Road. While the records are unclear, staff thinks the rezoning was expanded to include residential homes that were not owned by the original 1994 rezoning applicant on the west side of Wildcat Road.

The current applicant (7767 Wildcat Road) would like to expand his home, but the zoning code does not allow the expansion of a non-conforming use. Staff suggested rezoning the property to R-1. Staff also contacted owners of adjacent residential uses who are currently zoned I-1, one owner (7777 Wildcat Road) contacted city staff and requested to be included in this rezoning request.

The two residential properties meet all the R-1 district standards. They are currently legal non-conforming uses. A change in zoning will allow the primary applicant to expand his structure. Additionally, being zoned R-1, rather than I-1, may enable a smoother real estate transaction if the applicants sell their property in the future.

Mr. Richard Baumer was present.

Discussion on appropriate zoning.

**Action**

Mr. Jeffries moved to approve the request by the applicants, Richard Baumer and Staci Carre, for approval of a Rezoning from I-1 to R1. Properties are located at 7767 and 7777 Wildcat Road (RZ 22-41).

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

**VIII. Additional Business**

Election of Officers, with only 3 members present, will move this item to the next meeting of January 10, 2023.

**IX. Approval of the Minutes**

Without objection, the minutes of the November 8, 2022, Planning Commission meeting are approved.

**X. Reports and Calendar Review**

Approval of 2023 Meeting Schedule

**Action**

Mr. Jeffries moved to approve the 2023 meeting schedule. Starting in April, we will only have 1 meeting a month. That will give more time to work on each case.

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Vargo, and Mr. Walton. NAYS: None. Motion to approve carried 3-0.

**XI. Upcoming Meetings**

January 10, 2023

**XII. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:02 p.m.

Planning Commission Meeting  
December 13, 2022

---

**Terry Walton, Chair**

---

**Date**

---

**Geri Hoskins, Administrative Secretary**

---

**Date**

**AI-8923**

**10. A.**

**Planning Commission**

Meeting Date: 01/10/2023

Calendar

---

Information

Agenda Title

Approval of 2023 Meeting Schedule

Purpose and Background

---

Attachments

Meeting Schedule

---

**PLANNING COMMISSION**  
**SCHEDULE OF MEETINGS & SUBMITTAL DEADLINES**  
**BUSINESS YEAR 2023**  
 (Meetings typically held on the 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays)  
**6:00 P.M.**

<b>MEETING DATE</b>	<b>DATE FOR SUBMITTAL</b>
January 10, 2023	December 16, 2022
January 24, 2023	December 30, 2022
February 14, 2023	January 21, 2023
February 28, 2023	February 4, 2023
March 14, 2023	February 18, 2023
March 28, 2023	March 4, 2023
April 11, 2023	March 18, 2023
May 9, 2023	April 15, 2023
June 13, 2023	May 20, 2023
July 11, 2023	June 17, 2023
August 1, 2023	July 8, 2023
September 12, 2023	August 19, 2023
October 10, 2023	September 16, 2023
November 14, 2023	October 21, 2023
December 12, 2023	November 18, 2023