CITY OF HUBER HEIGHTS
STATE OF OHIO

City Council Work Session

April 20, 2023
6:00 P.M.
City Hall - Council Chambers - 6131 Taylorsville Road - Huber Heights, Ohio

1. **Call Meeting To Order/Roll Call**

2. **Approval Of Minutes**

   A. April 4, 2023

3. **Work Session Topics Of Discussion**

   A. City Manager Report

   B. Military And Veterans Commission Update

   C. Disposal Of Surplus Vehicles

   D. Thorngate Drive - Removal - Award Contract

   E. Emeraldgate Water Tower Painting - Award Contract

   F. OneOhio Opioid Settlement Participation Agreement

G. Water Infrastructure Update

H. Fire Division Staffing Update

I. PVS Plastics - CRA Agreement

J. Case RZ BDP 22-35 - Thomas Dusa - Rezoning/Basic Development Plan - Technology Boulevard/Artz Road

K. Case RZ 23-03 - Wright Way Ohio, LLC - Rezoning - North Of 8101 Old Troy Pike

L. Case MJC 23-07 - Flying Ace Car Wash - Major Change - 7730 Brandt Pike

M. Case RZ BDP 23-08 - RHM Real Estate Group - Rezoning/Basic Development Plan - 7125 Executive Boulevard

N. Case RZ 23-09 - STP Holdings, LLC - Rezoning - 6740 Brandt Pike

O. Liquor Permit #65215090695 - Sheetz - 7550 Old Troy Pike

4. **Adjournment**

AI-9134 **Topics of Discussion** **B.**

Council Work Session

Meeting Date: 04/20/2023

Military And Veterans Commission Update

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.: N/A

Agenda Item Description or Legislation Title

Military And Veterans Commission Update

Purpose and Background

Representatives of the Military and Veterans Commission will give an update presentation on the activities and work of the Military and Veterans Commission.

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

No file(s) attached.

AI-9143 **Topics of Discussion** C.

Council Work Session

Meeting Date: 04/20/2023

Disposal Of Surplus Vehicles

Submitted By: Linda Garrett

Department: Public Works **Division:** Public Works

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: None **Emergency Legislation?:**

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Disposal Of Surplus Vehicles

Purpose and Background

This legislation is to authorize disposal of nine (9) vehicles in the Public Works Division as surplus property.

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Resolution

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AS SURPLUS AND AUTHORIZING DISPOSAL OF SAID SURPLUS PROPERTY.

WHEREAS, the City of Huber Heights is in possession of certain property including vehicles assigned to the Public Works Division; and

WHEREAS, the property is no longer needed for municipal purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. Consistent with the provisions of the Ohio Revised Code Section 721.15 and applicable Huber Heights Codified Ordinances and purchasing procedures, the following equipment is declared surplus, no longer required for municipal purposes, and authorization is hereby provided to dispose of the property consistent with the provisions of the Huber Heights Codified Ordinances.

YEAR/MAKE/MODEL	VIN#
2002 Ford F-450 Fire Ambulance	1FDXE45F72HA45103
2011 Ford F-250 Pick-up Truck	1FTBF2B68BEA81663
2011 Ford F-250 Pick-up Truck	1FTBF2B6ZBEA81664
2002 Ford F-250 Pick-up Truck	1FTNF21F92EC06992
2011 Ford F-350 Crew Cab Pick-up Truck	1FTSW30S54EC69534
2015 Ford F-250 Super Duty Pick-up Truck	1FTBF2B65FEA38680
2001 Ford F-350 Flatbed Utility Truck	1FDWF36F61EC16862
2002 Ford F-450 Light Duty Dump Truck	1FDXF46FX2EC06993
2016 Ford F-350 Light Duty Dump Truck	1FDRF3H66GEC96361

Section 2. Authorization is hereby provided to the City Manager to dispose of the listed surplus item(s) on an online auction site or in such other manner as authorized by law.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

AI-9129 **Topics of Discussion** D.

Council Work Session

Meeting Date: 04/20/2023

Thorngate Drive - Removal - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Thorngate Drive - Removal - Award Contract

Purpose and Background

Three quotes were received for the removal of Thorngate Drive. The three quotes were from LK and Sons at a cost of $27,484, from Durst Brothers Excavating at a cost of $32,920 and from S2K Excavating at a cost of $34,578. This existing roadway will never be extended and it currently has a major drainage problem that will be taken care of by removing the road and regrading the area. This project consists of removing the existing curb, sidewalk, asphalt pavement, and adding topsoil to regrade. All disturbed areas will then be seeded and mulched.

This legislation will authorize the City Manager to enter into a contract with LK and Sons to remove Thorngate Drive at a cost not to exceed $45,000. The Capital Fund will be utilized for this project.

Fiscal Impact

Source of Funds: Capital Fund

Cost: $45,000

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Map

Resolution



City of Huber Heights

1 in = 60 ft

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE REMOVAL OF THORNGATE DRIVE AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, Council has determined to proceed with this project to remove Thorngate Drive; and

WHEREAS, the cost of the project will be in excess of $25,000.00; and

WHEREAS, the City Council may waive the competitive bidding procedures whenever it deems to be in the best interest of the City to do so as defined in Section 171.12 of the Huber Heights Codified Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to enter into a contract with L K and Sons for the removal of Thorngate Drive at a cost not to exceed $45,000.00.

Section 2. Consistent with the provisions of the Huber Heights Codified Ordinances, the competitive bidding requirements are hereby waived.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

AI-9130 **Topics of Discussion** **E.**

Council Work Session

Meeting Date: 04/20/2023

Emeraldgate Water Tower Painting - Award Contract

Submitted By: Hanane Eisentraut

Department: Engineering **Division:** Engineering

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Emeraldgate Water Tower Painting - Award Contract

Purpose and Background

Six bids were received for the painting of the Emeraldgate Water Standpipe ranging from $392,200 to $624,800. Inspec Coatings, the lowest bidder, elected to withdraw its bid due to an honest miscalculation in the estimated prices.

This legislation will authorize the City Manager to enter into a contract with Viking Industrial Painting at a cost not to exceed $482,000 for the painting of the Emeraldgate Water Standpipe. This legislation will also authorize the City Manager to enter into a contract for inspectional services with Nelson Tank Engineering and Consulting at a cost not to exceed $40,000. This company is uniquely qualified and has the equipment and trained personnel and expertise to assist the City with this project. This company will work closely with City Staff to ensure quality product results. The Water Fund will be utilized for the costs of this project.

Fiscal Impact

Source of Funds: Water Fund

Cost: $522,000

Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): Yes

Financial Implications:

Attachments

Bid Results

Map

Resolution

CITY OF HUBER HEIGHTS
PAINTING OF EMERALDGATE WATER STANDPIPE
BID RESULT
BID DATE: APRIL 7, 2023

	CONTRACTOR'S NAME	BID AMOUNT	
5	Weiser Construction	$570,215.00	60 Calendar Days
		Bid Bond - Yes	
2	Viking Painting	$437,800.00	60 Calendar Days
		Bid Bond - Yes	
6	Seven Brothers Painting	$624,800.00	90 Calendar Days
		Bid Bond - Yes	
3	Worldwide Industries	$494,387.00	120 Calendar Days
		Bid Bond - Yes	
1	Inspec Coatings	$392,200.00	60 Calendar Days
		Bid Bond - Yes	
4	Maguire Iron	$551,000.00	90 Calendar Days
		Bid Bond - Yes	



City of Huber Heights

1 in = 188 ft

Date: 1/10/2023

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PAINTING OF THE EMERALDGATE WATER STANDPIPE AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, City Council authorized the receipt of bids for the painting of the Emeraldgate Water Standpipe, which were received on April 7, 2023; and

WHEREAS, the City desires to secure inspectional services from outside sources for the painting of the Emeraldgate Water Standpipe; and

WHEREAS, Nelson Tank Engineering and Consulting, Inc. is uniquely qualified to perform these services; and

WHEREAS, funds are available to cover the cost of this improvement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to enter into a contract for the painting of the Emeraldgate Water Standpipe with Viking Industrial Painting, LLC at a cost not to exceed $482,000.00 on the terms and conditions substantially contained in the bid.

Section 2. The City Manager is hereby authorized to enter into a contract for inspectional services with Nelson Tank Engineering and Consulting, Inc. for the painting of the Emeraldgate Water Standpipe at a cost not to exceed $40,000.00.

Section 3. Consistent with the provisions of the Huber Heights Codified Ordinances, the competitive bidding requirements are hereby waived for inspectional services from outside sources for the painting of the Emeraldgate Water Standpipe.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the ___ day of _____, 2023;
_____Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____	_____
Clerk of Council	Mayor
_____	_____
Date	Date

.

AI-9128 **Topics of Discussion** F.

Council Work Session

Meeting Date: 04/20/2023

OneOhio Opioid Settlement Participation Agreement

Submitted By: Jim Bell

Department: Finance **Division:** Accounting

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2022

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

OneOhio Opioid Settlement Participation Agreement

Purpose and Background

The City of Huber Heights has previously adopted the OneOhio Memorandum of Understanding (MOU). The MOU established a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis. Five new proposed national opioid settlements have been reached with Allergan, Teva, CVS, Walgreens, and Walmart. Ohio political subdivisions are required to opt in to these settlement proposals no later than April 18, 2023.

This legislation is related to Resolution No. 2021-R-7033 adopted by City Council on September 14, 2021, as well as the legislation establishing the City's OneOhio Opioid Settlement Fund which was introduced to City Council during the April 19, 2022 Council Work Session and adopted at the April 25, 2022 City Council Meeting. The legislation affirms the Interim City Manager's submittal of a participation agreement and such other documents as were necessary to ensure the City of Huber Heights participates in this new opioid settlement. The proceeds of this settlement will be deposited in the existing OneOhio Opioid Settlement Fund.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Resolution

Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AFFIRMING THE EXECUTION OF PARTICIPATION AGREEMENTS BY THE CITY MANAGER, ON BEHALF OF THE CITY OF HUBER HEIGHTS, RELATED TO THE NEW NATIONAL OPIOID SETTLEMENTS WITH ALLERGAN, TEVA, CVS, WALGREENS, AND WALMART.

WHEREAS, the City of Huber Heights is a local government that has adopted the OneOhio Memorandum of Understanding (the "MOU"), which established a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the pharmaceutical supply chain; and

WHEREAS, the State of Ohio through its Attorney General, and certain local governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold opioid pharmaceutical supply chain participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, settlement proposals have been presented to the State of Ohio and Local Governments by certain manufacturer defendants including Allergan and Teva (collectively the "Settling Manufacturer Defendants"), and by certain pharmacy defendants including CVS, Walgreens, and Walmart (collectively the "Settling Pharmacy Defendants"), that would resolve governmental entity claims involving these parties in the State of Ohio using the structure of the OneOhio MOU; and

WHEREAS, Ohio political subdivisions are required to execute participation agreements for these opioid settlement proposals no later than April 18, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Council of the City of Huber Heights affirms the execution of participation agreements by the City Manager, on the City's behalf, and such other documents as may be necessary to ensure that the City of Huber Heights participates in the above-described settlements with the Settling Manufacturer Defendants and the Settling Pharmacy Defendants, consistent with the provisions of the OneOhio MOU and attached hereto as Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

EXHIBIT A

New National Opioids Settlements: Teva, Allergan, CVS, Walgreens, and Walmart
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Huber Heights city, OH
Reference Number: CL-389588

TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:

THIS PACKAGE CONTAINS DOCUMENTATION TO PARTICIPATE IN THE NEW NATIONAL OPIOID SETTLEMENTS. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.

Deadline: April 18, 2023

Five new proposed national opioid settlements ("*New National Opioid Settlements*") have been reached with **Teva, Allergan, CVS, Walgreens, and Walmart** ("Settling Defendants"). This *Participation Package* is a follow-up communication to the *Notice of National Opioid Settlements* recently received electronically by your subdivision or special district ("subdivision").

You are receiving this *Participation Package* because Ohio is participating in the following settlements:

- **Teva**
- **Allergan**
- **CVS**
- **Walgreens**
- **Walmart**

If a state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

This electronic envelope contains:

- *Participation Forms* for Teva, Allergan, CVS, Walgreens, and Walmart, including a release of any claims.

The *Participation Form* for each settlement must be executed, without alteration, and submitted on or before April 18, 2023, in order for your subdivision to be considered for initial participation calculations and payment eligibility.

Based upon subdivision participation forms received on or before April 18th, the subdivision participation rate will be used to determine whether participation for each deal is sufficient for the settlement to move forward and whether a state earns its maximum potential payment under the settlement. If the settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to intrastate agreements or state statutes.

Consistent with the previously entered settlements involving Cardinal Health, AmerisourceBergen, the McKesson Corporation, and Johnson & Johnson/Janssen, proceeds from any settlement entered into with any of the five companies identified in this letter will be allocated and distributed in accordance with the OneOhio Memorandum of Understanding, a copy of which can be found at https://nationalopioidsettlement.com/wp-content/uploads/2021/11/Exhibit-8-2021.07.28-One-Ohio-Memorandum-of-Understanding.pdf.

You are encouraged to discuss the terms and benefits of the *New National Opioid Settlements* with your counsel, your Attorney General's Office, and other contacts within your state.

Information and documents regarding the *New National Opioid Settlements* and how they are being implemented in your state and how funds will be allocated within your state allocation can be found on the national settlement website at https://nationalopioidsettlement.com/. This website will be supplemented as additional documents are created.

How to return signed forms:

There are three methods for returning the executed *Participation Forms* and any supporting documentation to the Implementation Administrator:

(1) *Electronic Signature via DocuSign*: Executing the *Participation Forms* electronically through DocuSign will return the signed forms to the Implementation Administrator and associate your forms with your subdivision's records. Electronic signature is the most efficient method for returning *Participation Forms*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.

(2) *Manual Signature returned via DocuSign*: DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning manually signed *Participation Forms* via DocuSign will associate your signed forms with your subdivision's records.

(3) *Manual Signature returned via electronic mail*: If your subdivision is unable to return executed *Participation Forms* using DocuSign, signed *Participation Forms* may be returned via electronic mail to opioidsparticipation@rubris.com. Please include the name, state, and

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

reference ID of your subdivision in the body of the email and use the subject line Settlement Participation Forms – [Subdivision Name, Subdivision State] – [Reference ID].

Detailed instructions on how to sign and return the *Participation Forms*, including changing the authorized signer, can be found at https://nationalopioidsettlement.com. You may also contact opioidsparticipation@rubris.com.

The sign-on period for subdivisions ends on April 18, 2023.

If you have any questions about executing these forms, please contact your counsel, the Implementation Administrator at opioidsparticipation@rubris.com, or the Ohio Attorney General's Help Center at 800.555.2350.

Thank you,

National Opioids Settlements Implementation Administrator

The Implementation Administrator is retained to provide the settlement notice required by the respective settlement agreements referenced above and to manage the collection of settlement participation forms for each settlement.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

EXHIBIT K
Subdivision and Special District Settlement Participation Form

Will your subdivision or special district be signing the settlement participation forms for the Allergan and Teva Settlements at this time?

[x] Yes [ ] No

Governmental Entity: Huber Heights city		State: OH
Authorized Signatory: Bryan RH Chodkowski		
Address 1: 6131 Taylorsville Rd.		
Address 2:		
City, State, Zip: Huber Heights	Ohio	45424
Phone: 937-233-1423		
Email: bchodkowski@hhoh.org		

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 ("*Allergan Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Allergan Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Allergan Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Allergan Settlement as provided therein.

2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Allergan Settlement regarding Cessation of Litigation Activities.

3. The Governmental Entity shall, within fourteen (14) days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the MDL Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at https://nationalopioidsettlement.com.

4. The Governmental Entity agrees to the terms of the Allergan Settlement pertaining to Subdivisions and Special Districts as defined therein.

5. By agreeing to the terms of the Allergan Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

6. The Governmental Entity agrees to use any monies it receives through the Allergan Settlement solely for the purposes provided therein.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Allergan Settlement.

8. The Governmental Entity has the right to enforce the Allergan Settlement as provided therein.

9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Allergan Settlement, including, but not limited to, all provisions of **Section V (Release)**, and along with all departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Allergan Settlement are intended to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Allergan Settlement shall be a complete bar to any Released Claim.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Allergan Settlement.

11. In connection with the releases provided for in the Allergan Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Allergan Settlement.

12. Nothing herein is intended to modify in any way the terms of the Allergan Settlement, to which the Governmental Entity hereby agrees. To the extent this Settlement Participation Form is interpreted differently from the Allergan Settlement in any respect, the Allergan Settlement controls.



DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

I have all necessary power and authorization to execute this Settlement Participation Form on behalf of the Governmental Entity.

Signature: DocuSigned by: Bryan Chodkowski E6D1F3077DF343A...

Name: Bryan RH Chodkowski

Title: Interim City Manager

Date: 4/11/2023

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

Exhibit K
Subdivision and Special District Settlement Participation Form

Governmental Entity: Huber Heights city		State: OH
Authorized Signatory: Bryan RH Chodkowski		
Address 1: 6131 Taylorsville Rd.		
Address 2:		
City, State, Zip: Huber Heights	Ohio	45424
Phone: 937-233-1423		
Email: bchodkowski@hhoh.org		

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 ("*Teva Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Teva Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Teva Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Teva Settlement as provided therein.

2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Teva Settlement regarding Cessation of Litigation Activities.

3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at https://nationalopioidsettlement.com.

4. The Governmental Entity agrees to the terms of the Teva Settlement pertaining to Subdivisions as defined therein.

5. By agreeing to the terms of the Teva Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

6. The Governmental Entity agrees to use any monies it receives through the Teva Settlement solely for the purposes provided therein.

7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Teva Settlement.



DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

8. The Governmental Entity has the right to enforce the Teva Settlement as provided therein.

9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Teva Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Teva Settlement are intended by Released Entitles and the Governmental Entity to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Teva Settlement shall be a complete bar to any Released Claim.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Teva Settlement.

11. In connection with the releases provided for in the Teva Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Teva Settlement.

12. Nothing herein is intended to modify in any way the terms of the Teva Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Teva Settlement in any respect, the Teva Settlement controls.



DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: DocuSigned by: Bryan Chodkowski E6D1F3077DF343A...

Name: Bryan RH Chodkowski

Title: Interim City Manager

Date: 4/11/2023

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

EXHIBIT K

Subdivision Participation and Release Form

Will your subdivision or special district be signing the settlement participation form for the CVS Settlement at this time?

[x] Yes [ ] No

Governmental Entity: Huber Heights city		State: OH
Authorized Signatory: Bryan RH Chodkowski		
Address 1: 6131 Taylorsville Rd.		
Address 2:		
City, State, Zip: Huber Heights	Ohio	45424
Phone: 937-233-1423		
Email: bchodkowski@hhoh.org		

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 ("*CVS Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the CVS Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the CVS Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the CVS Settlement and become a Participating Subdivision as provided therein.

2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at https://nationalopioidsettlement.com.

3. The Governmental Entity agrees to the terms of the CVS Settlement pertaining to Participating Subdivisions as defined therein.

4. By agreeing to the terms of the CVS Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

5. The Governmental Entity agrees to use any monies it receives through the CVS Settlement solely for the purposes provided therein.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the CVS Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the CVS Settlement.

7. The Governmental Entity has the right to enforce the CVS Settlement as provided therein.

8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the CVS Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the CVS Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The CVS Settlement shall be a complete bar to any Released Claim.

9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the CVS Settlement.

10. In connection with the releases provided for in the CVS Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the CVS Settlement.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

11. Nothing herein is intended to modify in any way the terms of the CVS Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the CVS Settlement in any respect, the CVS Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: DocuSigned by: Bryan Chodkowski E6D1F3077DF343A...

Name: Bryan RH Chodkowski

Title: Interim City Manager

Date: 4/11/2023

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

EXHIBIT K

Subdivision Participation and Release Form

Will your subdivision or special district be signing the settlement participation form for the Walgreens Settlement at this time?

[x] Yes [ ] No

Governmental Entity: Huber Heights city		State: OH
Authorized Signatory: Bryan RH Chodkowski		
Address 1: 6131 Taylorsville Rd.		
Address 2:		
City, State, Zip: Huber Heights	Ohio	45424
Phone: 937-233-1423		
Email: bchodkowski@hhoh.org		

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 ("*Walgreens Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Walgreens Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walgreens Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Walgreens Settlement and become a Participating Subdivision as provided therein.

2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at https://nationalopioidsettlement.com.

3. The Governmental Entity agrees to the terms of the Walgreens Settlement pertaining to Participating Subdivisions as defined therein.

4. By agreeing to the terms of the Walgreens Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

5. The Governmental Entity agrees to use any monies it receives through the Walgreens Settlement solely for the purposes provided therein.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walgreens Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Walgreens Settlement.

7. The Governmental Entity has the right to enforce the Walgreens Settlement as provided therein.

8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walgreens Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walgreens Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walgreens Settlement shall be a complete bar to any Released Claim.

9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Walgreens Settlement.

10. In connection with the releases provided for in the Walgreens Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walgreens Settlement.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

11. Nothing herein is intended to modify in any way the terms of the Walgreens Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Walgreens Settlement in any respect, the Walgreens Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: DocuSigned by: Bryan Chodkowski E6D1F3077DF343A...

Name: Bryan RH Chodkowski

Title: Interim City Manager

Date: 4/11/2023

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

EXHIBIT K

Subdivision Participation Form

Will your subdivision or special district be signing the settlement participation form for the Walmart Settlement at this time?

[X] Yes [ ] No

Governmental Entity: Huber Heights city		State: OH
Authorized Official: Bryan RH Chodkowski		
Address 1: 6131 Taylorsville Rd.		
Address 2:		
City, State, Zip: Huber Heights	Ohio	45424
Phone: 937-233-1423		
Email: bchodkowski@hhoh.org		

The governmental entity identified above ("Governmental Entity"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated November 14, 2022 ("Walmart Settlement"), and acting through the undersigned authorized official, hereby elects to participate in the Walmart Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walmart Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Walmart Settlement and become a Participating Subdivision as provided therein.

2. The Governmental Entity shall promptly, and in any event within 14 days of the Effective Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at https://nationalopioidsettlement.com/.

3. The Governmental Entity agrees to the terms of the Walmart Settlement pertaining to Subdivisions as defined therein.

4. By agreeing to the terms of the Walmart Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

5. The Governmental Entity agrees to use any monies it receives through the Walmart Settlement solely for the purposes provided therein.

DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walmart Settlement.

7. The Governmental Entity has the right to enforce the Walmart Settlement as provided therein.

8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walmart Settlement, including but not limited to all provisions of Section X (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walmart Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walmart Settlement shall be a complete bar to any Released Claim.

9. In connection with the releases provided for in the Walmart Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walmart Settlement.

10. Nothing herein is intended to modify in any way the terms of the Walmart Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Walmart Settlement in any respect, the Walmart Settlement controls.



DocuSign Envelope ID: 23C2E7C1-9034-45A7-BCBD-57EABF77CADB

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: DocuSigned by: Bryan Chodkowski E6D1F3077DF343A...

Name: Bryan RH Chodkowski

Title: Interim City Manager

Date: 4/11/2023

AI-9132 **Topics of Discussion** **G.**

Council Work Session

Meeting Date: 04/20/2023

Water Infrastructure Update

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 02/07/2023 and 02/21/2023 and 03/27/2023 and 04/04/2023 and 04/20/2023

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Water Infrastructure Update

Purpose and Background

This agenda item has been requested by Councilmembers Glenn Otto, Anita Kitchen, and Ed Lyons for an update on City water infrastructure. The updated spreadsheet on the City's current water infrastructure projects has been provided (see attached).

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Spreadsheet

	Mardi Gras Water Main Replacement Mardi Gras Drive Charlesgate Drive Parish Court		2022 Water Main Replacement Program Cruxten Drive Hubbard Drive Helwig Drive Alter Road Holbrook Drive		2023 Watermain Replacement Program Hubbard Drive Chesham Drive Sandbury Drive Longford Road Tewkesbury Drive Hartwick Drive Alter Road Storck Drive
Council Approved to Solicit Design for RFP	X		X		X
Design Proposals Were Due	X		X		X
Council Approved the Award Design Consultant	X		X		X
Notice to Proceed with Design Consultant(s)	X		X		X
Order Pipe (Poss. 8-9 mo Delay)	X		X		X
Design Completion Date	X		X		4/21/2023
Work Session for Going Out to Construction Bid	X		X		5/2/2023
Council Approval to Go Out to Construction Bid	X		X		5/8/2023
Advertise for Construction Bidding	X		X		5/12/2023
Construction Bids Due	X		X		6/2/2023
Work Session to Award Construction	X		X		6/20/2023
Council Approval to Award Construction	X		X		6/26/2023
Notice to Proceed with Contractor(s)	X		X		7/10/2023
Estimated Pipe Delivery	X		X		9/1/2023
Begin Construction	X		X		9/1/2023
Construction Complete	4/17/2023		9/1/2023		4/1/2024

X = Completed

AI-9133 **Topics of Discussion** H.

Council Work Session

Meeting Date: 04/20/2023

Fire Division Staffing Update

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 02/07/2023 and 02/21/2023 and 03/27/2023 and 04/04/2023 and 04/20/2023

Audio-Visual Needs: None

Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Fire Division Staffing Update

Purpose and Background

This agenda item has been requested by Councilmembers Ed Lyons, Anita Kitchen, and Glenn Otto for an update on staffing in the Fire Division. The updated spreadsheet on the hiring activities in the Fire Division has been provided (see attached).

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Spreadsheet

Firefighter/Paramedic Hiring Status

		Withdrew	No Response	Background	Conditional Offer	Psych.	Phys.	Prints	PAT	Paramedic Cert	Start Date	Count Based on Start Date
May 6, 2022 Eligibility List	Candidate 1			X	X	X	X	X	X	X	1/3/2023	34 of 42
	Candidate 2			X	X	X	X	X	X	X	1/3/2023	35 of 42
	Candidate 3			X	X	X	X	X	X	X	1/4/2023	36 of 42
	Candidate 4			X	X	X	X	X	X		X	X
December 9, 2022 Eligibility List	Candidate 1	X									X	
	Candidate 2			X	X	X	X	X	X	X	2/20/2023	38 of 42
	Candidate 3											
	Candidate 4			X	X	X	X	X	X	X	2/6/2023	37 of 42
	Candidate 5	X		X							X	
	Candidate 6											
	Candidate 7	X									X	
	Candidate 8	X		X	X	X	X		X	X	X	
	Candidate 9		X								X	
	Candidate 10	X									X	
	Candidate 11			X	X	X	X	X	X	X	3/6/2023	39 of 42
	Candidate 12		X								X	
New Process started February 3, 2023 with a deadline for applications on February 24, 2023.												
March 3, 2023 Eligibiity List	Candidate 1*			X	X	X	X	X	X	X	4/24/2023	40 of 42
	Candidate 2*			X	X	X	X	X	X	X	4/24/2023	41 of 42
	Candidate 3*			X	X	X	X	X	X	X	TBD	42 of 42
	* Pre-employment testing for each candidate has been scheduled											

	indicates updates from previous meeting
	indicates candidate completed; waiting on results

AI-9131 **Topics of Discussion** I.

Council Work Session

Meeting Date: 04/20/2023

PVS Plastics - CRA Agreement

Submitted By: Bryan Chodkowski

Department: Economic Development

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: None **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

PVS Plastics - CRA Agreement

Purpose and Background

PVS Plastics, a corporate resident of the City, is looking to expand its operational footprint on Executive Boulevard by approximately 14,500 square feet and grow its workforce by an additional 28 full-time employees over the next three years. The planned space expansion, to include additional machinery and equipment, will total an investment of approximately $9.1 million while the 28 new full-time positions will increase the PVS Plastics payroll by nearly $1.3 million.

In support of PVS' effort, an ED/GE Grant was submitted to Montgomery County on April 3, 2023. Additionally, City Staff are recommending that the City Council approve a 15 year, 100% property tax abatement on the added taxable property value created through this expansion project. Based on the investment and job growth associated with this expansion project, the City is anticipated to net more than $1.25 million in revenues between 2024 and 2054.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

The City is projected to net more than $1.25 million in tax revenues from this expansion project between 2024-2054.

Attachments

Resolution

Exhibit A

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2023-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH PVS PLASTICS TECHNOLOGY CORPORATION UNDER CERTAIN TERMS AND CONDITIONS.

WHEREAS, the City of Huber Heights (the "City") created Community Reinvestment Area Number 7 ("CRA #7") by Resolution No. 94-R-1453 on June 20, 1994 for the purpose of encouraging economic development activity; and

WHEREAS, 6290 Executive Boulevard (the "Property"), commonly known as PVS Plastics Technology Corporation ("PVS"), is located within CRA #7; and

WHEREAS, PVS desires to expand its facility for the third time since 2014 by adding 14,520 square feet of space to accommodate additional contracted work and to prepare for future operational expansion (the "Project"); and

WHEREAS, the Project will require an initial investment of approximately $9,100,000.00, creating 28 full-time equivalent jobs with a total payroll of approximately $1,300,000.00; and

WHEREAS, the City and PVS seek to enter into an agreement regarding the Property to ensure the full tax incentive available in CRA #7 is provided in support of the Montgomery County ED/GE Grant Program application for PVS submitted on April 3, 2023 to garner additional financial support for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized and directed to execute a Community Reinvestment Area agreement with PVS Plastics Technology Corporation to provide tax incentives for the purposes noted above and attached hereto as Exhibit A. The agreement shall provide substantially similar terms and conditions as outlined in the application and approved as to final form and content by the Law Director.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

EXHIBIT A PRE-JULY 1994
COMMUNITY REINVESTMENT AREA
AND DEVELOPMENT AGREEMENT

This Agreement made and entered into by and between the CITY OF HUBER HEIGHTS, OHIO, Charter City, with its main offices located at 6131 Taylorsville Road, Huber Heights, Ohio ("City"); and PVS Plastics Technology Corporation, with its main offices located at 6290 Executive Blvd., Huber Heights, Ohio 45424 ("Property Owner").

WHEREAS, the City has encouraged the development of real property located in the area designated as a Community Reinvestment Area; and

WHEREAS, on September 14, 1992, the City Council of Huber Heights, Ohio by Resolution No. 94-R-1453, designated the Area known as "Community Reinvestment Area Number 7" pursuant Chapter 3735 of the Ohio Revised Code and the Charter of Huber Heights; and

WHEREAS, Community Reinvestment Area Number 7 has been modified or amended by the City Council of Huber Heights on September 27, 2010 via Resolution No. 2010-R-5333; June 8, 2015 via Resolution No. 2015-R-6195; September 14, 2021 via Resolution No.2021-R-7036; and December 15, 2022 via Resolution No. 2022-R-7211; and

WHEREAS, the Property Owner intends to constructed certain improvements within the boundaries of the Community Reinvestment Area Number 7 in the City of Huber Heights, provided that the appropriate development incentives are available to support the economic viability of the Project; and

WHEREAS, the City, having the appropriate authority pursuant to the Ohio Constitution, Charter of the City of Huber Heights and laws of the State of Ohio, desires to provide the Property Owner with incentives available for the development of the Project in said Community Reinvestment Area; and

NOW, Therefore, in consideration of the mutual covenants contained in this agreement, and of the benefit to be derived by the parties from the execution of it, the parties herein agree as follow:

1. The Property Owner shall, at 6290 Executive Blvd. ("Project Site) in Huber Heights Community Reinvestment Area Number 7 shall construct 14,520 square feet of new space and acquire new advanced manufacturing machinery and equipment to support its competitiveness and capabilities in the sector of plastic injection molding (the "Project"). The Project involves a total investment by the Property Owner of $9.1 million plus or minus, at the Project Site.

2. The Project will create and sustain 28 full-time equivalent jobs resulting in approximately $1.3 million in new payroll.

3. The Property Owner shall provide to the proper Tax Incentive Review Council any information reasonably required by the Tax Incentive Review Council to evaluate the Property Owner compliance with this Agreement.

4. Upon conclusion of the Project the City shall grant the Property Owner a tax exemption for real property improvements made to the Project Site pursuant to applicable law; and shall be in the following amounts: One Hundred Percent (100%) for Fifteen (15) years. The exemption commences the first year for which real property would first be taxable were that property not exempted from taxation. Property Owner must file the appropriate tax forms with the Montgomery County Auditor to effect and maintain the exemptions covered in this Agreement.

5. This Agreement is not transferable or assignable without the express written approval of the City.

6. The Property Owner shall pay such real estate taxes as are not exempted under this Agreement, and are charged against such property, and shall file all tax reports and returns as required by law. If Property Owner fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are rescinded, beginning with the year for which such taxes are charged or such reports returns are required to be filed, and thereafter.

7. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

8. If for any reason the Community Reinvestment Area designation expires or the Director of the Ohio Department of Development revokes certification of the Area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement; provided however, if Property Owner materially fails to fulfill its obligation under this Agreement the City may terminate or modify the exemptions from taxation granted under this Agreement.

9. If the Property Owner materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement is fraudulent, the City may unilaterally terminate or modify the exemptions from taxation granted under this Agreement; and may require that the Property Owner pay to the City the amount of taxes that were exempted under this Agreement, (i.e. the taxes that would have been payable had the property not been exempted from taxation under this Agreement). The City is authorized to secure the repayment of such taxes by a lien on the Project Site in an amount required to be repaid; and such lien shall attach and may be perfected, collected, and enforced, in the same manner as a mortgage lien on the real property; and shall otherwise have the same force and effect as a mortgage lien on the real property. The City is authorized to record the necessary documentation to perfect its lien rights set forth herein including but not limited to this Agreement. Any lien created herein shall run with the land.

10. The Property Owner covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or political subdivision of the State; or (2) any other monies to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

11. The Property Owner and the City acknowledge that this Agreement must be approved by formal action of the City Council of Huber Heights, Ohio, as a condition for the Agreement to take effect.

12. By executing this Agreement, the Property Owner is committing to following non-discriminatory hiring practices, acknowledging that no individual may be denied employment solely on the basis of race, religion, gender, disability, color, national origin, or ancestry.

13. The Property Owner agrees to construct the Project in a manner similar to the existing facility and in accordance with the requirements of Huber Heights Codified Ordinances.

14. The failure by any party to exercise any of its rights hereunder or to enforce any of the terms or conditions of this Agreement on any occasion shall not constitute or be deemed a waiver of that party's rights thereafter to exercise any rights hereunder or to enforce each and every term and condition of this Agreement. This Agreement may not be modified except by a writing specifically referring to this Agreement and executed by duly authorized representatives of both parties. The parties have had the opportunity to have this Agreement reviewed by legal counsel of their choosing. This Agreement was the product of negotiations between the parties and the parties agree that no provision or provisions herein shall be construed against any one party by virtue of the authorship of such provision.

15. The Parties agree to execute and deliver such additional documents and to perform such additional acts as may become reasonably necessary to effectuate the transfers contemplated by this Agreement.

16. A determination that any portion of this Agreement is unenforceable or invalid shall not affect the enforceability or validity of any of the remaining portions of this Agreement as a whole. In the event that any part of any of the covenants, Sections, or provisions herein may be determined by a court of law or equity to be invalid or unenforceable, the parties shall attempt to reach agreement with respect to valid and enforceable substitutes for deleted provision(s), which shall be as close in intent and effect as possible to the deleted portions.

17. The Property Owner hereby consents to the Huber Heights Tax Division providing to, the Huber Heights City Manager, or his designee, any and all tax information if necessary to evaluate Property Owner's compliance with this Agreement and such disclosure shall not be a violation of any federal state or local confidentiality laws or requirements associated with tax and payroll returns. To the fullest extent permitted by law, the City Manager, or his designee, will treat any such information as confidential.

IN WITNESS WHEREOF, the parties execute this Agreement

OWNER	PROPERTY OWNER
THE CITY OF HUBER HEIGHTS	PVS PLASTICS TECHNOLOGY CORP
_____	_____
Bryan RH Chodkowski, ICMA-CM Interim City Manager	Rich Tursic Chief Executive Officer
Date: _____	Date: _____

STATE OF OHIO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Bryan RH Chodkowski, Interim City Manager of Huber Heights, Ohio, on behalf of the City of Huber Heights, Ohio.

_____

Printed Name:_____
Notary

STATE OF OHIO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Rich Tursic, Chief Executive Officer of PVS Plastics Technology Corp, an Ohio corporation, on behalf of the company

_____

Printed Name:_____
Notary

AI-9142 **Topics of Discussion** J.

Council Work Session

Meeting Date: 04/20/2023

Case RZ BDP 22-35 - Thomas Dusa - Rezoning/Basic Development Plan - Technology Boulevard/Artz Road

Submitted By: Geri Hoskins

Department:	Planning	**Division:**	Planning
Council Committee Review?:	Council Work Session	**Date(s) of Committee Review:**	01/17/2023 and 04/04/2023 and 04/20/2023
Audio-Visual Needs:	SmartBoard	**Emergency Legislation?:**	No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Case RZ BDP 22-35 - Thomas Dusa - Rezoning/Basic Development Plan - Technology Boulevard/Artz Road

Purpose and Background

The applicant, Thomas Dusa, is requesting a Rezoning to Planned Industrial (PI) and a Basic Development Plan for a truck repair facility and drop lot (Case RZ BDP 22-35). The public hearing and the first reading of the ordinance to approve the Rezoning and the Basic Development Plan (see attached) were done at the April 10, 2023 City Council Meeting. At the public hearing, some issues and questions were raised by the City Council about the proposed development. The applicant was asked to work with City Staff to review and develop a revised site plan illustrating increased parking capacity and other issues based upon the discussion at the public hearing. The applicant has not done so to date. This item will be reviewed again at the April 20, 2023 Council Work Session and the applicant and City Staff will provide a more detailed update at that meeting.

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Ordinance

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A REZONING TO PLANNED INDUSTRIAL (PI) AND BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TECHNOLOGY BOULEVARD AND ARTZ ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 03903 0007 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ BDP 22-35).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ BDP 22-35 and on December 13, 2022, recommended approval by a vote of 3-0 of the Rezoning and Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Rezoning to Planned Industrial (PI) and Basic Development Plan (Case RZ BDP 22-35) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. The applicant shall comply with all provisions of the zoning code.
2. All parking and loading areas shall be asphalt or concrete.
3. The applicant shall submit a phasing plan for consideration by the Planning Commission as part of the Detailed Development Plan.
4. No activities including parking, storage or site improvements shall occur until a Detailed Development Plan is approved, building constructed, and a zoning certificate issued.
5. The exterior of building shall be 100 percent masonry unless otherwise approved by the Planning Commission through the Detailed Development Plan.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____, 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____	_____
Clerk of Council	Mayor
_____	_____
Date	Date

AI-9100 **Topics of Discussion** **K.**

Council Work Session

Meeting Date: 04/20/2023

Case RZ 23-03 - Wright Way Ohio, LLC - Rezoning - North Of 8101 Old Troy Pike

Submitted By: Geri Hoskins

Department:	Planning	**Division:**	Planning
Council Committee Review?:	Council Work Session	**Date(s) of Committee Review:**	04/20/2023
Audio-Visual Needs:	SmartBoard	**Emergency Legislation?:**	No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Case RZ 23-03 - Wright Way Ohio, LLC - Rezoning - North Of 8101 Old Troy Pike

Purpose and Background

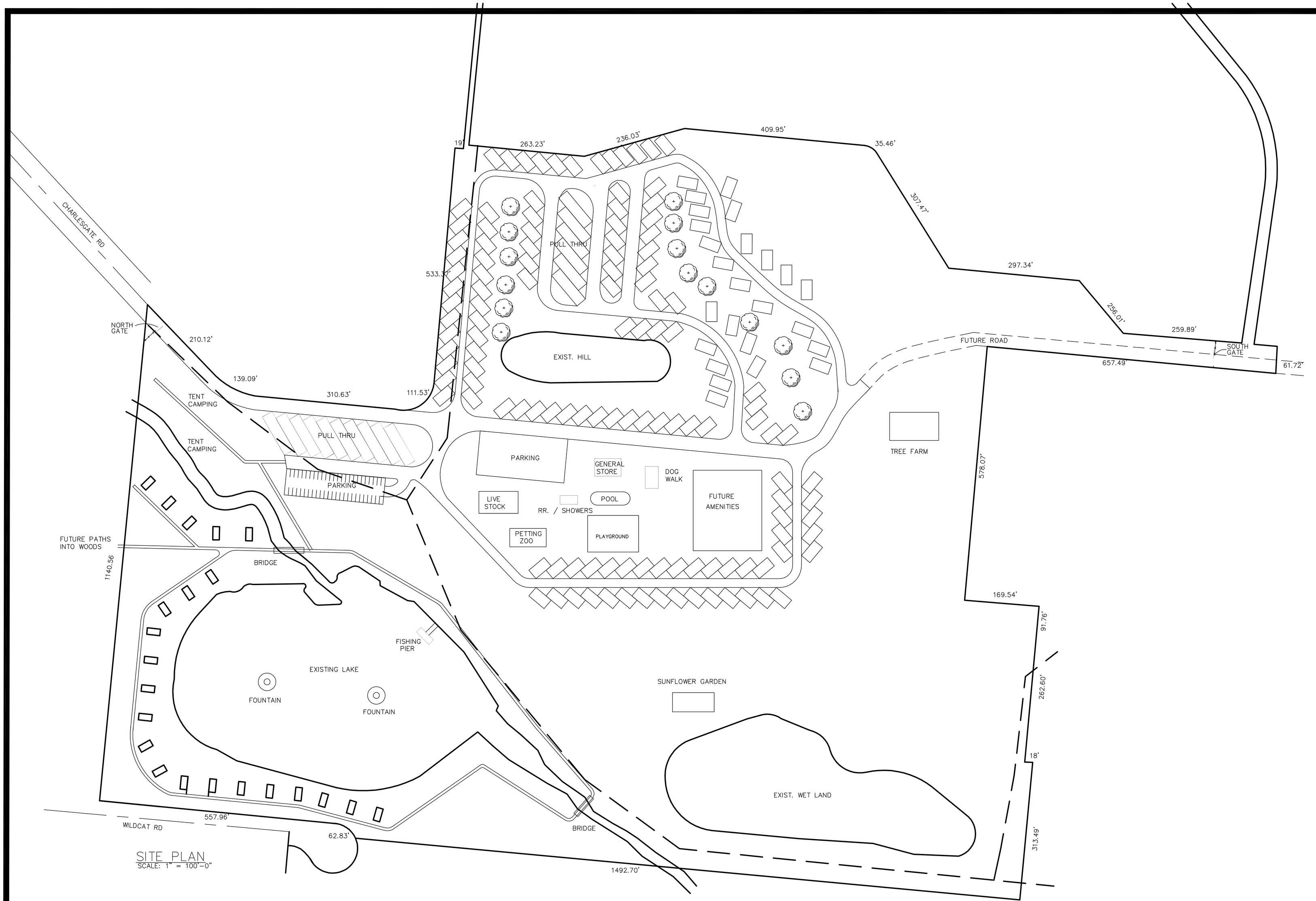
The applicant, Wright Way Ohio, LLC, is requesting approval of a Rezoning from Planned Commercial (PC) to Agriculture (A) for a campground and resort (Case RZ-23-03).

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Site Plan
Map
Fire Assessment
Appraisal Report
Staff Report
Decision Record
Minutes
Ordinance



SITE PLAN
SCALE: 1" = 100'-0"


8421
8301
8293
8289
8285
8281

Huber Heights Fire Division

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

Occupancy Name:	Proposed Jellystone Campground
Occupancy Address:	Behind and North of 8101 Old Troy Pike

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

MCBR BLD:		HH P&D:	
MCBR MEC:		HHFD Plan:	
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	3/7/2023

Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices

Requirements:

- **Drawing currently show the access to the site being off Charlesgate Road and a future road off Old Troy Pike. Additional details shall be provided on when this would happen before final approval.**
- **Fire Department access roads shall be provided and comply with Ohio Fire Code 503.2.1 through 503.2.8. These sections contain dimensions for width, clearance, surface construction, turn radius, etc.**
- **Water supply for firefighting purposes including fire hydrants shall be provided and comply with Ohio Fire Code 507 and HHCO 1521.06.**
- **As project progresses additional requirements may arise.**

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

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 2017 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.

Administrative Office: 7008 Brandt Pike Huber Heights, Ohio 45424
Telephone: (937) 233 - 1564 Fax Number: (937) 233 - 4520

APPRAISAL OF

80.341 ACRES OF VACANT LAND
WILDCAT ROAD
HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO 45424



EFFECTIVE DATE OF VALUE

FEBRUARY 15, 2017

PREPARED FOR

CITY OF HUBER HEIGHTS
ATTENTION: SCOTT FALKOWSKI
6131 TAYLORSVILLE ROAD
HUBER HEIGHTS, OHIO 45424

PREPARED BY

JOSEPH P. KELLEY
STATE OF OHIO CERTIFIED GENERAL REAL ESTATE APPRAISER #2001012265

ROBERT HARRIS
APPRAISING AND
CONSULTING CO.

1250 West Dorothy Lane
Kettering, Ohio 45409

Phone 937-293-1185
Fax 937-293-1234

April 4, 2017

City of Huber Heights
6131 Taylorsville Road
Huber Heights, Ohio 45424

Attention: Mr. Scott Falkowski

Subject: #170202
80.341 Acres Vacant Land
Wildcat Road
Huber Heights, Ohio 45424

Dear Mr. Falkowski:

This is a summary appraisal report in a Narrative Format. I was asked to appraise the fee simple interest in the Subject property. I hereby certify that I, personally, inspected portions of the above referenced property in estimating its Market Value.

I conducted a thorough investigation and performed the necessary research and analysis of the area and neighborhood to obtain relevant information in order to form our opinion of value. The Direct Sales Comparison Approach was completed in this appraisal process and is the most relevant approach to value vacant land such as the Subject. The analysis and conclusions are reported in a summary format. The accompanying report will demonstrate, in greater detail, the methodology used and how the data was analyzed in estimating the value of this property.

As of February 15, 2017, I estimate the value of the Fee Simple Interest in the south 11.7+- acre portion of the Subject property, to be

SEVEN-HUNDRED-EIGHTY-THOUSAND-DOLLARS

$780,000

(Continued On Next Page)

ROBERT HARRIS
APPRAISING AND
CONSULTING CO.

1250 West Dorothy Lane
Kettering, Ohio 45409

Phone 937-293-1185
Fax 937-293-1234

As of February 15, 2017, I estimate the value of the Fee Simple Interest in the north 66.6 acre portion of the 80.341 acre Subject property, to be

NINE-HUNDRED-SEVENTY-THOUSAND-DOLLARS

$970,000

As of February 15, 2017, I estimate the value of the Fee Simple Interest of the entire 80.341 acre Subject property, to be

ONE-MILLION-SIX-HUNDRED-THOUSAND-DOLLARS

$1,600,000

If you have any questions, or if further information is needed, please call us at (937)-293-1185.

Submitted by



Joseph P. Kelley
State of Ohio Certified General Real Estate Appraiser 2001012265

TABLE OF CONTENTS

SUBJECT: WILDCAT ROAD
CITY OF HUBER HEIGHTS
MONTOGMERY COUNTY, OHIO

DESCRIPTION

Title Page	
Letter of Transmittal	2
Table of Contents	4
Assumptions and Limiting Conditions	5
Certification	8
Summary of Important Conclusions	10
Identification of Subject Property, Intended Use of Report	12
Property Rights Appraised, Scope of Work	12
Ownership, Flood Zone, Zoning, Assessment of Taxes,	13
Area and Neighborhood Description	14
Regional Map	15
Area Map	16
Location Map	17
Auditor Maps	18
Aerial Map	19
Topography Map	20
Utility Map	21
Detention Easements Map	22
Plat Map	23
Photos of Subject Property	25
Description of Property	43
Marketing Time and Exposure Time	45
Definition of Market Value	46
Highest and Best Use	47
Environmental Disclaimer	50
The Direct Sales Comparison Approach – 11.5 Acres Near I-70	51
The Direct Sales Comparison Approach – 67 Acres North Portion	68
The Direct Sales Comparison Approach – Entire Property	84

ADDENDUM:

Deed
Property Record Card
Real Estate Taxes
Zoning Maps and Regulations
Flood Map
Disclosure Statement
Appraiser's Credentials

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal report has been made with the following general assumptions:

1. This is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2 of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it may not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the Appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the Appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The Appraiser is not responsible for unauthorized use of this report.

2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

3. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.

5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.

6. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.

7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

10. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

LIMITING CONDITIONS, continued

11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in the report. No survey has been made for the purpose of this report.

12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

13. The Appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the Appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The Appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The Appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.

14. Unless otherwise stated in this report, the Subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans With Disabilities Act. The presence of architectural land communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.

16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with ANY other appraisal and are invalid if so used.

17. This appraisal is prepared for the sole and exclusive use of the appraiser's client. No third parties are authorized to rely upon this report without the express written consent of the appraiser. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and, in any event, only with properly written qualification and only in its entirety.

18. Possession of this report, or a copy thereof, does not carry with it the right of publication. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the Appraiser, or the firm with which the Appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the Appraiser.

LIMITING CONDITIONS, continued

19. The appraiser is not a property inspector. This report should not be relied upon to disclose any conditions present in the subject property. This appraisal report does not guarantee that the property is free of defects.

20. This appraisal is prepared for the sole and exclusive use of the appraiser's client. No third parties are authorized to rely upon this report without the express written consent of the appraiser. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and, in any event, only with properly written qualification and only in its entirety.

21. The Appraiser will not give testimony or appear in Court because he or she made an appraisal of the property in question unless specific arrangements to do so have been made beforehand or as otherwise required by law.

22. **ACCEPTANCE OF AND/OR USE OF THE APPRAISAL REPORT CONSTITUTES ACCEPTANCE OF THE ABOVE CONDITIONS.**

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.

- the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

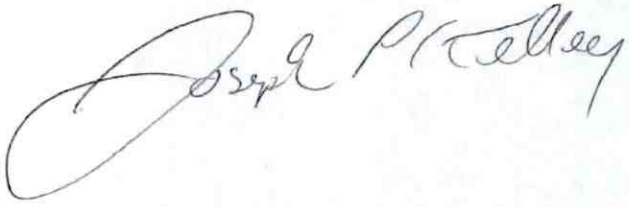
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

- my compensation is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly relate to the intended use of this appraisal.

- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

- I have made a personal inspection of the property that is the subject of this report.

- No one provided significant real property appraisal assistance to the person signing this report.



4/4/2017

Joseph P. Kelley — Date

State of Ohio Certified General Real Estate Appraiser #2001012265

SUMMARY OF IMPORTANT CONCLUSIONS

EXECUTIVE SUMMARY

LOCATION:	80.341 Acres Vacant Land Wildcat Road City of Huber Heights Montgomery County, Ohio 45424
LEGAL DESCRIPTION:	Lot 5, Northpark Section Four City Huber Heights Montgomery County, Ohio
LAND AREA:	80.341 Acres – Entire Parcel About 11.7 Acres is the South Portion About 66.6 Acres is the North Portion About 2 Acres are narrow extensions to the east
PARCEL IDENTIFICATION NUMBER:	P70-020-25-0009
IMPROVEMENTS:	No Significant Buildings
REAL ESTATE TAX:	$42,111.56
CURRENT ASSESSMENTS:	$13.46
ESTIMATED MARKETING PERIOD:	2 to 10 Years
ESTIMATED EXPOSURE PERIOD:	2 to 10 Years
OWNERSHIP:	City of Huber Heights
PROPERTY RIGHTS APPRAISED:	Fee Simple Interest
CENSUS TRACT:	1001.01
PRESENT USE:	Vacant Land
ZONING CLASSIFICATION:	PC, Planned Commercial District
UTILITIES:	All Public
HIGHEST AND BEST USE:	Commercial Use where financially feasible

SUMMARY OF IMPORTANT CONCLUSIONS, continued

EXECUTIVE SUMMARY

EFFECTIVE DATE OF VALUE:	February 15, 2017
DATES OF INSPECTION:	February 15, 2017, March 18, 2017
DATE OF REPORT:	April 4, 2017
ESTIMATED VALUE BY THE SALES COMPARISON APPROACH 11.7+- ACRES SOUTH PORTION OF PROPERTY:	$780,000
ESTIMATED VALUE BY THE SALES COMPARISON APPROACH NORTH 66.6+- ACRES (EXCLUDING SOUTH PORTION OF PROPERTY AND EXCLUDING 2 ACRES OF NARROW EXTENSIONS TO EAST):	$970,000
ESTIMATED VALUE BY THE SALES COMPARISON APPROACH ENTIRE 80.341 ACRE PROPERTY:	$1,600,000

IDENTIFICATION OF SUBJECT

The Subject of this report is 80.349 acres of vacant land. The Subject is located along the east side of Wildcat Road. It is also located just north of Interstate 70, and about 1,500 feet west of Old Troy Pike. The parcel is located in the in the City of Huber Heights, Montgomery County, Ohio.

PURPOSE, INTENDED USERS AND INTENDED USE OF THIS REPORT

The purpose of this appraisal is to provide the Appraiser's best estimate of the Market Value of the fee simple interest in the Subject property, subject to an existing ease of the school building, as of February 3, 2017. This report will be used by the client and intended user, The City of Huber Heights, for making a selling decision.

PROPERTY RIGHTS APPRAISED

The Fee Simple Interest (see definition below) in the Subject property, located along Wildcat Road and just north of Interstate 70 in the City of Huber Heights, Montgomery County, Ohio 45424. The Subject property is currently vacant land with some asphalt driving roadways and areas on narrow portions to the east.

FEE SIMPLE ESTATE - An absolute fee; a fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power, taxation. An inheritable estate.

SCOPE OF WORK OF THIS REPORT

This appraisal is prepared for the client / intended user, the City of Huber Heights, to assist the intended users in making a selling decision.

In preparing this appraisal, an appraiser inspected the Subject property. The Appraiser researched public records to obtain pertinent information about the Subject. Government officials were contacted and internet sites were visited to verify flood zone, zoning, and tax information. The appraiser gathered information on comparable sales. The Cost Approach is not a relevant approach to value vacant land. The Direct Sales Comparison Approach was completed. Comparable sales of similar vacant land properties were gathered. A south ten acre portion of the site was valued, the Subject property excluding that south ten acre portion was valued, and the entire 80.341 acre parcel was valued. The Income Approach was not completed and is not relevant because the property is not leased and property such as the Subject usually is not leased. The analysis and conclusions are reported in a summary format. Supporting documentation is retained in the Appraisers' files.

PERSONAL PROPERTY APPRAISED

No personal property was valued for this report and no personal property is included in the market value opinion of the property.

PAST SALES AND OWNERSHIP HISTORY

The Subject property has been owned by the City of Huber Heights since September 28, 2015 when it was transferred by a sheriff's deed from Wildcat Development Limited Partnership, which had owned the property since 2010. There is no known listing of the property for sale.

FLOOD ZONE

The Subject is located in an "X" flood zone of minimal flooding, even though there is a small lake and a second detention area on the property. The flood map panels are not printed.

ZONING

The Subject property is zoned PC, Planned Commercial District. There is currently no development plan for the Subject that has been submitted to the City of Huber Heights. The zoning map and relevant regulations are in the addendum of the report.

ASSESSMENT OF TAXES

REAL ESTATE TAX
ASSESSMENT: These assessed values for the Subject property are for the 2016 tax year. The property currently is taxable. The annual real estate taxes are $42,111.56 and the special assessment is $13.46.

	County Value 100%	Assessed Value 35%
Land:	$1,446,140	$506,150
Improvements:	$ 0	$ 0
Total:	$1,446,140	$506,150

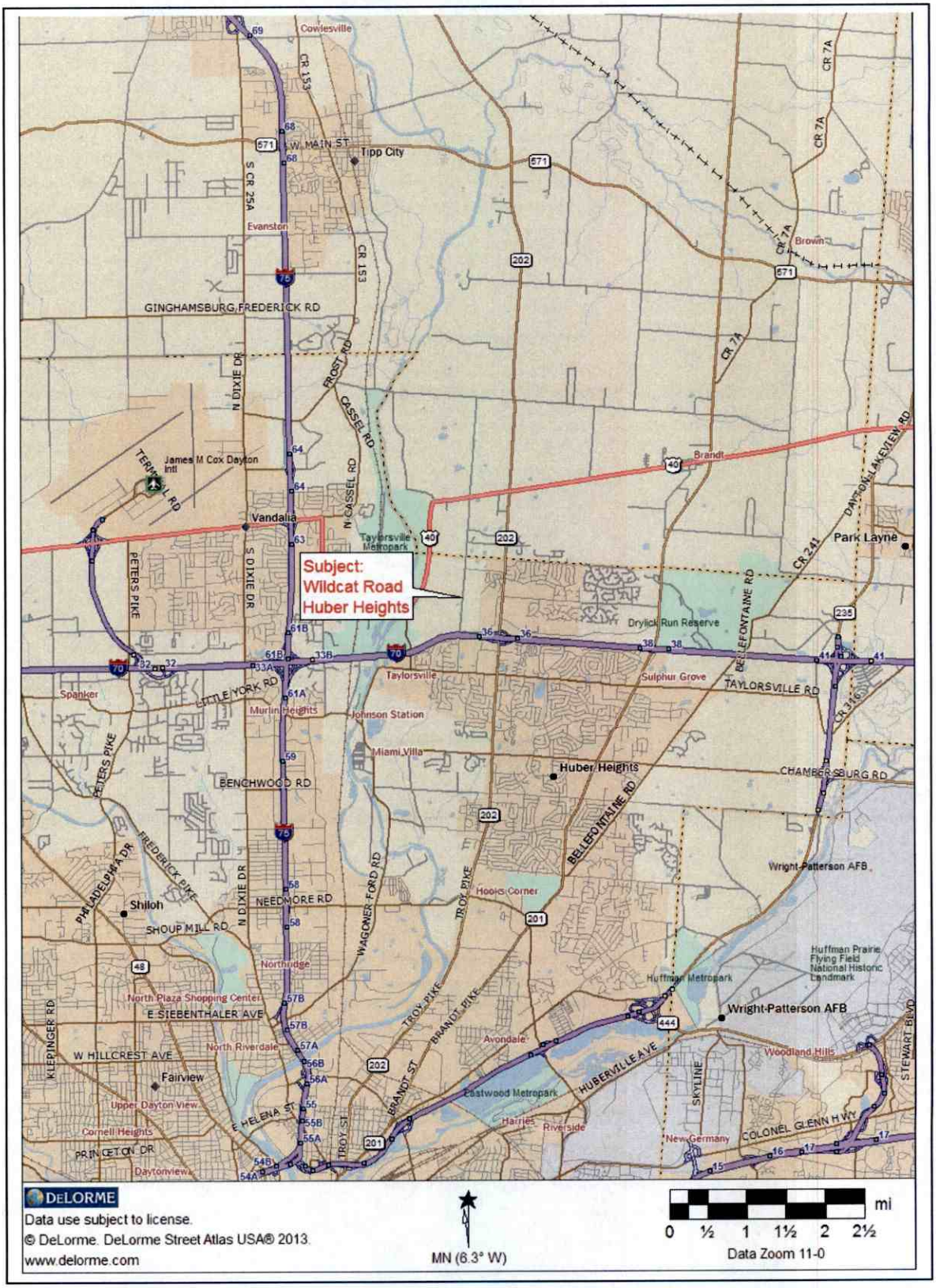
AREA AND NEIGHBORHOOD DESCRIPTION

The Subject is located in the City of Huber Heights and mostly in the northeast portion of Montgomery County, Ohio. A northern portion of the city is located in Miami County. Huber Heights has a population of about 40,000 and Montgomery County has a population of about 535,000. Huber Heights is located northeast of Dayton and is generally considered to be a part of the greater Dayton area as is most of Montgomery County and western Greene County. Interstate 70 runs through the north portion of the city and Interstate 75 is located within two miles of Huber Heights. Huber Heights, which was then Wayne Township, was mostly a rural area until about 1950 when much of the area that is south of Interstate 70 and near Old Troy Pike and Brandt Pike began being developed, mostly with one story brick homes. There are some commercial areas along Old Troy Pike and Brandt Pike. There is a light industrial and warehouse area along Executive Boulevard east of the Subject and there is an industrial development in the northeast portion of the city. Huber Heights now extends into Miami County. Some areas of the city remain mostly undeveloped including Carriage Hill Reserve, a large park in the northeast portion of Huber Heights. Nearly all of the portion of Huber Heights that is in Montgomery County is in the Huber Heights City School District and the Miami County portion of Huber Heights is in the Bethel Local School District which serves much of Bethel Township to the north.

The Subject is located in the northeast portion of Huber Heights immediately north of Interstate 70 where there is a nearby full interchange with Old Troy Pike (which is also State Route 202). The Subject is located just west of the most intense commercial area in Huber Heights. This interchange has more commercial development around it than any Interstate 70 interchange between Columbus and Richmond, Indiana. There is a large shopping center located just east of the Subject that includes an Elder Beerman store, and a Lowe's is located just north of the shopping center. Uses along Old Troy Pike just north of Interstate 70 include several restaurants, a Target store east of Old Troy Pike and a large shopping center along the west side of Old Troy Pike north of Executive Boulevard. Uses farther north include some office uses including medical uses such a new Children's medical office building and a Kettering Medical Center building. There is some residential development not far northeast of the Subject. The nearby areas to the west and northwest of the Subject are mostly undeveloped and include the city yard waste area and a quarry mining type of use to the northwest.

The Subject area is considered to be in the stability phase of the neighborhood life cycle. Most of the current growth in Huber Heights is in or near the Carriage Trails development which is the Miami County portion of the city and northeast of the Subject area.

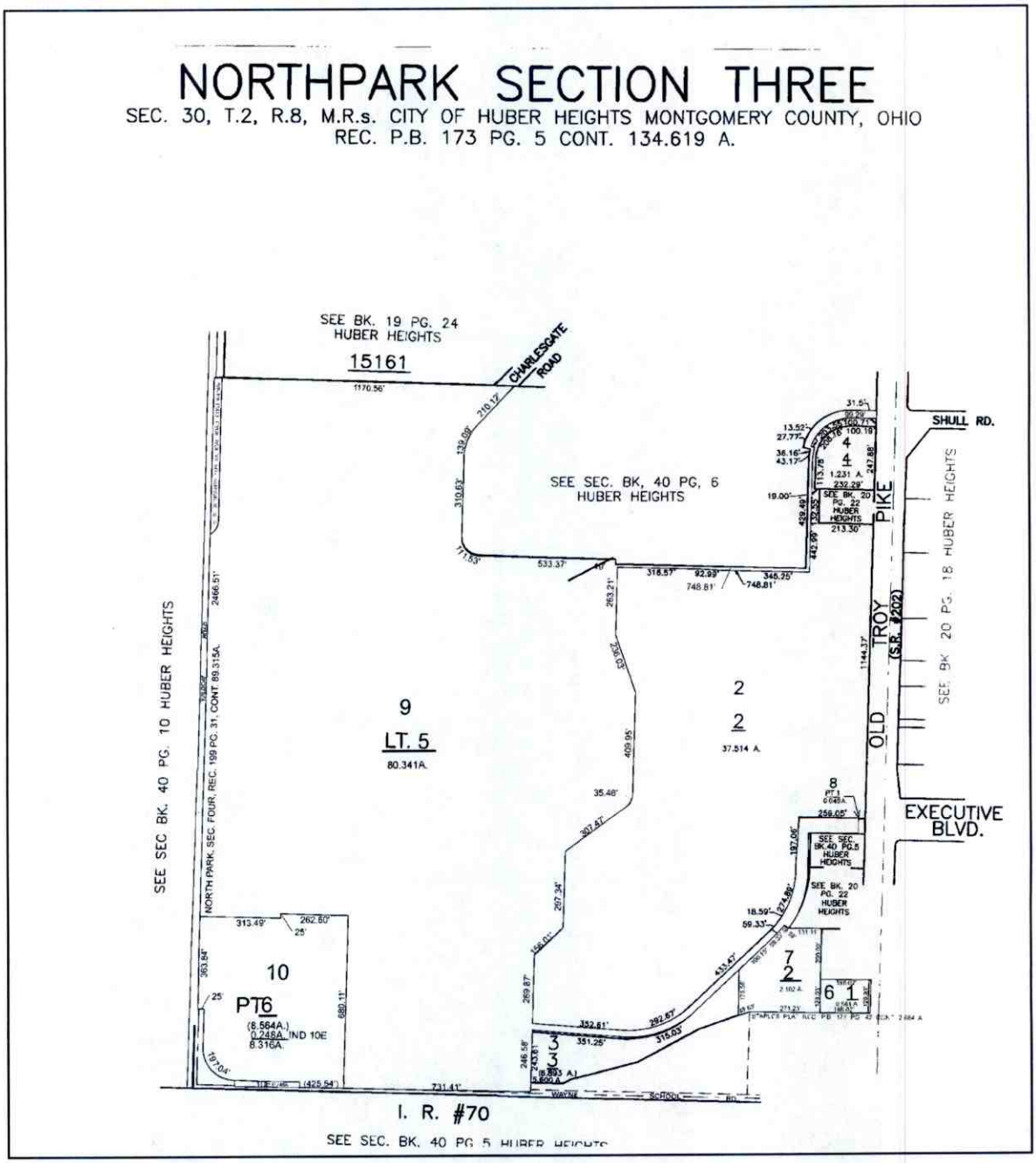
AREA MAP


Subject:
Wildcat Road
Huber Heights
Cowlesville
Tipp City
Evanston
Brown
GINGHAMSBURG FREDERICK RD
James M Cox Dayton Intl
Vandalia
Taylorsville Metropark
Brandt
Park Layne
Drylick Run Reserve
Taylorsville
Sulphur Grove
TAYLORSVILLE RD
Spanker
Murlin Heights
Johnson Station
Miami Villa
Huber Heights
CHAMBERSBURG RD
BENCHWOOD RD
Wright-Patterson AFB
Shiloh
NEEDMORE RD
SHOUP MILL RD
Hooks Corner
Northridge
North Plaza Shopping Center
E SIEBENTHALER AVE
Huffman Metropark
Huffman Prairie Flying Field National Historic Landmark
Wright-Patterson AFB
W HILLCREST AVE
North Riverdale
Avondale
Woodland Hills
Fairview
Upper Dayton View
Eastwood Metropark
Cornell Heights
Harries
Riverside
New Germany
COLONEL GLENN HWY
PRINCETON DR
Daytonview
DELORME
Data use subject to license.
© DeLorme. DeLorme Street Atlas USA® 2013.
www.delorme.com
MN (6.3° W)
0 ½ 1 1½ 2 2½ mi
Data Zoom 11-0

LOCATION MAP



AUDITOR MAP


NORTHPARK SECTION THREE
SEC. 30, T.2, R.8, M.R.s. CITY OF HUBER HEIGHTS MONTGOMERY COUNTY, OHIO
REC. P.B. 173 PG. 5 CONT. 134.619 A.
SEE BK. 19 PG. 24
HUBER HEIGHTS
15161
CHARLESGATE ROAD
SHULL RD.
SEE SEC. BK. 40 PG. 6
HUBER HEIGHTS
SEE BK. 20 PG. 22 HUBER HEIGHTS
TROY PIKE (S.R. #202)
OLD
SEE BK. 20 PG. 18 HUBER HEIGHTS
EXECUTIVE BLVD.
SEE SEC BK. 40 PG. 10 HUBER HEIGHTS
NORTH PARK SEC. FOUR, REC. 199 PG. 31, CONT. 89.315A.
9
LT. 5
80.341A.
2
2
37.514 A.
10
PT6
(8.564A.)
0.248A. IND 10E
8.316A.
7
2
6
1
3
3
I. R. #70
SEE SEC. BK. 40 PG. 5 HUBER HEIGHTS

AERIAL MAP


Wildcat Rd
Old Troy Pike (SR-202)
Charlestgate Rd
Cabaret Ct
Shull R
Executive Blvd
On Ramp I70 W
I70
I70
Exit 36
Exit 36
On Ramp I70 E
Wildcat Rd

TOPOGRAPHY MAP



UTILITY MAP


CHARLESGATE
EXECUTIVE
RAMP TO I70WB MM36
RAMP FROM I70WB MM36

DETENTION EASEMENTS MAP



P.C.D. 25-1 ALL

Book 199 Page 31

RECORD PLAT

NORTHPARK SECTION FOUR

BEING A REPLAT OF ALL OF LOT 1 OF NORTHPARK SECTION 3 RECORDED IN PLAT BOOK 173 PAGE 5

LOCATED IN SECTION 30, TOWN 2, RANGE 8, M.R.S. CITY OF HUBER HEIGHTS MONTGOMERY COUNTY, OHIO CONTAINING 88.313 ACRES MAY, 2005

TRANSFERRED

LEGEND

LEGEND

CITY PLANNING COMMISSION
CITY OF HUBER HEIGHTS, OHIO

APPROVED THIS ___ DAY OF ___, 2005

BY ___

APPROVED FOR DEDICATION

Joseph Litsin
MONTGOMERY COUNTY ENGINEER

5-0.27

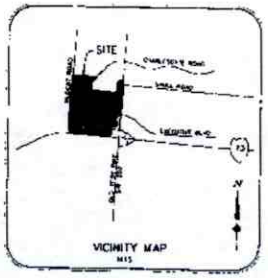
DESCRIPTION:

NOTE:

CERTIFICATION:

WOOLPERT LLP

Paul W. Ford 4/29/05
PAUL W. FORD
OHIO REGISTERED SURVEYOR NO. 6723



DEDICATION:

WE, THE UNDERSIGNED, BEING THE OWNERS AND LIENHOLDERS OF THE LAND HEREIN SUBDIVIDED, DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THE SAME TO BE OUR VOLUNTARY ACT AND DEED, AND DO HEREBY RESERVE EASEMENTS AS SHOWN AND DEDICATE ALL STREETS AND ROADS (ARBOCAT ROAD 0.410 ACRES) TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ON THE WITHIN PLAT ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER UTILITY LINES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE 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

OWNER: NTJ LIMITED PARTNERSHIP
BY: NORTH STAR, A MINNESOTA LIMITED PARTNERSHIP
BY: ORMAN INCORPORATED, A MINNESOTA CORPORATION

WITNESS

JOSEPH H. RYAN
PRESIDENT

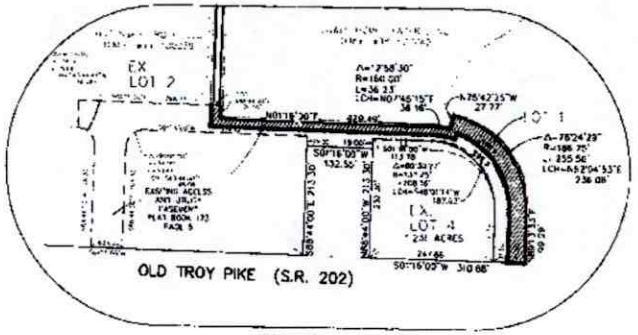
STATE OF MINNESOTA
SS
COUNTY OF HENNEPIN

BE IT REMEMBERED THAT ON THIS 26TH DAY OF MAY 2005 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF MINNESOTA, PERSONALLY CAME JOSEPH H. RYAN, THE PRESIDENT OF ORMAN, INCORPORATED, A MINNESOTA CORPORATION, THE GENERAL PARTNER OF NTJ LIMITED PARTNERSHIP, ONE HUNDRED SEVEN, A MINNESOTA LIMITED PARTNERSHIP, TO ME KNOWN, AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE HIS VOLUNTARY ACT AND DEED ON BEHALF OF SAID LIMITED PARTNERSHIP.

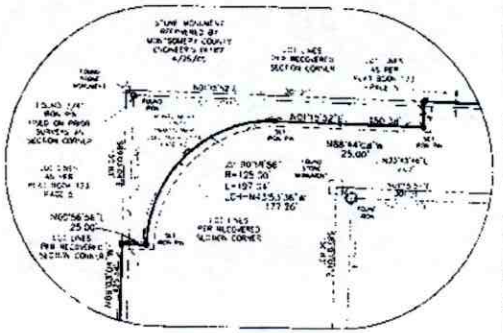
IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF MINNESOTA
MY COMMISSION EXPIRES Jan 31, 2010

PLAT BOOK 199 PAGE: 31



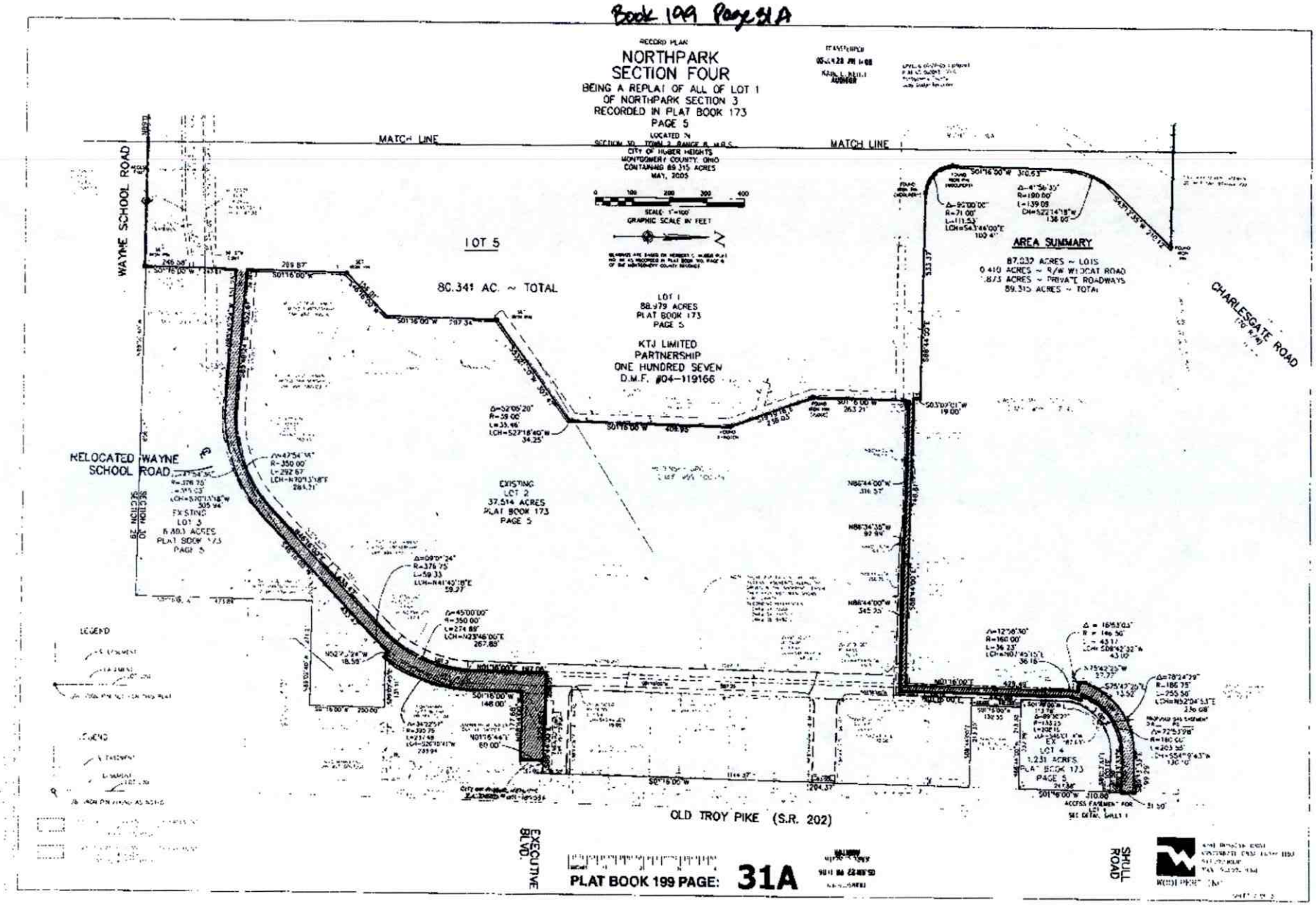
DETAIL OF EXISTING ACCESS AND UTILITY EASEMENTS FOR LOT 4 PLAT BOOK 173 PAGE 5



DETAIL OF SECTION CORNER

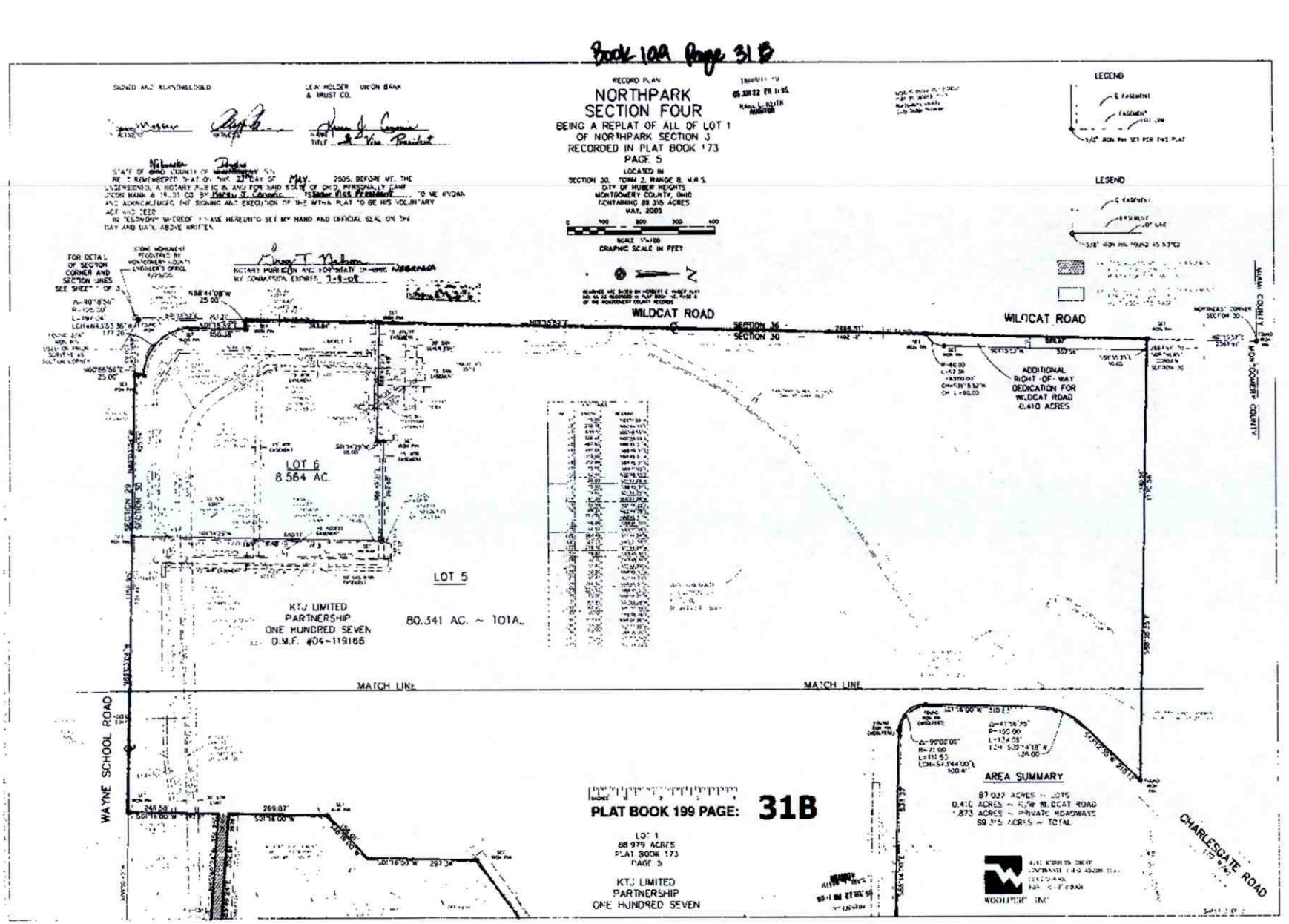
22 X

Book 199 Page 31A



22X

Book 199 Page 31B



22X

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING NORTH ALONG WILDCAT ROAD



LOOKING EAST FROM WILDCAT ROAD

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING SOUTH ALONG WEST PROPERTY LINE



LOOKING SOUTH ALONG WEST PROPERTY LINE

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING WEST ALONG ACCESS ROAD TO SOUTH PORTION OF PROPERTY

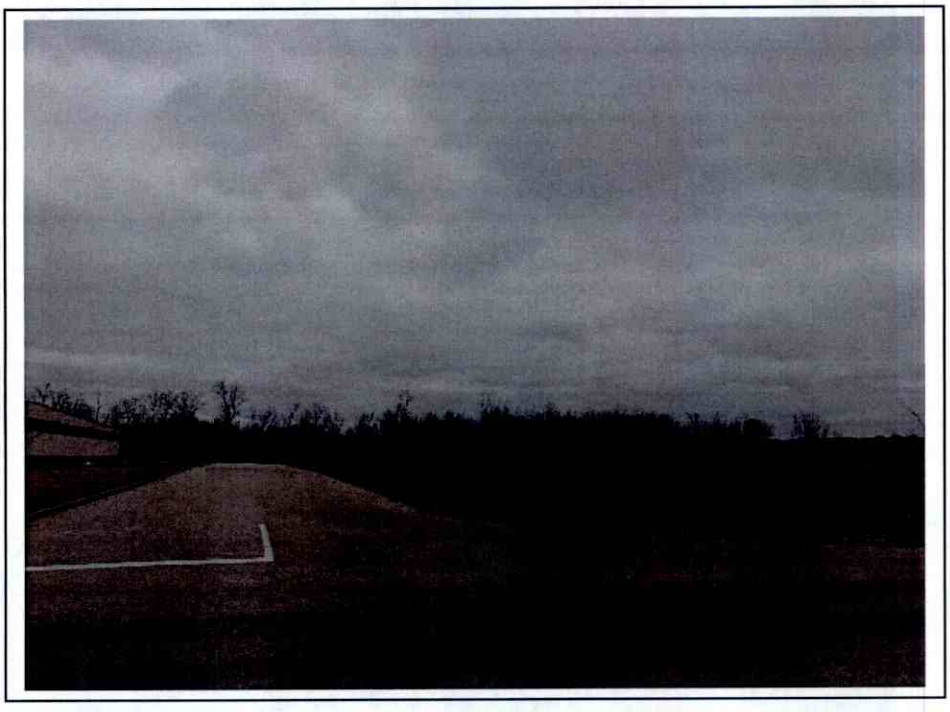


LOOKING EAST ALONG ACCESS ROAD TO SOUTH PORTION F PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING NORTHEAST ACROSS KAND ALONG ACCESS ROAD



LOOKING NORTH ALONG ROAD NEXT TO GANDER MOUNTAIN

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO

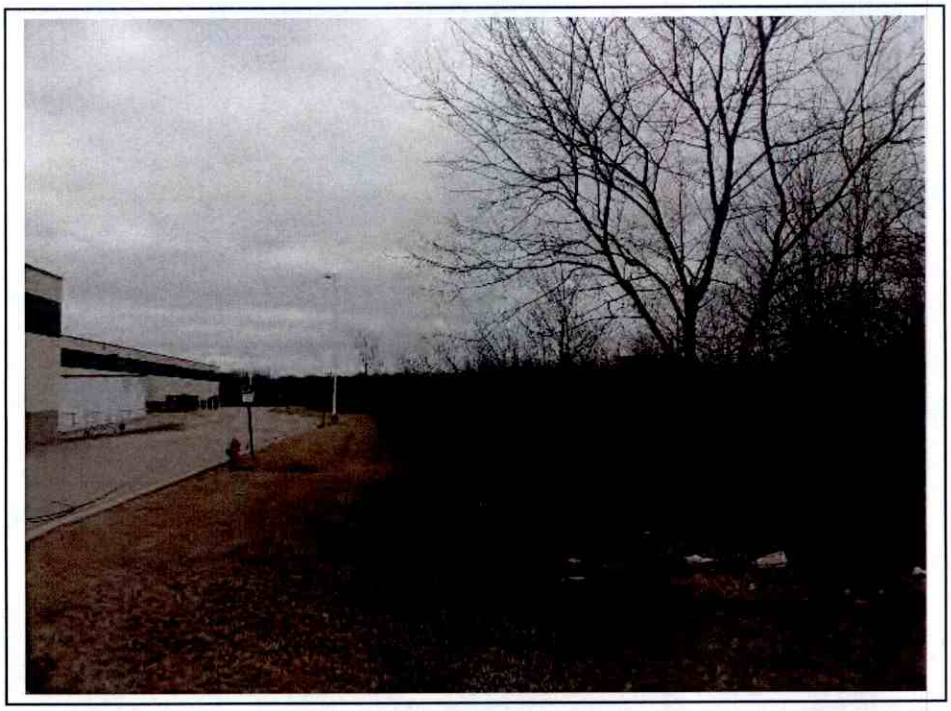


LOOKING SOUTH ALONG ROAD NEXT TO GANDER MOUNTAIN



LOOKING EAST FROM END OR ROAD NEXT TO GANDER MOUNTAIN

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING WEST ALONG SOUTH PROPERTY LINE BEHIND GANDER MOUNTAIN



DETENTION AREA NORTH OF GANDER MOUNTAIN

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING NORTHEAST NEAR GANDER MOUNTAIN



CREEK NEAR DETENTION AREA ON SOUTHWEST PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO

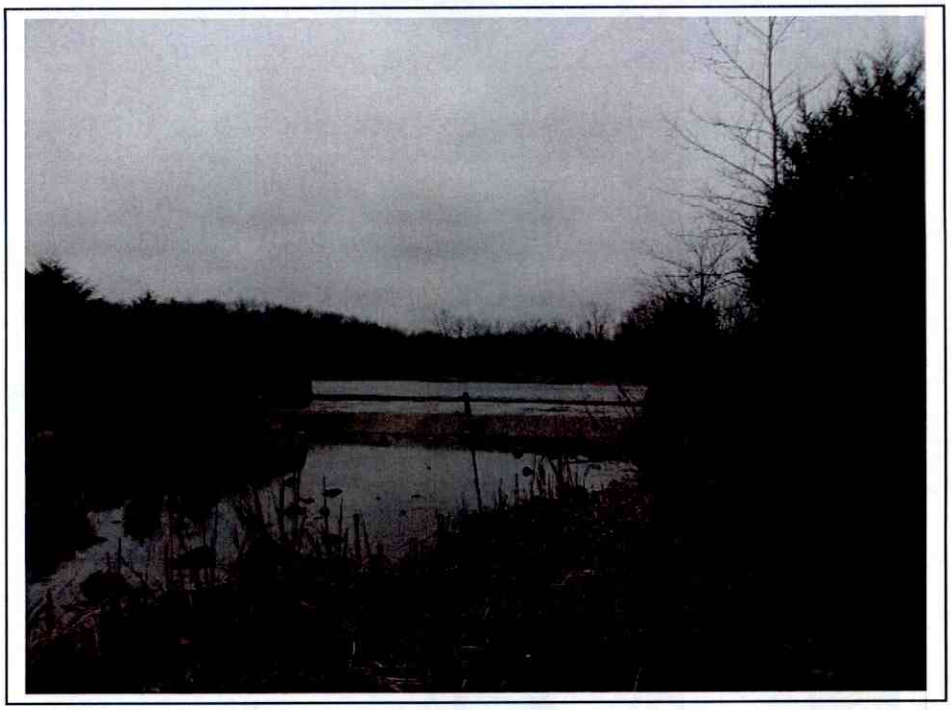


LOOKING SOUTH AT DETENTION AREA ON SOUTHWEST PORTION OF PROPERTY



WOODED AREA

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



SPILLWAY FOR LAKE ON NORTHWEST PORTION OF PROPERTY



NORTHWEST PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



CREEK NEAR LAKE ON NORTHWEST PORTION OF PROPERTY



LAKE ON NORTHWEST PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



NORTH PORTION OF PROPERTY



NORTH PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING EAST NEAR BOUNDARY WITH LOWE'S PROPERTY



NORTH PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



CREEK ON NORTH PORTION OF PROPERTY



CREEK ON NORTH PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING EAST NEAR NORTH PROPERTY LINE

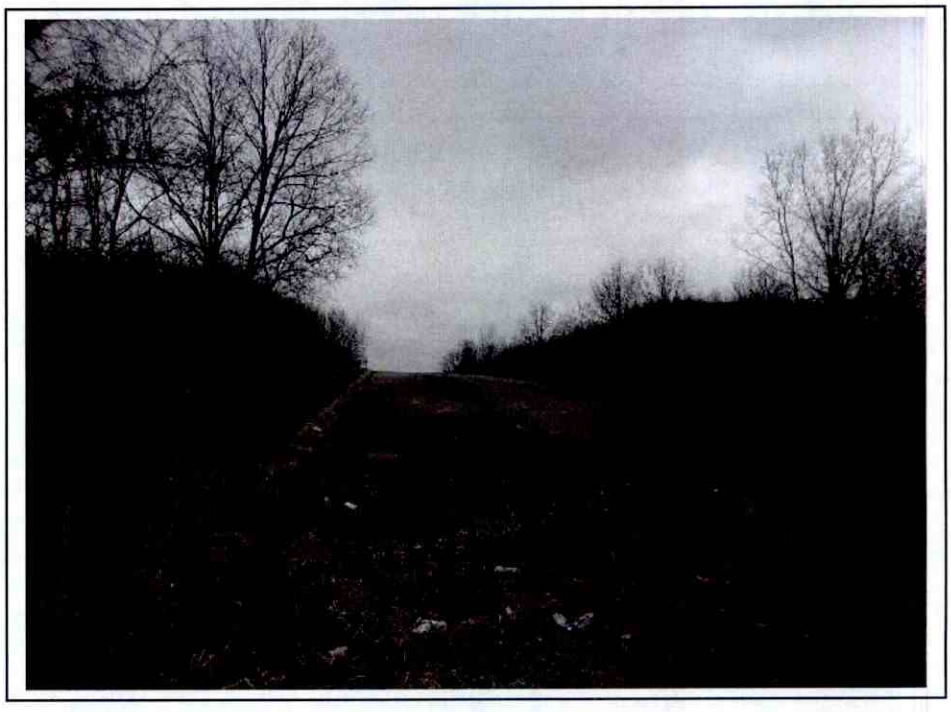


NORTH PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



END OF CHARLESGATE DRIVE NEAR NORTHEAST CORNER OF PROPERTY



END OF CHARLESGATE DRIVE NEAR NORTHEAST CORNER OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING SOUTH ON EAST PORTION OF PROPERTY



LOOKING WEST ACROSS PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING NORTH ON EAST PORTION OF PROPERTY



EAST PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



LOOKING SOUTH NEAR EAST PROPERTY LINE

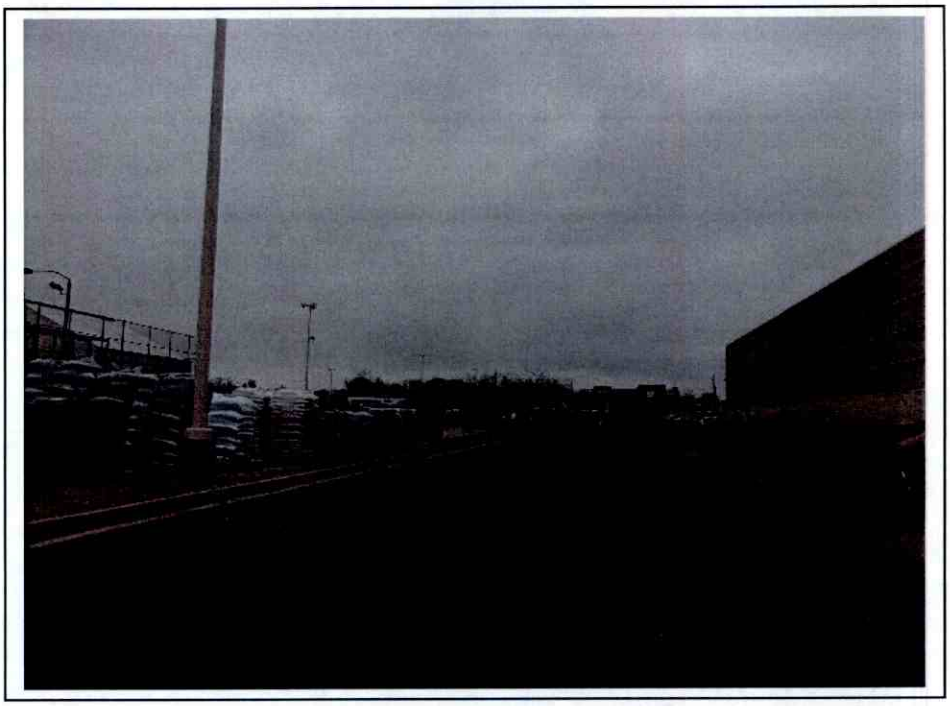


LOOKING WEST ON SOUTH PORTION OF PROPERTY

PHOTOS OF SUBJECT: WILDCAT ROAD, HUBER HEIGHTS, OHIO



NARROW EXTENSION ALONG ACCESS ROAD



NARROW EXTENSION SOUTH OF LOWE'S

PROPERTY DESCRIPTION

The Subject is an 80.3 acre parcel of vacant land located along the east side of the south end of Wildcat Road and just north of Interstate 70 in the City of Huber Heights, Montgomery County, Ohio.

The parcel is somewhat irregular in shape. It is the undeveloped land that remains from a commercial development to the east that includes the Northpark Shopping Center. The north property line extends from the end of Charlesgate Drive to Wildcat Road and is 1,170.56 feet. The west property line runs along the current and former portions of Wildcat Road, part of which has been vacated, and measures 2,466.51 feet. There is a notch out of the southwest corner of the property where a separate 8.6 parcel was platted which has a Gander Mountain store constructed on it. The south property line runs along or very close to the Interstate 70 north right-of-way line and measures 731.41 feet. The east property lines are irregular and follow the rear portions of the neighboring Northpark Shopping Center parcel to the east and the Lowe's parcel, part of which is a notch into the northeast portion of the Subject. The distance from the south property line along Interstate 70 to the north property line is about 3,146 feet. The width varies substantially and is most narrow near the south property line and is widest in the middle area of the property where the width from east to west is estimated to be about 1,750 feet.

The site has some sloping and irregular topography, and a topography map is included in this report. The south portion of the property that is just east of the Gander Mountain parcel is close to level in places although the east portion of that portion of the parcel has a higher elevation. Much of the east portion of the property that is close to the east property line slopes significantly downward. There is a small lake of about 6.7 acres near the northwest corner of the property and land along the west and north side of the lake slopes downward toward the lake. There is a small concrete dam at the south end of the lake where the lake drains into a creek. There is also a creek that drains into the northeast portion of the lake. This creek extends to the northeast and is fed by another creek. Both of these creeks are typically shallow but are several feet lower in elevation than the adjacent land, so large culverts or small bridges would need to be built if a road or driving area is ever installed across either creek. There is also a wetland area which at times may contain water on the southwest portion of the property just north of the Gander Mountain property that is at least 3.1 acres. Both of these lake areas serve as storm water detention areas. There are other areas with significant slopes in the middle area of the property and other areas have much more gradual sloping. The highest elevation is about 914 on a north portion of the east property line and the lowest elevation is about 842 feet close to the former right-of-way of Wildcat Road.

The land has a mixture of meadow area and wooded areas although most of the property is either wooded or covered by brush and small trees except for the south portion of the property that is east of Gander Mountain, which is mostly lawn and meadow area.

Wildcat Road runs along the north portion of the west property line, then becomes a driveway into a city yard waste dumping area. Wildcat Road once extended along the entire west property line but the portion of the road south of the yard waste driveway either no longer exists or is overgrown. Charlesgate Drive dead ends at the north property line at the northeast corner. The Subject property includes two narrow extensions to the east that run almost as far as Old Troy Pike. The combined land area of these two extensions is estimated to be about two acres. These

extensions mostly have interior roadways and driving area on them for the shopping center and out parcels. The private road along the south narrow extension runs west and across the south portion of the Subject property and ends at the Gander Mountain property. This private road has a public access easement and will remain that way. There is also street lighting along the portion of the access road that is near Interstate 70. There is some lawn area between this access road and Interstate 70. The distance from the north edge of the access road to the Interstate 70 right-of-way ranges from about 125 feet near Gander Mountain to about 200 feet near the east property line for a distance of about 731.41 feet. The lawn area between the access road and Interstate 70 is too narrow to develop and even if it could be developed it may obstruct the view to other areas of the property from Interstate 70. Therefore, approximately the south three acres of the property area is very unlikely to be developed. There is also an access road that runs north along the west boundary of the south portion of the Subject property and just east of the Gander Mountain property that provides access to the rear of the Gander Mountain building and ends near the north line of the Gander Mountain parcel.

All typical City utilities are available. A utility map is included in this report. Two main sanitary sewer lines enter the property at the north property line, one near Charlesgate Drive, then merge and runs across the property diagonally to the west property line, then run further south. Another sanitary sewer line enters the property from the east and merges into the north-south sanitary sewer line. A city water line runs along the south property line near Interstate 70 and also along parts of the east property line. Another water line ends at the northeast corner of the property at Charlesgate Road. If the south 11.7 acres of the Subject is developed, it will be necessary to connect to the sewer line that runs near the vacated Wildcat Road several hundred feet to the west. The private road across the south portion of the property is asphalt and has curbing and storm sewer. Easement and drainage lines are not fully shown on the utility map, however, storm water does drain onto and through the Subject property from the property to the east, making its way to one of the detention basins. An electrical line easement sign was also noted on the north portion of the property.

MARKETING TIME AND EXPOSURE TIME

The Subject includes over 80 acres of vacant land. It is speculative to predict how long it would take to market the property if it were advertised for sale. Large commercial sites may take many hears to sell, or until the right buyer comes along.

The south 11.7 acres of the property, and possibly more, can be marketed as a potential separate site from the remaining parcel area. It already has good road access in place. If a building were built it should have good visibility from Interstate 70, similar to the neighboring Gander Mountain building. It is suited for a larger retailer that would be more of a destination due to the distance that it is located from Old Troy Pike. There is enough frontage along the private road so that the site could be divided for two users, though this seems unlikely. It would be ideal if the user would need a larger site than eleven acres and would purchase some additional land to the north.

The portion of the property that is located north of the Gander Mountain property and north of the approximately 11.7 acre south portion of the property probably will be more difficult to sell. This are lacks good road access. Access would be nearly impossible from Wildcat Road due to the lake on the northeast portion of the property and the sloping ground around the north and west shores of the lake. Charlesgate Drive ends at the north property line, hover, it cannot be extended very far unit a creek must be bridged. The access road along the east side of Gander Mountain would need to be extended into the property at least a short distance for access, and farther if it is necessary to divide the property.

Of the comparable sales for the smaller parcel. Comparable Sale One was auctioned, and it did not sell until the third auction and there was only one buyer who paid the minimum bid. The minimum bid had been higher at least one of the prior auctions. Comparable Sale Three along Weller Drive had been available for some time before being purchased, and other nearby land is still available. Comparable Sale Four probably sold in less than three years, and other nearby land across the street is still available. Comparable Sale Five had a buyer in about six months, however, it took a long time to close due to environmental issues, and it is located much closer to Interstate 70 than the Subject.

Larger parcels may take many years to sell. The land sales along County Road 25A in Tipp City were available for sale for many years, and a road was built alongside one of the properties which became the site of a major plant and large employer in Tipp City. The racino site was viewed as such before it was sold although not all approvals were yet in place, so it probably sold much more quickly than it otherwise would have. The main difference between the Subject and the comparable sales is that the Subject has a large amount of land that is not close to level, and has creeks and lake area, and the comparable properties tend to be close to level. The Subject has remained vacant while nearby land to the east was intensely developed.

Therefore, it is predicted that if the Subject were put on the market for sale that it could take up to ten years to sell. The front portion of the Subject may sell more quickly than the overall site if it were marketed as a separate site. The City of Huber Heights does not have the same motivations as a private property owner or developer, so they may be able to sell the property more quickly because the city will get the future economic benefits from the site including income tax revenue.

DEFINITION OF MARKET VALUE 1.

Market Value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and Seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto, and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

APPRAISAL DEVELOPMENT AND REPORTING PROCESS: In preparing this appraisal, the Appraiser

* inspected the Subject property
* gathered information on comparable building sales and listings;
* interviewed market participants and brokers;
* confirmed and analyzed the data and applied the Direct Sales Comparison Approach and the Income Approach to the property.

To develop the opinion of value, the appraisers performed an appraisal process as defined by the Uniform Standards of Professional Appraisal Practice. The Summary Appraisal Report is a recapitulation of the Appraiser's data, analyses, and conclusions. Supporting documentation is retained in the appraisers' file.

---

1. American Institute of Real Estate Appraisers and Society of Real Estate Appraisers, Real Estate Appraisal Terminology, ed. Byrl N. Boyce, Ph.D., SRPA, (Cambridge, Mass.: Ballinger Publishing Company, 1981, p. 149

HIGHEST AND BEST USE

HIGHEST AND BEST USE - That reasonable and probable use that supports the highest present value, as defined, as of the effective date of the appraisal.

Alternatively, that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in highest land value.

The definition immediately, above applies specifically to the highest and best use of land. It is to be recognized that in cases where a site has existing improvements on it, the highest and best use may very well be determined to be different from the existing use. The existing use will continue however, unless and until land value in its highest and best use exceeds the total value of the property in its existing use.

Implied within these definitions is recognition of the contribution of that specific use to community environment or to community development goals in addition to wealth maximization of individual property owners. Also implied is that the determination of the highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from analysis represents an opinion, not a fact to be found. In appraisal practice, the concept of highest and best use represents the premise upon which value is based. In the context of most probable selling price (market value) another appropriate term to reflect highest and best use would be most probable use. In the context of investment value an alternative term would be most profitable use. 1.

The Highest and Best Use Analysis should first assume that the land is vacant and ready for development. Then, certain tests must be applied to the proposed use or uses.

1. Is it legal or likely to be permitted?
2. Is it physically possible on the site?
3. Is it economically and financially feasible?
4. Is it estimated to be the most profitable among all alternatives that meet tests #1 - #3?

The second step of the highest and best use analysis is to apply these tests to the property as it is currently developed.

1.
American Institute of Real Estate Appraisers and Society of Real Estate Appraisers, Real Estate Appraisal Terminology, ed. Byrl N. Boyce, Ph.D., SRPA (Cambridge, Mass.: Ballinger Publishing company, 1981), pgs 126, 127

HIGHEST AND BEST USE

The Subject site is currently vacant with a private road that runs across the south portion of the property. City utilities are in place on and near the property but will need to be extended to serve some portions of the property if buildings are constructed.

The first step in estimating the site's highest and best use is to consider the legal constraints of usage on that site. This is typically controlled by local zoning codes. Generally, if a use is not legally permissible, it may be eliminated from consideration as an alternative.

The Subject property is zoned PC, Planned Commercial District. Retail office and commercial establishments are among the permitted uses. Nearby uses to the east are commercial uses and the Gander Mountain building is located southwest of the Subject. Land to the north and west is mostly vacant although there are residential uses farther northeast.

The second step is to determine whether the use is physically possible. The site contains over 80 acres, so it is physically possible to construct improvements for commercial uses on portions of the site, however, there are portions of the site that are difficult or impossible to develop. These would include the east portion of the site where there is a steep slope, the detention and lake area and some of the land around them that has slopes and creeks. Other areas include existing roadways and the small amount of land south of the existing roadway along Interstate 70 which probably cannot be developed or built upon. It is estimated that at least 40% of the site would be either very difficult or impossible to use for building sites, and some of the remaining site area would not have level topography or is not currently easily accessible by roads.

The third and fourth steps involve having a use that is economically feasible and maximally profitable. In essence, a property that produces the most income will ultimately lead to the highest value for the property. Commercial uses where physically possible generally provide a greater land value and therefore a greater return to the owner than other land uses.

The south portion of the site already has good road access and visibility from Interstate 70, so commercial use is the highest and best use for that portion of the site. It is best suited for use by one or two users. If a large portion of the site can be sold it may lessen development costs for remaining areas of the site. If only the front 11.7 acres is sold as a commercial site, it likely would be necessary to extend the existing road that is along the east side of the Gander Mountain property farther north to provide access to the remaining land area.

Office uses on areas of the site that are not visible from Interstate 70 are unlikely to be the highest and best use for those areas of the site, unless an owner occupant constructs a building on the site. Although office use is physically possible in places on the site, it may not be financially feasible due to competition from available office space in the Benchwood / Interstate 75 area and farther away including at newer developments such as Austin Landing.

The north portion of the site near the lake on the northwest portion of the property may be better suited for a residential use of some type if such a use were financially feasible. It is desirable for residential developments to include a small lake, and the Subject already has a lake in place. However, a residential use may have to compete with the existing uses nearby at Carriage Trails. Residential uses would include apartments, condominiums and more intense uses oriented

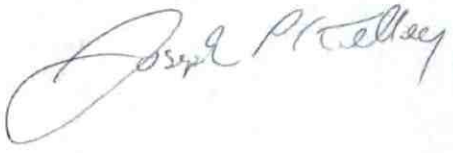
toward senior citizens such as nursing homes and assisted living facilities. Such uses would require a change in zoning so they are not currently legal. Even though the city owns the property and can change the zoning, the city still must consider any valid concerns of its residents so a zoning change cannot be assumed. The main difficulty is access, which may have to come from extending Charlesgate Road into the property, and it would be necessary to construct a large culvert or a small bridge over a creek to access more than just a small portion of the property. A more detailed study would be necessary to determine what residential uses, if any, would be financially feasible to construct on the property.

Some portions of the site such as the lakes and areas with steep slopes are expected to remain vacant and could be used for recreational uses or be used as part of the green space for a larger development.

Therefore, the highest and best use of the site as if vacant would be commercial use where financially feasible, and a recreational use for areas of the site that would be difficult or impossible to develop or build upon. It is also possible that some type of residential use may be the highest and best use of north portions of the property it such uses are determined to be financially feasible and if a zoning change is granted to accommodate such uses.

ENVIRONMENTAL DISCLAIMER

The value estimated is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions unless otherwise stated in this report. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous substances or detrimental environmental conditions on or around the property that affect its value.



Appraiser_____ 4/3/2017

Joseph P. Kelley Date

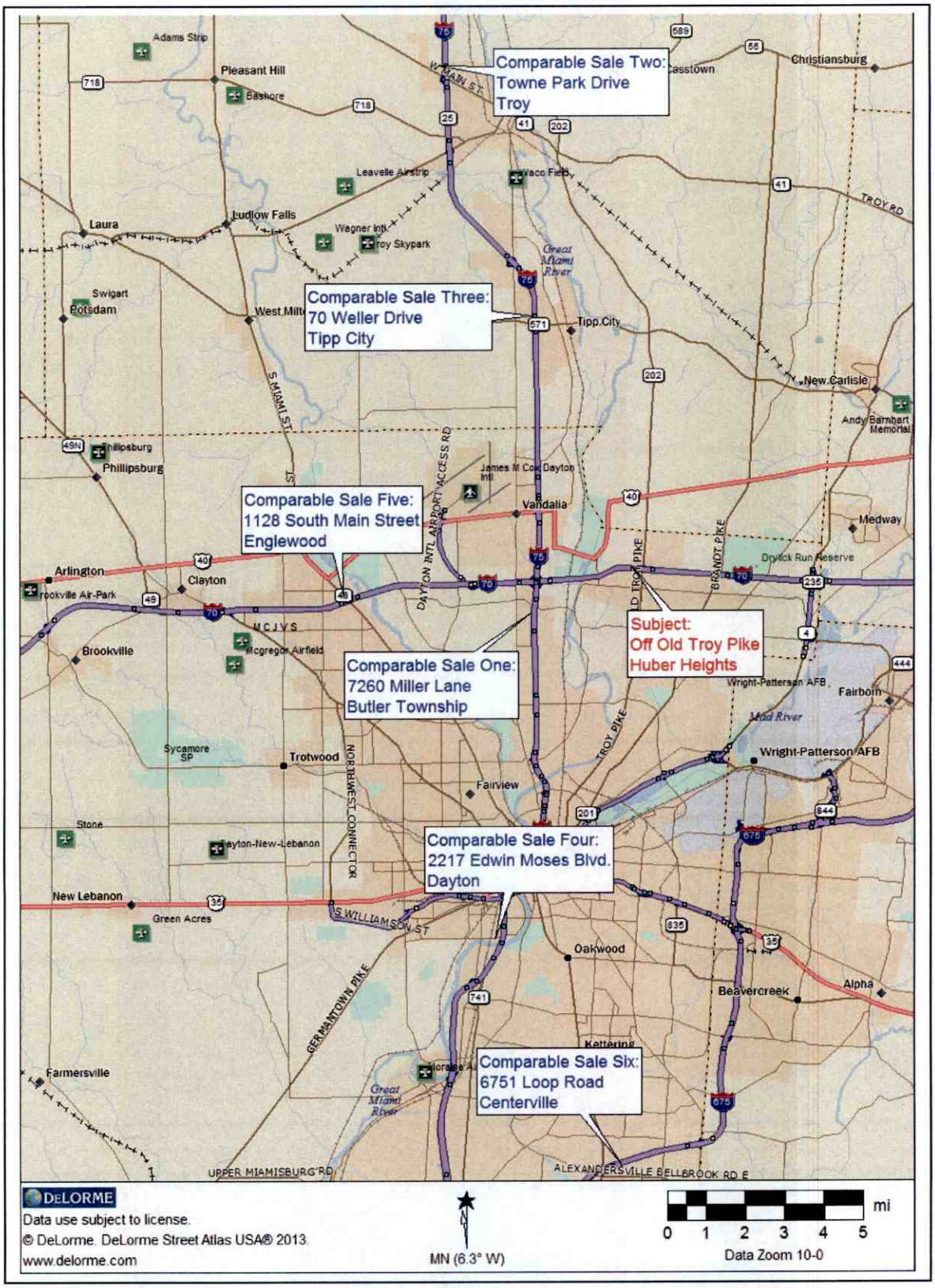
State of Ohio Certified General Real Estate Appraiser #2001012265

THE DIRECT SALES COMPARISON APPROACH
11.7 ACRES ON SOUTH PORTION OF SITE

The purpose of this approach is to estimate, by direct comparison, the value of the subject property. This approach encompasses the premise of comparing like or similar properties with adjustments for any meaningful dissimilarities to arrive at an estimated value for the subject property. It is the best estimate of what the comparable would have sold for had it possessed all of the important characteristics of the subject. This is usually one of the easiest approaches to understand if there are sufficient properties of a comparable nature to form a pattern.

For the purpose of this portion of the report, six comparable land sales were selected to compare to the Subject. An effort was made to find sales that had visibility from an interstate highway and were located near an interchange. These sales were adjusted for significant differences compared to the Subject to estimate a market value per net acre for the Subject property. The Subject 11.7 acre south portion of the property was valued based on the land north and east of the existing roads, driving areas and easements, so that the land area that includes the roads and driving areas and the land area between the access road and Interstate 70 is excluded because these areas would be difficult or impossible to build on. A net site size of 8 acres was used. Another consideration is the older sale of the 8.56 acre adjacent Gander Mountain site that sold for a reported price of $1,000,000 in 2004.

COMPARABLE SALES MAP



COMPARABLE LAND SALE NUMBER ONE

7260 MILLER LANE, BUTLER TOWNSHIP



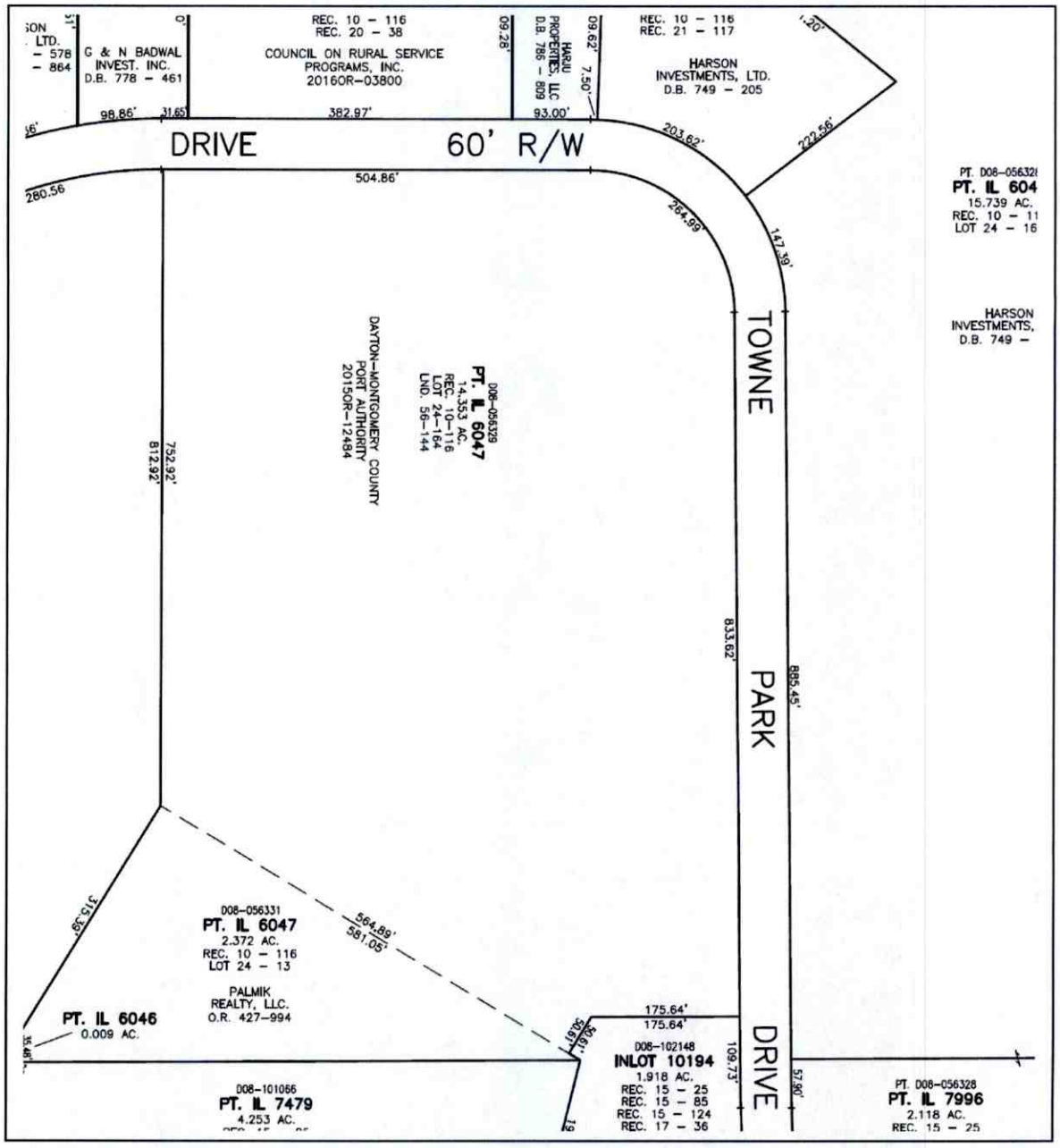
COMPARABLE SALE NUMBER ONE

LOCATION:	7260 Miller Lane, Butler Township
AUDITOR'S REFERENCE:	A01-003-07-0354
CONDITIONS OF SALE:	Arms Length - Auction
GRANTOR:	State of Ohio
GRANTEE:	Tashi Hospitality, Inc.
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	11/16/2016
SALE PRICE:	$430,000
SIZE OF SITE	3.233 Acres
PRICE PER ACRE	$133,003
VERIFICATION:	Public Records, Ann Althaus, ODOT
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	RC / S-1, Regional Commercial Service
TOPOGRAPHY:	Slightly higher near west and south property lines
FRONTAGE:	392.14 Feet

COMMENTS: This is the sale of the land at the location of a former Interstate 75 exit to Miller Lane located not far south of Little York Road. The exit was relocated about three-fourths of a mile to the south in about 2004, so the land was no longer needed. The pavement has either been removed or covered over. The State of Ohio auctions unneeded land and the property was sold at the third auction for two thirds of the appraised value. There was only one bidder.

COMPARABLE LAND SALE NUMBER TWO

TOWNE PARK DRIVE, TROY



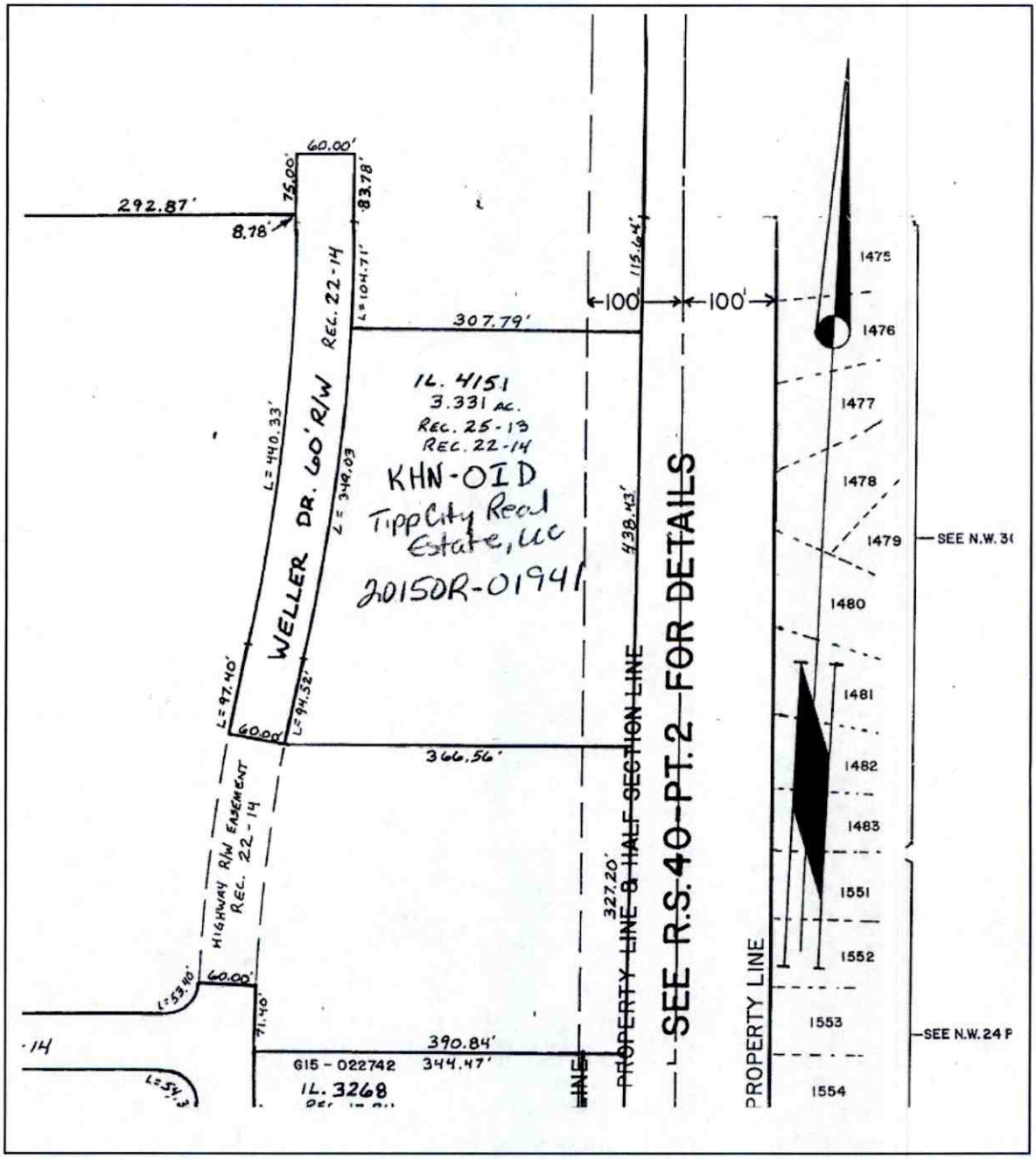
COMPARABLE LAND SALE NUMBER TWO

LOCATION:	Towne Park Drive, Troy
AUDITOR'S REFERENCE:	D08-056329
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Troy Care 2015 LLC
GRANTEE:	Dayton Montgomery County Port Authority
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	10/15/2015
SALE PRICE:	$940,000
SIZE OF SITE:	14.577 Acres
PRICE PER ACRE:	$64.485
VERIFICATION:	Public Records, Alex Kolodesh – Singer Properties
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	Was B-2, Changed to accommodate buyer
TOPOGRAPHY:	Generally Level
FRONTAGE:	1,603.47 Feet

COMMENTS: This is a sale located behind Wal Mart near Interstate 75. It will be the site of a new senior citizen's assisted living and memory care building that is expected to have about 150 units. The buyer will add fill to the remaining land across the street that the seller still owns, which benefits the seller. The seller indicated that the new facility can benefit the remaining land across the street that the seller still owns.

COMPARABLE LAND SALE NUMBER THREE

70 WELLER DRIVE, TIPP CITY



COMPARABLE SALE NUMBER THREE

LOCATION:	70 Weller Drive, Tipp City
AUDITOR'S REFERENCE:	R72-137-06-0011
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Menard Inc.
GRANTEE:	KHN OID Tipp City Real Estate LLC
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	9/8/2014
SALE PRICE:	$549,836.10
SIZE OF SITE	3.331 Acres (Includes 0.526 in I-75 R/W) 2.805 Acres net of right-of-way
PRICE PER ACRE	$165,067 Gross, $196,020 net of right-of-way
VERIFICATION:	Public Records, Alex Bushey – Menard Inc.
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	HS – Highway Service
TOPOGRAPHY:	Generally Level
FRONTAGE:	443.55 Feet

COMMENTS: This is the sale of vacant land along Weller Drive and also along Interstate 75 about 1,800 feet north of an Interstate 75 interchange. It is an outlot of the Menard's store. A Kettering Medical Center building was built on the site.

COMPARABLE LAND SALE NUMBER FOUR

2217 S. EDWIN MOSES BOULEVARD AND CINCINNATI STREET, DAYTON



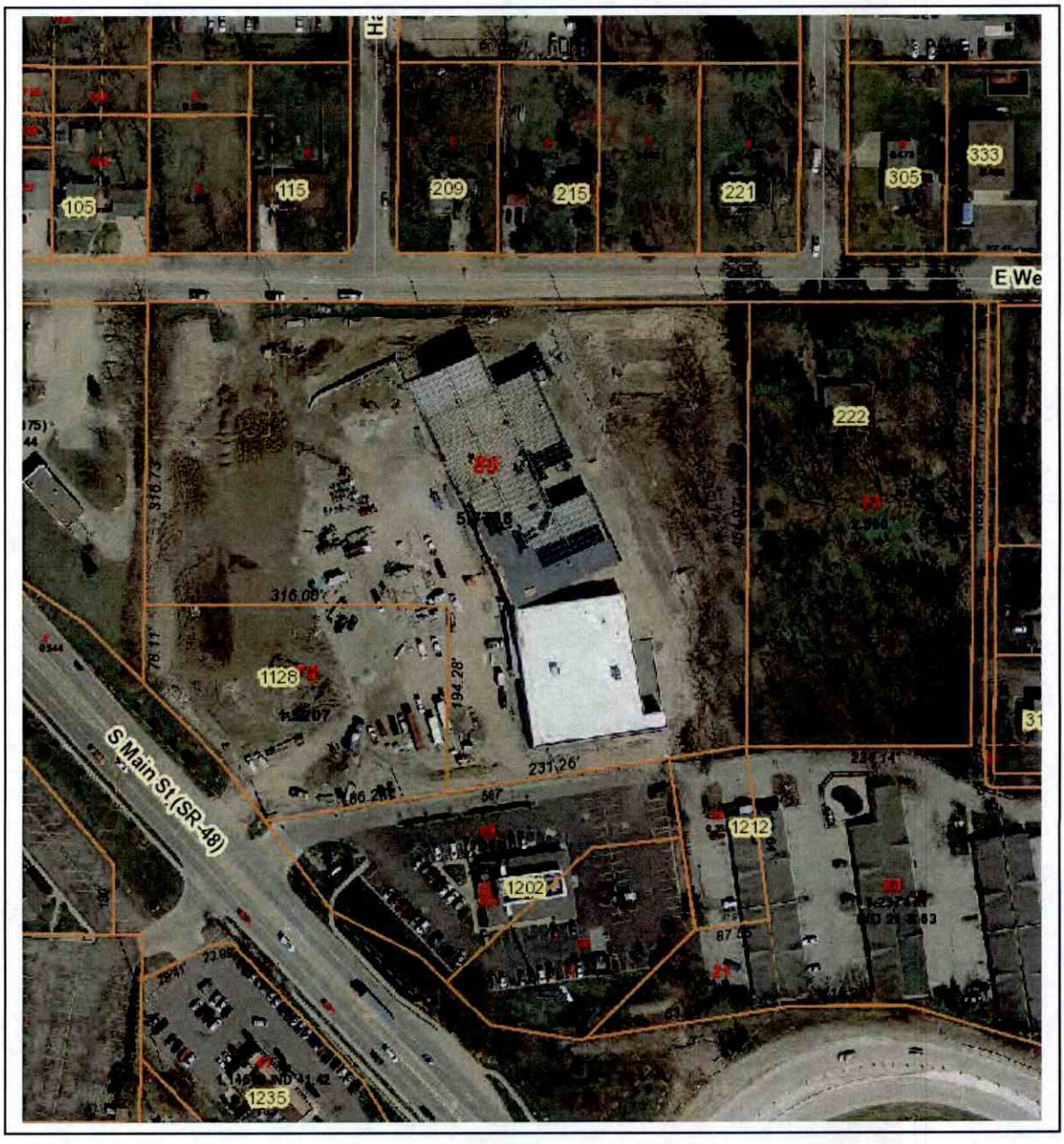
COMPARABLE SALE NUMBER FOUR

LOCATION:	2217 S. Edwin Moses Boulevard, Dayton
AUDITOR'S REFERENCE:	R72-137-06-0011
CONDITIONS OF SALE:	Arms Length
GRANTOR:	IRG Dayton 1 LLC
GRANTEE:	Love's Travel Stops and Country Stores, Inc.
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	12/3/2012
SALE PRICE:	$2,439,398
SIZE OF SITE	18.7646 Acres
PRICE PER ACRE	$130,000
VERIFICATION:	Public Records, Kelly Gray, Selling Agent
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	Was I-2, Changed to SGC-Suburban Gen. Com.
TOPOGRAPHY:	Generally Level
FRONTAGE:	1193.21 Feet, Corner

COMMENTS: This is the sale of vacant land that is located about 1,200 feet west of an Interstate 75 interchange. It was formerly a site of a GM plant that had been torn down. Some existing environmental issues may have remained and the buyer was not going to disturb a remaining concrete slab. A Love's Truck stop and travel center was constructed on the site and the city may have changed the zoning to accommodate the buyer.

COMPARABLE LAND SALE NUMBER FIVE

1128 SOUTH MAIN STREET, ENGLEWOOD



COMPARABLE SALE NUMBER FIVE

LOCATION:	1128 South Main Street, Englewood
AUDITOR'S REFERENCE:	M57-005-02-0012
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Frank Cecrle
GRANTEE:	BSM Englewood LLC
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	10/11/2015
SALE PRICE:	$1,350,000
SIZE OF SITE	7.08 Acres
PRICE PER ACRE	$190,678
VERIFICATION:	Public Records, MLS, Sandy Smith, Selling Agent
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	C2
TOPOGRAPHY:	Mostly Level
FRONTAGE:	About 200 Feet along Main Street (SR 48) and 625.83 feet along Wenger Road

COMMENTS: This is the sale of land located about 500 feet north of an Interstate 70 interchange. The sale does not include the corner. There was a building on the property that contributed no value. There were environmental issues, some of which were taken care of by the buyer and which made the sale take longer to close. SA shopping center has been built on the property

COMPARABLE LAND SALE NUMBER SIX

6751 LOOP ROAD, CENTERVILLE



COMPARABLE SALE NUMBER SIX

LOCATION:	6751 Loop Road, Centerville
AUDITOR'S REFERENCE:	O68-003-09-0049
CONDITIONS OF SALE:	Arms Length
GRANTOR:	National Amusements, Inc.
GRANTEE:	Mills Development Showcase, Ltd.
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	1/22/2014
SALE PRICE:	$1,800,000
SIZE OF SITE	14.56 Acres
PRICE PER ACRE	$123,626
VERIFICATION:	Public Records, Buyer
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	B-PD
TOPOGRAPHY:	Mostly Level
FRONTAGE:	589.46 Feet along Loop Road

COMMENTS: This is the sale of vacant land along Loop Road. It is located behind the large Cross Pointe shopping center and not far from Far Hills Avenue. The north property line runs along Interstate 675. It was the site of a movie theatre that had been closed. The buyer tore down the theatre.

ADJUSTMENT GRID – COMPARABLE LAND SALES

SUBJECT: 11.7 ACRES GROSS – OR 8 ACRES NET, OFF OLD TROY PIKE, HUBER HEIGHTS

1. 7260 Miller Lane, Butler Township
2 Towne Park Drive, Troy
3. 70 Weller Drive, Tipp City

	Subject	**#1**	**#2**	**#3**
Circumstances:	Arms Length	A.L,Auction	Arms Length	Arms Length
Date:	2/15/2017	11/16/2016	10/15/2015	9/8/2014
Financing:	Cash	Cash	Cash	Cash
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Sale Price-$:	Unknown	$430,000	$940,000	$549,836.10
Size, Acres:	8+-Acres Net	3.233 Acres	14.577 Ac	2.805 Acres Net
Frontage:	680'+Private	392.14 Feet	1,603.47 Feet	443.55 Feet
Utilities:	All	All	All	All
Topography:	Most Level	Level/GenSl	Level	Level
Zoning:	PC	LCS1	Was B2	HS
Shape	Regular	Regular	Regular	Regular
Other:	None	None	Fill	None
Location:	Off Old Troy	Miller Ln/75	Towne Park	Weller Dr/75
Indication $Acre:	N/A	$133,003	$64,485	$196,020 Net

ADJUSTMENTS

	Subject	**#1**	**#2**	**#3**
Circumstances:	Arms Length	+20%	0%	0%
Date:	2/15/2017	0%	0%	0%
Financing:	Cash	0%	0%	0%
Property Rights:	Fee Simple	0%	0%	0%
Price/Acre-$:	Unknown	$159,604	$64,485	$196,020 Net
Size, Acres:	8+- Acres, Net	-20%	+5%	-25%
Frontage:	680'+ Private	0%	0%	0%
Utilities:	All	0%	0%	0%
Topography:	Most Level	-5%	-15%	-15%
Zoning:	PC	0%	0%	0%
Shape	Regular	0%	0%	0%
Other:	None	0%	+5%	0%
Location:	Off Old Troy	-15%	+25%	-10%
TOTAL ADJUSTMENTS:		-40%	+20%	-50%
ADJUSTED PRICE / ACRE:		$95,762	$77,382	$98,010

ADJUSTMENT GRID – COMPARABLE LAND SALES

SUBJECT: 11.7 ACRES GROSS – OR 8 ACRES NET, OFF OLD TROY PIKE, HUBER HEIGHTS

4. 2217 S. Edwin Moses Boulevard, Dayton
5 1128 South Main Street, Englewood
6. 6751 Loop Road, Centerville

	Subject	**#4**	**#5**	**#6**
Circumstances:	Arms Length	Arms Length	Arms Length	Arms Length
Date:	2/15/2017	12/3/2012	10/11/2015	1/22/2014
Financing:	Cash	Cash	Cash	Cash
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Sale Price-$:	Unknown	$2,439,398	$1,350,000	$1,800,000
Size, Acres:	8+-Acres Net	18.7646 Acres	7.08 Ac	14.56 Acres
Frontage:	680'+Private	1,193.21 Feet	825+-Feet,2	589.46 Feet
Utilities:	All	All	All	All
Topography:	Most Level	Level	Gen. Level	Level
Zoning:	PC	I2-Changed	C2	B-PD
Shape	Regular	Regular-	Regular	Irregular
Other:	None	None	Dem.Envir.	Demo Costs
Location:	Off Old Troy	EdMoses/Nr75	SR48nr 70	Loop Ro/675
Indication $Acre:	N/A	$130,000	$190,678	$123,626

ADJUSTMENTS

	Subject	**#4**	**#5**	**#6**
Circumstances:	Arms Length	0%	0%	0%
Date:	2/15/2017	+5%	0%	0%
Financing:	Cash	0%	0%	0%
Property Rights:	Fee Simple	0%	0%	0%
Price/Acre-$:	Unknown	$136,500	$190,678	$123,676
Size, Acres:	8+- Acres, Net	+10%	0%	+5%
Frontage:	680'+ Private	-5%	-5%	0%
Utilities:	All	0%	0%	0%
Topography:	Most Level	-15%	-15%	-15%
Zoning:	PC	0%	0%	0%
Shape	Regular	0%	0%	+5%
Other:	None	0%	+10%	+5%
Location:	Off Old Troy	-10%	-40%	-10%
TOTAL ADJUSTMENTS:		-20%	-50%	-10%
ADJUSTED PRICE / ACRE:		$109,200	$95,339	$111,308

INDICATED VALUE OF SUBJECT: $98,000 PER ACRE X 8 ACRES NET = $784,000

EXPLANATION OF ADJUSTMENTS AND ESTIMATE OF MARKET VALUE BY THE DIRECT SALES COMPARISON APPROACH

Some adjustments are based on the experience and knowledge of the Appraiser and may not well supported by market evidence. The adjusted sale prices are listed below.

Comparable Sale Number One.....$95,762 Per Acre

Comparable Sale Number Two.....$77,382 Per Acre

Comparable Sale Number Three.....$98,010 Per Acre

Comparable Sale Number Four.....$109,200 Per Acre

Comparable Sale Number Five.....$95,339 Per Acre

Comparable Sale Number Six.....$111,308 Per Acre

Comparable Sale One was adjusted upward because it was an auction sale. Comparable Sale Four occurred in 2012 so it was adjusted upward for time. Five sales were adjusted for size of land. In general, smaller parcels of land can be expected to sell for a greater per acre value than similar larger parcels of land.

Two comparable sales were adjusted downward for having more frontage than the Subject, which has frontage only along a private road. Most of the comparable sales were adjusted downward for superior generally level topography. The Subject includes some land along the east and north portion of the site that is at a higher elevation than other areas of the property. Comparable Sale Six was adjusted upward for irregular shape. Comparable sale Two was adjusted upward because the seller would benefit from fill fro0m the property that he sold being placed on other nearby property that he owns. Comparable Sale Five was adjusted upward because it had environmental problems and an existing building that was torn down, and the buyer of Comparable Sale Six had to tear down an existing improvement.

Before adjustments were made, the sale prices ranged from $64,485 per acre to $196,020 per acre. After adjustments were made, the adjusted sale prices ranged from $77,382 per acre to $111,308 per acre. A market value of $198,000 per acre was selected for the Subject which when multiplied by 8 acres (excludes roads and land south of the road) equals $784,000, or $780,000, rounded as the value of the Subject property by the Direct Sales Comparison Approach. Therefore, my opinion of the market value of the 11.7 acre south portion of the Subject property, is

SEVEN-HUNDRED-EIGHTY-THOUSAND-DOLLARS

$780,000

THE DIRECT SALES COMPARISON APPROACH

66.6 ACRES EXCLUDING SOUTH PORTION OF SITE

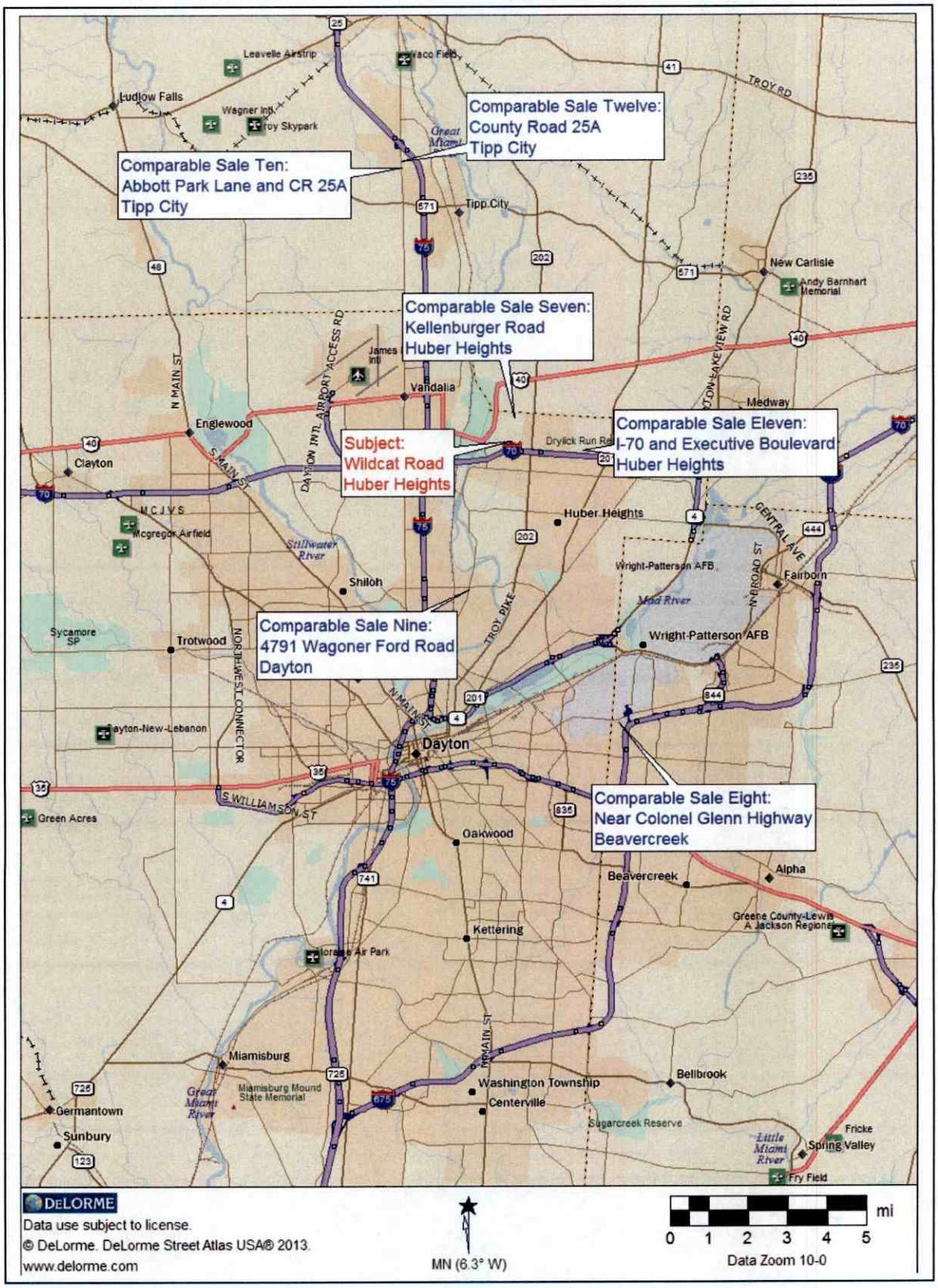
80.341ACRES ENTIRE PROPERTY

The purpose of this approach is to estimate, by direct comparison, the value of the subject property. This approach encompasses the premise of comparing like or similar properties with adjustments for any meaningful dissimilarities to arrive at an estimated value for the subject property. It is the best estimate of what the comparable would have sold for had it possessed all of the important characteristics of the subject. This is usually one of the easiest approaches to understand if there are sufficient properties of a comparable nature to form a pattern.

In this section, the portion of the site that excludes the south 11.7 acre portion and the two roadway extensions to the east was valued. For the purpose of this portion of the report, four comparable land sales were selected to compare to the Subject. These sales were adjusted for significant differences compared to the Subject to estimate a market value per net acre for the Subject property.

Then four comparable sales, including two of the sales used to value the 66.6+- acre portion of the Subject property were used to value the entire 80.341 acre property. All six of the sales that were used are on the following pages. The estimated two acres that is in the two narrow extensions east of the property appears to be used for roadway access except for a very small portion, so it is not marketable and was not valued.

COMPARABLE SALES MAP



COMPARABLE LAND SALE NUMBER SEVEN

KELLENBURGER ROAD AND WILDCAT ROAD, HUBER HEIGHTS



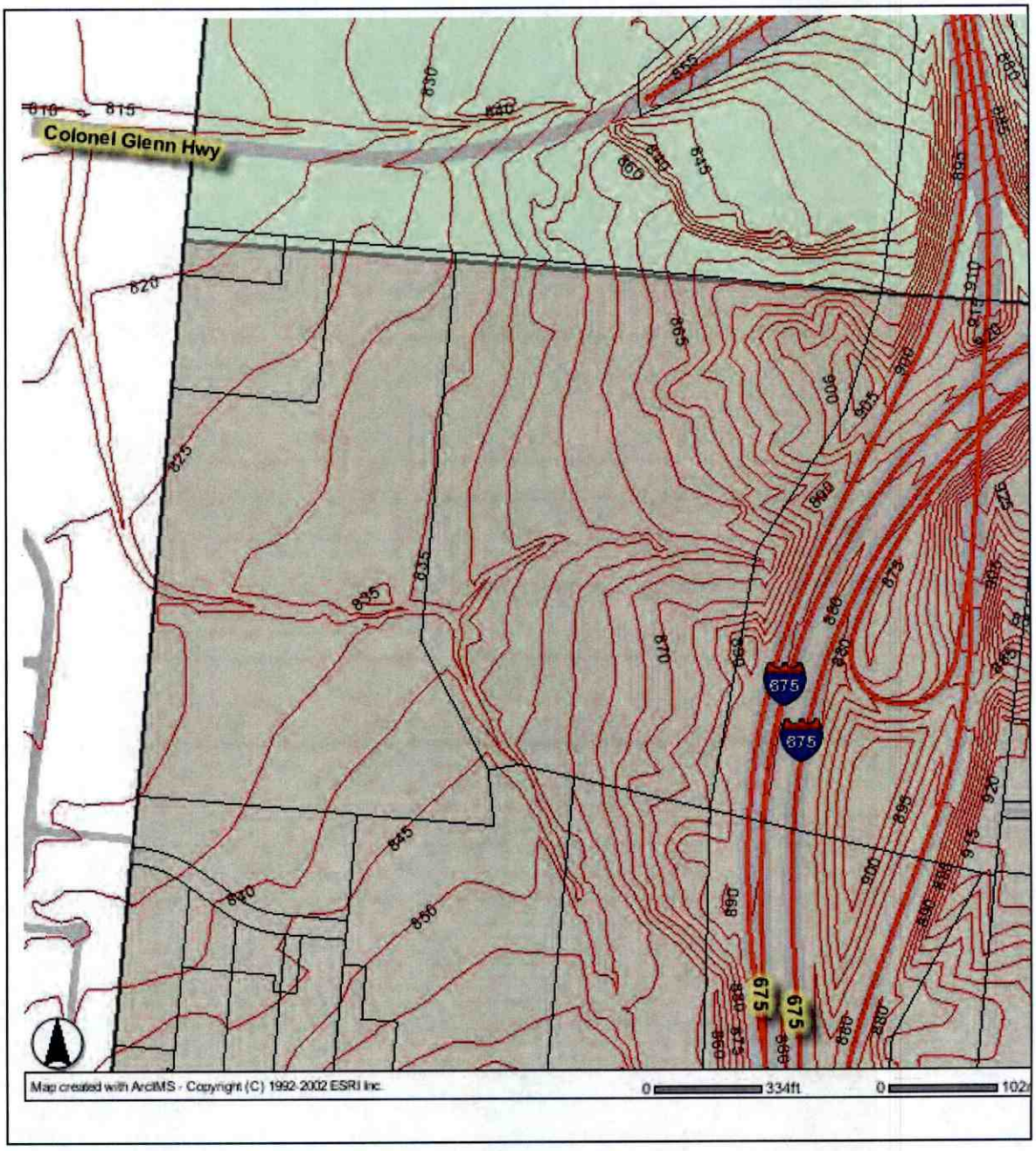
COMPARABLE SALE NUMBER SEVEN

LOCATION:	Kellenburger Road and Wildcat Road, Huber Heights
AUDITOR'S REFERENCE:	P70-040-06-0152
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Studebaker, Marsha Kohler
GRANTEE:	Trimble Inc.
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	12/23/2016
SALE PRICE:	$543,822
SIZE OF SITE	23.9983 Acres
PRICE PER ACRE	$22,661
VERIFICATION:	Public Records, David Studebaker – one of sellers
FINANCING:	Cash
UTILITIES:	All
ZONING:	LI, Light Industrial District, changed
TOPOGRAPHY:	Part Level, Creek, Wooded west portion
FRONTAGE:	1,990.72 Feet includes corner

COMMENTS: This is the sale of vacant land to an adjacent property owner., Trimble, who is expected to use the land for testing products. The sale was based on a price of $25,000 per acre. There is a creek that runs through the middle area of the property from north to south.. There is a small pond on the property.

COMPARABLE LAND SALE NUMBER EIGHT

NEAR COLONEL GLENN HIGHWAY, BEAVERCREEK



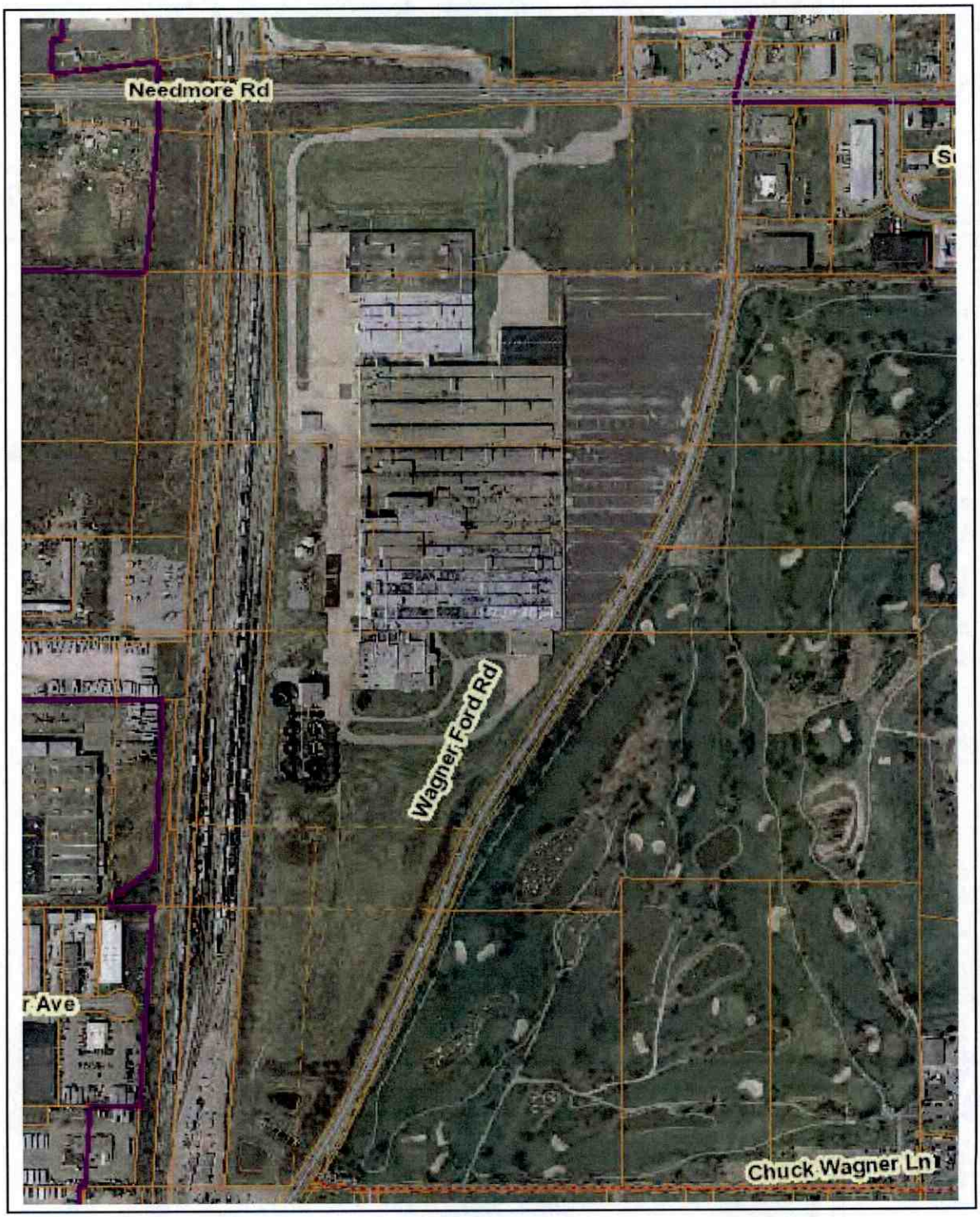
COMPARABLE LAND SALE NUMBER EIGHT

LOCATION:	Near Colonel Glenn Highway, Beavercreek
AUDITOR'S REFERENCE:	B42-1-3-2
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Edward C. and Joanne A. Gerlaugh
GRANTEE:	Colonel Glenn Land Development
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	7-19-2006
SALE PRICE:	$2,157,200
SIZE OF SITE	71.925 Acres
PRICE PER ACRE:	$29,992
VERIFICATION:	County Records, Chuck McCosh – Miller Valentine
FINANCING:	Cash to Seller
UTILITIES:	Water Will Need To Be Extended
ZONING:	Was A1, Agricultural (zoning likely has changed)
TOPOGRAPHY:	Part close to level, Part Rolling, some higher elevations near I-675.
FRONTAGE:	Estimated 100 Feet Easement

COMMENTS: This is the sale of land located between Interstate 675 and the Montgomery County Line. There is no road frontage; access will be by an easement to Colonel Glenn Highway across land owned by the United States government. The land has some visibility from Interstate 675, however, the elevation along I-675 tends to be higher than other areas of the property which can limit visibility. There are buildings on the property that are assumed to not be of significance. The property is expected to be used for office, industrial, research type uses related to nearby Wright Patterson Air Force Base.

COMPARABLE LAND SALE NUMBER NINE

4791 WAGNER FORD ROAD AT NEEDMORE ROAD, DAYTON



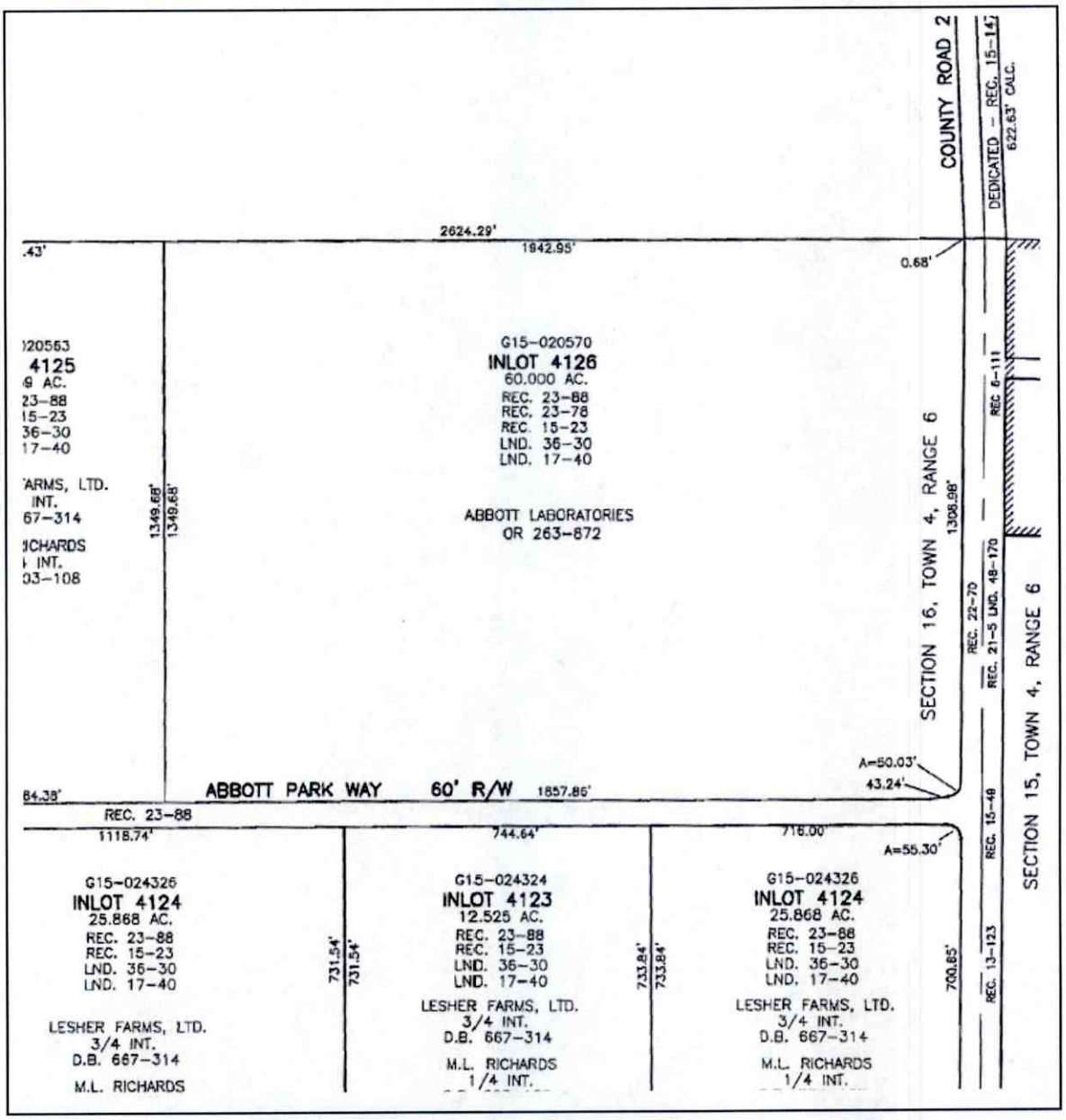
COMPARABLE LAND SALE NUMBER NINE

LOCATION:	4791 Wagner Ford Road At Needmore Road Dayton, Montgomery County
AUDITOR'S REFERENCE:	R72-173-0002
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Indiana Metal LLC
GRANTEE:	Dayton Real Estate Venture LLC
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	08/11/2011
SALE PRICE:	$3,200,000
SIZE OF SITE:	120.0 Acres, Approximtely
PRICE PER ACRE:	$26,750
VERIFICATION:	Dave Tobeson, Selling Agent
FINANCING:	Cash
UTILITIES:	All City
ZONING:	Industrial, Also WP
TOPOGRAPHY:	Generally Level To Rolling
OTHER:	None
FRONTAGE:	6,598 Feet On Wagner-Ford/Needmore
EXPOSURE TIME:	Unknown

COMMENTS: This is the sale of a former General Motors manufacturing site. The building had been demolished except for the slab so the land was vacant when sold. It is the site of the racino. It was known at the time of the sale that the site would be the location of the racino, however, all necessary approvals and/or actions had not yet occurred. The property had sold some time earlier with the large manufacturing building for $3,100,000, and the buyer tore the building down for scrap.

COMPARABLE SALE NUMBER TEN

COUNTY ROAD 25A AND ABBOTT DRIVE, TIPP CITY



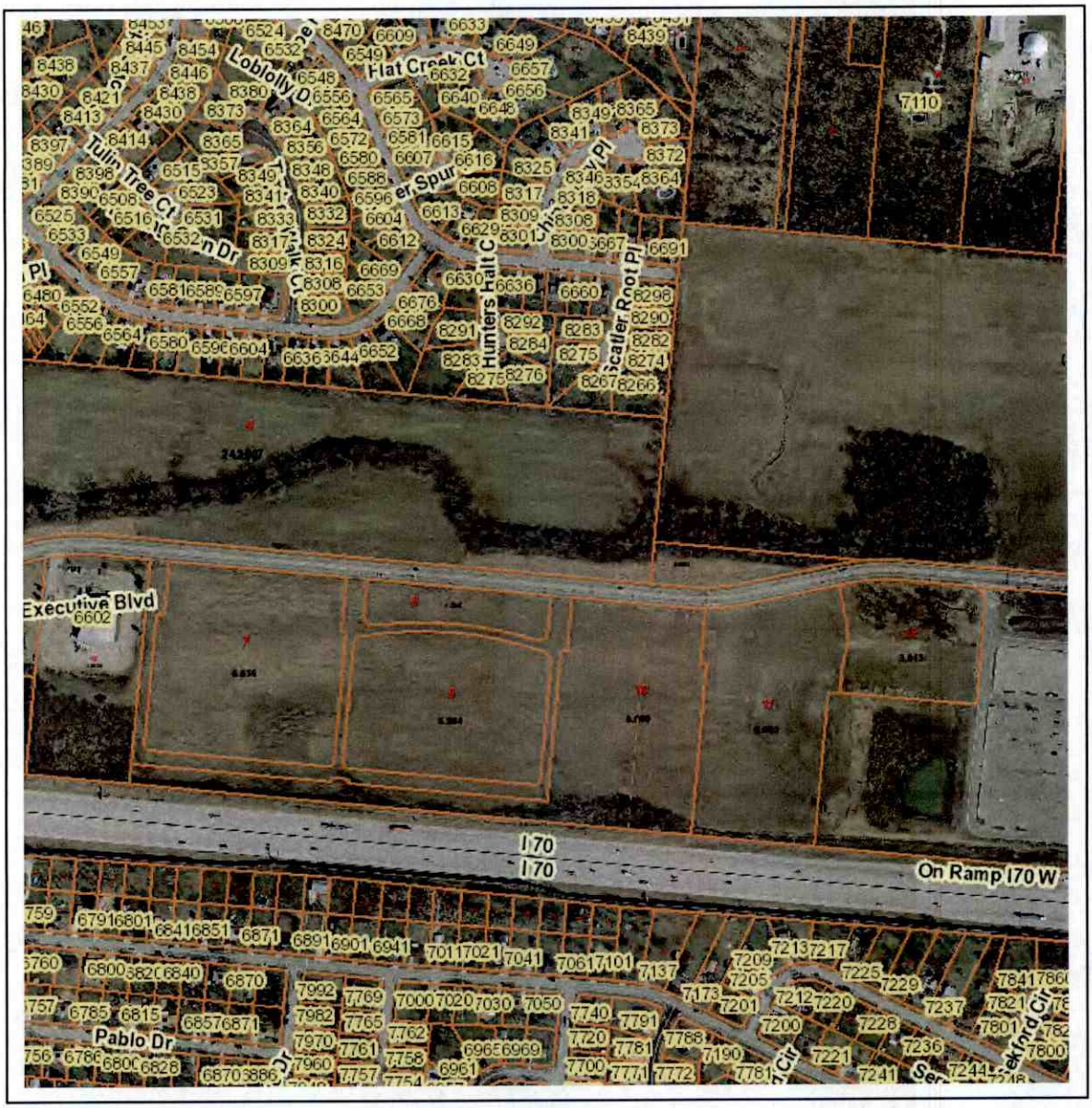
COMPARABLE LAND SALE NUMBER TEN

LOCATION:	Abbot Park Lane and County Road 25A, Tipp City
AUDITOR'S REFERENCE:	G15-020570
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Lesher Farms, Ltd., M. L. Richards
GRANTEE:	Abbott Laboratories
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	4/13/2012
SALE PRICE:	$1,600,000
SIZE OF SITE	60 Acres
PRICE PER ACRE:	$26,667
VERIFICATION:	Tim Logan – Selling Realtor
FINANCING:	Cash to Seller
UTILITIES:	All
ZONING:	I-1 / POI, Industrial / Planned Office Industrial
TOPOGRAPHY:	Generally Level
FRONTAGE:	About 1,310 Feet at time of sale along 25A. Abbot Park Lane was later installed, 1,838 Feet About 3,150 feet of total frontage.

COMMENTS: This is the purchase of 60 acres near the Subject for a manufacturing use. Abbott Lane was then installed along much of the length of the south property line, which is about 1,900 feet, after the sale. Cost of the road extension including utilities was $1,400,000 and was provided by government entities. The installation of Abbott Lane also benefitted the property to the south that the seller owns. The seller did not have to pay for the road and utility extension but did give up the land for the roadway right-of-way. The new facility constructed on the property will have a 15 year tax abatement.

COMPARABLE SALE NUMBER ELEVEN

I-70 AND EXECUTIVE BOULEVARD, HUBER HEIGHTS



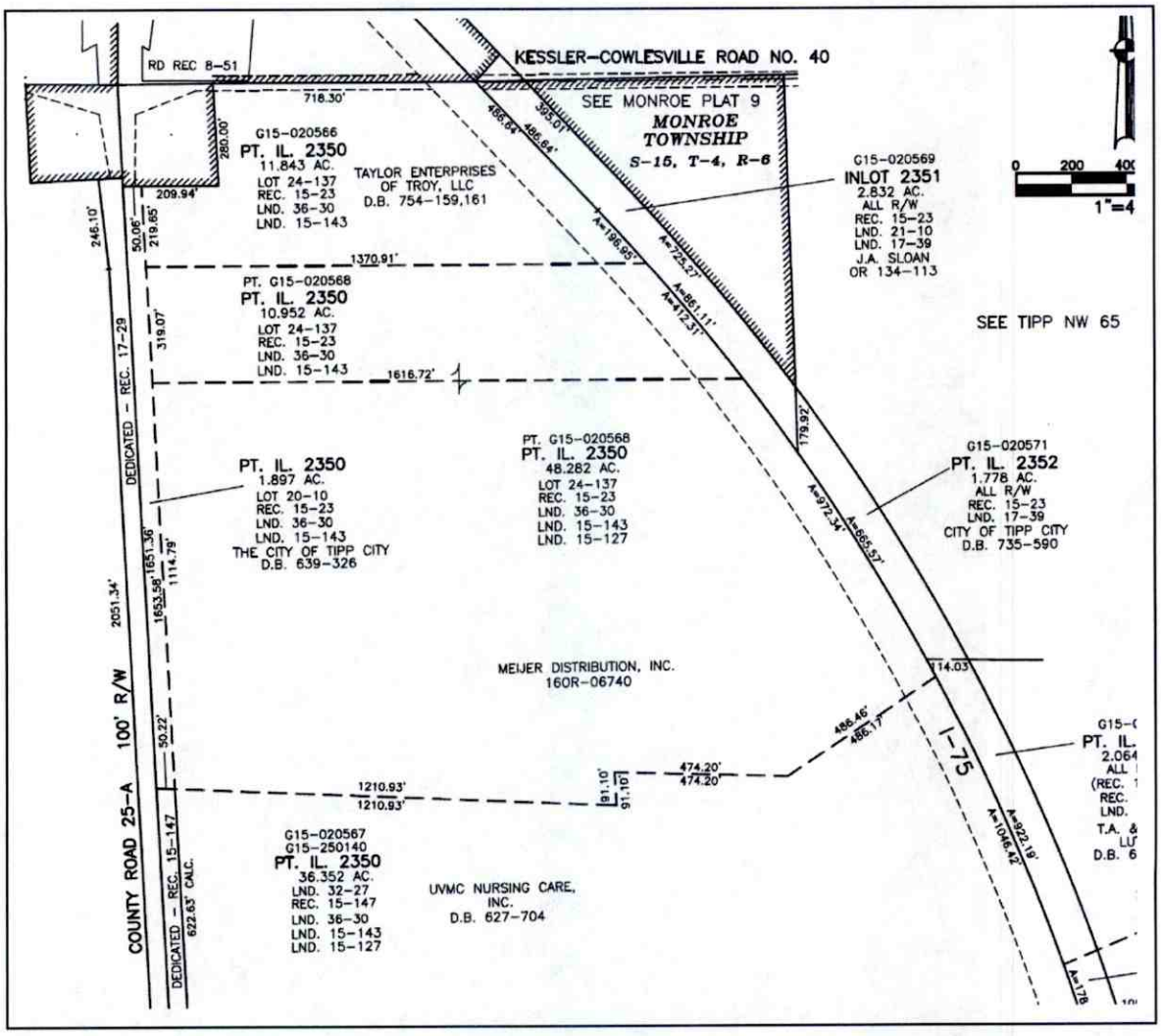
COMPARABLE LAND SALE NUMBER ELEVEN

LOCATION:	I-70 At Executive Boulevard, Huber Heights
AUDITOR'S REFERENCE:	P70-018-20-0007 to 12 (current)
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Meijer Stores Limited
GRANTEE:	City Of Huber Heights
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	6/2013
SALE PRICE:	$2,310,000
SIZE OF SITE	33.607 Acres
PRICE PER ACRE	$68,735
VERIFICATION:	Assistant City Manager Of Huber Heights
FINANCING:	Cash
UTILITIES:	All
ZONING:	EP, Employment Park
TOPOGRAPHY:	Generally Level
FRONTAGE:	About 2,400 Feet (Does not include along Interstate 70)

COMMENTS: This is the sale of land where the Music Center is located in Huber Heights. There are deed restrictions regarding certain uses that would complete with or be a detriment to the neighboring Meijer store. There is also the right to use the storm water retention area on the neighboring Meijer parcel. A 3.013 acre parcel was later sold for $450,000 for a restaurant site.

COMPARABLE LAND SALE NUMBER TWELVE

COUNTY ROAD 25A, TIPP CITY



COMPARABLE SALE NUMBER TWELVE

LOCATION:	County Road 25A, Tipp City
AUDITOR'S REFERENCE:	G15-0
CONDITIONS OF SALE:	Arms Length
GRANTOR:	Lesher Farms Ltd. And M.L. Richards
GRANTEE:	Meijer
PROPERTY RIGHTS CONVEYED:	Fee Simple
DATE OF SALE:	6/8/2016
SALE PRICE:	$3,000,000
SIZE OF SITE	59.234 gross acres, 55.969 net acres
PRICE PER ACRE	$53,601 based on net acreage
VERIFICATION:	Tim Logan, Selling Agent
FINANCING:	Cash
UTILITIES:	All
ZONING:	LI, Light Industrial District
TOPOGRAPHY:	Generally Level
FRONTAGE:	1,433.86 Feet along County Road 25A

COMMENTS: This is the sale of vacant land that has its east property line located entirely along Interstate 75 and part of the site is within one-half mile of an interchange. Sanitary sewer is located near the southeast portion of the property so it would need to be extended to serve the entire site. The gross site area of 59.234 acres includes land with the right-of-way of Interstate 75. The southeast portion of the site has about 1.5 acres of wetlands. The buyer, Meijer, has a large distribution facility across the street from this property.

ADJUSTMENT GRID – COMPARABLE LAND SALES - 67 ACRE PORTION

SUBJECT: 66.6+- ACRES, WILDCAT ROAD, HUBER HEIGHTS

7. Kellenburger Road, Huber Heights
8 Near Colonel Glenn Highway, Beavercreek
9. 4791 Wagner Ford Road, Dayton
10. Abbott Park Lane and County Road 25A, Tipp City

	Subject	**#7**	**#8**	**#9**	**#10**
Circumstances:	Arms Length	A. L., Adj By	Arms Length	Arms Length	Arms Length
Date:	2/15/2017	12/23/2016	7/19/2006	08/11/2011	4/13/2012
Financing:	Cash	Cash	Cash	Cash	Cash
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Sale Price-$:	Unknown	$543,822	$2,157,200	$3,200,000	$1,600,000
Size, Acres:	66.6+-Acres	23.9983 Acres	71.925 Ac	120 Acres+-	60 Acres
Frontage:	Ends 2 Streets	1,990.72 Feet	None, Esmt.	6,598 Feet	1,310 Feet
Utilities:	All	All	All, Water Ext	All	All
Topography:	Lakes, Slopes	Level/Creek	Level,Roll,Sl	Level	Level
Zoning:	PC	Now Ind.	Was A1, Ch	I2, WP	I-1 / POI
Shape	Regular-	Regular	Regular	Regular-	Regular
Other:	None	None	None	None	Road Added
Location:	Off Old Troy	Kellenburger	Beavercreek	Wagner Ford	CR 25A
Indication $Acre:	N/A	$22,661	$29,992	$26,750	$26,667

ADJUSTMENTS

	Subject	**#7**	**#8**	**#9**	**#10**
Circumstances:	Arms Length	0%	0%	0%	0%
Date:	2/15/2017	0%	+10%	+10%	+10%
Financing:	Cash	0%	0%	0%	0%
Property Rights:	Fee Simple	0%	0%	0%	0%
Price/Acre-$:	Unknown	$22,661	$32,991	$29,425	$29,334
Size, Acres:	66.6+- Acres	-10%	0%	+10%	0%
Frontage:	Ends 2 Streets	-25%	0%	-25%	-15%
Utilities:	All	0%	0%	0%	0%
Topography:	Lakes, Slopes	-25%	-30%	-50%	-50%
Zoning:	PC	+10%	0%	+10%	+5%
Shape	Regular-	0%	0%	0%	0%
Other:	None	0%	0%	0%	+15%
Location:	Off Old Troy	+10%	-25%	0%	0%
TOTAL ADJUSTMENTS:		-40%	-55%	-55%	-45%
ADJUSTED PRICE / ACRE:		$13,596	$14,846	$13,241	$16,134

EXPLANATION OF ADJUSTMENTS AND ESTIMATE OF MARKET VALUE OF THE 66.6 ACRE PORTION OF THE PROEPRTY BY THE DIRECT SALES COMPARISON APPROACH

Some adjustments are based on the experience and knowledge of the Appraiser and may not well supported by market evidence. The adjusted sale prices are listed below.

Comparable Sale Number Seven.....$13,596 Per Acre

Comparable Sale Number Eight.....$14,846 Per Acre

Comparable Sale Number Nine.....$13,241 Per Acre

Comparable Sale Number Ten.....$16,134 Per Acre

Three comparable sales occurred in 2012 or earlier and were adjusted for date of sale. Two sales were adjusted for size of land. In general, smaller parcels of land can be expected to sell for a greater per acre value than similar larger parcels of land. Three comparable sales were adjusted downward for having more and superior frontage than the Subject. The Subject has access only from the ends of two roadways, one of which is private. There is some frontage along Wildcat Road but access would be difficult or impossible due to the slopes and lake. All of the comparable sales were adjusted downward for superior topography. The Subject includes two detention areas, some land with steep slopes, and some creeks so some portions of the property will be difficult or impossible to develop for any use other than recreational use. Three sales were adjusted upward for inferior zoning. Comparable Sale Ten had a road added along its south property line that benefitted other land that the seller owned. Two sales were adjusted for location.

Before adjustments were made, the sale prices ranged from $22,661 per acre to $29,992 per acre. After adjustments were made, the adjusted sale prices ranged from $13,241 per acre to $17,600 per acre. A value of $14,500 per acre was selected as appropriate for the Subject. Therefore, $14,500 per acre multiplied by 66.6 acres equals $965,700, or $970,000, rounded as the market value of the Subject property by the Direct Sales Comparison Approach. Therefore, my opinion of the market value of the 66.6 acre north portion of the Subject property is

NINE-HUNDRED-SEVENTY-THOUSAND-DOLLARS

$970,000

ADJUSTMENT GRID – COMPARABLE LAND SALES – ENTIRE PARCEL

SUBJECT: 80.431 ACRES, WILDCAT ROAD, HUBER HEIGHTS

9. 4791 Wagner Ford Road, Dayton
10. Abbott Park Lane and County Road 25A, Tipp City
11 I-70 At Executive Boulevard, Huber Heights
12. County Road 25A, Tipp City

	Subject	**#9**	**#10**	**#11**	**#12**
Circumstances:	Arms Length	Arms Length	Arms Length	Arms Length	A.L.,NrBuyer
Date:	2/15/2017	08/11/2011	4/13/2012	6/20/2013	6/8/2016
Financing:	Cash	Cash	Cash	Cash	Cash
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Sale Price-$:	Unknown	$3,200,000	$1,600,000	$2,310,000	$3,000,000
Size, Acres:	80.341 Acres	120 Acres+-	60 Acres	33.607 Acres	55.969 Net
Frontage:	Priv, Ends 2 St	6,598 Feet	1,310 Feet	About2,400 Ft	1,433.86 Ft.
Utilities:	All	All	All	All	All
Topography:	Lakes, Slopes	Level	Level	Level	Level
Zoning:	PC	I2, WP	I-1 / POI	EP	LI
Shape	Irregular	Regular-	Regular	Regular	Regular
Other:	None	None	Road Added	Misc.	None
Location:	Off Old Troy	Wagner Ford	CR 25A	Exec., I-70	CR 25A, I-75
Indication $Acre:	N/A	$26,750	$26,667	$68,735	$53,601

ADJUSTMENTS

	Subject	**#9**	**#10**	**#11**	**#12**
Circumstances:	Arms Length	0%	0%	0%	0%
Date:	2/15/2017	+10%	+10%	+5%	0%
Financing:	Cash	0%	0%	0%	0%
Property Rights:	Fee Simple	0%	0%	0%	0%
Price/Acre-$:	Unknown	$29,425	$29,334	$72,172	$53,601
Size, Acres:	80.341 Acres	+10%	0%	-10%	-5%
Frontage:	Priv, Ends 2 St	-20%	-5%	-20%	-5%
Utilities:	All	0%	0%	0%	0%
Topography:	Lakes, Slopes	-35%	-35%	-35%	-35%
Zoning:	PC	+10%	+5%	0%	+5%
Shape	Irregular	-5%	-5%	-5%	-5%
Other:	None	0%	+15%	0%	0%
Location:	Off Old Troy	0%	0%	-10%	-10%
TOTAL ADJUSTMENTS:		-40%	-25%	-80%	-55%
ADJUSTED PRICE / ACRE:		$17,655	$22,000	$14,434	$24,120

INDICATED VALUE OF SUBJECT: $20,000 / ACRE X 80.341 ACRES = $1,600,000, RO.

EXPLANATION OF ADJUSTMENTS AND ESTIMATE OF MARKET VALUE BY THE DIRECT SALES COMPARISON APPROACH

Some adjustments are based on the experience and knowledge of the Appraiser and may not well supported by market evidence. The adjusted sale prices are listed below.

Comparable Sale Number Nine.....$17,655 Per Acre

Comparable Sale Number Ten.....$22,000 Per Acre

Comparable Sale Number Eleven.....$14,434 Per Acre

Comparable Sale Number Twelve.....$24,120 Per Acre

Three comparable sales occurred in 2013 or earlier and were adjusted for date of sale. Two sales were adjusted for size of land. In general, smaller parcels of land can be expected to sell for a greater per acre value than similar larger parcels of land. All comparable sales were adjusted downward for having more and superior frontage than the Subject. The Subject has access from a private roadway and the end of another road. There is some frontage along Wildcat Road but access would be difficult or impossible due to the slopes and lake. All of the comparable sales were adjusted downward for superior topography. The Subject includes two detention areas, some land with steep slopes, and some creeks so some portions of the property will be difficult or impossible to develop for any use other than recreational use. Three sales were adjusted upward for inferior zoning. All sales were adjusted downward for superior shale because the Subject land area includes narrow extensions to the east that add no significant value to the property. Comparable Sale Ten had a road added along its south property line that benefitted other land that the seller owned. Two sales were adjusted for location including having more land along an interstate highway than the Subject.

Before adjustments were made, the sale prices ranged from $26,667 to $68,735 per acre. After adjustments were made, the adjusted sale prices ranged from $14,434 to $24,120 per acre. A value of $20,000 per acre was selected as appropriate for the Subject. Therefore, $20,000 per acre multiplied by 80.341 acres equals $1,606,820, or $1,600,000, rounded as the value of the Subject property by the Direct Sales Comparison Approach. Therefore, my opinion of the market value of the entire 80.341 acre Subject property is.

ONE-MILLION-SIX-HUNDRED-THOUSAND-DOLLARS

$1,600,000

ADDENDUM:

Deed
Property Record Card
Real Estate Taxes
Zoning Map and Regulations
Flood Map
Disclosure Statement
Appraiser's Credentials

Type: Deeds
Kind: SHERIFF'S DEED
Recorded: 9/28/2015 2:55:23 PM
Fee Amt: $36.00 Page 1 of 3
Montgomery County, OH
Willis E. Blackshear Recorder

File# 2015-00053137

TRANSFER
04:03pm SEPTEMBER 24, 2015
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 14932 $.00

(BOX)

SHERIFF'S DEED

(Direct Transfer)

(3)

Whereas the Montgomery County Board of Revision ("BOR"), pursuant to Ohio Revised Code §323.65 to §323.79, in a civil administrative proceeding captioned **Case Number 2014-BR-185**, ordered a foreclosure decree (*"Decree"*) against **WILDCAT DEVELOPMENT LIMITED PARTNERSHIP, et al.**, wherein the Montgomery County Treasurer was Plaintiff and **WILDCAT DEVELOPMENT LIMITED PARTNERSHIP, et al.**, were defendants;

Whereas the *Decree* was issued to foreclose the State's lien for real estate taxes upon the subject land, thereby dispensing with the requirement of appraisal as prescribed by law; and

Whereas on **June 19, 2015**, an order to transfer (*"Order to Transfer"*) issued on said *Decree*, ordering the Montgomery County, Ohio Sheriff ("Sheriff") to proceed to transfer, without sale or appraisal, the land described in **Exhibit A** attached hereto and made a part hereof, whereupon, the Sheriff, pursuant to the *Order to Transfer*, was ordered to execute this *Sheriff's Deed* in compliance therewith; and

Whereas, the proceedings by the Sheriff consisted of executing this *Sheriff's Deed* and collecting such costs and expenses of this proceeding pursuant to R.C. §323.65 to §323.79; and, whereas the Sheriff was ordered to execute and deliver the within *Sheriff's Deed* of said real estate parcel to said Transferee **City of Huber Heights, Ohio, an Ohio Municipal Corporation;**

Therefore, by virtue of the foregoing, the Sheriff has GIVEN, GRANTED, and CONVEYED, and by these present does hereby GRANT, SELL and CONVEY to said **City of Huber Heights, Ohio, an Ohio Municipal Corporation,** tax mailing address 6131 Taylorsville Road, Huber Heights, Ohio, 45424, and its transferees and their heirs, successors and assigns forever, to have and to hold, all the right, title, and interest in lands and tenements being **Permanent Parcel ID Number P70 02025 0009** subject to all restrictions, covenants, limitations, conditions, easements, and rights of way of record.

OWR

Wherefore, I have, as Sheriff, hereunto set my hand this 23 day of September, 2015.

Montgomery County Sheriff

Sheriff/Deputy Sheriff of Montgomery County, Ohio

The State of Ohio)
County of Montgomery) ss:

Sworn to, acknowledged, and subscribed in my presence Phil Plummer, Sheriff/Deputy Sheriff of Montgomery County, Ohio who acknowledged he/she freely and officially signed the foregoing Sheriff's deed this 23 day of September, 2015.

ARACELY DIAZ
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 10/1/2018

NOTARY PUBLIC

This instrument was prepared by Margaret M. Carper, Assistant Prosecuting Attorney, 301 W. Third Street, 5th Floor, Dayton, Ohio 45422.

EXHIBIT A

Situate in the City of Huber Heights, County of Montgomery and State of Ohio and being Lot Five 5 of Northpark, Section 4 as recorded in Plat Book 199, Pages 31-31B and being a replat of part of Lot 1 of Northpark Section 3 as recorded in Plat Book 173, Pages 5-5B of the Plat Records of Montgomery County, Ohio. Subject to all legal highways, easements and restrictions of record.

Permanent Parcel Number: P70 02025 0009

- Summary
- Property Description
- Tax Summary
- Payments List
- Levy Distribution
- New Levies
- Special Assessments
- Permits
- Value History
- Rental Registration
- Sketch
- Sales
- Photo
- Tax Detail
- Pay Taxes

PARID: P70 02025 0009

PARCEL LOCATION: WILDCAT RD

NBHD CODE: C1000000

Tax Year: 2016

CURRENT RECORD 2 of 29

Return to Search Results

Maps

Printable Summary

Printable Version

Click here to view neighborhood map

Owner

Name
HUBER HEIGHTS CITY OF

Mailing

Name	HUBER HEIGHTS CITY OF
Mailing Address	6131 TAYLORSVILLE RD
City, State, Zip	DAYTON, OH 45424

Legal

Legal Description	5 NORTHPARK SEC 4 TAX INCR GRANTED, 2013 NO INCR TO TID
Land Use Description	C - COMMERCIAL VACANT LAND
Acres	80.341
Deed	
Tax District Name	HUBER HGTS.-H.H. CSD

Sales

Date	Sale Price	Deed Reference	Seller	Buyer
24-JUN-10		201000036957	KTJ LIMITED PARTNERSHIP	WILDCAT DEVELOPMENT LTD
24-SEP-15		201500053137	WILDCAT DEVELOPMENT LTD	HUBER HEIGHTS CITY OF

Values

	35%	100%
Land	506,150	1,446,140
Improvements	0	0
CAUV	0	0
Total	506,150	1,446,140

Current Year Special Assessments

41100-MCD/AP MCD/AQUIFER PRES SUBD	$13.46

Current Year Rollback Summary

Non Business Credit	$0.00
Owner Occupancy Credit	$0.00
Homestead	$0.00
City of Dayton Credit	$0.00
Reduction Factor	-$11,975.68

Tax Summary

Year	Prior Year	Prior Year Payments	1st Half Due 2/17/2017	1st Half Payments	2nd Half Due 7/21/2017	2nd Half Payments	Total Currently Due
2016	$0.00	$0.00	$21,069.24	-$21,069.24	$21,055.78	$0.00	$21,055.78



Sorry, no sketch available for this record



Data Copyright Montgomery County [Disclaimer] [Privacy Policy]

Site Design Copyright 1999-2013 Tyler Technologies. All rights reserved.

Current Parcel ID:	Property Owner for Selected Year: HUBER HEIGHTS CITY OF	Tax Year: 2016
P70 02025 0009		

Pay Taxes Now



Tax Information

NOTE: Unpaid taxes from tax year 2015, payable 2016, show on tax year 2016 as delinquent. Please check tax year 2016 for unpaid tax details. Paid taxes show in the year they were paid in full.

Please be sure to check the Master Information screen for Tax Lien Sale status. If "SOLD", contact the Treasurer's office for details.

First Half Taxes					
Tax Year	Real/Project	Charge	Adjustments	Payments	Amount Due
2016	41100	$13.46	$0.00	($13.46)	$0.00
2016	Real	$21,055.78	$0.00	($21,055.78)	$0.00
Sub-Total		**$21,069.24**	**$0.00**	**($21,069.24)**	**$0.00**

Second Half Taxes					
Tax Year	Real/Project	Charge	Adjustments	Payments	Amount Due
2016	Real	$21,055.78	$0.00	$0.00	$21,055.78
Sub-Total		**$21,055.78**	**$0.00**	**$0.00**	**$21,055.78**

Prior Year Adjustments					
Tax Year	Real/Project	Charge	Adjustments	Payments	Amount Due
Sub-Total		**$0.00**	**$0.00**	**$0.00**	**$0.00**

Prior Year Charges/Delinquent Taxes					
Tax Year	Real/Project	Charge	Adjustments	Payments	Amount Due
Sub-Total		**$0.00**	**$0.00**	**$0.00**	**$0.00**

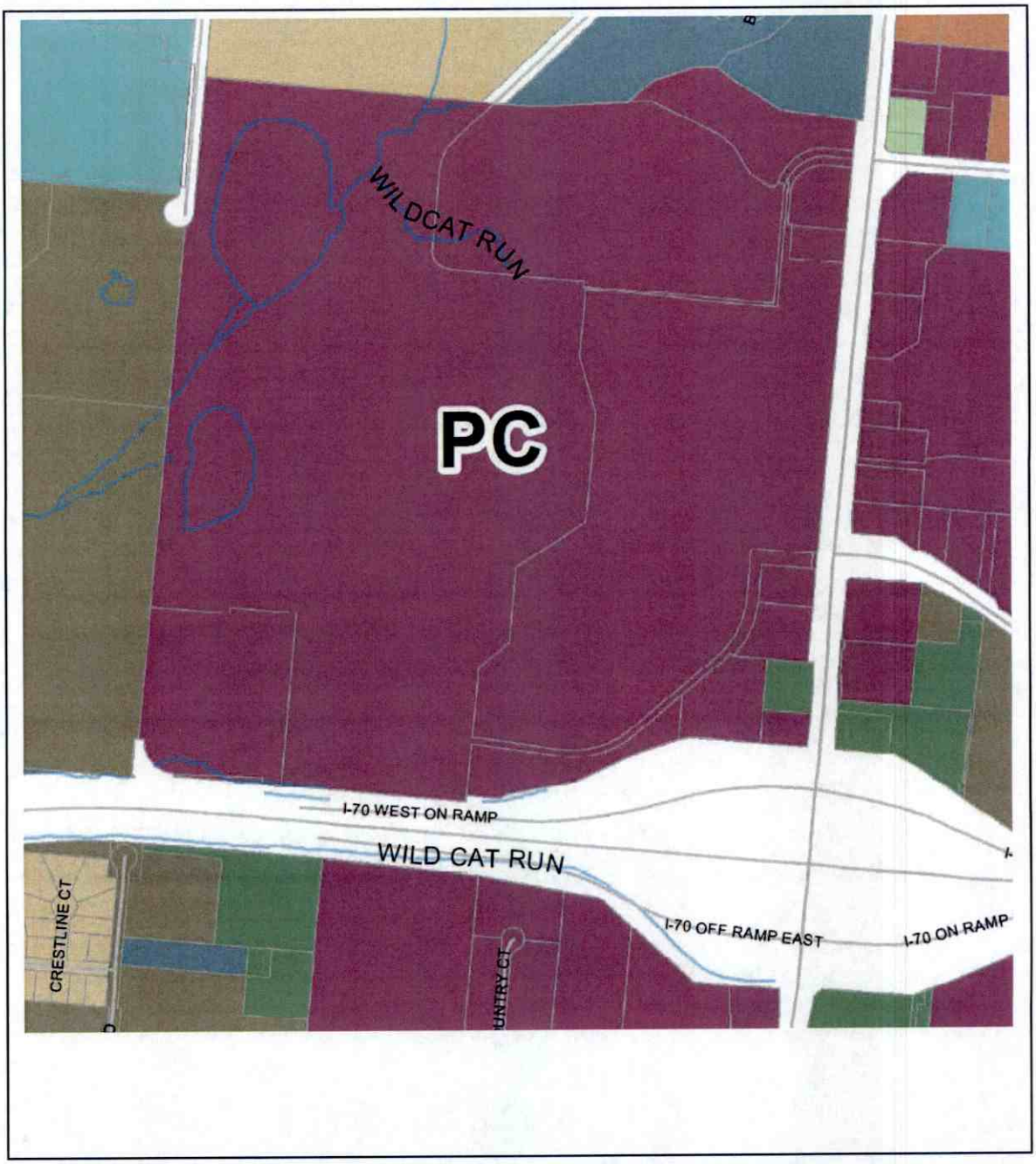
5/10% Payments					
Tax Year	Real/Project	Charge	Adjustments	Payments	Amount Due
Sub-Total		$0.00	$0.00	$0.00	$0.00

Grand Totals				
	Charge	Adjustments	Payments	Amount Due
Grand Totals	$42,125.02	$0.00	($21,069.24)	$21,055.78

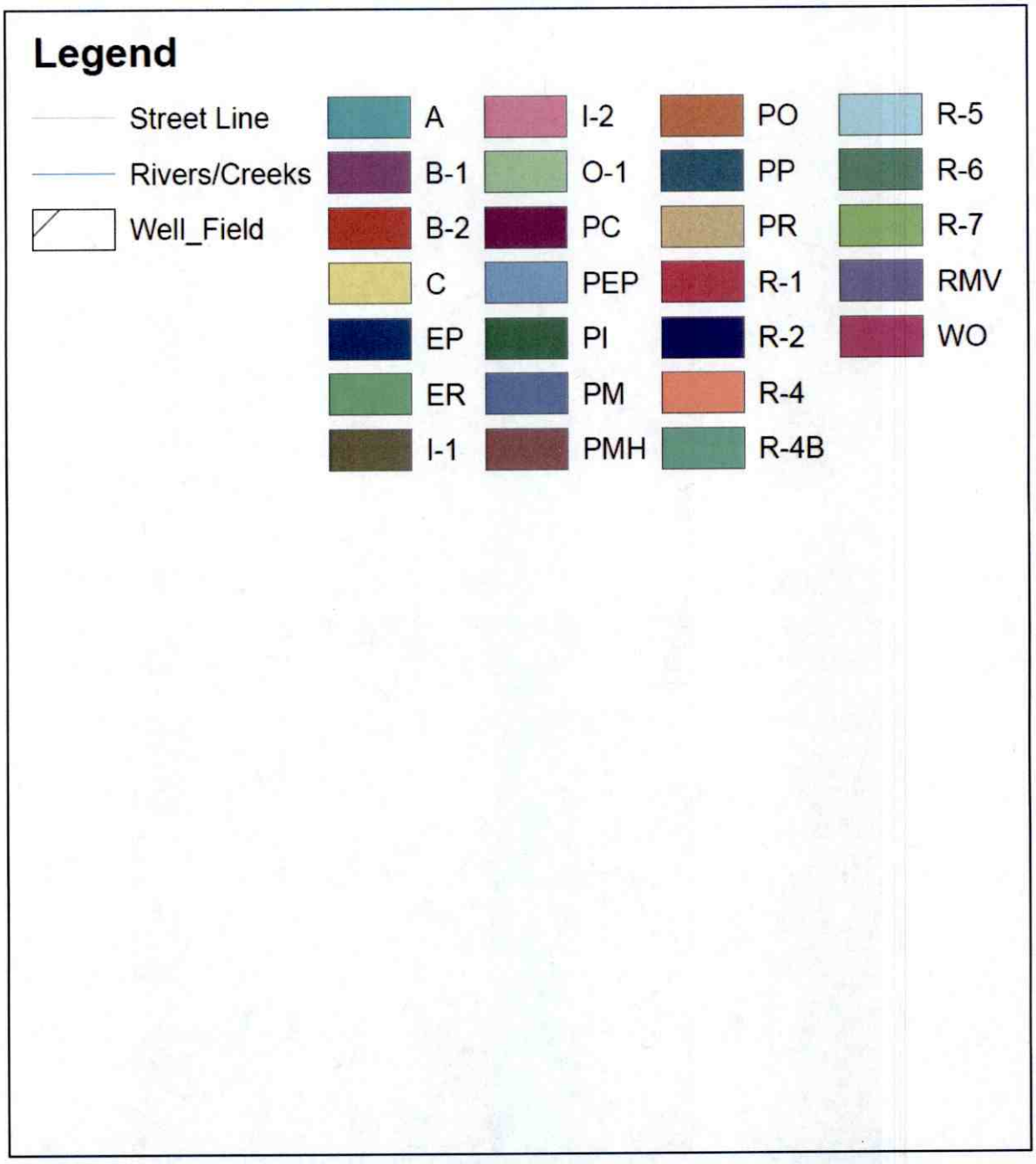
* Payments Posted thru March 22, 2017

Project Number	Description
41100	MCD/AP MCD/AQUIFER PRES SUBD

ZONING MAP


WILDCAT RUN
PC
I-70 WEST ON RAMP
WILD CAT RUN
I-70 OFF RAMP EAST
I-70 ON RAMP
CRESTLINE CT

ZONING MAP


Legend
Street Line
Rivers/Creeks
Well_Field
A
B-1
B-2
C
EP
ER
I-1
I-2
O-1
PC
PEP
PI
PM
PMH
PO
PP
PR
R-1
R-2
R-4
R-4B
R-5
R-6
R-7
RMV
WO

CHAPTER 1176
(PC) Planned Commercial District

1176.01 **Principal permitted uses.**
1176.02 **Accessory uses.**
1176.03 **Development standards.**
1176.04 **Parking and loading.**
1176.05 **Special uses.**

CROSS REFERENCES
General provisions - see P. & Z. Ch. 1171

1176.01 PRINCIPAL PERMITTED USES.

The following principal uses are permitted provided that they are approved as provided for in this chapter:

(a) Retail, office and commercial establishments;
(b) Personal service commercial establishments;
(c) Motels and hotels;
(d) Filling stations;
(e) Service stations; and
(f) Public garages.
(g) Sweepstakes cafe.

(Ord. 2012-O-1948. Passed 3-12-12.)

1176.02 ACCESSORY USES.

Only the following accessory uses shall be permitted in this District:

(a) Uses customarily incident to all principal permitted uses; and
(b) Temporary buildings and uses for construction purposes, not to exceed twelve (12) months.

(Ord. 89-0-339. Passed 2-6-89.)

1176.03 DEVELOPMENT STANDARDS.

Except when specifically modified herein, the provisions of Chapter 1181, "General Provisions" shall govern. In addition, the following development standards shall apply:

(a) Minimum Land Area Requirement.
(1) No minimum land area shall be required.
(b) Site Planning.
(1) All yards within the development plan except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a minimum of fifteen (15) feet along property lines.
(2) The parking and loading facilities shall be a distance of at least twenty-five (25) feet from the established right-of-way line, and the building(s) or the structure(s) at least seventy-five (75) feet from the established right-of-way line per the Official Thoroughfare Plan or the recorded plat.

(Ord. 2006-0-1656. Passed 10-5-05.)

1176.04 PARKING AND LOADING.

The provisions of Chapter 1185, "Parking and Loading" shall apply, except that off-street loading space shall be provided with area, location and design appropriate to the needs of the development and specific uses within it, and the space designated for off-street loading shall not be used for off-street parking.
(Ord. 89-0-339. Passed 2-6-89.)

1176.05 SPECIAL USES.

The following shall be permitted as a special use:

(a) (EDITOR'S NOTE: Former subsection (a) was repealed by Ordinance 2002-0- 1354, passed June 24, 2002.)

(b) Fraternal organizations, service clubs and other nonprofit organizations in accordance with the provisions of Chapter 1135. In addition to the criteria set forth in Chapter 1135, the parking requirements have to be reviewed yearly.

(c) Places of worship.

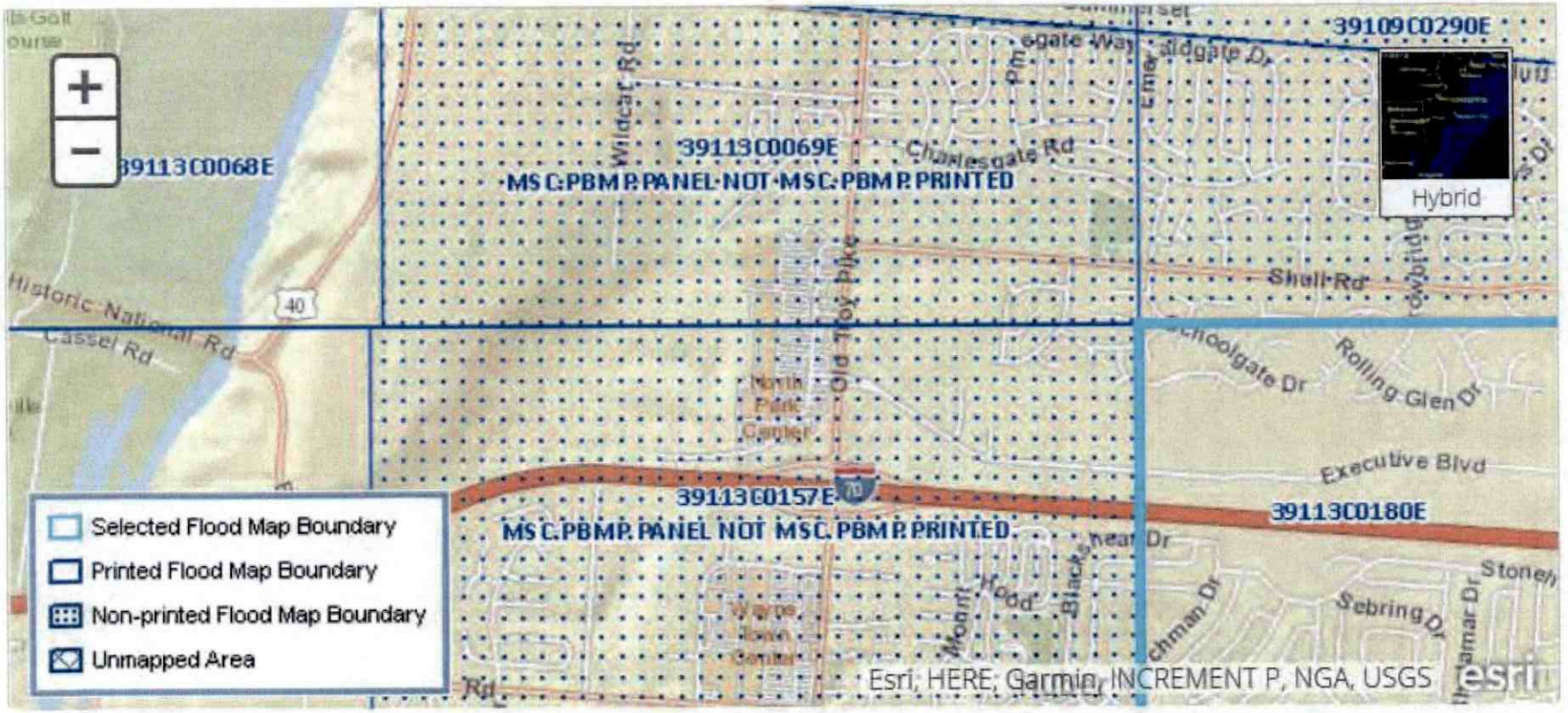
(Ord. 2000-0-1159. Passed 1-10-00.)

Federal Emer... | FEMA Flood Map Service C... ×

Safe Search | THIS PAGE IS SECURE | ACCESS VAULT | SHARE VIA FACEBOOK

r's ... | AZ Find Live & Online Auctio... | See What's Hot 11/21/2... | WildTangent Games fo... | Workspace Login | Page | Safety | Tools

Locator Map



125%

Wildcat [Co... | Documents | FEMA Flood ... | Desktop | Links

11:44 PM
Thursday
3/23/2017

APPRAISER DISCLOSURE STATEMENT

In compliance with Ohio Revised Code Section 4763.12 (C)

1. Name of Appraiser: Joseph P. Kelley

2. Class of Certification/Licensure:

   X Certified General

   ____Licensed Residential

   ____Temporary ____General ____Licensed

   Certification/Licensure Number: #2001012265

3. Scope: This report X is within the scope of my Certification or License

   This report ____ is not within the scope of my Certification or License

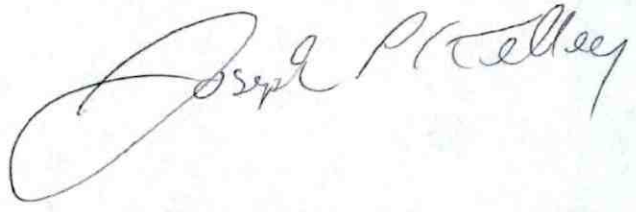
4. Service Provided By:

   X Disinterested & Unbiased Third Party

   ____Interested & Biased Third Party

   ____Interested Third Party on Contingent Fee Basis

5. Signature of person preparing and reporting the appraisal



State of Ohio
Department of Commerce
Division of Real Estate
Appraiser Section
Cleveland (216) 787-3100

ROBERT HARRIS
APPRAISING AND
CONSULTING CO.

1250 West Dorothy Lane
Kettering, Ohio 45409

Phone 937-293-1185
Fax 937-293-1234

APPRAISAL EDUCATION AND EXPERIENCE

JOSEPH P. KELLEY

STATE OF OHIO CERTIFIED GENERAL REAL ESTATE APPRAISER #2001012265

EDUCATION

B. S. Business - University of Dayton, 1985. Major: Accounting
Sinclair Community College, 1995-1999. Selected Courses for Career Development.

REAL ESTATE AND APPRAISAL EDUCATION

"Real Estate Appraisal I", Course RES 204, Sinclair Community College, October 1996.
"Real Estate Appraisal II", Course RES 205, Sinclair Community College, March 1997.
"Standards of Professional Practice, Part A", Course 410 & Exam, Appraisal Institute, Hudson, Ohio, March 1997
"Basic Income Capitalization", Course 310 & Exam, Appraisal Institute, Columbus, Ohio, November, 1998
"Appraisal Procedures", Course 120 & Exam, Appraisal Institute, Columbus, Ohio, May, 1999
"Apartment Appraisal", Course 330 & Exam, Appraisal Institute, Columbus, Ohio, October,1999
"Appraisal Principles", Course 110 & Exam, Appraisal Institute, Columbus, Ohio, January, 2000
"Highest and Best Use: Valuation of Lands in Transition", Ohio Association of Realtors, Columbus, Ohio, July, 2000
"Fair Housing Issues & Concerns for the Real Estate Professional", Cincinnati Area Board of Realtors, Cincinnati, Ohio, January, 2001
"Appraisal Standards and Ethics", Ohio Association of Realtors, Columbus, Ohio, March, 2002
"Flood Plain Maps & National Flood Insurance", Dayton Board of Realtors, November, 2002
"Home Inspections Explained", Dayton Area Board of Realtors, June, 2003
"Advanced Income Capitalization", Course 510 & Exam, Appraisal Institute, Columbus, Ohio, July, 2003
"Basics of Business Valuation", American Society of Appraisers, Sharonville, March, 2004
"National USPAP Update", Several Years, Various Locations

EXPERIENCE

Real Estate Appraisal, primarily associated with Robert Harris Appraising and Consulting Company, Kettering, Ohio, September 1996 to Present. I have also done appraisal work for other appraisers or appraisal companies. Developed and assisted in the development of real estate appraisal reports, primarily of nonresidential real estate including commercial and industrial properties.

Memorandum

Staff Report for Meeting of March14, 2023

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, City Planner

Date: March 9, 2023

Subject: Rezoning Case: RZ 23-03
(8101 Old Troy Pike)

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	Wright Way Ohio, LLC. – Applicant Michael Stafford - Owner
DEVELOPMENT NAME:	Jellystone Campground and Resort
ADDRESS/LOCATION:	8101 Old Troy Pike
ZONING/ACREAGE:	Planned Commercial / 67.3 Acres
EXISTING LAND USE:	Vacant
ZONING ADJACENT LAND:	North: PR (mostly vacant ground) East: PC (retail) West: I-1/A (stone extraction and crushing) South: PEP (Camping World)
REQUEST:	The applicant requests a rezoning to Agriculture to develop a campground and resort.
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1130, 1142
CORRESPONDENCE:	In Favor – None Received In Opposition – One email received.

Overview

The applicant requests rezoning of 67.3 acres to Agriculture to ultimately facilitate the development of a Recreational Vehicle (RV) campground and resort. The site is located directly behind Camping World, a repair destination for many RV owners. Additionally, the applicant feels there is a market for this type of use because there are very few campgrounds in the area, particularly along or near I-70 / I-75. Nearby public facilities include a KOA park in Brookville and a campground in Enon.

A campground is a Special Use in the Agricultural District and will require additional review and approval by the Planning Commission if City Council approves the rezoning.

Site History

The City of Huber Heights acquired this site through a foreclosure sale in 2015. The City sold the remaining I-70 frontage to Gander Mountain / Camping World in 2018. Since that time there has been tepid interest in the balance of the site.

The appraisal performed for the City in 2017 concluded that the highest and best uses of the property included commercial uses along I-70 (subsequently developed), potentially multifamily or institutional residential uses along the north end, and recreational uses on the balance of the site, which is difficult to develop. There has been little interest in residential construction at this site, largely due to the rock-crushing facility to the west and low visibility for institutional facilities such as nursing homes.

The City negotiated a land swap for the parcel included in this application in early 2023 for 30+/- acres the applicant owned along I-70 just north of the Walmart site.

Site Characteristics

The site is the remnants of the Northpark Shopping Center. The western portion of the site, approximately 1/3rd of the entire parcel, has two detention areas totaling approximately 10 acres. The remaining 2/3rd of the site has varying topography, which generally slopes toward the northwest. The highest point has an elevation of 894 feet, and the lowest, near the retention ponds, is approximately 850 feet. Smaller streams flow from the northern portion of the property to the existing retention pond.

The total developable land is approximately 25 acres. While no soil borings have been completed, the staff thinks this general area has shallow bedrock, further limiting development possibilities due to costs associated with laying underground utilities through the rock. This is likely the reason the original shopping center concept was not fully developed at this location.

Applicable Zoning Regulations

The applicable zoning regulations are Chapter 1130 – Amendments and Chapter 1142 Agricultural District. There are few standards associated with the approval of a straight zoning map amendment outside of the Planned Development process.

Chapter 1130.01 - General states: “Whenever the public necessity, convenience, general welfare or good zoning practices require, the City Council may, by ordinance

or resolution, amend, or repeal the regulations, restrictions, boundaries or classification of property."

Chapter 1130.07 – Recommendation by Planning Commission states:
"After the public hearing required by this chapter is closed, the Planning Commission shall recommend to Council that the requested amendment be:
(a) Granted as requested;
(b) Denied;
(c) Granted as modified by, or subject to such conditions as deemed appropriate by, the Planning Commission. The Planning Commission may, as a condition of approval, modify the proposed amendment or impose any additional requirements or conditions it deems appropriate."

Chapter 1142.03 – Special Uses states: "The following special uses are subject to review in accordance with Chapter 1135:
(a) Private and public recreational uses such as: fishing lakes, swimming pools, camps and retreats and riding facilities;
(b) Such recreational uses may include accessory uses limited to persons using the recreational facility;
(c) Kindergartens, nurseries and day care in accordance with the provisions of Chapter 1135A;
(d) Residential care facilities in accordance with the provisions of Section 1135B.01 to 1135B.04;
(e) Places of worship; and
(f) Private and public utility facilities."

Staff Analysis

Rezoning Analysis:
The applicant desires to rezone the property from Planned Commercial to Agriculture for the purpose of eventually constructing a recreational campground. The site has one existing retention lake and an existing wetland/detention easement that cumulatively covers approximately 1/3rd of the site.

Conformance with Comprehensive Plan
The City's comprehensive plan indicates the site is located in a "Grow and Enhance" character area. Growth areas are those locations within the City where economic development and mixed uses should be encouraged and low-density residential developments discouraged. These areas are the future economic and entertainment engines of the City. The comprehensive plan lists the following appropriate land uses (page 14):

- Conservancy/Recreation
- Agricultural/Low Density Residential
- Single-Family Residential
- Mixed Residential

- Public Use & Institutional
- Commercial Business
- Industrial Business

Staff feels the rezoning from PC to Agriculture is consistent with the Comprehensive Plan. There are agriculturally zoned lands to the west of this site. The applicant is requesting a zoning district that is significantly less intense than the current Planned Commercial district. Staff sees little to no downside in rezoning this land to Agriculture.

Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application.

Additional Comments:

Fire: See Attached.

City Engineer: The engineer had no comments at this point in the review process.

Recommendation

Staff is supportive of the rezoning from Planned Commercial to Agricultural and has no recommended conditions at this time.

Planning Commission Action

Planning Commission shall recommend to Council that the requested amendment be:

1) Granted as requested;
2) Denied;
3) Granted subject to conditions.

Planning Commission Decision Record

WHEREAS, on February 09, 2023, the applicant, Wright Way Ohio, LLC, requested approval of a Rezoning to A (Agricultural) for a Campground and Resort. Property is located at behind and north of 8101 Old Troy Pike, further identified as Parcel Number P70 02025 0012 of the Montgomery County Auditor's Map (Case RZ 23-03), and;

WHEREAS, on March 14, 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.

Ms. Thomas moved to approve the request by the applicant, Wright Way Ohio, LLC, requested approval of a Rezoning to A (Agricultural) for a Campground and Resort. Property is located at behind and north of 8101 Old Troy Pike (RZ 23-03) in accordance with the recommendation of Staff's Memorandum dated, March 9, 2023, with the following conditions:

1. Approve as submitted on the plans dated February 09, 2023.

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

_____ _____

Terry Walton, Chair Date
Planning Commission

Planning Commission
March 14, 2023, 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. Cassity, Mr. Jeffries, 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

None.

IV. Citizens Comments

None.

V. Swearing of Witnesses

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

VI. Pending Business

None.

VII. New Business

1. **REZONING - The applicant, WRIGHT WAY OHIO, LLC, is requesting approval of a Rezoning to Agricultural (A) for a Campground and Resort. Property is located behind and north of 8101 Old Troy Pike (RZ 23-03).**

Mr. Sorrell stated that the applicant requests rezoning of 67.3 acres to Agriculture to ultimately facilitate the development of a Recreational Vehicle (RV) campground and resort. The site is located directly behind Camping World, a repair destination for many RV owners. Additionally, the applicant feels there is a market for this type of use because there are very few campgrounds in the area, particularly along or near I-70 / I-75. Nearby public facilities include a KOA park in Brookville and a campground in Enon.

A campground is a Special Use in the Agricultural District and will require additional review and approval by the Planning Commission if City Council approves the rezoning.

Site History

The City of Huber Heights acquired this site through a foreclosure sale in 2015. The City sold the remaining I-70 frontage to Gander Mountain / Camping World in 2018. Since that time there has been tepid interest in the balance of the site.

The appraisal performed for the City in 2017 concluded that the highest and best uses of the property included commercial uses along I-70 (subsequently developed), potentially multifamily or institutional residential uses along the north end, and recreational uses on the balance of the site, which is difficult to develop. There has been little interest in residential construction at this site, largely due to the rock-crushing facility to the west and low visibility for institutional facilities such as nursing homes.

The City negotiated a land swap for the parcel included in this application in early 2023 for 30+/- acres the applicant owned along I-70 just north of the Walmart site.

Site Characteristics

The site is the remnants of the Northpark Shopping Center. The western portion of the site, approximately 1/3rd of the entire parcel, has two detention areas totaling approximately 10 acres. The remaining 2/3rd of the site has varying topography, which generally slopes toward the northwest. The highest point has an elevation of 894 feet, and the lowest, near the retention ponds, is approximately 850 feet. Smaller streams flow from the northern portion of the property to the existing retention pond.

The total developable land is approximately 25 acres. While no soil borings have been completed, the staff thinks this general area has shallow bedrock, further limiting development possibilities due to costs associated with laying underground utilities through the rock. This is likely the reason the original shopping center concept was not fully developed at this location.

The applicant desires to rezone the property from Planned Commercial to Agriculture for the purpose of eventually constructing a recreational campground. The site has one existing retention lake and an existing wetland/detention easement that cumulatively covers approximately 1/3rd of the site.

Conformance with Comprehensive Plan

The City's comprehensive plan indicates the site is located in a "Grow and Enhance" character area. Growth areas are those locations within the City where economic development and mixed uses should be encouraged and low-density residential developments discouraged. These areas are the future economic and entertainment engines of the City. The comprehensive plan lists the following appropriate land uses (page 14):

- Conservancy/Recreation
- Agricultural/Low Density Residential
- Single-Family Residential
- Mixed Residential
- Public Use & Institutional

- Commercial Business
- Industrial Business

Staff feels the rezoning from PC to Agriculture is consistent with the Comprehensive Plan. There are agriculturally zoned lands to the west of this site. The applicant is requesting a zoning district that is significantly less intense than the current Planned Commercial district. Staff sees little to no downside in rezoning this land to Agriculture.

> Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application.

Discussion on 2 access entries, hospitality taxes, internal easements, Wildcat Road.
Mike Stafford, the applicant, was present.
Maximum sites, franchise, long term stay, permanent structures, waste water.

Action

Ms. Thomas moved to approve the request by the applicant, WRIGHT WAY OHIO, LLC, for approval of a Rezoning to Agricultural (A) for a Campground and Resort (RZ 23-03) in accordance with the recommendations of Staff's Memorandum dated March 9, 2023, and the Planning Commission's decision record attached thereto.

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

2. **BASIC DEVELOPMENT PLAN - The applicant, SKIKLEN GOLD REAL ESTATE DEVELOPMENT, is requesting approval of a Rezoning from PEP (Planned Employment Park) to PC (Planned Commercial) and a Basic Development Plan for a restaurant and convenience store, including fueling services, food sales, and drive through. Property is located at the Southeast Corner of Brandt Pike and Executive Boulevard (RZ BDP 23-04).**

Mr. Sorrell stated the applicant requests a rezoning to Planned Commercial (PC) (9.59 acres) and Basic Development Plan Approval (3.03 acres) to facilitate the development of a 6,138 SF Sheetz restaurant and convenience store with fueling services and regional stormwater detention area.

City staff has been working with the applicant on the site layout and stormwater detention facility to maximize the capacity of the detention basin area to benefit future development potential upstream.

The proposed Sheetz store is nearly identical in size, layout, elevations and signage to the previously approved site at the corner of Old Troy Pike (OTP) and Taylorsville Road. The main differences are this proposal:

- has four (4) fueling islands, and the OTP site has three (3).
- has 17 drive-thru stacking spaces, and the OTP site has 10.

- has 42 proposed parking spaces, and the OTP site has 53.

Site History

In 2019, the City of Huber Heights acquired the Lehman farm, including this site. The City has since executed development agreements for the Lehman farm property with two groups: Horizon Line for a mixed-use development on the land north of Executive Boulevard; and Skilken Gold to develop this Sheetz convenience store and regional detention pond on the part of the land south of Executive Boulevard.

Site Characteristics

The site is generally flat and historically used for agricultural purposes. A stream runs along the applicant's site's south end, draining into the Dry Lick Run creek.

A large stormwater detention facility is planned west of the Sheetz store. Sheetz will utilize approximately 30% of the capacity, and the remaining capacity will be used by the Horizon Line development. This stormwater detention system is intentionally oversized to reduce flooding in Dry Lick Run within Carriage Hill MetroPark.

Rezoning Analysis:

The applicant desires to rezone the property to Planned Commercial (PC) from Planned Employment Park (PEP) to construct a restaurant and convenience store with fueling pumps. These parcels are some of the many sites along Executive Boulevard where the zoning is transitioning from PEP to Planned Commercial or Planned Mixed Use.

Basic Development Plan Analysis:

The applicant proposes constructing a 6,138 SF restaurant, convenience store and four-island fueling center. The building elevations and wall signs are nearly identical to the site at the Broad Reach development. The applicant has submitted all necessary plans and studies for the Basic Development Plan review.

Conformance With Planned Commercial District Requirements:

Uses: Retail uses and filling stations are principally permitted in the district.

Development Standards:

- The site plan meets all parking and building setback and yard requirements.
- Street trees are not illustrated on the plans. Street trees should be placed 40' on center. 10 street trees are required along Brandt Pike and Executive Boulevard.
- A lighting plan was not submitted with this application but will be reviewed as part of the detailed development plan application.
- The building design meets all exterior materials requirements.
- All utilities are below ground.

Parking and Loading:

- The building is substantially similar to the Broad Reach site, which required 49 parking spaces and five stacking spaces. The Basic Development Plan illustrates 42 parking spaces and 16 stacking spaces. A final determination will be made during Detailed Development Plan approval.

Landscaping:

- The submitted plans appear to meet the landscaping requirements but will be verified when the detailed development plan is submitted.

Signs:

- Building signs are very similar to those approved at the Broad Reach site.
- One monument sign location is indicated on the site plan; however, no sign details were submitted.

All proposed uses are consistent with the Planned Commercial district zoning being requested as part of this application. The traffic study does not indicate this development will generate excessive traffic, though left turn lanes are warranted.

All lighting, glare, noise (from order boards) will be reviewed with the Detailed Development application.

Discussion on retention basin, sidewalks, medians, Council approved sale, Development Agreement, number of stacking, traffic patterns, less parking than Old Troy site.

Kareem Amr and Aman from Skilken Gold and Josh Long from CESO were present.
One letter of opposition from resident Teri Lussier

Action

Ms. Thomas moved to approve the request by the applicant, SKIKLEN GOLD REAL ESTATE DEVELOPMENT, for approval of a Rezoning from PEP (Planned Employment Park) to PC (Planned Commercial) and a Basic Development Plan for a restaurant and convenience store, including fueling services, food sales, and drive through (RZ BDP 23-04) in accordance with recommendation of Staff's memorandum dated March 9, 2023, and the Planning Commission's decision record as amended.

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

VIII. Additional Business

Informal Review
Flying Ace – Brandt Pike
John Roush from Flying Ace and Mike Anderson from Van Atta Engineering presented their plan for Brandt Pike. Discussion on traffic, stacking, peak days, and Cedar Hill intersection. Will come back to Planning Commission with a Basic Development Plan.

IX. Approval of the Minutes

Without objection, the minutes of the February 28, 2023, Planning Commission meeting are approved.

X. Reports and Calendar Review

Flying Ace
Another food seller gas station

XI. Upcoming Meetings

March 28, 2023
April 11, 2023

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:05 p.m.

Terry Walton, Chair **Date**

Geri Hoskins, Administrative Secretary **Date**

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A REZONING FROM PLANNED COMMERCIAL (PC) TO AGRICULTURE (A) FOR THE PROPERTY LOCATED BEHIND AND NORTH OF 8101 OLD TROY PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 02025 0012 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ 23-03).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ 23-03 and on March 14, 2023 recommended approval by a vote of 5-0 of the Rezoning from Planned Commercial (PC) to Agriculture (A); and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Rezoning from Planned Commercial (PC) to Agriculture (A) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. Grant as requested.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

AI-9140 **Topics of Discussion** L.

Council Work Session

Meeting Date: 04/20/2023

Case MJC 23-07 - Flying Ace Car Wash - Major Change - 7730 Brandt Pike

Submitted By: Geri Hoskins

Department: Planning **Division:** Planning

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: SmartBoard **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Case MJC 23-07 - Flying Ace Car Wash - Major Change - 7730 Brandt Pike

Purpose and Background

The applicant, Flying Ace Car Wash, is requesting approval of a Major Change to the Basic Development Plan to construct a new car wash facility (Case MJC 23-07).

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

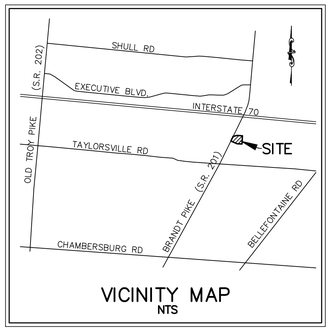
Drawings
Elevations
Vehicle Stacking
Fire Exhibit
Staff Report
Decision Record
Minutes
Ordinance

FLYING ACE CAR WASH

7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

APRIL 3, 2023



VICINITY MAP
NTS

APPROVALS

CITY OF HUBER HEIGHTS — DATE

INDEX

1..... COVER SHEET
2..... EXISTING TOPOGRAPHY/DEMOLITION PLAN
3..... SITE/UTILITY PLAN
4..... GRADING/EROSION CONTROL PLAN
5..... LANDSCAPE PLAN
6..... DETAIL SHEET
7..... EROSION CONTROL NOTES
8..... EROSION CONTROL DETAILS

GENERAL NOTES

1. EXISTING UNDERGROUND UTILITIES AND SERVICES ARE SHOWN IN THEIR APPROXIMATE LOCATIONS ACCORDING TO THE BEST INFORMATION AVAILABLE. THE LOCATIONS SHOWN ARE INTENDED ONLY AS A GUIDE AND CANNOT BE GUARANTEED ACCURATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR:
   A) CONTRACTING THE INDIVIDUAL UTILITY OWNERS TEN (10) DAYS PRIOR TO CONSTRUCTION AND ADVISING THEM OF THE WORK TO TAKE PLACE.
   B) SOLICITING THEIR AID IN LOCATING AND PROTECTING ANY UTILITY WHICH MAY INTERFERE WITH CONSTRUCTION.
   C) EXCAVATING AND VERIFYING THE HORIZONTAL AND VERTICAL LOCATION OF EACH UTILITY.
   D) ALL DAMAGE TO ANY EXISTING UTILITY.
   E) CONTACTING THE FOLLOWING OWNERS OF UNDERGROUND UTILITIES 48 HOURS BEFORE DIGGING IS TO COMMENCE.

OHIO UTILITIES PROTECTION
SERVICE (OUPS)
100 FEDERAL PLAZA EAST,
LOWER LEVEL
YOUNGSTOWN, OH 44503
1-800-362-2764

AT & T
3233 WOODMAN DR.
DAYTON, OH 45420
296-3606 7AM-5PM
1-800-572-4747 AFTER 5

TIMEWARNER
3691 TURNER ROAD
DAYTON, OH 45415
1-800-986-9412

ELECTRIC
AES OHIO (DAYTON POWER & LIGHT)
1900 DRYDEN ROAD
DAYTON, OH 45439
CONTACT: BILL WARD
PH:937.331.4699

VECTREN GAS
ROBERT ROBINSON
2415 ROMBACH AVENUE
WILMINGTON, OHIO 45177
937-440-1894

WATER/SEWER
SUEZ WATER
ENVIRONMENTAL SERVICES
6244 CHAMBERSBURG RD.
HUBER HEIGHTS, OH 45424
937-233-3292

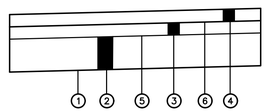
STORM SEWER/STREETS
CITY OF HUBER HEIGHTS
6131 TAYLORSVILLE RD.
HUBER HEIGHTS, OHIO 45424
937-233-1423

ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NON-MEMBERS OF OUPS

2. ALL ITEMS OF WORK CALLED FOR ON THE PLANS FOR WHICH NO SPECIFIC METHOD OF PAYMENT IS PROVIDED SHALL BE PERFORMED BY THE CONTRACTOR, AND THE COST OF SAME SHALL BE INCLUDED IN THE PRICE BID FOR RELATED ITEMS.
3. WHERE POTENTIAL GRADE CONFLICTS MIGHT OCCUR WITH EXISTING UTILITIES, THE CONTRACTOR SHALL UNCOVER SUCH UTILITIES SUFFICIENTLY IN ADVANCE OF CONSTRUCTION IN ORDER THAT EXACT ELEVATIONS MAY BE DETERMINED AND THE NECESSARY ADJUSTMENT MADE. COST OF THE ABOVE, IF ANY, WILL BE INCLUDED IN THE PRICE BID FOR THE PERTINENT ITEM.
4. ALL TRENCHES WITHIN ROAD RIGHT-OF-WAYS SHALL BE BACKFILLED ACCORDING TO THE CITY OF HUBER HEIGHTS TRENCH RESTORATION SPECIFICATIONS.
5. ALL EXISTING SANITARY SEWER AND WATER LINE FACILITIES THAT ARE UTILIZED DURING CONSTRUCTION MUST BE REPAIRED AND BROUGHT TO FINAL GRADE.
6. DUE TO SOIL TYPES AND/OR SHALLOW BEDROCK, SEASONAL SEEPS MAY OCCUR, SUCH SEEPAGE SHALL BE IDENTIFIED DURING CONSTRUCTION AND PIPED INTO THE STORM SEWER SYSTEM.
7. ALL TRAFFIC CONTROL DEVICES SHALL BE FURNISHED, ERECTED, MAINTAINED AND REMOVED BY THE CONTRACTOR IN ACCORDANCE WITH THE "OHIO MANUAL OF TRAFFIC CONTROL DEVICES FOR CONSTRUCTION AND MAINTENANCE OPERATIONS", COPIES OF WHICH ARE AVAILABLE FROM THE OHIO DEPARTMENT OF TRANSPORTATION, BUREAU OF TRAFFIC, 25 S. FRONT STREET, COLUMBUS, OH 43215.
8. THE CONTRACTOR AND SUBCONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE AND LOCAL SAFETY REQUIREMENTS TOGETHER WITH EXERCISING PRECAUTIONS AT ALL TIMES FOR THE PROTECTION OF PERSONS INCLUDING EMPLOYEES AND PROPERTY. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTOR TO INITIATE, MAINTAIN AND SUPERVISE ALL SAFETY REQUIREMENTS, PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. SAFETY REQUIREMENTS, OUTLINED IN THE STATE OF OHIO "CONSTRUCTION SAFETY CODE" FOR THIS TYPE OF WORK WILL BE ENFORCED AND THE CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF THE CODE ISSUED AS A GENERAL ORDER BY THE INDUSTRIAL COMMISSION OF OHIO.
9. EXISTING DRAIN TILE DAMAGED OR REMOVED AS A RESULT OF THE CONTRACTOR'S OPERATIONS SHALL BE REPLACED OR CONNECTED TO THE STORM SEWER AS DIRECTED BY THE CITY OF HUBER HEIGHTS ENGINEER. NO PAYMENT WILL BE MADE FOR TILE REPLACEMENT.
10. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL MEET WITH AND SUBMIT A CONSTRUCTION SCHEDULE TO THE CITY OF HUBER HEIGHTS ENGINEER, AND SECURE ALL NECESSARY LICENSES AND PERMITS. THE CONTRACTOR SHALL INFORM THE CITY OF HUBER HEIGHTS ENGINEER OF ANY AND ALL CHANGES IN HIS CONSTRUCTION SCHEDULE.
11. DURING CONSTRUCTION THE CONTRACTOR SHALL PROVIDE FOR ADEQUATE DRAINAGE AND PROPER SOIL EROSION CONTROL MEASURES FOR PROTECTION OF ALL ADJACENT ROADS AND LAND.
12. WHERE THE PLANS AND SPECIFICATIONS CALL FOR A SPECIFIC ITEM (SANITARY AND OR WATER) OR AN "APPROVED EQUAL", ONLY THE CITY OF HUBER HEIGHTS ENGINEER SHALL MAKE THE DETERMINATION AS TO WHETHER AN ALTERNATE ITEM IS AN "APPROVED EQUAL."
13. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ALL DAMAGE DONE TO ADJACENT PROPERTIES OR ANY PROPERTY AFFECTED BY THE CONSTRUCTION WORK. THE CONTRACTOR SHALL TAKE SPECIAL EFFORT TO PROTECT EXISTING TREES AND/OR SHRUBS.
14. NO CONSTRUCTION SHALL COMMENCE UNTIL THE CITY OF HUBER HEIGHTS PERMITS HAVE BEEN ISSUED.
15. NO ADDITIONS, DELETIONS OR REVISIONS TO THE SANITARY SEWER AND/OR WATER FACILITIES ARE TO BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF HUBER HEIGHTS ENGINEER.
16. NO DIMENSIONS SHALL BE SCALED, REFER UNCLEAR ITEMS TO THE ENGINEER FOR INTERPRETATION.
17. ALL STREET SURFACES, DRIVEWAYS, CULVERTS, ROADSIDE DRAINAGE DITCHES AND OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION SHALL BE REPLACED IN ACCORDANCE WITH THE SPECIFICATIONS.
18. ANY WELL, SEPTIC SYSTEM, ETC., ENCOUNTERED ON THIS PROJECT SHALL BE ABANDONED IN ACCORDANCE WITH THE LATEST OEPA RULES AND REGULATIONS.
19. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULE, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, DOWN SPOUTS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
20. RIGHTS-OF-WAY, IN ADDITION TO DIRECT REQUIREMENTS OF THE CONTRACT SPECIFICATIONS, THE CONTRACTOR SHALL OBSERVE AND CONFORM TO THE SPECIFIC REQUIREMENTS OF ALL RIGHTS-OF-WAY, INCLUDING BUT NOT LIMITED TO, EASEMENTS, COURT ENTRIES, RIGHT OF ENTRY, OR ACTION FILED IN COURT, IN ACCORDANCE WITH THE CODE OF THE APPLICABLE GOVERNING AGENCY. THE COST OF THE OPERATIONS NECESSARY TO FULFILL SUCH REQUIREMENTS SHALL BE INCLUDED IN THE PRICE BID FOR THE VARIOUS ITEMS OF THE CONTRACT.
21. NOTICE TO BIDDERS, PRIOR TO ANY SUBSURFACE INVESTIGATION OR ON-SITE EXAMINATION OF THE PROJECT, ALL BIDDERS SHALL OBTAIN APPROVAL FROM THE OWNER.
22. SLOPE: SLOPES GREATER THAN 3:1 SHALL BE COVERED WITH EROSION CONTROL MAT. MAT SHALL BE CONTACT ARO-MAT OR APPROVED EQUAL. IF MAT IS NOT BIODEGRADABLE THE CONTRACTOR SHALL REMOVE IT PRIOR TO THE FIRST MOWING.
23. TESTING: THE OWNER SHALL PAY FOR ALL SITE COMPACTION TESTING, BUT CONTRACTOR SHALL PAY FOR ALL RETESTING REQUIRED.
24. CONCRETE CURB: ALL CURB SHALL HAVE A MINIMUM OF 1/8 INCH CONTRACTION JOINTS CONSTRUCTED AT TEN FOOT INTERVALS. THE DEPTH OF THE JOINT SHALL AVERAGE TWO INCHES OR MORE. EXPANSION JOINT STRIPS THE DEPTH OF THE CURB SHALL BE USED AT THE BEGINNING AND END OF CURVES WHICH RADIUS IS LESS THAN 100 FEET AND WHENEVER IT BECOMES NECESSARY TO SUSPEND THE WORK FOR 30 MINUTES OR MORE.
25. ALL JOINTS BETWEEN ASPHALT PAVEMENT AND CONCRETE WALK, CONCRETE PAVEMENT, CONCRETE LIGHT POLES AND IN CONCRETE CATCH BASINS SHALL BE SEALED NEATLY WITH ASPHALTIC CEMENT.
26. SITE CONTRACTOR SHALL INSTALL SPIDER DRAINS AT ALL CATCH BASINS.
27. ALL STORM PIPE SHALL BE ADS N-12 OR APPROVED EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
28. REFER TO ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS FOR EARTHWORK AND COMPACTION REQUIREMENTS FOR ALL SLABS AND BUILDING FOUNDATIONS.
29. ALL ELEVATIONS IN PAVED AREAS ARE TOP OF FINISH PAVEMENT UNLESS OTHERWISE SHOWN.
30. THE CONTRACTOR SHALL RECORD THE LOCATION OF ALL SANITARY AND WATER SERVICES INSTALLED, THIS RECORD SHALL BE KEPT ON A SET OF PLANS SUPPLIED TO HIM SPECIFICALLY FOR THIS PURPOSE. THESE PLANS SHALL BE RETURNED TO THE ENGINEER WHEN ALL SERVICES HAVE BEEN INSTALLED.

GENERAL NOTES (CONT.)

31. ALL CATCH BASIN GRATES SHALL BE BIKE AND PEDESTRIAN SAFE.
32. THE SITE CONTRACTOR SHALL COORDINATE WITH THE BUILDING CONTRACTOR IN ORDER TO PLACE THE EXCESS EXCAVATED MATERIAL FROM THE SLAB AND FOOTINGS EXCAVATION IN AN APPROPRIATE LOCATION.
33. THE SITE CONTRACTOR SHALL COORDINATE WITH THE OWNER THE LOCATION AND QUANTITY OF TOPSOIL TO BE STOCKPILED.
34. THE SITE CONTRACTOR SHALL PROVIDE DUST CONTROL MEASURES IN ACCORDANCE WITH ODOT SPECIFICATION 616.
35. THE CONTRACTOR SHALL PROHIBIT THE TRACKING OF MUD OFF-SITE AND SHALL PROVIDE THE NECESSARY EQUIPMENT INCLUDING, BUT NOT LIMITED TO, WASH STATIONS AND GRAVEL CONSTRUCTION DRIVES. SHOULD MUD OR ANY OTHER MATERIAL BE TRACKED OFF-SITE THE CONTRACTOR SHALL CLEAN IT UP AT HIS COST.
36. ALL STRIPING SHALL BE DONE IN ACCORDANCE WITH ODOT 640 AND PAINT SHALL CONFORM TO ODOT 642.
37. THE CONTRACTOR SHALL FIELD MARK AND PLUG THE END OF ALL UTILITY SERVICES, CONDUIT AND MAIN LINE STUBS IN SUCH A MANNER AS TO MAKE THESE LOCATIONS QUICKLY LOCATED.
38. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE OWNER WITH A SET OF AS-BUILT DRAWINGS, PRIOR TO THE RELEASE OF THE RETAINER.
39. ODOT SPECIFICATIONS, JAN. 2008, ARE HEREBY MADE A PART OF THESE PLANS AND BID DOCUMENTS.
40. CONTRACTOR SHALL SAVE SOME TREES AROUND BOUNDARY. THESE TREES TO BE COORDINATED WITH THE OWNER PRIOR TO START OF WORK. ALL OTHER TREES AND GROWTH TO BE REMOVED.
41. IT SHALL BE THE SITE CONTRACTOR'S RESPONSIBILITY TO IMPORT OR REMOVE ANY EXCESS EARTH OR TOPSOIL WITH PAYMENT FOR THIS TO BE A PART OF CONTRACT.
42. ANY PORTION OF THE SITE DISTURBED BY GRADING AND NOT FURTHER INCLUDED IN THE FIRST PHASE OF CONSTRUCTION SHALL BE PLANTED WITH APPROPRIATE GROUND COVERING AND PROPERLY MAINTAINED.
43. EXTERIOR CONSTRUCTION ACTIVITY SHALL BE RESTRICTED TO THE HOURS OF 6:00 A.M. TO 10:00 P.M. MONDAY THRU SATURDAY.
44. ALL HANDICAP RAMPS SHALL CONFORM TO THE LATEST ADA STANDARDS AND REGULATIONS.
45. THE SOILS REPORT FOR THIS PROJECT SHALL BE REFERENCED AT ALL TIMES AND SHALL BE CONSIDERED AN INTREGAL PART OF THESE CONSTRUCTION PLANS.
46. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ASSURE STABILIZATION OF ALL TRENCHES DURING ROAD CONSTRUCTION.

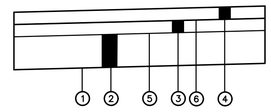


① ITEM 203 – SUBGRADE COMPACTION
② ITEM 304 – GRANULAR BASE ~ 6" COURSE
③ ITEM 441 – TYPE 2 ASPHALTIC CONCRETE ~ 2" COURSE INTERMEDIATE COURSE, PG 64-22
④ ITEM 441 – TYPE 1 ASPHALTIC CONCRETE ~ 1.5" COURSE SURFACE COURSE, PG 64-22
⑤ ITEM 408 – PRIME COAT @ 0.4 GAL/SY
⑥ ITEM 407 – TACK COAT @ 0.04 GAL/SY

STANDARD DUTY FLEXIBLE PAVEMENT SECTION

NTS

(THE SOILS REPORT FOR THIS PROJECT SHALL BE REFERENCED AT ALL TIMES AND THE CONTRACTOR SHALL CONFIRM THE PAVEMENT SECTIONS WITH DEVELOPER PRIOR TO BID AND CONSTRUCTION)

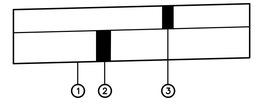


① ITEM 204 – SUBGRADE COMPACTION
② ITEM 304 – GRANULAR BASE ~ 8" (2~4" COURSES)
③ ITEM 441 – TYPE 2 (448) ASPHALTIC CONCRETE ~ 3.0" COURSE INTERMEDIATE COURSE
④ ITEM 441 – TYPE 1 (448) ASPHALTIC CONCRETE ~ 1.5" COURSE SURFACE COURSE, PG 64-22
⑤ ITEM 408 – PRIME COAT @ 0.4 GAL/SY
⑥ ITEM 407 – TACK COAT @ 0.05 GAL/SY

HEAVY DUTY FLEXIBLE PAVEMENT SECTION

NTS

(THE SOILS REPORT FOR THIS PROJECT SHALL BE REFERENCED AT ALL TIMES AND THE CONTRACTOR SHALL CONFIRM THE PAVEMENT SECTIONS WITH DEVELOPER PRIOR TO BID AND CONSTRUCTION)



① ITEM 203 – SUBGRADE COMPACTION
② ITEM 304 – GRANULAR BASE ~ 6" COURSE
③ ITEM 452 – 6" PORTLAND CEMENT CONCRETE (4000 PSI)
③ ITEM 451 – 6" REINFORCED PORTLAND CEMENT CONCRETE (4000 PSI)
(ITEM 451 SHALL BE USED IN THE DUMPSTER PAD AREA)

CONCRETE PAVEMENT SECTION

NTS

(THE SOILS REPORT FOR THIS PROJECT SHALL BE REFERENCED AT ALL TIMES AND THE CONTRACTOR SHALL CONFIRM THE PAVEMENT SECTIONS WITH DEVELOPER PRIOR TO BID AND CONSTRUCTION)

PREPARED BY:

VANATTAENGINEERINGINC
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.5650
Fax: 937.438.5645

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF DAYTON BRANDT PIKE AS SHOWN ON SULPHER GROVE PLAZA SUBDIVISION BY P.B. 191, PG. 16 (N21°03'31"E)

NO.	DATE	DESCRIPTION	BY

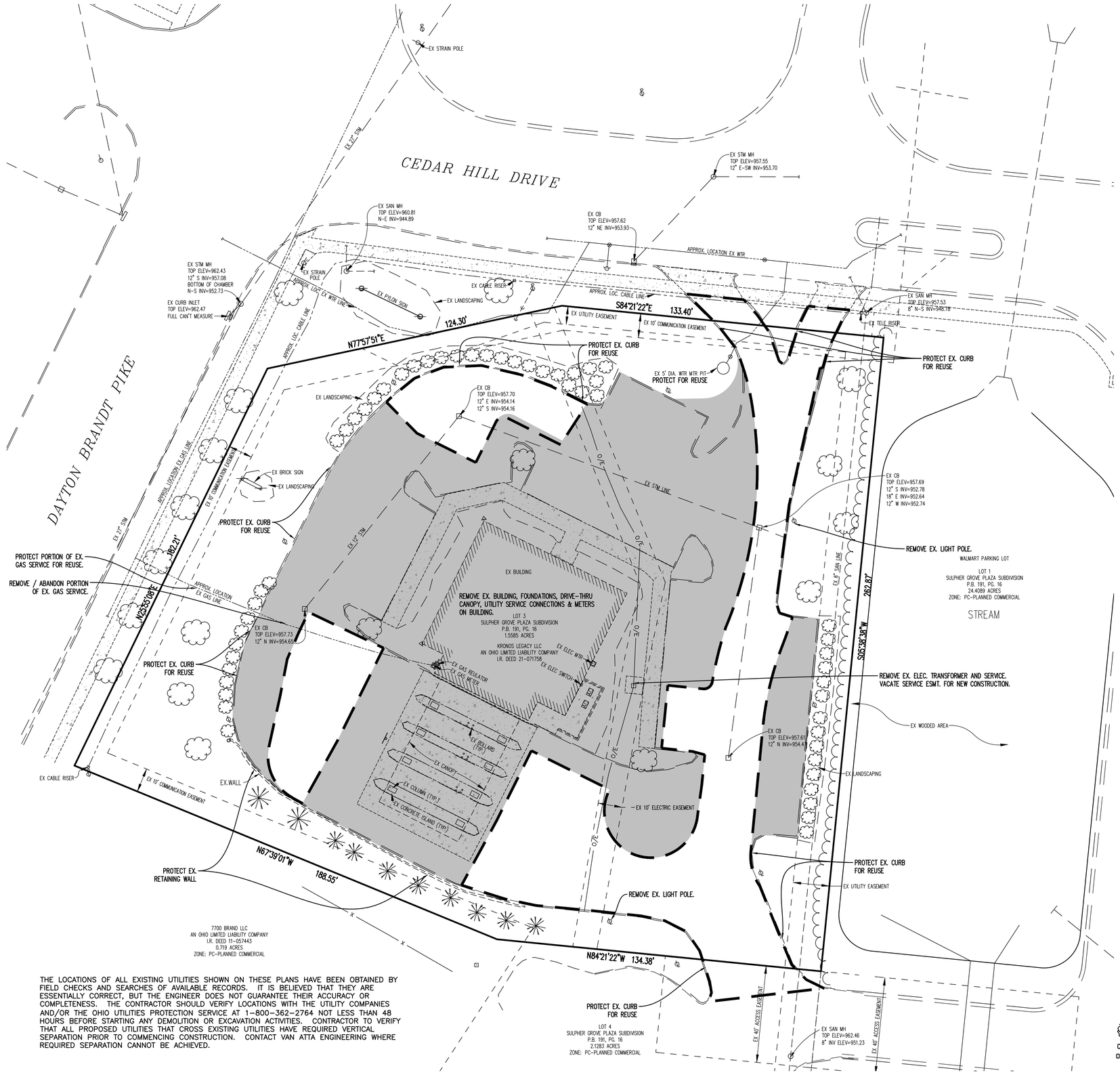
2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED
PROFESSIONAL ENGINEER

MICHAEL N ANDERSON — DATE 4/3/2023
OHIO PROFESSIONAL ENGINEER #E-81188

PROJECT No. 7929

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\PA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



DEMOLITION NOTES:

1. COORDINATE WITH LOCAL UTILITY PROVIDERS FOR UTILITY SERVICE DEMOLITION. SEE SITE / UTILITY PLAN FOR PROPOSED SERVICE REUSE REQUIRING INSPECTION / SIZE VERIFICATION.
2. PROTECT EX. UTILITY MAINS ON-SITE.
3. PROTECT PERIMETER LANDSCAPING AND SIGN BASE.
4. PROTECT EX. LIGHT POLES NOT CALLED FOR REMOVAL.
5. PROTECT EX. STORM SEWER AND INLETS FOR REUSE.

THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS HAVE BEEN OBTAINED BY FIELD CHECKS AND SEARCHES OF AVAILABLE RECORDS. IT IS BELIEVED THAT THEY ARE ESSENTIALLY CORRECT, BUT THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR COMPLETENESS. THE CONTRACTOR SHOULD VERIFY LOCATIONS WITH THE UTILITY COMPANIES AND/OR THE OHIO UTILITIES PROTECTION SERVICE AT 1-800-362-2764 NOT LESS THAN 48 HOURS BEFORE STARTING ANY DEMOLITION OR EXCAVATION ACTIVITIES. CONTRACTOR TO VERIFY THAT ALL PROPOSED UTILITIES THAT CROSS EXISTING UTILITIES HAVE REQUIRED VERTICAL SEPARATION PRIOR TO COMMENCING CONSTRUCTION. CONTACT VAN ATTA ENGINEERING WHERE REQUIRED SEPARATION CANNOT BE ACHIEVED.

LEGEND

PAVEMENT AREA TO BE PROTECTED FOR MILL AND RESURFACE.

BUILDING, FOUNDATIONS, PAVEMENT, SIDEWALK, CURB, LANDSCAPE TO BE REMOVED.

2 WORKING DAYS BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

GRAPHIC SCALE
-20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED PROFESSIONAL ENGINEER
4/3/2023

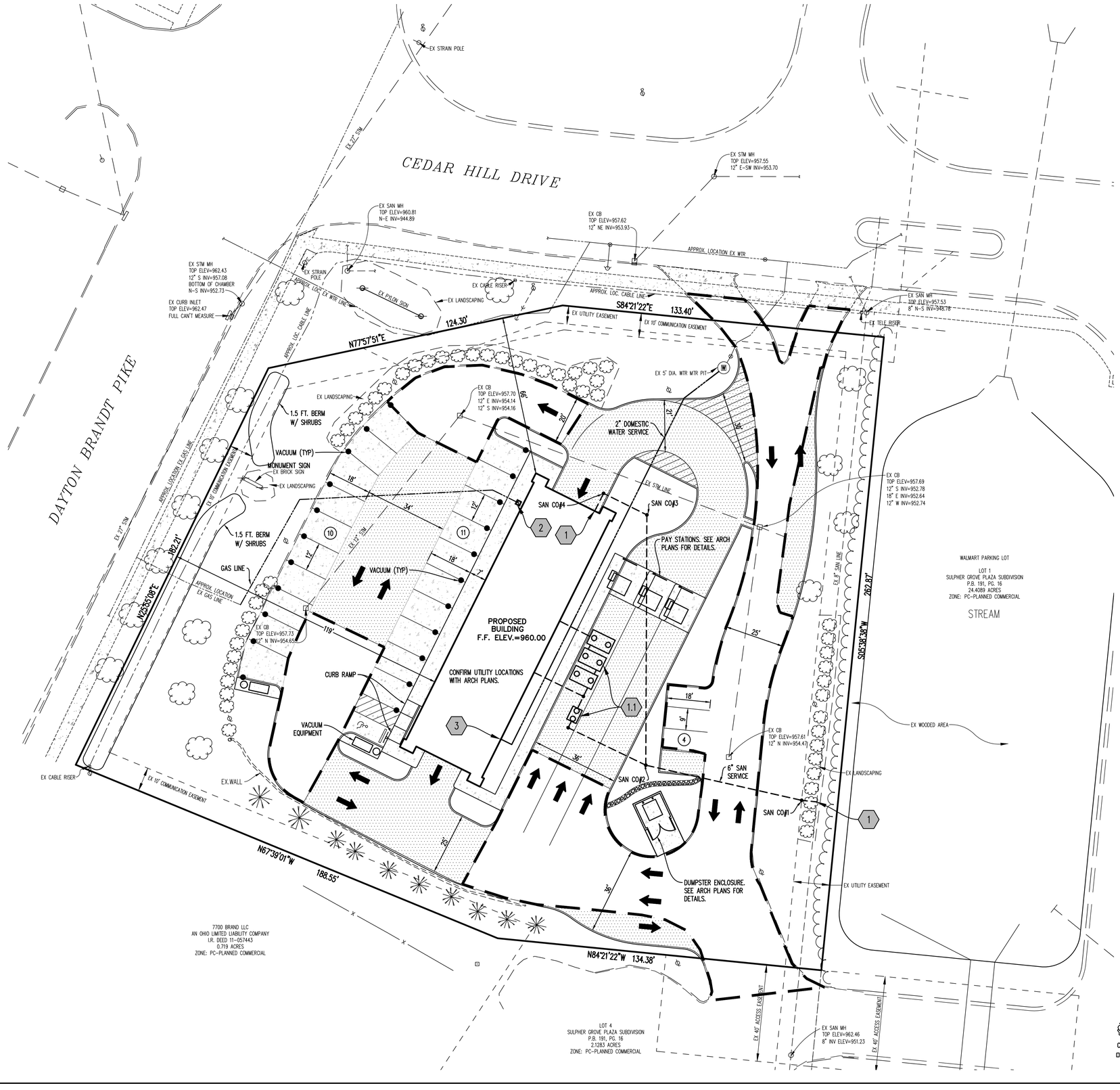
VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

EXISTING TOPOGRAPHY/DEMO PLAN
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



UTILITY KEY NOTES:

1. 6" SANITARY SEWER SERVICE (SDR35) @ 1.00% MINIMUM SLOPE. CONNECT TO MAIN PER CITY OF HUBER HEIGHTS STANDARDS. SEE PLUMBING PLANS FOR BUILDING DETAILS. CONTRACTOR TO COORDINATE WITH CITY OF HUBER HEIGHTS PRIOR TO CONSTRUCTION.

MAIN CONNECTION	BUILDING CONNECTION
6" INV=951.06	6"INV=955.00
EX. 8"INV(MAIN)=950.39	
SAN CO#1	SAN CO#2
CLEANOUT ELEV=958.68	CLEANOUT ELEV=959.05
6"INV=953.03	6"INV=953.69
SAN CO#3	SAN CO#4
CLEANOUT ELEV=958.80	CLEANOUT ELEV=959.49
6"INV=954.72	6"INV=954.92

1.1. 3~1,500 GALLON WATER RECLAMATION TANKS AND OIL / WATER SEPARATOR. SEE PLUMBING PLANS FOR DETAILS.

2. GAS SERVICE. REUSE PORTION OF EX. GAS LATERAL. INSTALL NEW METER ON BUILDING FACE. SEE PLUMBING PLANS FOR DETAILS. COORDINATE WITH LOCAL UTILITY PROVIDER.

3. 2" DOMESTIC WATER SERVICE. VERIFY EX. METER SIZE AND REUSE IF 2" METER AND SERVICE LINE AVAILABLE AND IN GOOD CONDITION. SEE PLUMBING PLANS FOR DETAILS. COORDINATE WITH LOCAL UTILITY PROVIDER.
   **ALTERNATE: REMOVE EX. METER AND SERVICE LINE. PLUG @ MAIN. SADDLE TAP MAIN AND INSTALL NEW 2" SERVICE LINE (TYPE K COPPER) IN SAME TRENCH, CURB STOP @ PROPERTY LINE, REUSE EX. METER BOX AND INSTALL NEW 2" METER & BACKFLOW. COORDINATE WITH VAN ATTA ENGINEERING AND CITY OF HUBER HIEGHTS FOR PLANS AND APPROVAL PRIOR TO CONSTRUCTION. COORDINATE TRAFFIC CONTROL IN CEDAR HILL DRIVE WITH CITY OF HUBER HEIGHTS.

SITE DATA:

ZONING DISTRICT: PC-PLANNED COMMERCIAL
TOTAL SITE = 1.56 ACRES
PROPOSED IMPERVIOUS AREA = 0.91 ACRES (58%)
PROPOSED OPEN SPACE = 0.65 ACRES (42%)
EXISTING IMPERVIOUS AREA = 0.95 ACRES (61%)
EXISTING OPEN SPACE = 0.61 ACRES (39%)

PARKING DATA:

20 VACUUM SPACES PROVIDED
4 EMPLOYEE PARKING SPACES PROVIDED
1 HANDICAP PARKING SPACE PROVIDED
25 TOTAL PARKING SPACES PROVIDED

LEGEND

- EX. TREE OR SHRUB
- EX. PINE TREE
- EX. LIGHT POLE
- HEAVY DUTY PAVEMENT
- PAVEMENT AREAS TO BE MILLED AND RESURFACED
- CONCRETE PAVEMENT OR SIDEWALK

2 WORKING DAYS BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

GRAPHIC SCALE
-20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED
PROFESSIONAL ENGINEER
4/3/2023

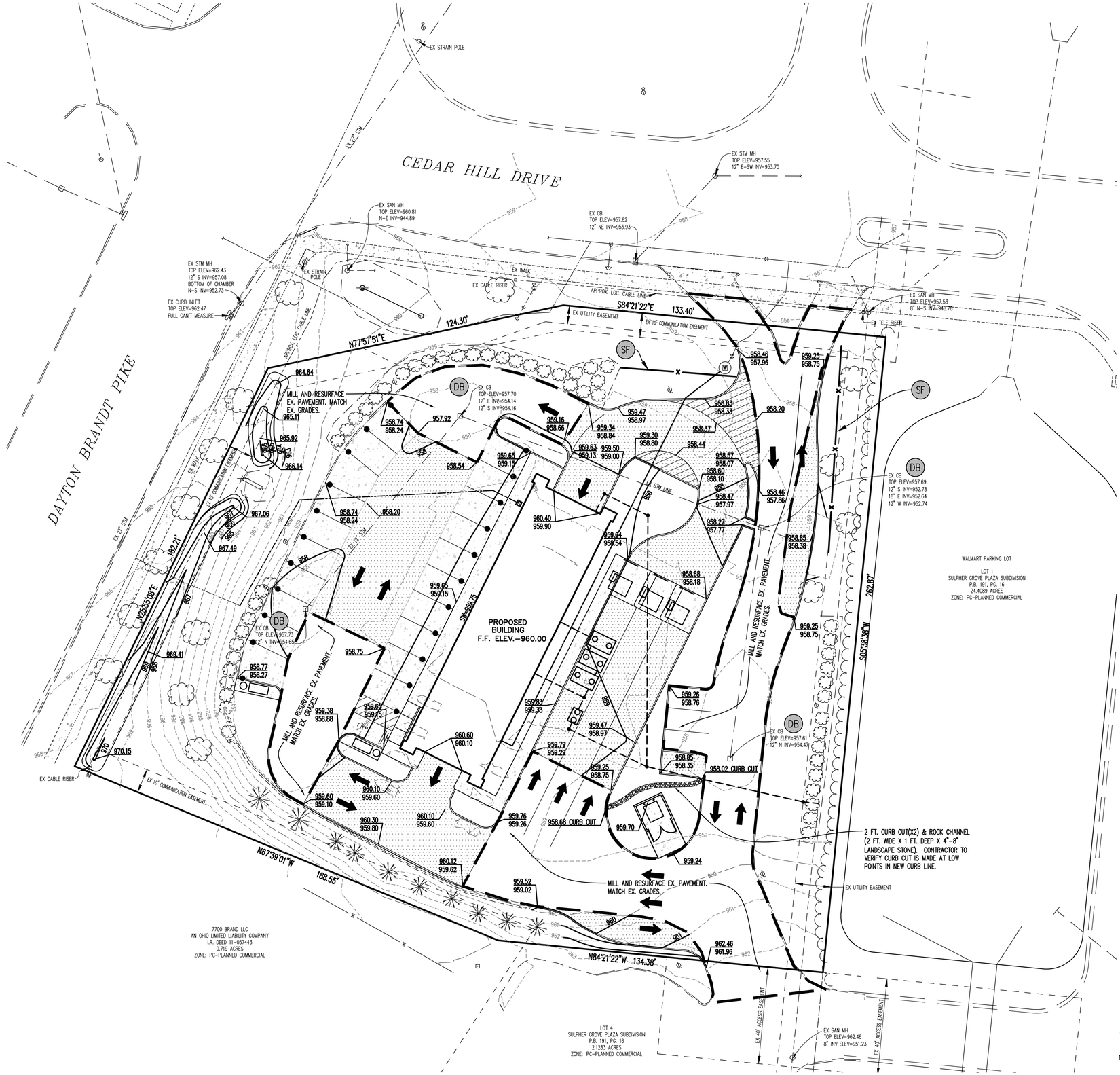
VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

SITE/UTILITY PLAN
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.
3 of 8

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



EROSION CONTROL LEGEND

SF	SILT FENCE
DB	DANDY BAG

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED
PROFESSIONAL ENGINEER
4/3/2023

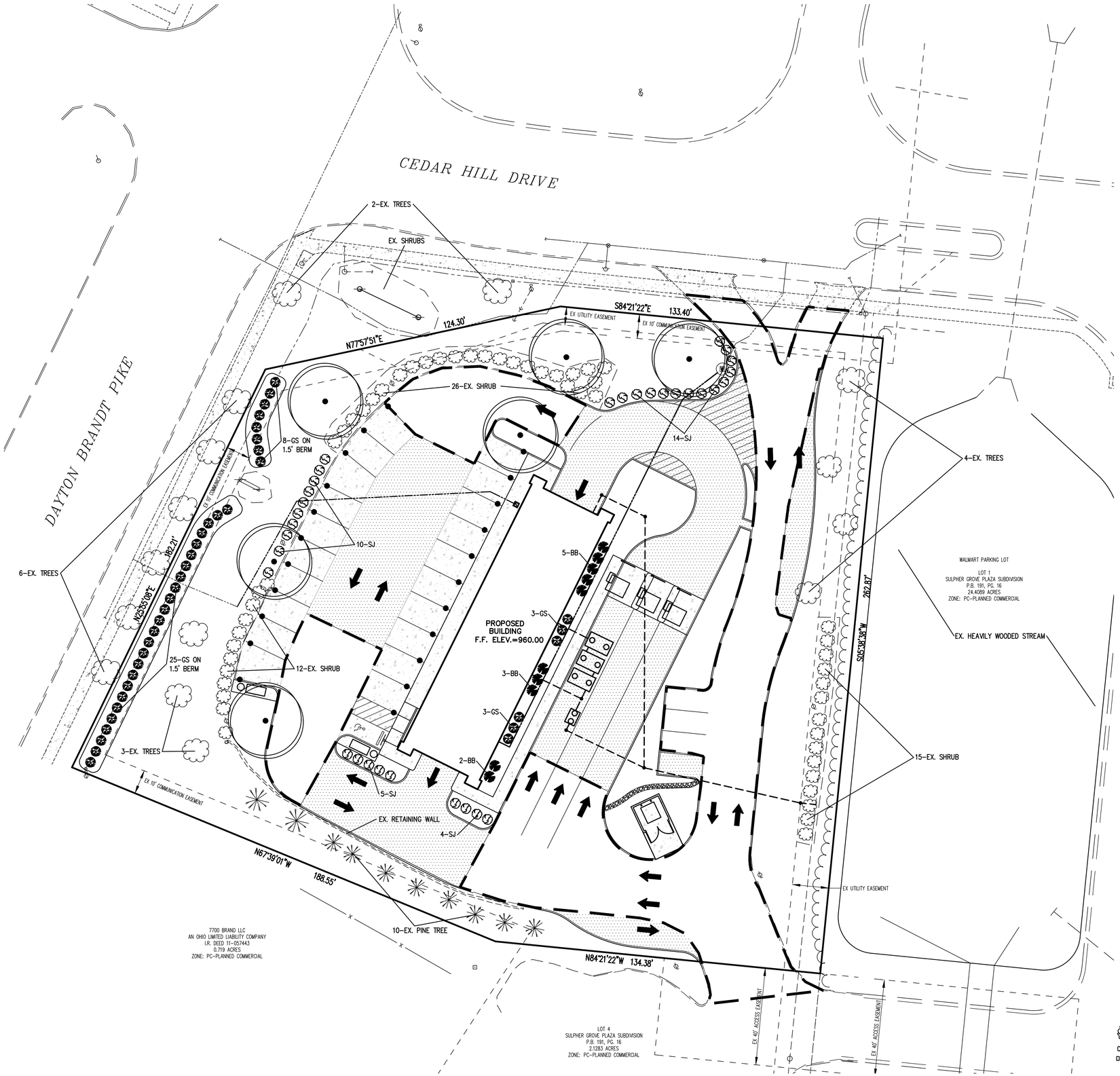
VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

GRADING/EROSION CONTROL PLAN
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.

\\vd-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



SYMBOL	ABBREVIATION	COMMON NAME	BOTANICAL NAME	QTY.
	SHL	SKYLINE HONEY LOCUST	GLEDITSIA TRIACANTHOS VAR. INERMIS 'SKYCOLE' TM	6
	BB	COMPACT BURNING BUSH	EUONYMUS ALATUS	10
	SJ	SEA GREEN JUNIPER	JUNIPEROUS PFITZERIANA	33
	GS	GOLDFLAME SPIREA	SPIREA JAPONICA 'GOLDFLAME'	39

LANDSCAPING NOTES:

1.) THE SITE WILL BE IRRIGATED.

2.) ALL DEAD, DAMAGED OR MISSING LANDSCAPE MATERIALS WILL BE REPLACED PER CITY LANDSCAPE ORDINANCE.

3.) ANY CHANGES MADE TO THE APPROVED LANDSCAPE PLAN WILL REQUIRE APPROVAL FROM THE CITY OF HUBER HEIGHTS.

5.) NO TREE SHALL BE PLANTED WITHIN AN UTILITY EASEMENT.

6.) NEW LAWN AREAS TO RECEIVE SOD. EXISTING LAWN TO BE RECEIVE SOD AS NEEDED.

7.) EXISTING TREES TO BE PROTECTED WITH ORANGE FENCE PRIOR TO CONSTRUCTION.

LEGEND

- EX. TREE OR SHRUB
- EX. PINE TREE
- EX. LIGHT POLE
- HEAVY DUTY PAVEMENT
- PAVEMENT AREAS TO BE MILLED AND RESURFACED
- CONCRETE PAVEMENT OR SIDEWALK

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED PROFESSIONAL ENGINEER
4/3/2023

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

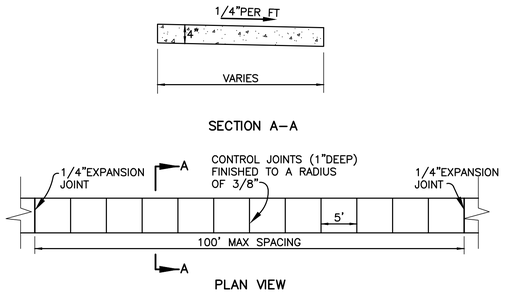
LANDSCAPE PLAN
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.

5 of 8

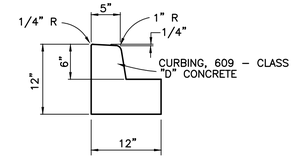
\\vd-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



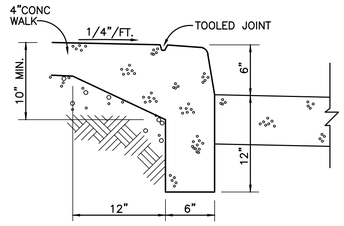
NOTES:

1) CONCRETE FOR SIDEWALKS SHALL MEET THE REQUIREMENTS OF ODOT ITEM 608.
2) ALL EXPOSED SURFACES SHALL BE BROOMED AND EDGED.
3) SIDEWALKS SHALL BE 4" THICK, EXCEPT THRU DRIVEWAYS WHICH SHALL BE 6".
4) 3" OF GRAVEL BASE SHALL BE PLACED UNDER WALKS IF DETERMINED NECESSARY.
5) WALK SHALL BE BACKFILLED WITHIN 5 DAYS OF BEING POURED.
6) CURING COMPOUND SHALL BE APPLIED IN ACCORDANCE WITH ITEM 451.10.

SIDEWALK DETAIL
NTS



INTERIOR SITE CURB/GUTTER
NTS



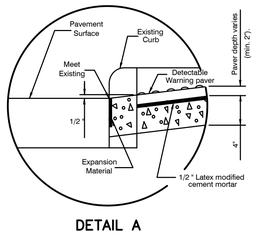
CURB CONSTRUCTION ALONG WALK
NTS

STREET SLOPE	RAMP LENGTH @ 1"/FT	
	L_{LOW} [2]	L_{HIGH} *
0.01	5'-5"	6'-10"
0.02	4'-10"	7'-11"
0.03	4'-5"	9'-5"
0.04	4'-1"	11'-8"
0.05	3'-9"	15'-2"

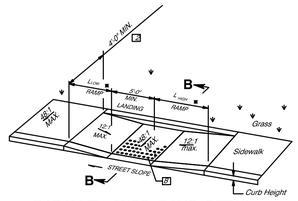
* MEASURED ALONG THE BACK OF A 6" HIGH CURB.

$L_{HIGH} = \frac{\text{CURB HT.}}{0.083 - \text{STREET SLOPE}}$

$L_{LOW}^{[2]} = \frac{\text{CURB HT.}}{0.083 + \text{STREET SLOPE}}$



DETAIL A



PARALLEL CURB RAMP DETAIL (DOUBLE)
NTS

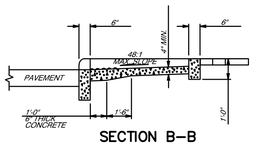
LEGEND

[1] MAY BE REDUCED TO 3'–4" IN EXISTING SIDEWALKS TO BETTER FIT THE WALK CONFIGURATION OR WHERE SITE CONDITIONS ARE RESTRICTED BY NARROW WALKS, POLE FOUNDATIONS, DRAINAGE INLETS, ETC. THE WIDTH MAY BE TAPERED.

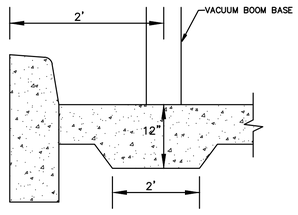
[2] DETACHABLE WARNINGS (TRUNCATED DOMES) ARE TO BE INSTALLED IN THE LOCATIONS SHOWN. DIMENSIONS OF THE DOMES ARE 24 INCHES FROM THE BACK OF THE CURB BY THE WIDTH OF THE RAMP.

NOTES

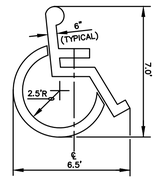
1. SURFACE TEXTURE: TEXTURE SHALL BE OBTAINED BY COARSE BROOMING TRANSVERSE TO THE RAMP SLOPES AND SHALL BE ROUGHER THAN ADJACENT WALK.
2. JOINTS: SHALL BE PROVIDED IN THE CURB RAMP AS EXTENSIONS OF WALK JOINTS AND CONSISTENT WITH ITEM 608.03 REQUIREMENTS FOR A NEW CONCRETE WALK. A 1/2 " ITEM 705.03 EXPANSION JOINT FILLER SHALL BE PROVIDED AROUND THE EDGE OF RAMPS BUILT IN EXISTING CONCRETE WALK. LINES SHOWN ON THIS DRAWING INDICATE THE RAMP EDGE AND SLOPE CHANGES AND ARE NOT NECESSARILY JOINT LINES.
3. PAYMENT: WALK AND CURB, ITEMS 608 AND 609, SHALL BE MEASURED THROUGH THE CURB RAMP AREA PAID FOR ITEM 608 – CURB UNDER THEIR RESPECTIVE ITEMS. CONSTRUCTED IN NEW CURB AND WALK SHALL RAMP, EACH, INCLUDE THE COST OF ANY ADDITIONAL MATERIALS, GRADING, ITEM 608 – CURB RAMP, FORMING AND FINISHING. CONSTRUCTED IN EXISTING CURB SQUARE FOOT, AND WALK SHALL INCLUDE THE COST OF FURNISHING ALL MATERIALS, GRADING, FORMING, AND FINISHING OF THE CURB AND WALK OF THE CURB RAMP. REMOVAL OF EXISTING CURB AND WALK SHALL BE PAID FOR UNDER ITEM 202.
4. TRUNCATED DOMES: INSTALL DETACHABLE WARNINGS (TRUNCATED DOMES) FOR A DISTANCE OF 24" FROM THE BACK OF THE CURB FOR THE ENTIRE WIDTH OF THE RAMP OPENING AS SHOWN.

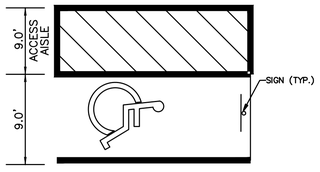


SECTION B–B

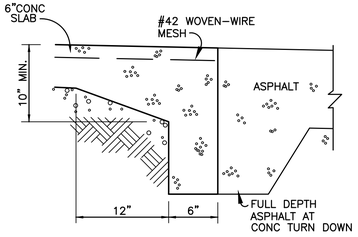


THICKENED CONCRETE FOR VACUUM BOOM
NTS

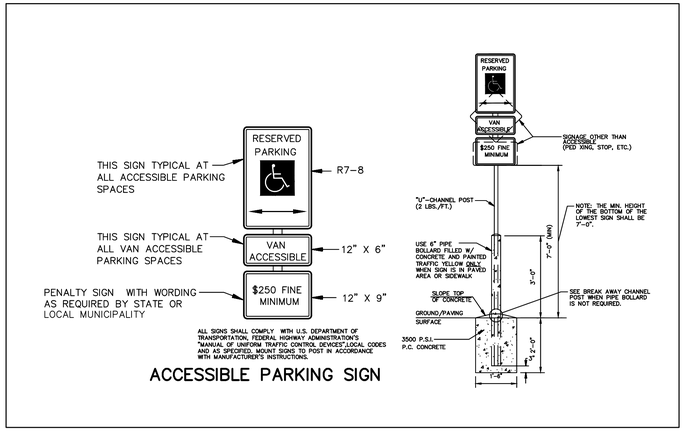




ACCESSIBLE PARKING SYMBOL



CONCRETE TURN DOWN AT DUMPSTER PAD
NTS



ACCESSIBLE PARKING SIGN

NO.	REVISION	DATE

MICHAEL N. ANDERSON E–81188 REGISTERED PROFESSIONAL ENGINEER STATE OF OHIO
4/3/2023

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

DETAIL SHEET
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.R.s.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: NTS
PROJECT No. 7929
FILE No.
SHEET NO.

6 of 8

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 – 16:00:28

SITE NOTES:

THE PRE-EXISTING CONDITIONS ON SITE ARE PRIMARILY COMMERCIAL RETAIL DEVELOPMENT.
THE PROPOSED PROJECT IS A NEW COMMERCIAL RETAIL DEVELOPMENT.

APPROXIMATELY 1.0± ACRES OF 1.25± WILL BE DISTURBED AS A PART OF THIS PROJECT.

THE PRE-CONSTRUCTION RUNOFF COEFFICIENT IS 0.90.
THE POST-CONSTRUCTION RUNOFF COEFFICIENT IS 0.90.

THE PROPOSED IMPERVIOUS AREA IS APPROXIMATELY 0.67 ACRES
THE PERCENT IMPERVIOUSNESS CREATED BY CONSTRUCTION ACTIVITY IS 54%.

RECEIVING WATER IS AN UNNAMED TRIBUTARY TO THE HOLES CREEK.

SOILS ON SITE CONSIST OF: XENIA SILT LOAM (TYPE C), AND MIAMIAN-URBAN LAND COMPLEC (TYPE C)
(PREDOMINANT HYDROLOGIC GROUP TYPE C).

STRUCTURAL BMP LONG-TERM MAINTENANCE (GENERAL NOTES)

1. THE OWNER AGREES TO MAINTAIN IN PERPETUITY THE STORM WATER MANAGEMENT PRACTICES IN ACCORDANCE WITH APPROVED MAINTENANCE PLANS LISTED IN #2 BELOW AND IN A MANNER THAT WILL PERMIT THE STORM WATER MANAGEMENT PRACTICES TO PERFORM THE PURPOSES FOR WHICH THEY WERE DESIGNED AND CONSTRUCTED. THIS INCLUDES ALL PIPES, STRUCTURES, IMPROVEMENTS, AND VEGETATION PROVIDED TO CONTROL THE QUANTITY OF THE STORM WATER.

2. NO ALTERATIONS TO THE UNDERGROUND DETENTION SYSTEM WITHOUT APPROVAL FROM THE JURISDICTIONAL REVIEWING AUTHORITY.

3. THE OWNER SHALL PROVIDE A MAINTENANCE PLAN FOR EACH STORM WATER MANAGEMENT PRACTICE. THE MAINTENANCE PLANS SHALL INCLUDE A SCHEDULE FOR MONTHLY AND ANNUAL MAINTENANCE. THE OWNER SHALL MAINTAIN, UPDATE AND STORE THE MAINTENANCE RECORDS FOR THE STORM WATER MANAGEMENT PRACTICES. THE SPECIFIC MAINTENANCE PLANS FOR EACH STORM WATER MANAGEMENT PRACTICE ARE AS FOLLOWS.

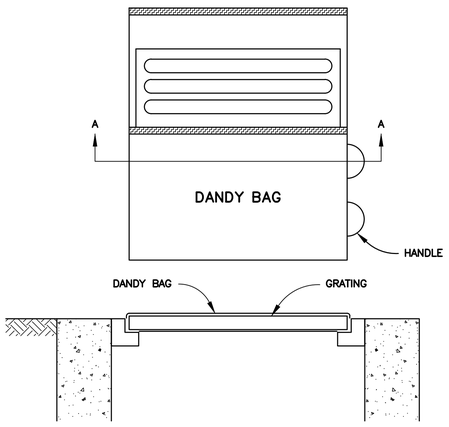
MAINTENANCE TO BE COMPLETED EVERY 3 MONTHS
- -REMOVE TRASH AND/OR ACCUMULATED SEDIMENT FROM THE UNDERGROUND DETENTION.
- -REMOVE OBSTRUCTIONS IN ORIFICES AND/OR OUTLETS WITHIN THE UNDERGROUND DETENTION.
- -REMOVE DEBRIS AND SEDIMENT FROM INLET PIPES, OUTLET PIPES AND STRUCTURES.

MAINTENANCE TO BE COMPLETED YEARLY
- -REPAIR EROSION TO OUTFALL OR SPILLWAY OF THE UNDERGROUND DETENTION.
- -REPAIR AND/OR REPLACE DAMAGED STRUCTURES, SUCH AS CATCH BASINS, RISERS, PIPES AND HEADWALLS.
- -MOW EMBANKMENTS AND REMOVE WOODY VEGETATION ON EMBANKMENTS

YEARLY REPORT REQUIREMENTS
SKETCH SHOWING GENERAL AREA OF BMP'S, SUMMARY OF ALL MAINTENANCE ACTIVITIES SINCE LAST ANNUAL INSPECTION, PHOTOS AND DESCRIPTION OF ALL BMP DESIGN FEATURES, INDICATION OF ANY DEVIATION FROM APPROVED PLAN FOR BMP, IDENTIFICATION OF IMPROVEMENTS NECESSARY TO RESTORE ORIGINAL DESIGN FUNCTION, MAINTENANCE ACTIVITIES REQUIRED IN THE NEXT 6 MONTHS, IDENTIFICATION AND CONTACT INFORMATION OF ENTITY RESPONSIBLE FOR BMP, AND IDENTIFICATION AND CONTACT INFORMATION FOR ENGINEER PREPARING THE REPORT INCLUDING SIGNATURE AND SEAL.

SEQUENCE OF CONSTRUCTION

1. CONDUCT PRE-CONSTRUCTION MEETING
2. INSTALL ALL TEMPORARY EROSION CONTROL MEASURES INCLUDING CONSTRUCTION ENTRANCE, SEDIMENT TRAPS, ROCK CHECK DAMS, INLET PROTECTION & SILT FENCE.
3. CONSTRUCT TEMPORARY PARKING AND STORAGE AREA.
4. PERFORM CLEARING AND GRUBBING AS NECESSARY.
5. BEGIN GRADING THE SITE. MAKING SURE THAT EROSION CONTROL MEASURES ARE IN PLACE AND WORKING PROPERLY THROUGHOUT GRADING OPERATIONS.
6. APPLY TEMPORARY SOIL STABILIZATION WITHIN (7) DAYS OF EXCAVATION.
7. BEGIN CONSTRUCTION OF ALL UTILITIES INCLUDING STORM SEWER. INSTALL INLET PROTECTION CONCURRENT WITH CONSTRUCTION OF PROPOSED STORM STRUCTURES.
8. BEGIN CONSTRUCTION OF BUILDING PADS AND STRUCTURES.
9. BEGIN CONSTRUCTION OF STREETS. INSTALL CURB AND GUTTER. PREPARE FOR PAVING.
10. PERMANENTLY SEED AND MULCH & LANDSCAPE REMAINDER OF PERVIOUS AREAS. PERMANENT SEEDING SHALL BE INSTALLED WITHIN (7) DAYS OF COMPLETION OF FINAL GRADING IN UNPAVED AREAS.
11. PAVE SITE.
12. REMOVE TEMPORARY EROSION CONTROL MEASURES AFTER SITE ACHIEVES "FINAL STABILIZATION"



SECTION A-A

INSTALLATION : STAND GRATE ON END. PLACE DANDY BAG OVER GRATE. FLIP GRATE OVER SO THAT OPEN END IS UP. PULL UP SLACK. TUCK FLAP IN. BE SURE END OF GRATE IS COMPLETELY COVERED BY FLAP OR DANDY BAG WILL NOT FIT PROPERLY. HOLDING HANDLES, CAREFULLY PLACE DANDY BAG WITH GRATE INSERTED INTO CATCH BASIN FRAME SO THAT RED DOT ON THE TOP OF THE DANDY BAG IS VISIBLE.

MAINTENANCE : AFTER SILT HAS DRIED, REMOVE IT FROM THE SURFACE OF DANDY BAG WITH BROOM.

DANDY BAG (DB)
NTS

STORM WATER POLLUTION PREVENTION PLAN NOTES

1. ALL EROSION AND SEDIMENTATION CONTROL SHALL BE PERFORMED ACCORDING TO: SWPPP AND DETAIL PLANS; ACCORDING TO THE LATEST OHIO EPA AUTHORIZATION FOR CONSTRUCTION ACTIVITY UNDER THE "NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM" (NPDES); ANY AND ALL REQUIRED PERMITS, REPORTS, AND RELATED DOCUMENTS. SEE OHIO EPA PERMIT NO. OHC000004 FOR SWPPP RULES AND REGULATIONS. ALL CONTRACTORS AND SUBCONTRACTORS MUST BECOME FAMILIAR WITH ALL OF THE ABOVE.
2. CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS REQUIRED BY THE SWPPP. ADDITIONAL BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED AS DICTATED BY CONDITIONS AND GRADE CHANGES TO THE SITE AT NO ADDITIONAL COST TO OWNER THROUGHOUT ALL PHASES OF CONSTRUCTION.
3. CONTRACTOR SHALL MINIMIZE CLEARING AND DISTURBANCE TO THE ENVIRONMENT TO THE MAXIMUM EXTENT POSSIBLE OR AS REQUIRED BY THE GENERAL PERMIT. EVERY EFFORT SHALL BE MADE TO PRESERVE THE NATURAL RIPARIAN SETBACK ADJACENT TO STREAMS OR OTHER SURFACE WATER BODIES.
4. SEDIMENT STRUCTURE AND PERIMETER SEDIMENT BARRIERS SHALL BE IMPLEMENTED AS THE FIRST STEP OF GRADING WITHIN SEVEN (7) DAYS FROM THE START OF CLEARING AND GRUBBING, AND SHALL CONTINUE TO FUNCTION UNTIL THE SLOPE DEVELOPMENT AREA IS RESTABILIZED. SEDIMENT CONTROL DEVICES SHALL BE IMPLEMENTED FOR ALL AREAS REMAINING DISTURBED FOR OVER 14 DAYS.
5. TEMPORARY SOIL STABILIZATION OF DISTURBED AREAS BY MEANS OF TEMPORARY VEGETATION, MULCHING, GEOTEXTILES, SOD, PRESERVATION OF EXISTING VEGETATION, AND OTHER APPROVED TECHNIQUES TO BE APPLIED AS FOLLOWS:
   WITHIN TWO (2) DAYS OF ANY AREA WITHIN 50 FEET OF A STREAM NOT AT FINAL GRADE REMAINING DORMANT FOR OVER FOURTEEN (14) DAYS.
   WITHIN SEVEN (7) DAYS OF ANY AREA THAT WILL BE DORMANT FOR MORE THAN FOURTEEN (14) DAYS.
   PRIOR TO THE ONSET OF WINTER WEATHER FOR AREAS THAT WILL BE IDLE OVER WINTER.
6. PERMANENT SOIL STABILIZATION OF DISTURBED AREAS BY MEANS OF VEGETATION, LANDSCAPE TYPE MULCHING, MATTING, SOD, RIP RAP, AND OTHER APPROVED LANDSCAPING TECHNIQUES TO BE APPLIED AS FOLLOWS:
   WITHIN SEVEN (7) DAYS OF ANY AREA THAT WILL BE DORMANT FOR ONE (1) YEAR OR MORE.
   WITHIN TWO (2) DAYS OF ANY AREA WITHIN 50 FEET OF A STREAM AT FINAL GRADE.
   WITHIN SEVEN (7) DAYS FOR ANY OTHER AREA AT FINAL GRADE.
7. TEMPORARY SEEDING, MULCHING, AND FERTILIZER SPECIFICATIONS:
   SEEDING: ANNUAL RYEGRASS AT 2.02 #/1,000 S.F.
   MULCHING: STRAW MATERIAL SHALL BE UNROTTED SMALL GRAIN STRAW APPLIED AT A RATE OF TWO (2) TON/ACRE, OR 80-100 POUNDS PER 1,000 S.F. MULCH MATERIALS SHALL BE RELATIVELY FREE OF ALL KINDS OF WEEDS AND SHALL BE FREE OF PROHIBITIVE NOXIOUS WEEDS. MULCH SHALL BE SPREAD UNIFORMLY BY HAND OR MECHANICAL MEANS. FROM NOVEMBER 01 THRU MARCH 15 INCREASE THE RATE OF STRAW MULCH TO THREE (3) TON/ACRE.
   FERTILIZER: APPLY FERTILIZER AT HALF THE RATE OF PERMANENT APPLICATION AND AS PER STATE DOT SPECIFICATIONS. IF PROJECT CONDITIONS PREVENT FERTILIZING THE SOIL, THEN THIS ITEM MAY BE WAIVED.
8. PERMANENT SEEDING SHALL BE IN ACCORDANCE WITH ODOT STANDARD SPECIFICATIONS.
9. SLOPES SHALL BE LEFT IN A ROUGHENED CONDITION DURING THE GRADING PHASE TO REDUCE RUNOFF VELOCITIES AND EROSION. ALL SLOPES 3:1 OR GREATER THAN 3:1 SHALL BE FERTILIZED, SEEDED, AND CURLEX BLANKETS BY AMERICAN EXCELSIOR COMPANY, NORTH AMERICAN GREEN, INC. OR AN APPROVED EQUAL AS SPECIFIED IN THE PLANS SHALL BE INSTALLED ON THE SLOPES.
10. OHIO EPA SWPPP REGULATIONS REQUIRES THAT A SEDIMENT TRAP OR POND BE SIZED TO PROVIDE AT LEAST 104 CUBIC YARDS (67 CY FOR DEWATERING AND 37 CY FOR SEDIMENT STORAGE) OF STORAGE PER ACRE OF TOTAL CONTRIBUTING AREA. MAXIMUM DEPTH OF SEDIMENT SETTLING POND SHALL BE EQUAL OR LESS THAN 5-FEET WITH A LENGTH TO WIDTH RATIO GREATER THAN OR EQUAL TO 2:1)
11. OUTLET STRUCTURES IN SEDIMENTATION BASINS SHALL BE MAINTAINED IN OPERATIONAL CONDITIONS AT ALL TIMES. SEDIMENT MUST BE REMOVED FROM BASINS AND OR TRAPS WHEN THE DESIGN CAPACITY HAS BEEN REDUCED BY 40% (APPROXIMATELY ONE-HALF OF POND DEPTH).
12. NO SOLID (OTHER THAN SEDIMENT) OR LIQUID WASTE, INCLUDING BUILDING MATERIALS, SHALL BE DISCHARGED IN STORM WATER RUNOFF.
13. ALL TOXIC WASTES, HAZARDOUS WASTES AND NON-SEDIMENT POLLUTANTS MUST BE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL GUIDELINES. WASH OUT OF CEMENT TRUCKS SHOULD OCCUR IN DESIGNATED PIT OR DIKED AREAS, WHERE WASHINGS CAN BE REMOVED AND PROPERLY DISPOSED OFF-SITE WHEN THEY HARDEN. STORAGE TANKS SHOULD ALSO BE LOCATED IN PIT OR DIKED AREAS. IN ADDITION, SUFFICIENT OIL AND GREASE ABSORBING MATERIALS AND FLOTATION BOOMS TO CLEAN AND CONTAIN FUEL AND CHEMICAL SPILLS MUST BE KEPT ON SITE. NO TOXIC OR HAZARDOUS WASTES SHALL BE DISPOSED INTO STORM DRAINS, SEPTIC TANKS OR BY BURYING, BURNING OR MIXING THE WASTES.
14. CONTAINERS SHALL BE AVAILABLE FOR DISPOSAL OF DEBRIS, TRASH, HAZARDOUS OR PETROLEUM WASTES. ALL CONTAINERS MUST BE COVERED AND LEAK-PROOF. ALL WASTE MATERIAL SHALL BE DISPOSED OF AT FACILITIES APPROVED FOR THE PERTINENT MATERIAL.
15. RUBBISH, TRASH, GARBAGE, LITTER, OR OTHER SUCH MATERIALS SHALL BE DISPOSED INTO SEALED CONTAINERS. MATERIALS SHALL BE PREVENTED FROM LEAVING THE SITE THROUGH THE ACTION OF WIND OR STORM WATER DISCHARGE INTO DRAINAGE DITCHES OR WATERS OF THE STATE.
16. BRICKS, HARDENING CONCRETE AND SOIL WASTE SHALL BE FREE FROM CONTAMINATION WHICH MAY LEACH CONSTITUENTS TO WATERS OF THE STATE.
17. CLEAN CONSTRUCTION WASTES THAT WILL BE DISPOSED INTO THE PROPERTY SHALL BE SUBJECT TO ANY LOCAL PROHIBITIONS FROM THIS TYPE OF DISPOSAL.
18. ALL CONSTRUCTION AND DEMOLITION DEBRIS (C&DD) WASTE SHALL BE DISPOSED OF IN AN OHIO EPA APPROVED C&DD LANDFILL AS REQUIRED BY OHIO REVISED CODE 3714. CONSTRUCTION DEBRIS MAY BE DISPOSED OF ON-SITE, BUT DEMOLITION DEBRIS MUST BE DISPOSED IN AN OHIO EPA APPROVED LANDFILL. ALSO, MATERIALS WHICH CONTAIN ASBESTOS MUST COMPLY WITH AIR POLLUTION REGULATIONS (SEE OHIO ADMINISTRATIVE CODE 3745-20).
19. AREA SHALL BE DESIGNATED FOR MIXING OR STORAGE OF COMPOUNDS SUCH AS FERTILIZERS, LIME ASPHALT, OR CONCRETE, THESE DESIGNATED AREAS SHALL BE LOCATED AWAY FROM WATERCOURSES, DRAINAGE DITCHES, FIELD DRAINS, OR OTHER STORMWATER DRAINAGE AREA.
20. EQUIPMENT FUELING & MAINTENANCE SHALL BE IN DESIGNATED AREAS ONLY, THESE DESIGNATED AREAS SHALL BE LOCATED AWAY FROM WATERCOURSES, DRAINAGE DITCHES, FIELD DRAINS, OR OTHER STORMWATER DRAINAGE AREA.
21. A SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN MUST BE DEVELOPED FOR SITES WITH ONE ABOVE-GROUND STORAGE TANK OF 660 GALLONS OR MORE, TOTAL ABOVE-GROUND STORAGE OF 1,330 GALLONS OR BELOW-GROUND STORAGE OF 4,200 GALLONS OF FUEL.
22. ALL DESIGNATED CONCRETE CHUTE OR WASHOUT AREAS SHALL BE LOCATED AWAY FROM WATERCOURSES, DRAINAGE DITCHES, FIELD DRAINS OR OTHER STORMWATER DRAINAGE AREAS.
23. THERE IS A POTENTIAL FOR HIGH GROUND WATER AT THIS SITE. CONTRACTOR IS RESPONSIBLE FOR DESIGNING AND IMPLEMENTING A PLAN TO CONTROL BOTH SURFACE AND GROUND WATER DURING THE COURSE OF CONSTRUCTION.
24. DISCHARGE OF WATER WITH POTENTIAL SEDIMENT FROM THE SITE SHALL BE THROUGH A FILTER BAG, SUMP PIT OR OTHER SEDIMENT REMOVAL DEVICE.
25. ALL CONTAMINATED SOIL MUST BE TREATED AND/OR DISPOSED IN AN OHIO EPA APPROVED SOLID WASTE MANAGEMENT FACILITY OR HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITIES (TSDFs).
26. IF THE SITE CONTAINS CONTAMINATED SOIL, THE FOLLOWING SHALL BE USED TO PREVENT CONTAMINATION FROM BEING RELEASED:
    1. BERMS, TRENCHES AND PITS TO COLLECT CONTAMINATED RUNOFF AND PREVENT DISCHARGES.
    2. PUMPING RUNOFF INTO A SANITARY SEWER (WITH PRIOR APPROVAL OF THE SANITARY SYSTEM OPERATOR) OR INTO A CONTAINER FOR TRANSPORT TO AN APPROPRIATE TREATMENT/DISPOSAL FACILITY.
    3. COVERING AREAS OF CONTAMINATION WITH TARPS OR OTHER METHODS THAT PREVENT STORM WATER FROM COMING INTO CONTACT WITH THE MATERIAL.
27. IN THE EVENT OF AN ACCIDENTAL SPILL, IMMEDIATE ACTION WILL BE UNDERTAKEN BY THE GENERAL CONTRACTOR TO CONTAIN AND REMOVE THE SPILLED MATERIAL. ALL HAZARDOUS MATERIALS, INCLUDING CONTAMINATED SOIL AND LIQUID CONCRETE WASTE, WILL BE DISPOSED OF BY THE CONTRACTOR IN THE MANNER SPECIFIED BY FEDERAL, STATE AND LOCAL REGULATIONS AND BY THE MANUFACTURER OF SUCH PRODUCTS. AS SOON AS POSSIBLE, THE SPILL WILL BE REPORTED TO THE APPROPRIATE AGENCIES. AS REQUIRED UNDER THE PROVISIONS OF THE CLEAN WATER ACT, ANY SPILL OR DISCHARGE ENTERING WATERS OF THE UNITED STATES WILL BE PROPERLY REPORTED. THE GENERAL CONTRACTOR WILL PREPARE A WRITTEN RECORD OF ANY SPILL AND ASSOCIATED CLEAN-UP ACTIVITIES OF PETROLEUM PRODUCTS OR HAZARDOUS MATERIALS IN EXCESS OF 1 GALLON OR REPORTABLE QUANTITIES, WHICH EVER IS LESS.

STORM WATER POLLUTION PREVENTION PLAN NOTES (CONT.)

28. THE CONTRACTOR SHALL CONTACT THE OHIO EPA AT 800.282.9378, THE LOCAL FIRE DEPARTMENT AND THE LOCAL EMERGENCY PLANNING COMMITTEE IN THE EVENT OF A PETROLEUM SPILL (>25 GALLONS) OR THE PRESENCE OF SHEEN.
29. OPEN BURNING IS NOT PERMITTED ON THE SITE.
30. DUST CONTROL USING APPROVED MATERIALS MUST BE PERFORMED AT ALL TIMES. DUST SUPPRESSANTS SHALL NOT BE APPLIED NEAR CATCH BASINS FOR STORM SEWERS OR OTHER DRAINAGE WAYS. THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION IS PROHIBITED.
31. APPROPRIATE MEASURES MUST BE TAKEN TO ENSURE THAT ALL PROPER AIR POLLUTION PERMITS ARE OBTAINED.
32. PROCESS WASTEWATERS (EQUIPMENT WASHING, LEACHATE ASSOCIATED WITH ON-SITE WASTE DISPOSAL AND CONCRETE WASH-OUTS) SHALL BE COLLECTED AND DISPOSED OF PROPERLY.
33. SANITARY AND WATER PTI FORMS SHALL BE FILED WITH THE OHIO EPA AS REQUIRED.
34. PROTECTED STORAGE AREAS SHALL BE USED FOR INDUSTRIAL AND CONSTRUCTION MATERIALS IN ORDER TO MINIMIZE THE EXPOSURE OF SUCH MATERIALS TO STORMWATER.
35. ALL CONTROL MEASURES STATED IN THE SWPPP SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL TEMPORARY OR PERMANENT STABILIZATION OF THE SITE IS ACHIEVED. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED BY A QUALIFIED PERSON IN ACCORDANCE TO THE CONTRACT DOCUMENTS OR THE APPLICABLE PERMIT, WHICHEVER IS MORE STRINGENT, AND REPAIRED ACCORDING TO THE FOLLOWING:
36. INSPECTIONS OF BMPS SHALL BE PERFORMED BY QUALIFIED PERSONS PROVIDED BY THE PERMITTEE AND THE INSPECTION LOGS ARE TO BECOME A PART OF THIS PLAN. INSPECTIONS RECORDS SHALL BE SIGNED BY THE INSPECTOR AND WILL BE KEPT FOR 3 YEARS AFTER THE NOTICE OF TERMINATION IS SUBMITTED.
37. INSPECTIONS SHALL BE CONDUCTED AT LEAST ONCE IN EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS AFTER ANY STORM EVENT GREATER THAN 0.5 INCHES OF RAIN PER 24 HOUR PERIOD, FROM THE BEGINNING OF CONSTRUCTION THROUGH THE FINAL INSPECTION PRIOR TO THE NOTICE OF TERMINATION.
38. NON-SEDIMENT POND BMPS TO BE REPAIRED WITHIN 3 DAYS OF INSPECTION AND SEDIMENT POND BMPS WITHIN 10 DAYS OF INSPECTION. BMPS NOT MEETING THE INTENDED FUNCTION SHALL BE REPLACED WITHIN 10 DAYS OF INSPECTION. MISSING BMPS SHALL BE INSTALLED WITHIN 10 DAYS OF INSPECTION.
39. IF THE SITE IS STABILIZED AND WILL BE DORMANT FOR A LONG PERIOD OF TIME, LESS FREQUENT INSPECTIONS MAY BE REQUESTED OF THE OEPA VIA A WAIVER REQUEST.
40. INLET PROTECTION DEVICES AND CONTROLS SHALL BE REPAIRED OR REPLACED WHEN THEY SHOW SIGNS OF UNDERMINING AND OR DETERIORATION.
41. ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO ENSURE THAT A GOOD STANDING OF GRASS IS MAINTAINED. AREAS SHOULD BE FERTILIZED, WATERED, AND RESEEDED AS NEEDED.
42. SILT FENCES, INLET PROTECTION, SILT DIKES AND PERVIOUS LOGS SHALL BE REPAIRED TO THEIR ORIGINAL CONDITION IF DAMAGED. SEDIMENT ACCUMULATION MUST BE REMOVED WHEN SEDIMENT HEIGHT REACHES ONE-HALF THE HEIGHT OF THE SILT FENCE, INLET PROTECTION, SILT DIKE AND PERVIOUS LOG.
43. MINIMIZE OFF-SITE SEDIMENT TRACKING OF VEHICLES BY THE USE OF STONE MATERIAL IN ALL CONSTRUCTION ENTRANCES, ALONG WITH REGULARLY SCHEDULED SWEEPING/GOOD HOUSEKEEPING. STABILIZED CONSTRUCTION ENTRANCES TO BE PROPERLY MAINTAINED AND IN GOOD WORKING ORDER AT ALL TIMES; THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE STONE AS CONDITIONS DEMAND.
44. IF THE ACTION OF VEHICLES TRAVELING OVER THE STABILIZED CONSTRUCTION ENTRANCE DOES NOT SUFFICIENTLY REMOVE MOST OF THE DIRT AND MUD, THEN THE TIRES MUST BE WASHED BEFORE VEHICLES ENTER A PUBLIC ROAD. PROVISIONS MUST BE MADE TO INTERCEPT THE WATER AND TRAP THE SEDIMENT BEFORE IT IS CARRIED OFF THE SITE.
45. ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED ONTO THE ROADWAYS OR INTO THE STORM SEWERS MUST BE REMOVED IMMEDIATELY.
46. THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN GOOD CONDITION (SUITABLE FOR PARKING AND STORAGE). THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE TEMPORARY PARKING AS CONDITIONS DEMAND.
47. CONTRACTORS AND SUBCONTRACTORS WILL BE RESPONSIBLE FOR REMOVING ALL SEDIMENT FROM THE SITE, INCLUDING DETENTION PONDS, AND STORM SEWER SYSTEMS. SEDIMENT DEPOSITION DURING SITE STABILIZATION MUST ALSO BE REMOVED.
48. ALL RIP RAP MUST BE PLACED OVER GEOTEXTILE FILTER.
49. STONE CONSTRUCTION ENTRANCE TO BE MAINTAINED BY CONTRACTOR UNTIL SITE HAS BEEN PAVED OR IS NO LONGER REQUIRED.
50. ALL CATCH BASIN GRATES ARE TO BE PROTECTED WITH INLET BAGS AFTER THEY ARE INSTALLED. THEY SHOULD BE ROUTINELY CLEANED AND MAINTAINED.
51. ROCK CHECK DAMS SHOULD BE ROUTINELY CLEANED ONCE SEDIMENT BEGINS TO APPEAR ON THE UPSTREAM SIDE OF THE ROCK.
52. ON-SITE AND OFF-SITE STOCKPILE AND BORROW AREAS SHALL BE PROTECTED FROM EROSION AND SEDIMENTATION BY THE USE OF BEST MANAGEMENT PRACTICES. THESE AREAS MUST BE SHOWN IN THE SITE MAP AND PERMITTED IN ACCORDANCE WITH GENERAL PERMIT REQUIREMENTS.
53. CONTRACTOR TO DELINEATE STOCK PILE LOCATION ON PLANS TO BE KEPT ON SITE DURING CONSTRUCTION.
54. CONSTRUCT STOCKPILES IN ACCESSIBLE LOCATIONS THAT DO NOT INTERFERE WITH NATURAL DRAINAGE. INSTALL APPROPRIATE SEDIMENT CONTROLS TO TRAP SEDIMENT SUCH AS SILT FENCE IMMEDIATELY ADJACENT TO THE STOCKPILE OR SEDIMENT TRAPS OR BASINS DOWNSTREAM OF STOCKPILE. STOCKPILE SIDE SLOPES SHALL NOT EXCEED A RATIO OF 2:1.
55. IF STOCKPILE IS STORED FOR MORE THAN 14 DAYS, IT SHOULD BE TEMPORARY SEEDED, OR COVERED WITH A TARP.
56. ALL CONSTRUCTION SHALL BE STABILIZED AT THE END OF EACH DAY; THIS INCLUDES BACKFILLING OF TRENCHES FOR UTILITY CONSTRUCTION AND PLACEMENT OF GRAVEL OR ASPHALT FOR ROAD CONSTRUCTION.
57. THE LAST LAYER OF SOIL, INCLUDING TOP SOIL SHOULD BE COMPACTED TO 80% – 85% OF THE MAXIMUM STANDARD PROCTOR DENSITY, IN AREAS OUTSIDE THE PARKING LOT THAT WILL RECEIVE VEGETATION. THIS IS PARTICULARLY IMPORTANT IN CUT SLOPE AND EMBANKMENT AREAS. IN PAVEMENT AND ISLAND AREAS, IT IS RECOMMENDED THAT THE SOIL BE COMPACTED TO 98% AND 95% OF THE MAXIMUM STANDARD PROCTOR DENSITY RESPECTIVELY; THE LAST COMPACTED LAYER MAY BE SCARIFIED TO IMPROVE THE SOIL GROWTH CHARACTERISTICS.
58. DUE TO THE DISTURBED AREA BEING ONE OR LESS ACRES, THE POST CONSTRUCTION RUN-OFF REQUIREMENTS OF OHIO EPA PERMIT OHC000004 ARE NOT REQUIRED FOR THIS SITE.

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED
PROFESSIONAL ENGINEER
4/3/2023

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3650
Fax: 937.438.3645

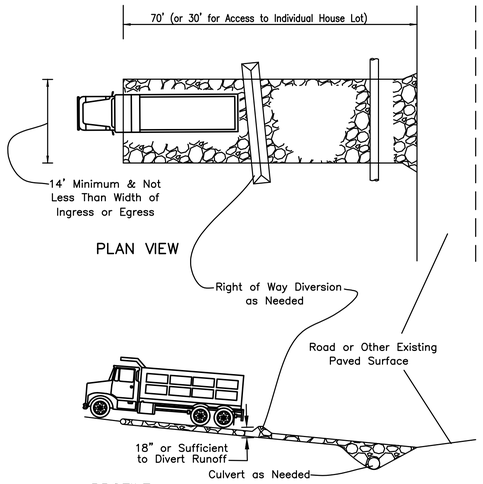
EROSION CONTROL NOTES
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: NTS
PROJECT No. 7929
FILE No.
SHEET NO.

7 of 8

\\vo-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28

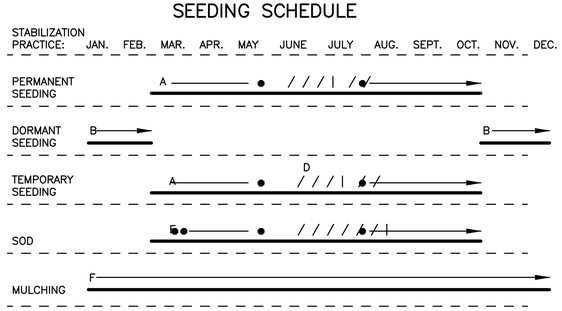


1. STONE SIZE SHALL BE ODOT #2 (1.5–2.5 INCH)
2. STONE LAYER SHALL BE 6" THINK FOR LIGHT DUTY OR AT LEAST 10 INCHES FOR HEAVY DUTY USE.
3. GEOTEXTILE FABRIC SHALL BE LAID OVER ENTIRE AREA PRIOR TO PLACING STONE. FABRIC SHALL BE ROT PROOF AND HAVE A MINIMUM TENSILE STRENGTH OF 200LBS
4. REFER TO "RAINWATER AND LAND DEVELOPMENT MANUAL" 2006 EDITION FOR ALL SPECIFICATIONS. VISIT "WWW.DNR.STATE.OH.US" FOR MANUAL

TEMPORARY CONSTRUCTION ENTRANCE DETAIL

NTS

SEEDING SCHEDULE



A = KENTUCKY BLUEGRASS @ 90 LBS./ACRE MIXED WITH PERENNIAL RYEGRASS @ 30 LBS./ACRE PLUS 2 TONS OF STRAW MULCH/ACRE

B = KENTUCKY BLUEGRASS @ 135 LBS./ACRE MIXED WITH PERENNIAL RYEGRASS @ 45 LBS./ACRE PLUS 2 TONS/ACRE STRAW MULCH

C = SPRING OATS 100 LBS./ACRE

D = WHEAT OR RYE 150 LBS./ACRE

E = SOD

F = STRAW MULCH (2 TONS/ACRE)

●/ | /● IRRIGATION NEEDED DURING JUNE AND JULY

●● IRRIGATION NEEDED FOR 2 TO 3 WEEKS AFTER APPLYING SOD

INSPECTION SCHEDULE

DIVERSION AND STRUCTURAL MEASURES – WILL BE INSPECTED AT SEVEN (7) DAY INTERVALS OR AFTER EVERY RAIN STORM PRODUCING RUNOFF.

SEDIMENT AND PONDS – WILL BE CHECKED AFTER EACH MAJOR PHASE OF THE DEVELOPMENT FOR SEDIMENT ACCUMULATION.

VEGETATIVE PLANTING – SPRING PLANTINGS WILL BE CHECKED DURING SUMMER OR EARLY FALL.

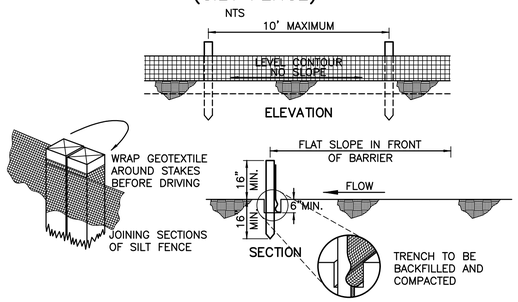
REPAIRS – ANY EROSION CONTROL MEASURES, STRUCTURAL MEASURES, OR OTHER RELATED ITEMS IN NEED OF REPAIR WILL BE MADE WITHIN SEVEN (7) DAYS.

MOWING – DRAINAGEWAYS, DITCHES AND OTHER AREAS THAT SUPPORT A DESIGNED FLOW OF WATER WILL BE MOWED REGULARLY TO MAINTAIN THAT FLOW.

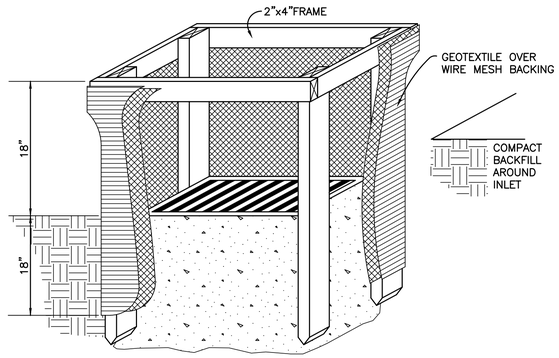
FERTILIZATION – SEEDED AREAS WHERE THE SEED HAS NOT PRODUCED A GOOD COVER WILL BE INSPECTED AND FERTILIZED AS NECESSARY.

CONSTRUCTION OF A FILTER BARRIER (SILT FENCE)

NTS



MINIMUM TENSILE STRENGTH	120 LBS.
MAXIMUM ELONGATION AT 60 LBS.	50%
MINIMUM PUNCTURE STRENGTH	50 LBS.
MINIMUM TEAR STRENGTH	40 LBS.
MINIMUM BURST STRENGTH	200 PSI
APPARENT OPENING SIZE	≤ 0.84 MM
MINIMUM PERMITTIVITY	1 X 10 SEC.
ULTRAVIOLET EXPOSURE STRENGTH RETENTION	70%



1) INLET PROTECTION SHALL BE CONSTRUCTED EITHER BEFORE UPSLOPE LAND DISTURBANCE BEGINS OR BEFORE THE STORM DRAIN BECOMES OPERATIONAL.

2) THE EARTH AROUND THE INLET SHALL BE EXCAVATED COMPLETELY TO A DEPTH AT LEAST 18 INCHES.

3) THE WOODEN FRAME SHALL BE CONSTRUCTED OF 2–BY–4 INCH CONSTRUCTION–GRADE LUMBER. THE 2–BY–4 INCH POSTS SHALL BE DRIVEN 1 FOOT INTO THE GROUND AT FOUR CORNERS OF THE INLET AND THE TOP PORTION OF 2–BY–4 INCH FRAME ASSEMBLED USING THE OVERLAP JOINT SHOWN. THE TOP OF THE FRAME SHALL BE AT LEAST 6 INCHES BELOW ADJACENT ROADS IF PONDED WATER WOULD POSE A SAFETY HAZARD TO TRAFFIC.

4) WIRE MESH SHALL BE OF SUFFICIENT STRENGTH TO SUPPORT FABRIC WITH WATER FULLY IMPOUNDED AGAINST IT. IT SHALL BE STRETCHED TIGHTLY AROUND THE FRAME AND FASTENED SECURELY TO THE FRAME.

5) GEOTEXTILE SHALL HAVE AN EQUIVALENT OPENING SIZE OF 20–40 SIEVE AND BE RESISTANT TO SUNLIGHT. IT SHALL BE STRETCHED TIGHTLY AROUND THE FRAME AND FASTENED SECURELY. IT SHALL EXTEND FROM THE TOP OF THE FRAME TO 18 INCHES BELOW THE INLET NOTCH ELEVATION. THE GEOTEXTILE SHALL OVERLAP ACROSS ONE SIDE OF THE INLET SO THE ENDS OF THE CLOTH ARE NOT FASTENED TO THE SAME POST.

6) BACKFILL SHALL BE PLACED AROUND THE INLET IN COMPACTED 6 INCH LAYERS UNTIL THE EARTH IS EVEN WITH NOTCH ELEVATION ON ENDS AND TOP ELEVATION ON SIDES.

7) A COMPACTED EARTH DIKE OR A CHECK DAM SHALL BE CONSTRUCTED IN THE DITCH LINE BELOW THE INLET IF THE INLET IS NOT IN A DEPRESSION AND IF RUNOFF BYPASSING THE INLET WILL NOT FLOW TO A SETTLING POND. THE TOP OF EARTH DIKES SHALL BE AT LEAST 6 INCHES HIGHER THAN THE TOP OF THE FRAME.

INLET PROTECTION
(IN SWALES, DITCH LINES OR YARD INLETS)

NTS

CRITERIA FOR SILT FENCE MATERIAL

1) FENCE POSTS – THE LENGTH SHALL BE A MINIMUM OF 32 INCHES LONG. WOOD POSTS WILL BE 2 BY 2–INCH HARDWOOD OF SOUND QUALITY. THE MAXIMUM SPACING BETWEEN POSTS SHALL BE 10 FEET.

2) SILT FENCE SHALL BE ODOT TYPE C GEOTEXTILE FABRIC OR AS DESCRIBED BY THE CHART BELOW;

1) SILT FENCE SHALL BE CONSTRUCTED BEFORE UPSLOPE LAND DISTURBANCE BEGINS.

2) ALL SILT FENCE SHALL BE PLACED AS CLOSE TO THE CONTOUR AS POSSIBLE SO THAT WATER WILL NOT CONCENTRATE AT LOW POINTS IN THE FENCE AND SO THAT SMALL SWALES OR DEPRESSIONS WHICH MAY CARRY SMALL CONCENTRATED FLOWS TO THE SILT FENCE ARE DISSIPATED ALONG ITS LENGTH.

3) TO PREVENT WATER PONDED BY THE SILT FENCE FROM FLOWING AROUND THE ENDS, EACH END SHALL BE CONSTRUCTED UPSLOPE SO THAT THE ENDS ARE AT A HIGHER ELEVATION.

4) WHERE POSSIBLE, SILT FENCE SHALL BE PLACED ON THE FLATTEST AREA AVAILABLE.

5) WHERE POSSIBLE, VEGETATION SHALL BE PRESERVED FOR 5 FT. (OR AS MUCH AS POSSIBLE) UPSLOPE FROM THE SILT FENCE. IF VEGETATION IS REMOVED, IT SHALL BE REESTABLISHED WITHIN 7 DAYS FROM THE INSTALLATION OF THE SILT FENCE.

6) THE HEIGHT OF THE SILT FENCE SHALL BE A MINIMUM OF 16 INCHES ABOVE THE ORIGINAL GROUND SURFACE.

7) THE SILT FENCE SHALL BE PLACED IN A TRENCH CUT A MINIMUM OF 6 INCHES DEEP. THE TRENCH SHALL BE CUT WITH A TRENCHER, CABLE LAYING MACHINE, OR OTHER SUITABLE DEVICE, WHICH WILL ENSURE AN ADEQUATELY UNIFORM TRENCH DEPTH.

8) THE SILT FENCE SHALL BE PLACED WITH THE STAKES ON THE DOWNSLOPE SIDE OF THE GEOTEXTILE AND SO THAT 8 INCHES OF CLOTH ARE BELOW THE GROUND SURFACE. EXCESS MATERIAL SHALL LAY ON THE BOTTOM OF THE 6–INCH DEEP TRENCH. THE TRENCH SHALL BE BACKFILLED AND COMPACTED.

9) SEAMS BETWEEN SECTION OF SILT SHALL BE OVERLAPPED WITH THE END STAKES OF EACH SECTION WRAPPED TOGETHER BEFORE DRIVING INTO THE GROUND.

10) MAINTENANCE – SILT FENCE SHALL ALLOW RUNOFF TO PASS ONLY AS DIFFUSE FLOW THROUGH THE GEOTEXTILE. IF RUNOFF OVERTOPS THE SILT FENCE, FLOWS UNDER OR AROUND THE ENDS, OR IN ANY OTHER WAY BECOMES A CONCENTRATED FLOW, ONE OF THE FOLLOWING SHALL BE PERFORMED, AS APPROPRIATE: 1) THE LAYOUT OF THE SILT FENCE SHALL BE CHANGED, 2) ACCUMULATED SEDIMENT SHALL BE REMOVED, OR 3) OTHER PRACTICES SHALL BE INSTALLED.

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

NO.	DATE	REVISION

STATE OF OHIO
MICHAEL N. ANDERSON
E-81188
REGISTERED PROFESSIONAL ENGINEER
4/3/2023

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3660
Fax: 937.438.3645

EROSION CONTROL DETAILS
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 3, 2023
SCALE: NTS
PROJECT No. 7929
FILE No.
SHEET NO.

8 of 8

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28



Exit Elevation
Scale: 3/16" = 1'-0"



Entrance Elevation
Scale: 3/16" = 1'-0"



Side Elevation
Scale: 3/16" = 1'-0"



Side Elevation
Scale: 3/16" = 1'-0"

FLYING ACE EXPRESS CAR WASH

SBA STUDIOS
ARCHITECTURAL DESIGN
614.562.7761 WWW.SBA-STUDIOS.COM

NOTE:
- 51 VEHICLE STACKING SPACES PROVIDED
- SITE TRAFFIC CONTROL TO BE PROVIDED BY FLYING ACE

CEDAR HILL DRIVE

DAYTON BRANDT PIKE

EX STRAIN POLE

EX SAN MH
TOP ELEV=960.81
N-E INV=944.89

TRAFFIC CONTROL PERSONNEL TO DIRECT TRAFFIC AWAY WHEN SITE STACKING IS FULL

EX STRAIN POLE

APPROX. LOC. EX WTR LINE

EX PYLON SIGN

EX LANDSCAPING

S84°21'22"E 133.40'

N77°57'51"E 124.30'

EX SAN MH
TOP ELEV=957.53
8" N-S INV=945.78

EX LANDSCAPING

EX BRICK SIGN

EX LANDSCAPING

N25°56'08"E 262.21'

PROPOSED
BUILDING
F.F. ELEV.=960.00

EX.WALL

N67°39'01"W 188.55'

N84°21'22"W 134.38'

7700 BRAND LLC
AN OHIO LIMITED LIABILITY COMPANY
I.R. DEED 11-057443
0.719 ACRES
ZONE: PC-PLANNED COMMERCIAL

WALMART PARKING LOT

LOT 1
SULPHER GROVE PLAZA SUBDIVISION
P.B. 191, PG. 16
24.4089 ACRES
ZONE: PC-PLANNED COMMERCIAL

STREAM

EX E/P SAN LINE

S05°38'38"W 262.87'

EX WOODED AREA

EX LANDSCAPING

WALMART PARKING LOT

ENTRANCE CONED OFF AND
TEMPORARY EXIT ONLY SIGNAGE

LOT 4
SULPHER GROVE PLAZA SUBDIVISION
P.B. 191, PG. 16
2.1283 ACRES
ZONE: PC-PLANNED COMMERCIAL

EX SAN MH
TOP ELEV=962.46
8" INV ELEV=951.23

GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3660
Fax: 937.438.3645

VEHICLE STACKING EXHIBIT 1
FLYING ACE CAR WASH
7730 BRANDT PIKE
LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: APRIL 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.
1 of 1

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, APR 02, 2023 - 16:00:28

\\va-dc1\data\CADD\Projects\Flying Ace Car Wash\Flying Ace Huber Brandt Pike\FA BRANDT PIKE BASE.DWG, MAR 28, 2023 - 09:50:27

CEDAR HILL DRIVE

DAYTON BRANDT PIKE

FIRE ROUTE CONED OFF

Smeal Aerial RM 105ft

S84°21'22"E 133.40'

N77°57'51"E 124.30'

N20°51'08"E 382.21'

S05°38'38"W 262.67'

N67°39'01"W 188.55'

N84°21'22"W 134.38'

ASPHALT PAVEMENT W/ CROSS HATCHED PAINT STRIPES

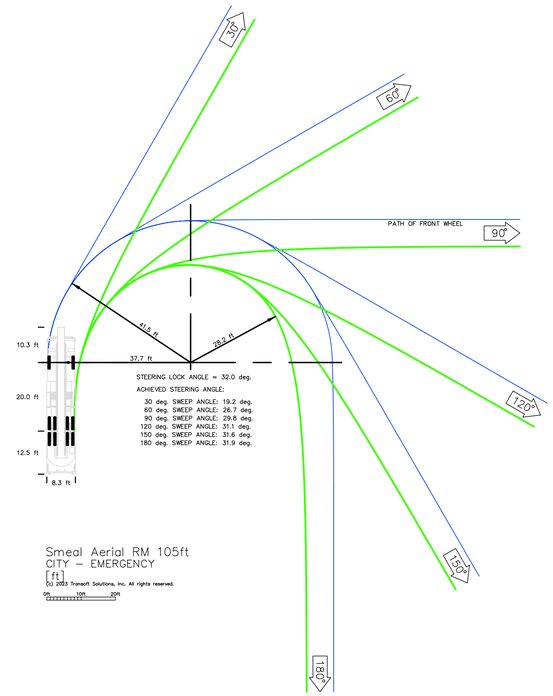
PROPOSED BUILDING
F.F. ELEV.=960.00

WALMART PARKING LOT

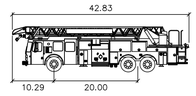
LOT 1
SULPHER GROVE PLAZA SUBDIVISION
P.B. 191, PG. 16
24.4089 ACRES
ZONE: PC-PLANNED COMMERCIAL

7700 BRAND LLC
AN OHIO LIMITED LIABILITY COMPANY
I.R. DEED 11-057443
0.719 ACRES
ZONE: PC-PLANNED COMMERCIAL

LOT 4
SULPHER GROVE PLAZA SUBDIVISION
P.B. 191, PG. 16
2.1283 ACRES
ZONE: PC-PLANNED COMMERCIAL



Smeal Aerial RM 105ft
CITY - EMERGENCY
[ft]
(c) 2023 Transoft Solutions, Inc. All rights reserved.
0 100 200



Smeal Aerial RM 105ft
feet

Width	: 8.33
Track	: 7.92
Lock to Lock Time	: 6.0
Steering Angle	: 32.0

GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION

VANATTA ENGINEERING
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.3660
Fax: 937.438.3645

FIRE EXHIBIT
FLYING ACE CAR WASH
7730 BRANDT PIKE

LOCATED IN
SECTION 17, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

DATE: MARCH 2023
SCALE: 1"=20'
PROJECT No. 7929
FILE No.
SHEET NO.

X of X

Memorandum

Staff Report for Meeting of April 11, 2023

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, City Planner

Date: April 4, 2023

Subject: Major Change to Basic Development Plan: MJC 23-07
(Flying Ace Car Wash – 7730 Brandt Pike)

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	Flying Ace Car Wash – Applicant Kronos Legacy LLC - Owner
DEVELOPMENT NAME:	Fly Ace Car Wash
ADDRESS/LOCATION:	7730 Brandt Pike
ZONING/ACREAGE:	Planned Commercial (PC) / 1.55 Acres
EXISTING LAND USE:	Vacant (former bank)
ZONING ADJACENT LAND:	North: PC & B-3 East: PC West: R-4 South: PC
REQUEST:	The applicant requests a major change to the Basic Development Plan (BDP) to raze the existing building and construct a new car wash facility.
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1171, 1176
CORRESPONDENCE:	In Favor – None Received In Opposition – One email received.

Overview

The applicant is proposing to purchase the former 5/3rd bank building at 7730 Brandt Pike and redevelop the site into a Flying Ace Car Wash. The applicant owns a number of Flying Ace facilities throughout the region, including the Merily Way location. A second location is expected to reduce traffic volume the Merily Way location sees during peak times, which will help alleviate the traffic issues at the Merily Way / Old Troy Pike intersection.

The applicant plans to demolish the existing vacant building and reuse the building pad and much of the parking area and travel lanes.

Note: The applicant has revised the site plan to accommodate Fire Department access requests by adding additional pavement at the entrance and north end of the building. The Fire Department has accepted these alterations. No other material changes to the plans have been made.

Site Characteristics

The site is one of three outparcels in the Sulphur Grove Shopping Center when Wal-Mart was constructed. The site is relatively flat and sits below the Brandt Pike roadway grade. Site access is from Cedar Hill Drive and an access road within the shopping center.

There are a number of restrictive covenants on this site imposed by Wal-Mart, which control building height, size, parking ratios and use. The Flying Ace Car Wash appear to satisfy the covenants.

Applicable Zoning Regulations

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1172 Planned Commercial District. Since the car wash use and building design is significantly different than the previous bank use, considers this application a major change to the Basic Development Plan.

Staff Analysis

Basic Development Plan Analysis:

The applicant proposes constructing a 4,500 SF car wash facility with vacuum stations. The building exterior is a mixture of cultured brick and metal siding. The applicant has stated this facility can process 120 vehicles hourly, during peak periods.

Conformance With Planned Commercial District Requirements:

Uses: Retail, office and commercial establishments are principal permitted uses.

Development Standards:

- The site plan meets all parking and building setback and yard requirements.

- There are existing street trees along Brandt Pike and Cedar Hill Dr.
- The applicant intends to reuse the existing parking lot lights. A lighting plan was not submitted with this application but will be reviewed as part of the detailed development plan application to ensure there is no direct lighting cast from wall packs on the west building side.
- The building design meets all exterior materials requirements.
- All utilities are below ground.

Parking and Loading:

- The code requires 1 space per employee, minimum 4; 2 spaces for drying / finishing; and 15 waiting spaces. This site plan illustrates:
    - 4 employee parking spaces, 1 handicap space
    - 20 vacuum spaces (drying / finishing)
    - 51 waiting spaces.

Landscaping:

- The applicant plans to use the existing landscaping, including the perimeter screening and buffering beds. The landscaping plan illustrates six new parking lot shade trees, new planting beds (Golden Spirea) along the west edge of the site, and new juniper bushes screening the driveway from Cedar Hill Drive. This plan appears to meet code.

Signs:

- The applicant plans to reuse or replace the existing monument sign with a similar structure in design and height. While the sign detail indicates the sign is 7'-6", the sign is installed on a sloping hillside. The sign height measured from the west side of the sign is close to 6' tall, which meets code.
- Two building signs are illustrated, while not dimensioned in the plans, appear to total less than 75 SF.

<u>Conformance with General Standards of Approval:</u>
Below is the staff analysis of conformance with the general standards of approval.

(a) Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;

It is staff's opinion that the proposal is consistent with the comprehensive plan and thoroughfare plan.

(b) Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;

While no schedule of development has been submitted, the applicant has stated to staff that they will initiate construction shortly after all plans are approved by the City and County.

(c) Is accessible from public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development. Further, the streets and driveways on the site of the proposed development shall be adequate to serve the residents or occupants of the proposed development;

The was considerable discussion about traffic and queuing between the applicant and city staff. This site can queue up to 51 vehicles, versus 31 at the Merily Way site. Staff has recommended a swing gate be installed along Cedar Hill Drive to clearly block the entrance on the handful of days the site is at capacity. Staff feels a closed gate, rather than cones, will significantly deter people from waiting along Cedar Hill Drive.

Based on similar experiences in Columbus, the applicant believes this second location will significantly improve the traffic issues faced at the Merily Way site during peak periods. Based on customer travel data shared by the applicant, staff strongly believes a second location will significantly improve the traffic queuing issues at the Merily Way location.

(d) Shall not impose an undue burden on public services such as utilities, fire and police protection, and schools;

Staff does not anticipate any undue burden on public services. The area has adequate utility and street capacity. As stated above, staff feels this location will improve traffic flow at Merily Way and Old Troy Pike intersection.

(e) Contains such proposed covenants, easements and other provisions relating to the proposed development standards as may reasonably be required for the public health, safety and welfare;

Any conditions imposed by the Planning Commission or City Council will be memorialized in the PUD legislation and remain in effect unless modified by the Planning Commission or City Council.

(f) Shall be landscaped or otherwise improved and the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the existing intended uses, and any part of a PUD not used for structures, parking and loading areas, or accessways;

The staff believes the site plan is generally well arranged, and internal circulation is efficient and compatible with the intended use. The applicant intends to augment the existing landscaping to provide additional screening around the parking and stacking areas. The landscaping, lighting and parking requirements will be reviewed with the Detailed Development application.

(g) Shall preserve natural features such as water courses, trees and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;

Based on plans submitted, all significant trees and natural features will be preserved.

(h) Is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;

This is a developed site and no grading is anticipated.

(i) Shall place underground all electric and telephone facilities, streetlight wiring and other wiring conduits and similar facilities in any development which is primarily designed for or occupied by dwellings, unless waived by the Commission because of technical reasons;

All utilities will be placed underground.

(j) Shall not create excessive additional requirements at public cost of public facilities and services and shall not be detrimental to the economic welfare of the community;

Staff does not anticipate any additional public services required to support this development.

(k) Shall not involve uses, activities, processes, materials, equipment and conditions of operation that shall be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and

All proposed uses are consistent with the Planned Commercial district. As discussed in this report and the pre-application meeting with Planning Commission, vehicle queuing is the primary concern, based on our experiences with the Merily Way site.

This site has significant advantages including the ability to stack 51 vehicles and three processing lanes. With the addition of a gate at Cedar Hill Drive, staff feels the negative impacts of queuing on peak days will be negated.

All lighting, glare, noise (from vacuums and external speakers) will be reviewed with the Detailed Development application.

(l) Rezoning of the land to the PUD District and approval of the development plan shall not adversely affect the public peace, health, morals, safety or welfare.

N/A

Additional Comments:

Fire: The Fire Department has approved this revised site access plan.

City Engineer: The engineer recommends a gate at the Cedar Hill Drive entrance.

Recommendation

Staff is extremely supportive of the major change to the Basic Development Plan. This use is permitted in the Planned Commercial District and appears to meet the restrictive covenants imposed by Wal-Mart. While it is not the city's responsibility to enforce private covenants, it is noteworthy because the covenants do limit the reuse of this site while Wal-Mart still occupies the shopping center.

Additionally, staff strongly believes a second Flying Ace location will reduce the traffic congestion issues occasionally plaguing the Merily Way location.

Staff recommends approval with the following condition:

- A gate shall be installed at the Cedar Hill Drive entrance.

Planning Commission Action

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

1) Recommend approval of the major change to the basic development plan application, with or without conditions.
2) Recommend denial of the major change to the basic development plan.
3) Table the application to gather additional information.

Planning Commission Decision Record

WHEREAS, on March 20, 2023, the applicant, Flying Ace Car Wash, requested approval of a Major Change to the Basic Development Plan to construct a new car wash facility. Property is located at 7730 Brandt Pike, further identified as Parcel Number P70 02114 0003 of the Montgomery County Auditor's Map (Case MJC 23-07), and;

WHEREAS, on April 11, 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.

Ms. Thomas moved to approve the request by the applicant, Flying Ace Car Wash, for approval of a Major Change to the Basic Development Plan. Property is located at 7730 Brandt Pike, (MJC 23-07) in accordance with the recommendation of Staff's Memorandum dated April 4, 2023, with the following conditions:

1. A gate shall be installed at the Cedar Hill Drive entrance.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Cassity, Mr. Jeffries, Ms. Thomas, and Mr. Walton. NAYS: Ms. Vargo. Motion to recommend approval carried 4-1.

_____ _____

Terry Walton, Chair Date
Planning Commission

Planning Commission
April 11, 2023, 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. Cassity, Mr. Jeffries, 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

None.

IV. Citizens Comments

None.

V. Swearing of Witnesses

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

VI. Pending Business

None.

VII. New Business

1. **REZONING - The applicant, STP HOLDINGS, LLC, is requesting approval of a Rezoning from O1 (Office) to B1 (Commercial) for a laundromat. Property is located at 6740 Brandt Pike (RZ 23-09).**

   Mr. Sorrell stated the applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

   The last tenant of the building was Bane Staffing. The site is well established with adequate parking and in overall good condition. The applicant is planning minor improvements to the site and building, but no substantial improvements are necessary. The site is on a major thoroughfare with a substantial number of multi-family units within close proximity.

   The applicable zoning regulations are Chapter 1130 – Amendments and Chapter 1153 B-1 Commercial District. There are few standards associated with the approval of a straight zoning map amendment outside of the Planned Development process.

The applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

Conformance with Comprehensive Plan
The City's comprehensive plan indicates the site is located in the Southtown pattern area. One of the key goals of this pattern is: "Focus on renovation, infill development, and incremental broadening of uses and housing types".

Staff feels the rezoning from O-1 General Office to B-1 Commercial District is consistent with the comprehensive plan. There has been less demand for office-restricted development, and we anticipate this trend will continue.

Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application. Rezoning to B-1, will broaden the potential uses that can reuse this building, which is in generally good condition on a key thoroughfare.

The Fire Department approves of the rezoning.

The engineer had no comments at this point in the review process.

Staff is supportive of the rezoning from O-1 General Office to B-1 Commercial District.

George Karras stated there would be advanced security system, hospital grade ozone. Water will go into sanitary system 20-24 washers and dryers, staffed, hours would be 7am to 9pm, out be 10:30pm.

Action

Mr. Jeffries moved to approve the request by the applicant, STP HOLDINGS, LLC, for approval of a Rezoning from O1 (Office) to B1 (Commercial) in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

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

2. **REZONING AND BASIC DEVELOPMENT PLAN - The applicant, RHM REAL ESTATE GROUP, is requesting approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan for approximately 300 residential units and commercial uses on approximately 22.3 acres. Property is located at 7125 Executive Blvd (RZ BDP 23-08).**

Mr. Sorrell stated the applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use. The basic development plan will facilitate the construction of approximately 300 residential townhome apartments on approximately 17 acres and four

commercial out lots on approximately 5 acres. This plan represents phase 1 & 2 and follows the takedown options the developer has with the city. Phases 3 & 4, the other half of the Lehman farm will require separate basic development plan approval.

At this point, the applicant has not submitted proposed covenants or deed restrictions. Staff recommends the following non-residential uses should be eliminated from permitted use list for this basic development plan:

- Filling stations
- Sweepstakes cafes
- Convenience store
- Self-Storage – Indoor Climate Controlled
- Car Wash

The applicant is proposing a mix of residential and commercial uses.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek.

The proposed development plan appears will direct the stream into the existing storm water system to allow development of the commercial area along Executive Blvd.

In general, the site slopes west to east. Two onsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity. Final stormwater calculations and required detention basins will be determined with the detailed development plan.

This phase of the development has two proposed entrances from Executive Boulevard that are aligned with existing access points and spaced in a manner where little traffic conflict points should exist. The site plan is designed to provide good connectivity to the commercial and residential areas.

The plans illustrate an emergency vehicle entrance from Loblolly Drive, along with a pedestrian connection to the neighborhood. Staff requested the pedestrian connection to increase connectivity between the neighborhood and the new commercial uses along Executive Boulevard.

Parking for the residential units is provided through a mixture of garages (360 spaces) and surface parking (161 spaces) for a total of 531 spaces. This is just over 1 space per bedroom, which equates to 1.77 spaces per unit. The code suggests a parking ratio of 2 spaces per unit, or 600 spaces. Staff is comfortable

with the parking proposal. As a comparison, the Marion Meadows (Heritage Commons) apartments have a parking ratio of 1.67 spaces per unit.

The proposed commercial area has approximately 178 spaces, which is a parking ratio of 1 space per 168 SF. This ratio exceeds the parking requirement for most commercial uses.

The proposal provides interior sidewalks and connections between the commercial and retail area, and to the northern neighborhood. Additionally, the applicant proposing a 10' multi-use path along Executive Boulevard.

A sign package was not submitted with the application. Signage will be addressed during the detailed development plan process.

The current layout meets all setback requirements.

The residential buildings are approximately 39' tall at their highest point.

No lighting plans were submitted, but a lighting plan will be required at the detailed development plan phase.

The applicant is aware of this requirement and will address it in the detailed development plans.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

The submitted renderings indicate a mixture of stone or brick highlights. The commercial architecture appears to be distinct from the farmhouse style of the residential units.

All utilities will be placed underground.

The residential open space will be owned by the apartment development owner.

No on-site fencing is proposed

This basic development plan application is for phase 1 and 2 of the overall development. The applicant has indicated they are looking to "fast-track" this development and would like to close on the property by mid-May if the rezoning and basic development plan are approved.

The applicant proposes a 15' setback / buffer area adjacent to Agriculturally zoned land, and a 20' setback adjacent to the R-7 residential area. R-7 allows multi-family development of up to 8-units per lot, with a building height not to exceed 2-1/2 stories or 35' feet.

The end units, at their highest point, are 38'-7". Staff recommends as a condition of approval, the applicant preserve the existing trees that abut properties along Scatter Root Place and Loblolly Drive. The existing vegetation provides better screening and buffering than new fences or landscaping will provide.

The commercial out lots will be reviewed at the detailed development plan phase, however the covenants indicate the commercial developments will comply with

Street trees will be required along Executive Boulevard as those sites are developed.

Staff recommends approval of the rezoning and Basic Development Plan to construct 300 residential units and four commercial out lots. Staff recommends the following conditions for approval:

1) The permitted uses shall be those outlined in Chapter 1179, excluding:
- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

2) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

3) The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Ms. Vargo asked about a sweepstakes café. Mr. Cassity asked if both projects rezoned to PM, large scale rezoning. Ms. Vargo asked about materials of buildings, in the detail plan. Mr. Jeffries sked about the Loblolly access, restrictions on self-storage, fast casual eating, not worrying about fast tracking. Ms. Vargo stated we have control of this land.
Mr. Sorrell added we can limit QSRs, eliminate drive throughs. Mr. Cassity agreed no drive throughs. Mr. Jeffries asked about west parcel 11 ft. expansion and Mr. Cassity asked about sidewalks being 5 ft. buffer between sidewalk and roadway. Mr. Jeffries asked about commercial to west being connected and garage parking.

Andrew Iarussi from RHM mentioned 6 – 12% masonry Horizon Line 11th hour, 45 days.

Ms. Vargo asked if all rentals and market rate. Mr. Iarussi stated like Parkview. 40 1 bedroom, 52 2 bedroom, and 8 3 bedrooms. Range from $1200 to $2000.

Mr. Cassity asked the difference in Horizon Line. Mr. Iarussi said high level density 150 units little more sprawled. Vision is density, lively, entertainment. No AirB&B,

Mr. Jeffries asked about Commercial up-front users. Restaurants, taverns, bars but will be user driven. Commitment from correct kind of users.

Mr. Cassity noted that a gate is mentioned, not final on secure gate.

The Commission added Drive Thru to the excluded uses.

Action

Ms. Cassity moved to approve the request by the applicant, RHM REAL ESTATE GROUP, for approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record as amended with the following conditions:

The permitted uses shall be those outlined in Chapter 1179, excluding:

- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Drive Thru and Drive Up windows
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

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

3. MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN - The applicant, FLYING ACE CAR WASH, is requesting approval of a Major Change to the Basic Development Plan to construct a new car wash facility. Property is located at 7730 Brandt Pike (MJC 23-07).

Mr. Sorrell stated the applicant is proposing to purchase the former 5/3rd bank building at 7730 Brandt Pike and redevelop the site into a Flying Ace Car Wash. The applicant owns a number of Flying Ace facilities throughout the region, including the Merily Way location. A second location is expected to reduce traffic volume the Merily Way location sees during peak times, which will help alleviate the traffic issues at the Merily Way / Old Troy Pike intersection.

The applicant plans to demolish the existing vacant building and reuse the building pad and much of the parking area and travel lanes.

Note: The applicant has revised the site plan to accommodate Fire Department access requests by adding additional pavement at the entrance and north end of the building. The Fire Department has accepted these alterations. No other material changes to the plans have been made.

The site is one of three outparcels in the Sulphur Grove Shopping Center when Wal-Mart was constructed. The site is relatively flat and sits below the Brandt Pike roadway grade. Site access is from Cedar Hill Drive and an access road within the shopping center.

There are a number of restrictive covenants on this site imposed by Wal-Mart, which control building height, size, parking ratios and use. The Flying Ace Car Wash appear to satisfy the covenants.

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1172 Planned Commercial District. Since the car wash use and building design is significantly different than the previous bank use, considers this application a major change to the Basic Development Plan.

The applicant proposes constructing a 4,500 SF car wash facility with vacuum stations. The building exterior is a mixture of cultured brick and metal siding. The applicant has stated this facility can process 120 vehicles hourly, during peak periods.

- The site plan meets all parking and building setback and yard requirements.
- There are existing street trees along Brandt Pike and Cedar Hill Dr.
- The applicant intends to reuse the existing parking lot lights. A lighting plan was not submitted with this application but will be reviewed as part of the detailed development plan application to ensure there is no direct lighting cast from wall packs on the west building side.
- The building design meets all exterior materials requirements.
- All utilities are below ground.

- The code requires 1 space per employee, minimum 4; 2 spaces for drying / finishing; and 15 waiting spaces. This site plan illustrates:
    - 4 employee parking spaces, 1 handicap space
    - 20 vacuum spaces (drying / finishing)
    - 51 waiting spaces.

- The applicant plans to use the existing landscaping, including the perimeter screening and buffering beds. The landscaping plan illustrates six new parking lot shade trees, new planting beds (Golden Spirea) along the west edge of the site, and new juniper bushes screening the driveway from Cedar Hill Drive. This plan appears to meet code.

- The applicant plans to reuse or replace the existing monument sign with a similar structure in design and height. While the sign detail indicates the sign is 7’-6”, the sign is installed on a sloping hillside. The sign height measured from the west side of the sign is close to 6’ tall, which meets code.
- Two building signs are illustrated, while not dimensioned in the plans, appear to total less than 75 SF.

It is staff’s opinion that the proposal is consistent with the comprehensive plan and thoroughfare plan.

While no schedule of development has been submitted, the applicant has stated to staff that they will initiate construction shortly after all plans are approved by the City and County.

The was considerable discussion about traffic and queuing between the applicant and city staff. This site can queue up to 51 vehicles, versus 31 at the Merily Way site. Staff has recommended a swing gate be installed along Cedar Hill Drive to clearly block the entrance on the handful of days the site is at capacity. Staff feels a closed gate, rather than cones, will significantly deter people from waiting along Cedar Hill Drive.

Based on similar experiences in Columbus, the applicant believes this second location will significantly improve the traffic issues faced at the Merily Way site during peak periods. Based on customer travel data shared by the applicant, staff strongly believes a second location will significantly improve the traffic queuing issues at the Merily Way location.

Staff does not anticipate any undue burden on public services. The area has adequate utility and street capacity. As stated above, staff feels this location will improve traffic flow at Merily Way and Old Troy Pike intersection.

Any conditions imposed by the Planning Commission or City Council will be memorialized in the PUD legislation and remain in effect unless modified by the Planning Commission or City Council.

The staff believes the site plan is generally well arranged, and internal circulation is efficient and compatible with the intended use. The applicant intends to augment the existing landscaping to provide additional screening around the parking and stacking areas. The landscaping, lighting and parking requirements will be reviewed with the Detailed Development application.

Based on plans submitted, all significant trees and natural features will be preserved.

This is a developed site and no grading is anticipated.

All utilities will be placed underground.

Staff does not anticipate any additional public services required to support this development.

All proposed uses are consistent with the Planned Commercial district. As discussed in this report and the pre-application meeting with Planning Commission, vehicle queuing is the primary concern, based on our experiences with the Merily Way site.

This site has significant advantages including the ability to stack 51 vehicles and three processing lanes. With the addition of a gate at Cedar Hill Drive, staff feels the negative impacts of queuing on peak days will be negated.

All lighting, glare, noise (from vacuums and external speakers) will be reviewed with the Detailed Development application.

The Fire Department has approved this revised site access plan.

The engineer recommends a gate at the Cedar Hill Drive entrance.

Staff is extremely supportive of the major change to the Basic Development Plan. This use is permitted in the Planned Commercial District and appears to meet the restrictive covenants imposed by Wal-Mart. While it is not the city's responsibility to enforce private covenants, it is noteworthy because the covenants do limit the reuse of this site while Wal-Mart still occupies the shopping center.
Additionally, staff strongly believes a second Flying Ace location will reduce the traffic congestion issues occasionally plaguing the Merily Way location.

Staff recommends approval with the following condition:

- A gate shall be installed at the Cedar Hill Drive entrance.

Lengthy discussion on the stacking, entrance/exit flow, gate, backing up on Cedar Hill Drive, left onto Cedar Hill Drive, right in/right out, signage on Brandt Pike side.

Mike Anderson from Van Atta Engineering
The signage on the building is a mural, their concept. The gate will be discussed with Engineering, no stacking onto Cedar Hill Dr., permanent traffic patterns. Mr. Cassity asked if both lanes are stacked full, refuse new customers. Mr. Jeffries stated the gate be prominent.

Aleta George was present and stated Stonehurst is a headache already now more congestion, no turn lane on Stonehurst.

Action

Ms. Thomas moved to approve the request by the applicant**,** FLYING ACE CAR WASH, for approval of a Major Change to the Basic Development Plan to construct a new car wash facility in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Cassity, Mr. Jeffries, Ms. Thomas, and Mr. Walton. NAYS: Ms. Vargo. Motion to approve carried 4-1.

VIII. Additional Business

Residential exterior materials discussion

Mr. Sorrell asked the commission to look at and think about current building materials for further discussion later.

IX. Approval of the Minutes

Without objection, the minutes of the March 14, 2023, Planning Commission meeting are approved.

Mr. Jeffries asked to take another look at Sheetz, Mr. Sorrell said RHM is looking at all of it as a whole. That way we will have a full picture of the area. Curb cuts won't change.

X. Reports and Calendar Review

XI. Upcoming Meetings

May 9, 2023
June 13, 2023

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:53 p.m.

Terry Walton, Chair **Date**

Geri Hoskins, Administrative Secretary **Date**

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 7730 BRANDT PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 02114 0003 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE MJC 23-07).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case MJC 23-07 and on April 11, 2023 recommended approval by a vote of 4-1 of the Major Change to the Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Major Change to the Basic Development Plan is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. A gate shall be installed at the Cedar Hill Drive entrance.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the_____day of_____, 2023;
_____Yeas;_____Nays.

Effective Date:

AUTHENTICATION:

_____	_____
Clerk of Council	Mayor
_____	_____
Date	Date

AI-9138 **Topics of Discussion** **M.**

Council Work Session

Meeting Date: 04/20/2023

Case RZ BDP 23-08 - RHM Real Estate Group - Rezoning/Basic Development Plan - 7125 Executive Boulevard

Submitted By: Geri Hoskins

Department: Planning **Division:** Planning

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: SmartBoard **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Case RZ BDP 23-08 - RHM Real Estate Group - Rezoning/Basic Development Plan - 7125 Executive Boulevard

Purpose and Background

The applicant, RHM Real Estate Group, is requesting approval of a Rezoning of approximately 43 acres from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan for approximately 300 residential units and four commercial out lots (Case RZ BDP 23-08).

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Drawings
Fire Assessment
Traffic Information
Staff Report
Decision Record
Minutes
Ordinance

HUBER HEIGHTS

RHM REAL ESTATE GROUP
HUBER HEIGHTS, OH
SCHEMATIC DESIGN SET



A101

HUMPHREYS & **PARTNERS** ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

COVER SHEET

April 5, 2023

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



A102

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

PERSPECTIVE

April 5, 2023

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



A103

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

PERSPECTIVE

April 5, 2023

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



Huber Heights- PHASE I SCH I					RHM Real Estate Group		22435
UNIT TABULATION - 2 STORY BIG HOUSE							3/20/23
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	BED COUNT	UNIT PERCENTAGE	TOTAL AREA	% BREAKDOWN
A1-L	1br/1ba	684	30	30	10%	20,520	40%
A1-U	1br/1ba	760	30	30	10%	22,800	
A2-U	1br/1ba	891	60	60	20%	53,460	
B1-U	2br/2ba	1,162	60	120	20%	69,720	52%
B2-L	2br/2ba	1,171	48	96	16%	56,208	
B2-U	2br/2ba	1,287	48	96	16%	61,776	
C1-L	3br/2ba	1,353	12	36	4%	16,236	8%
C1-U	3br/2ba	1,450	12	36	4%	17,400	
TOTALS			300	504	100%	318,120	

UNIT AVERAGE NET SF : 1,060

* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.

PROJECT DATA

UNIT AVERAGE NET SF :	1,060 S.F.	
ACREAGE:	17.00 GROSS ACRES	
	17.60 GROSS ACRES	(WITH POND)
DENSITY:	18 UNITS/ACRE	
RESIDENTIAL PARKING:		
REQUIRED	504 SPACES	
PROVIDED	531 TOTAL SPACES	
	161 SURFACE SPACES	
	10 ACCESIBLE SPACES	
	120 TANDEM SPACES	
	360 BH ATTACHED GARAGES	
	1.77 SPACES/UNIT WITHOUT TANDEM	
	2.17 SPACES/UNIT WITH TANDEM	

COMERCIAL AREA PARKING
5 SPACES REQUIRED EVERY 1000 SQ FT RETAIL AREA
150 SPACES REQUIRED
178 SPACES PROVIDED

RESIDENTIAL OPEN AREA 5.45 ACRE
31.5% OF TOTAL ACREAGE

26' WIDE FIRE ACCESS DRIVE LANE
GREATER THAN 35' OUTSIDE RADIUS CURBS FOR FIRE ACCESS

SCALE: 1" = 60' - 0" (24"x36" SHEET)

0' 60' 120' 240'

N

A201

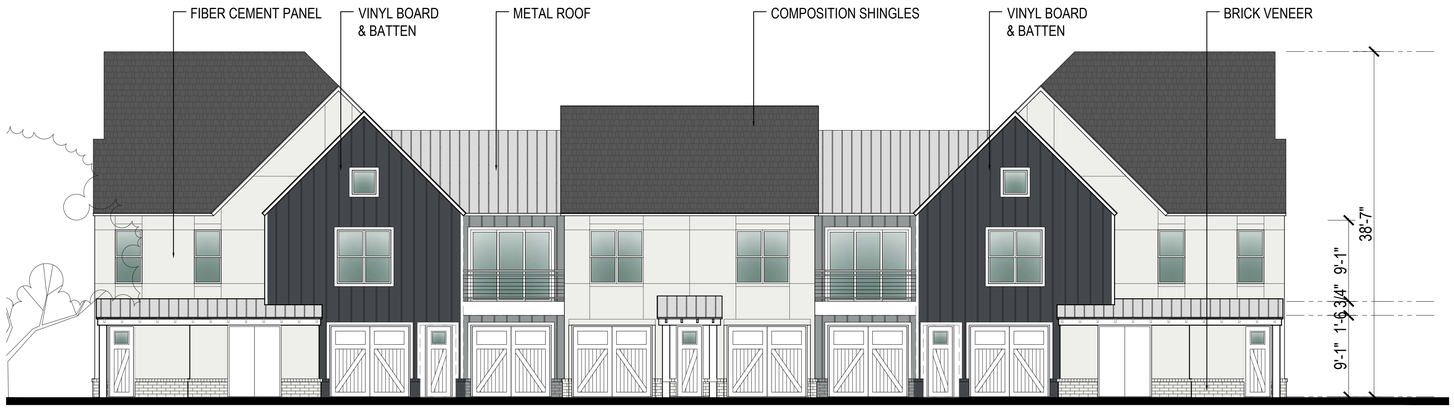
HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

ARCHITECTURAL SITEPLAN
SCHEME 09
March 30, 2023

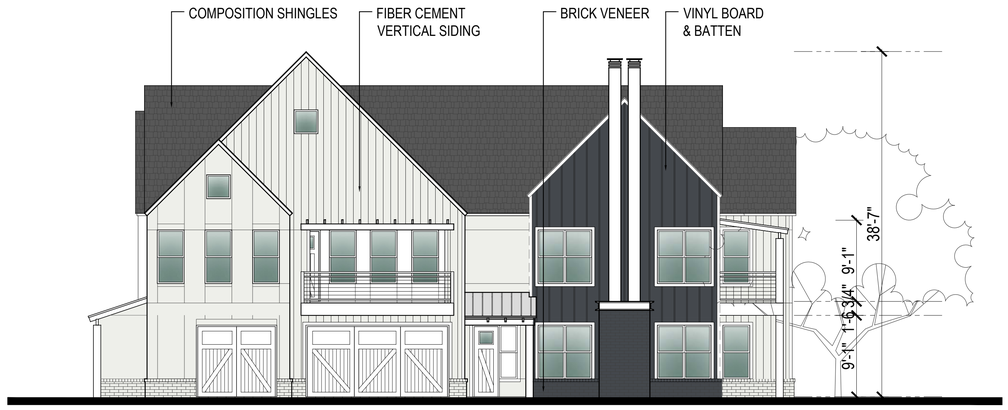
Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



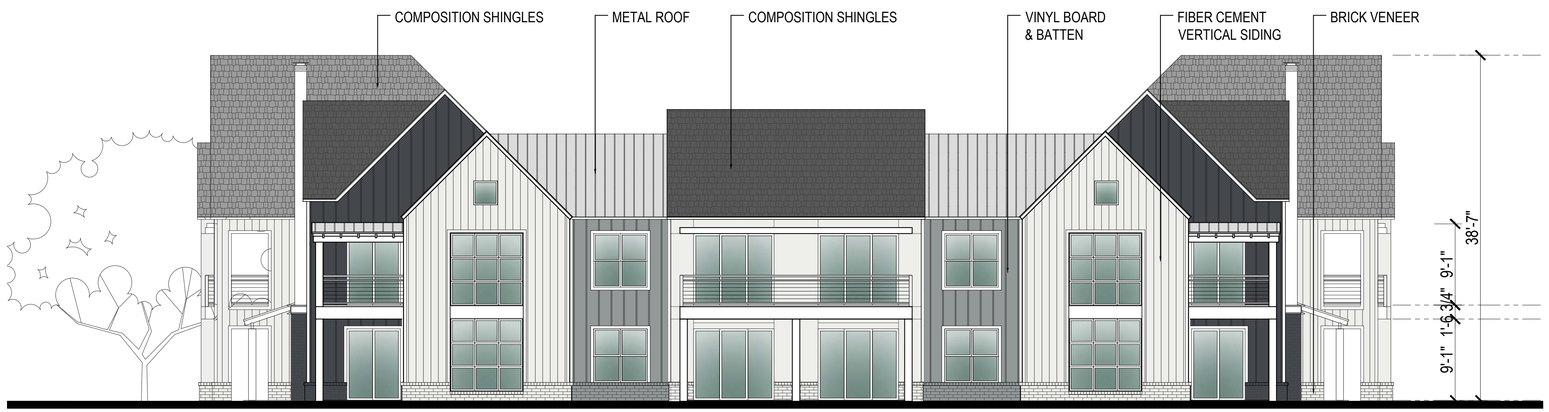
FRONT ELEVATION

BRICK VENEER: 6%



SIDE ELEVATION

BRICK VENEER: 12%



REAR ELEVATION

BRICK VENEER: 11%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE I - ELEVATIONS

April 5, 2023

A413 OP01

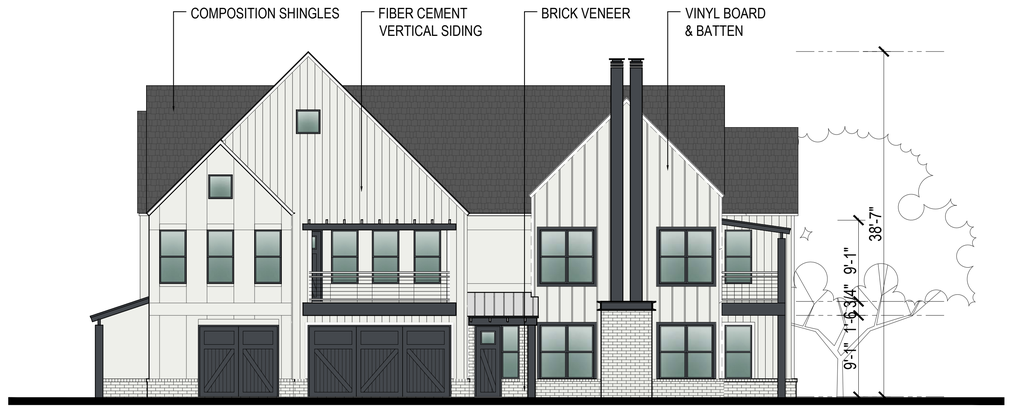
Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



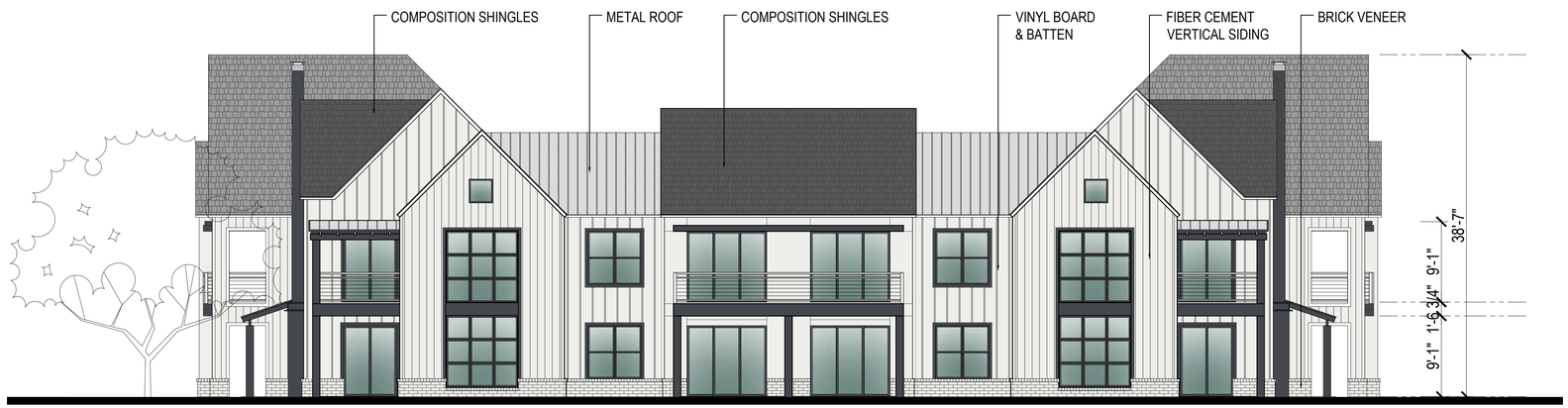
FRONT ELEVATION

BRICK VENEER: 6%



SIDE ELEVATION

BRICK VENEER: 12%



REAR ELEVATION

BRICK VENEER: 11%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

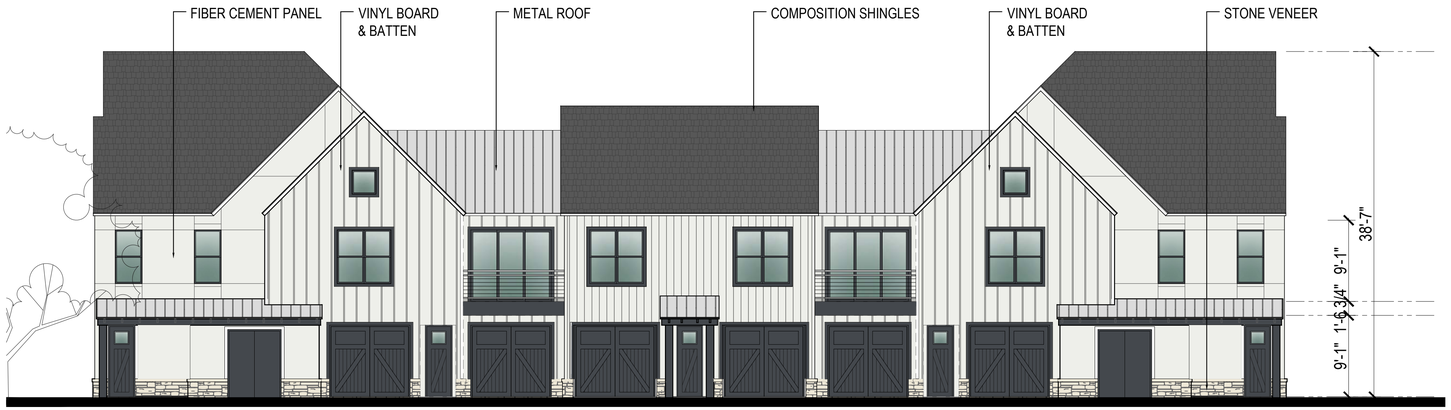
BLDG TYPE I - ELEVATIONS

April 5, 2023

A413 OP02

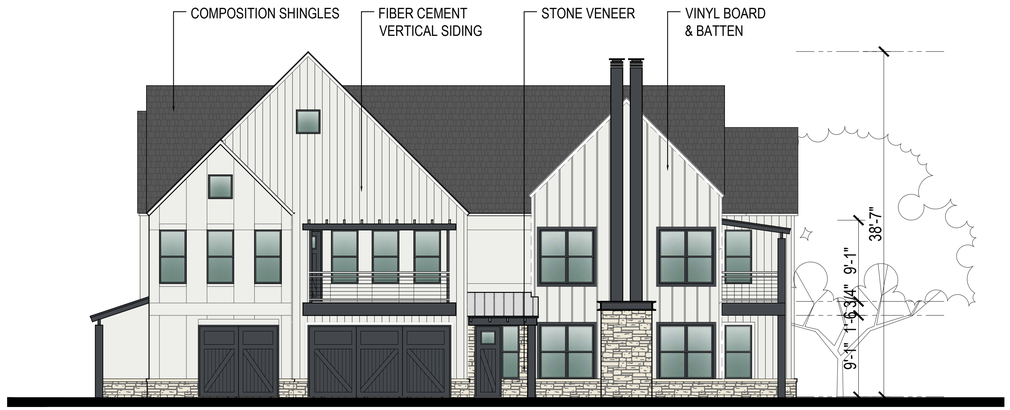
Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



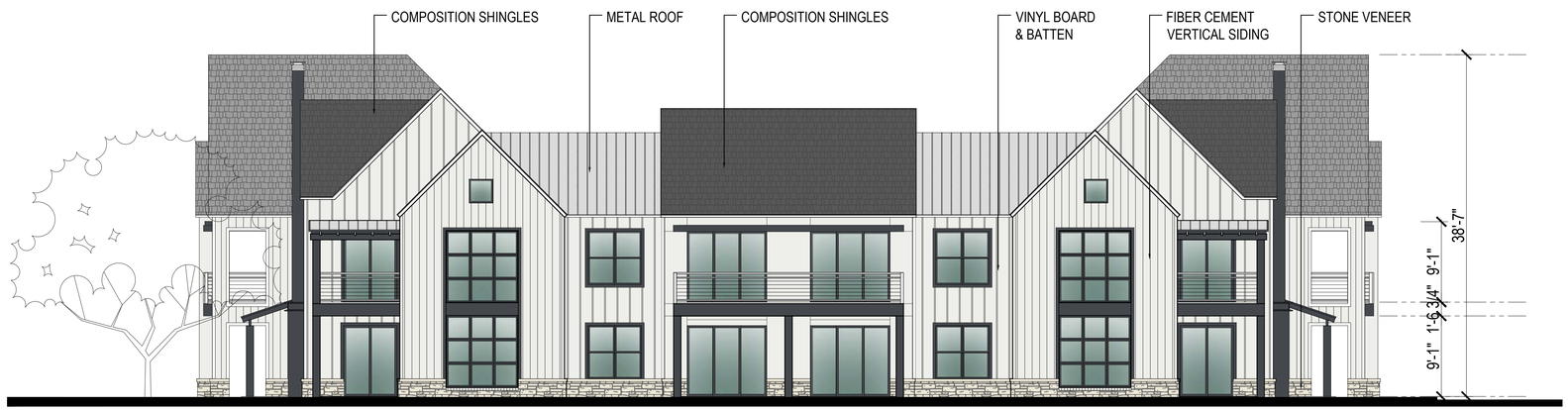
FRONT ELEVATION

BRICK VENEER: 6%



SIDE ELEVATION

BRICK VENEER: 12%



REAR ELEVATION

BRICK VENEER: 11%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE I - ELEVATIONS

April 5, 2023

A413 OP03

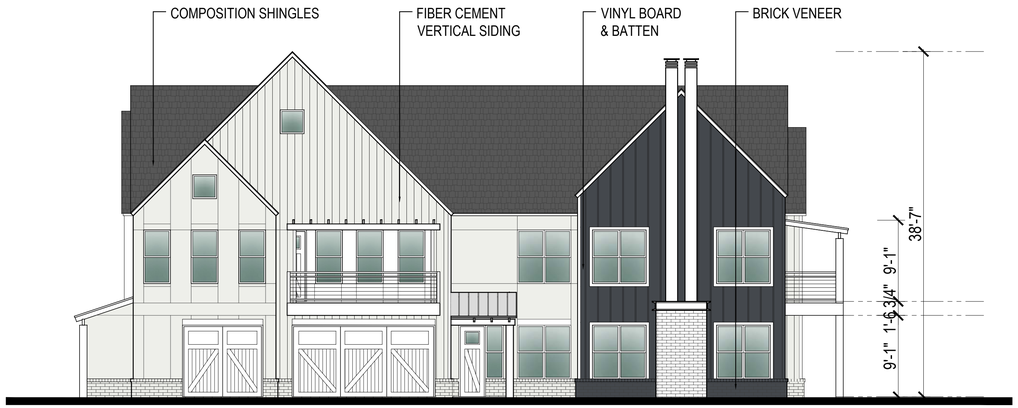
Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



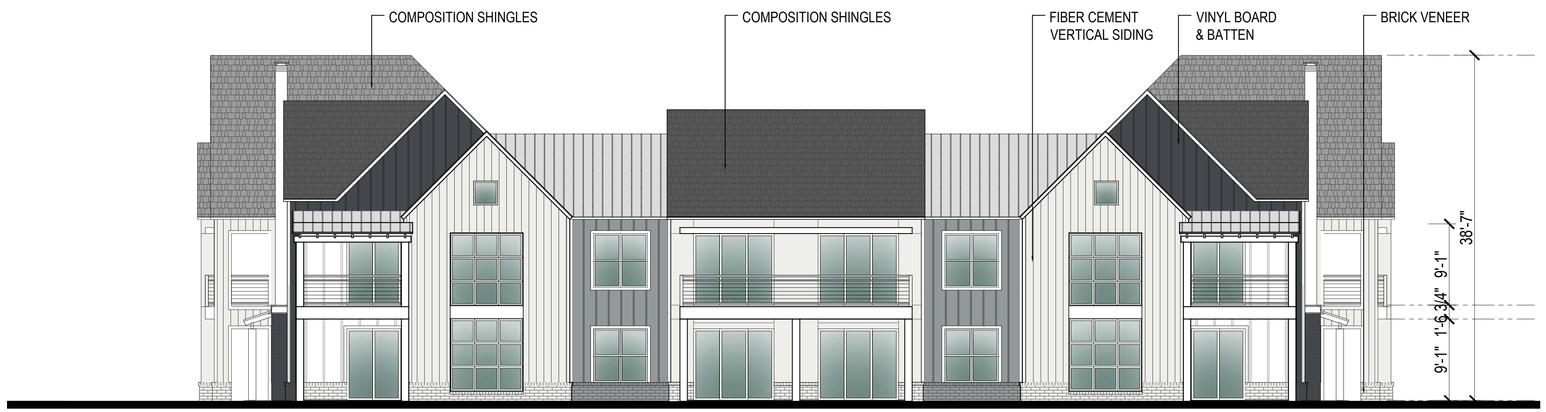
FRONT ELEVATION

BRICK VENEER: 6%



SIDE ELEVATION

BRICK VENEER: 12%



REAR ELEVATION

BRICK VENEER: 11%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE II - ELEVATIONS

April 5, 2023

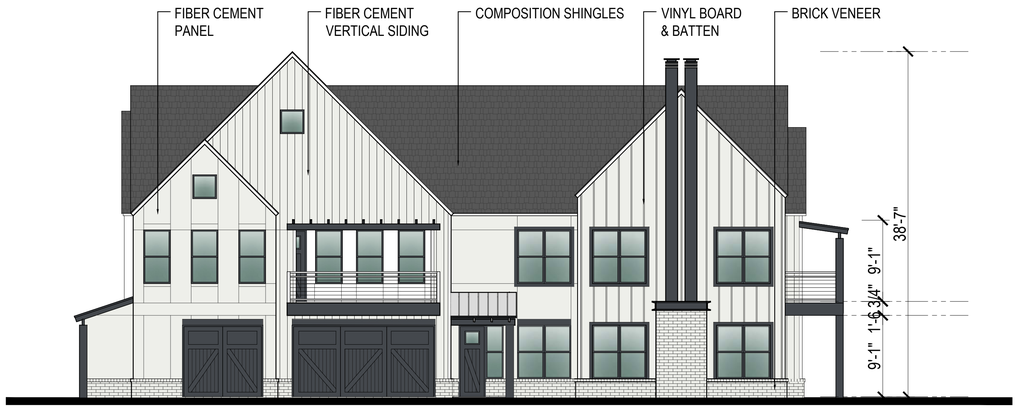
A423 OP01

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE II - ELEVATIONS

April 5, 2023

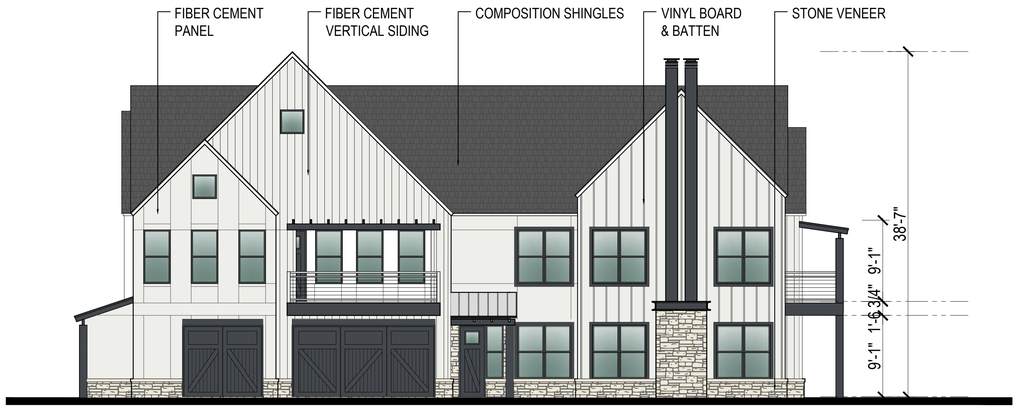
A423 OP02

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0' 16' 32' 64'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

BLDG TYPE II - ELEVATIONS

April 5, 2023

A423 OP03

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

HUMPHREYS & **PARTNERS** ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

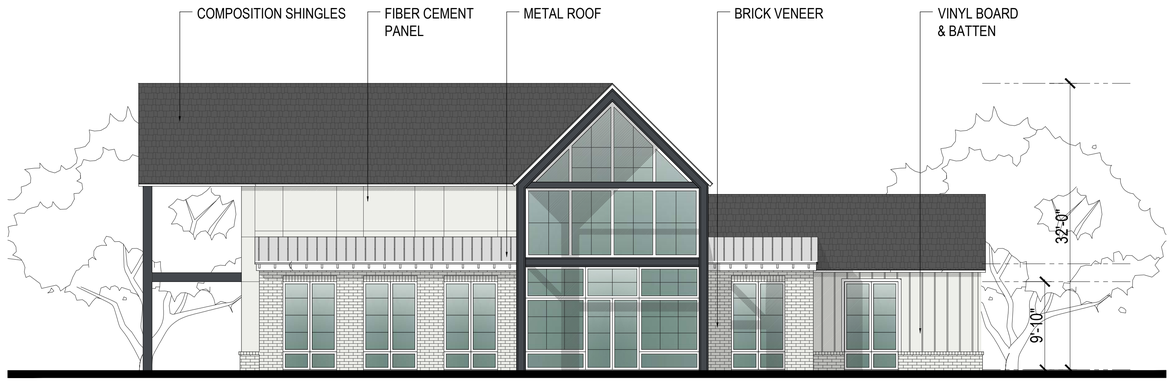
RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

RETAIL BUILDINGS ELEVATIONS

April 5, 2023

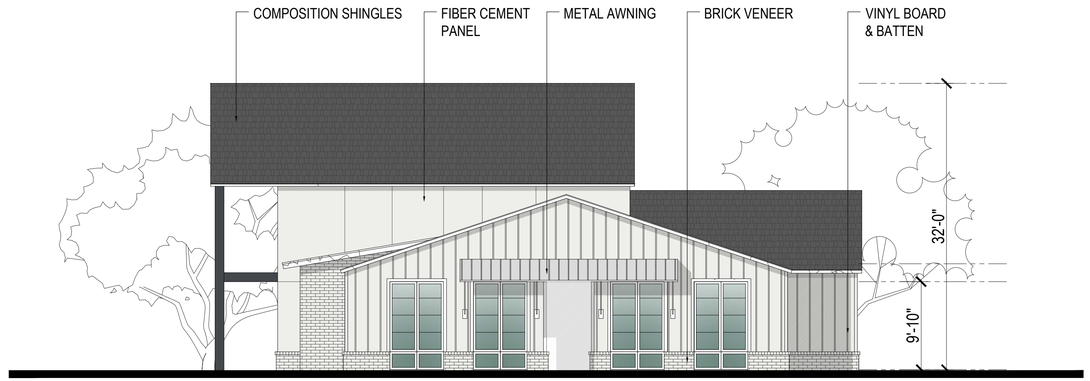
Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.



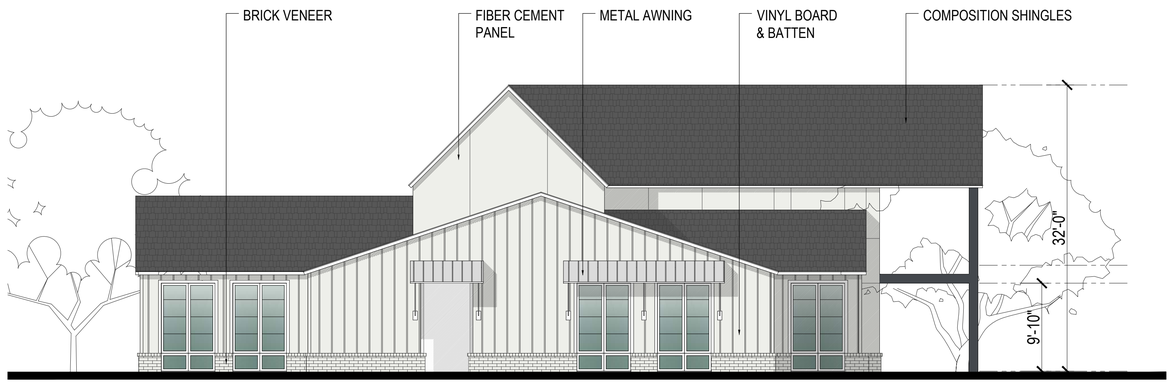
BRICK VENEER: 45%

FRONT ELEVATION



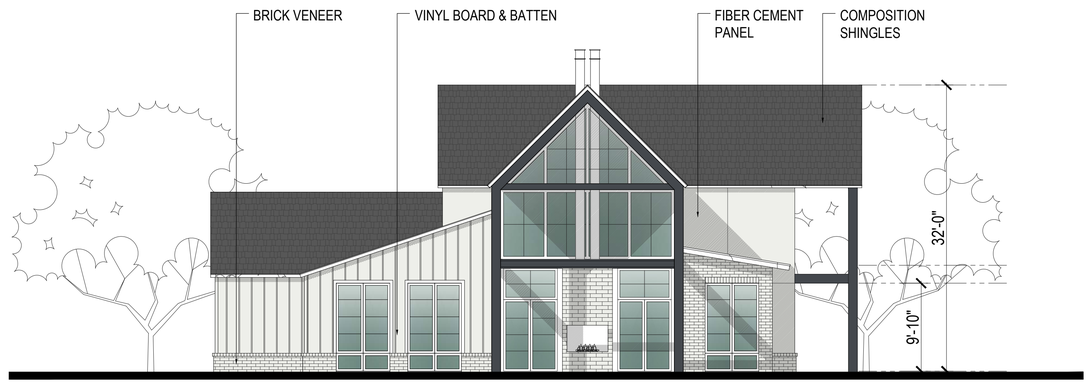
BRICK VENEER: 17%

RIGHT ELEVATION



BRICK VENEER: 11%

REAR ELEVATION



BRICK VENEER: 33%

LEFT ELEVATION

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

0' 8' 16' 32'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

RHM REAL ESTATE GROUP
MANAGE • DEVELOP • INVEST

CLUB HOUSE ELEVATION

April 5, 2023

A803

Huber Heights
Huber Heights, OH
HPA# 22435

© 2022 by HUMPHREYS & PARTNERS ARCHITECTS, LP The arrangements depicted herein are the sole property of Humphreys & Partners Architects, LP and may not be reproduced in any form without its written permission. Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.

Huber Heights Fire Division

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

Occupancy Name:	RHM Development – Preliminary
Occupancy Address:	7125 Executive Boulevard

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

MCBR BLD:	Not Yet Assigned	HH P&D:	
MCBR MEC:		HHFD Plan:	
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	4/4/2023

Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices

These comments are based only on the proposed site work, fire department access and basic fire protection concept at this time. The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2017, and the Huber Heights Codified Ordinance. Based on the drawings provided the following requirements need to be met.

- **Please review requirements for fire service features in Ohio Fire Code (OFC), Rule 5.**
- **Fire apparatus access roads will need to comply with OFC 503 as well as the adopted appendices from the OFC (2017) and the Huber Heights Codified Ordinance (HHCO) Section 15. (*Submitted drawings were not to scale therefore access road widths and turn radius were not able to be checked.)***
- **Additional access is required to the residential portion of project. Refer to OFC 503.1.2 and Appendix D106.1. Plus, OFC Appendix D106.2 which requires multi-family residential developments with more than 200 dwelling units shall have two separate and approved fire access roads regardless of whether they are equipped with an approved automatic sprinkler system.**
- **Buildings where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, shall be provided with approved aerial fire apparatus access roads. OFC Appendix D105.1. Refer to D105.2,**

D105.3 and D105.4 for additional requirements. ***(D105.1 also includes guidance on how the height shall be measured.)***

- **The minimum drive width shall be 26 feet with fire hydrants. OFC Appendix D103.1.** ***(Boulevard lanes may need to be widened depending on proposed size.)***
- **The turning radius for fire department access roads shall meet requirements for Huber Heights Fire Division (HHFD) vehicles. Contact HHFD to obtain information. OFC 503.2.4 and Appendix D103.3.**
- **Fire department access roads shall not have dead ends over 150 feet without an approved turnaround. OFC 503.2.5 and Appendix D103.4.**
- **The water supply for fire protection shall meet the requirements of OFC 507 and Appendix B. Calculations and findings will need to be determined and provided. Water Main and hydrant extension sizes and spacing will also need to be shown in detail. Fire flow requirements shall be determined in accordance with Ohio Fire Code, Appendix B, Fire Flow Requirements for Buildings. Once the fire flow has been determined the minimum number of required fire hydrants can be confirmed.** ***(Building Construction Classification and Square Footage will need to be determined first).***
- **Fire hydrant spacing shall also meet the requirements of HHCO 1521.** ***(Utility drawing has not been provided.)***
- **Buildings provided with fire sprinkler systems will need to have a fire department connection located within 75 feet of a fire hydrant in accordance with Huber Heights Codified Ordinance 1521.01(e). The connection shall be a 4" Storz fitting with a 30-degree turn-down**

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

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 2017 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.

EXECUTIVE BOULEVARD DEVELOPMENT

CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

Newbauer Development Trips

Land Use Description	ITE Code	Size	Unit	Weekday				AM Peak Hour							PM Peak Hour						
				Total Trips	Primary Trips			Total Trips	Primary Trips			Pass-By Trips			Total Trips	Primary Trips			Pass-By Trips		
					Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting
Multifamily Housing (Low-Rise)	220	300	Dwelling Units	1,998	1,998	999	999	116	116	28	88	0	0	0	150	150	94	56	0	0	0
Directional Distributions						*50%*	*50%*			*24%*	*76%*		*0%*	*0%*			*63%*	*37%*		*0%*	*0%*
TOTALS				**1,998**	**1,998**	**999**	**999**	**116**	**116**	**28**	**88**	**0**	**0**	**0**	**150**	**150**	**94**	**56**	**0**	**0**	**0**

RHM Development Phase 1 Trips

Land Use Description	ITE Code	Size	Unit	Weekday				AM Peak Hour							PM Peak Hour						
				Total Trips	Primary Trips			Total Trips	Primary Trips			Pass-By Trips			Total Trips	Primary Trips			Pass-By Trips		
					Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting
Multifamily Housing (Low-Rise)	220	300	Dwelling Units	1,998	1,998	999	999	116	116	28	88	0	0	0	150	150	94	56	0	0	0
Directional Distributions						*50%*	*50%*			*24%*	*76%*		*0%*	*0%*			*63%*	*37%*		*0%*	*0%*
Strip Retail Plaza	822	30,000	Square Feet	1,496	1,496	748	748	71	71	42	29	0	0	0	198	198	99	99	0	0	0
Directional Distributions						*50%*	*50%*			*60%*	*40%*		*0%*	*0%*			*50%*	*50%*		*0%*	*0%*
Sub-Totals				3,494	3,494	1,747	1,747	187	187	70	117	0	0	0	347	347	193	154	0	0	0
Internal Capture (10%)				349	349	175	175	19	19	7	12	0	0	0	35	35	19	15	0	0	0
TOTALS				**3,145**	**3,145**	**1,572**	**1,572**	**168**	**168**	**63**	**105**	**0**	**0**	**0**	**313**	**313**	**174**	**139**	**0**	**0**	**0**

RHM Development Phase 2 Trips

Land Use Description	ITE Code	Size	Unit	Weekday				AM Peak Hour							PM Peak Hour						
				Total Trips	Primary Trips			Total Trips	Primary Trips			Pass-By Trips			Total Trips	Primary Trips			Pass-By Trips		
					Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting
Multifamily Housing (Low-Rise)	220	230	Dwelling Units	1,550	1,550	775	775	94	94	23	71	0	0	0	119	119	75	44	0	0	0
Directional Distributions						*50%*	*50%*			*24%*	*76%*		*0%*	*0%*			*63%*	*37%*		*0%*	*0%*
Strip Retail Plaza	822	23,000	Square Feet	1,200	1,200	600	600	54	54	33	21	0	0	0	152	152	76	76	0	0	0
Directional Distributions						*50%*	*50%*			*60%*	*40%*		*0%*	*0%*			*50%*	*50%*		*0%*	*0%*
Sub-Totals				2,750	2,750	1,375	1,375	148	148	56	92	0	0	0	271	271	151	120	0	0	0
Internal Capture (10%)				275	275	138	137	15	15	6	9	0	0	0	27	27	15	12	0	0	0
TOTALS				**2,475**	**2,475**	**1,238**	**1,237**	**134**	**134**	**50**	**83**	**0**	**0**	**0**	**244**	**244**	**136**	**108**	**0**	**0**	**0**

***Phase 2 matches the density of Phase 1**

Sheetz Gas Station Trips

Land Use Description	ITE Code	Size	Unit	Weekday				AM Peak Hour							PM Peak Hour						
				Total Trips	Primary Trips			Total Trips	Primary Trips			Pass-By Trips			Total Trips	Primary Trips			Pass-By Trips		
					Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting		Total	Entering	Exiting	Total	Entering	Exiting
Convenience Store/Gas Station	945	16	Vehicle Fueling Positions	4,242	4,242	2121	2,121	257	103	51	52	154	77	77	295	130	64	66	165	82	83
Directional Distributions						*50%*	*50%*			*50%*	*50%*	*60%*	*50%*	*50%*			*50%*	*50%*	*56%*	*50%*	*50%*
TOTALS				**4,242**	**4,242**	**2,121**	**2,120**	**257**	**103**	**51**	**51**	**154**	**77**	**77**	**295**	**130**	**64**	**65**	**164**	**82**	**83**

RECEIVED
APR 06 2023
By 23-08

Memorandum

Staff Report for Meeting of April 11, 2023

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, City Planner
Community Planning Insights

Date: April 4, 2023

Subject: BDP 23-08 7125 Executive Blvd
Rezoning and Basic Development Plan

Application dated March 31, 2023

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	RHM Real Estate Group - Applicant City of Huber Heights - Owner
DEVELOPMENT NAME:	7125 Executive Boulevard
ADDRESS/LOCATION:	7125 Executive Boulevard
ZONING/ACREAGE:	PEP - Planned Employment Park / ~43 Acres
EXISTING LAND USE:	Vacant land / Agriculture
ZONING ADJACENT LAND:	A & PM – North; PM – South; A – East; R-7 & PEP - West
REQUEST:	The applicant requests approval of a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use; and approval of a Basic Development Plan containing approximately 300 residential units and commercial uses on approximately 22.3 acres.
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1171, 1179
CORRESPONDENCE:	In Favor – None received In Opposition – None received

STAFF ANALYSIS AND RECOMMENDATION:

Overview:
The applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use. The basic development plan will facilitate the construction of approximately 300 residential townhome apartments on approximately 17 acres and four commercial out lots on approximately 5 acres. This plan represents phase 1 & 2 and follows the takedown options the developer has with the city. Phases 3 & 4, the other half of the Lehman farm will require separate basic development plan approval.

Applicable Zoning Regulations
The applicable zoning chapters include: 1171 General Provisions, 1179 Planned Mixed Use District, 1181 General Provisions, 1189 Signs. The relevant sections are cited and discussed below:

Chapter 1171 General Provisions

1171.01 Purpose.

Planned Unit Developments Districts may be permitted as amendments to the zoning map, after application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. The provisions of this chapter are adopted to unify planning and development in such districts. Applications for rezoning of land into a Planned Unit Development District shall be granted only when the basic development plan for the project is such that the public health, safety and morals shall not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district. PUD rezonings may be approved only when a basic development plan for the area has been approved by Council. A detailed development plan shall then be approved for zoning permit to be approved for development in the District. Normally the detailed development plan shall be approved by the Planning Commission after the rezoning and basic development plan have been approved by Council. Owners shall have the option however, of submitting a combined basic and detailed development plan ("combined development plan") if they should so desire for some or all of the site.

(Ord. 93-O-602, Passed 3-22-93)

1171.05 Contents of basic development plan.

(a) The basic development plan shall consist of at least the following information together with such other data and materials as may be required by the City:

(1) Site plan showing the actual shape and dimensions of the lot to be built upon or to be changed in its use together with the location of the existing and proposed structures with approximate square footages, number of stories including heights of structures;

(2) Typical elevation views of the front and side of each type of building;

(3) Planning location and dimensions of all proposed drives, service access road, sidewalks and curb openings;

(4) Parking lot areas (show dimensions of a typical parking space), unloading areas, fire lanes and handicapped parking;

(5) Landscaping plan, walls and fences;

(6) Storm water detention and surface drainage;

(7) Exterior lighting plan;

(8) Vehicular circulation pattern;

(9) Location and square footage of signs;

(10) Topographic survey; and

(11) Listing of proposed uses taken from the list of permitted and special uses of the PUD zoning district to which rezoning is being sought.

(b) The Planning Commission shall schedule both the proposed rezoning and the issue of approval of the basic development plan for a combined public hearing, following which it shall make its recommendation indicating approval, approval with modification or disapproval.

(Ord. 2006-O-1655, Passed 9-25-05)

Development Standards Analysis:

1179.06 Development standards.

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:

(a) Minimum Land Area Requirement. A minimum of 20 acres shall be required.

The area proposed to be rezoned to PM is approximately 43 acres.

(b) Covenants. The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.

At this point, the applicant has not submitted proposed covenants or deed restrictions. Staff recommends the following non-residential uses should be eliminated from permitted use list for this basic development plan:

- Filling stations
- Sweepstakes cafes
- Convenience store

- Self-Storage – Indoor Climate Controlled
- Car Wash

(c) Required Mix of Land Uses. A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.

The applicant is proposing a mix of residential and commercial uses.

(d) Site Planning.

(1) The combination of different uses, whether as part of one building or as part of the overall development, shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor or any other annoyances for any uses within the development or neighboring properties.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

(2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek.

The proposed development plan appears will direct the stream into the existing storm water system to allow development of the commercial area along Executive Blvd.

In general, the site slopes west to east. Two onsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity. Final stormwater calculations and required detention basins will be determined with the detailed development plan.

(3) The number of ingress and egress points onto the public streets shall be limited in order to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.

This phase of the development has two proposed entrances from Executive Boulevard that are aligned with existing access points and spaced in a manner where little traffic conflict points should exist. The site plan is designed to provide good connectivity to the commercial and residential areas.

The plans illustrate an emergency vehicle entrance from Loblolly Drive, along with a pedestrian connection to the neighborhood. Staff requested the pedestrian connection to increase connectivity between the neighborhood and the new commercial uses along Executive Boulevard.

(4) Parking systems shall be designed so as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.

Parking for the residential units is provided through a mixture of garages (360 spaces) and surface parking (161 spaces) for a total of 531 spaces. This is just over 1 space per bedroom, which equates to 1.77 spaces per unit. The code suggests a parking ratio of 2 spaces per unit, or 600 spaces. Staff is comfortable with the parking proposal. As a comparison, the Marion Meadows (Heritage Commons) apartments have a parking ratio of 1.67 spaces per unit.

The proposed commercial area has approximately 178 spaces, which is a parking ratio of 1 space per 168 SF. This ratio exceeds the parking requirement for most commercial uses.

(5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.

The proposal provides interior sidewalks and connections between the commercial and retail area, and to the northern neighborhood. Additionally, the applicant proposing a 10’ multi-use path along Executive Boulevard.

(6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces permitted, type size permitted, and permitted illumination. Compliance with the on-site comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.

A sign package was not submitted with the application. Signage will be addressed during the detailed development plan process.

(7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:

A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.

B. With multiple buildings on a single property, nonresidential buildings or mixed-use buildings shall be at least 20 feet or one-half the height of the taller building apart, whichever is greater from another nonresidential or mixed-use building.

C. All nonresidential buildings or mixed-use buildings shall be set back at least 50 feet or the height of the structure, whichever is greater, from any residential property or residential building, whichever is closer, and from the public right-of-way. This setback applies to multiple buildings on a single property, to development within a PM development, and where it abuts to adjacent property.

The current layout meets all setback requirements.

(8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.

The residential buildings are approximately 39’ tall at their highest point.

(9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.

No lighting plans were submitted, but a lighting plan will be required at the detailed development plan phase.

(10) Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.

The applicant is aware of this requirement and will address it in the detailed development plans.

(11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

The submitted renderings indicate a mixture of stone or brick highlights. The commercial architecture appears to be distinct from the farmhouse style of the residential units.

(12) The distribution systems for utilities are required to be underground.

All utilities will be placed underground.

(13) The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.

The residential open space will be owned by the apartment development owner.

(14) The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard, and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.

No on-site fencing is proposed

(15) With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.

This basic development plan application is for phase 1 and 2 of the overall development. The applicant has indicated they are looking to “fast-track” this development and would like to close on the property by mid-May if the rezoning and basic development plan are approved.

1179.07 Landscaping.

To protect and promote a harmonious development that ensures a functional and logical arrangement of mixed uses, the effective and efficient use of landscaping and buffering is required. Therefore, a PM development shall include the following landscaping and buffering:

(a) Development Landscaping. Within the PM development that is proposed, entirely residential buildings shall be screened from nonresidential and mixed-use buildings with a 20-foot-wide buffer strip that includes a six-foot-high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year around. Parking areas, accessways, or any impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

(b) Perimeter Landscaping. In a section of a PM development that contains nonresidential, mixed use, or multi-family buildings that abut a neighboring property with a single-family residential zoning designation or in a PM development section that contains an entirely residential section that abuts a neighboring property with a commercial, office, or multi-family zoning designation, the perimeter of the section of the PM development shall be screened with a 25 foot wide buffer strip that includes a six foot high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year-round. Parking areas, accessways or an impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

The applicant proposes a 15’ setback / buffer area adjacent to Agriculturally zoned land, and a 20’ setback adjacent to the R-7 residential area. R-7 allows multi-family development of up to 8-units per lot, with a building height not to exceed 2-1/2 stories or 35’ feet.

The end units, at their highest point, are 38’-7”. Staff recommends as a condition of approval, the applicant preserve the existing trees that abut properties along Scatter Root Place and Loblolly Drive. The existing vegetation provides better screening and buffering than new fences or landscaping will provide.

(c) Parking Lot Landscaping. All parking lots are required to have interior landscaped areas as outlined in Chapter 1185, "Parking and Loading".

The commercial out lots will be reviewed at the detailed development plan phase, however the covenants indicate the commercial developments will comply with Chapter 1185.

(d) Street Tree Requirement. All frontage property within a PM development that abuts public rights-of-way and is developed with nonresidential, mixed use, and/or multi-family buildings is required to have one street tree per 40 feet of frontage planted just

outside of the street right-of-way. Unless determined to be inappropriate by the City Engineer, street trees shall be planted at least four feet from the edge of the sidewalk on private property. All frontage property within a PM development along a major collector or better as defined by the Huber Heights Thoroughfare Plan, no matter what use, shall meet this requirement. The type of tree and size shall be proposed by the developer at the Detailed Development Plan application stage and approved by the Planning Commission. A list of appropriate trees with required caliper is available in the City Engineer's Office.

Street trees will be required along Executive Boulevard as those sites are developed.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning and Basic Development Plan to construct 300 residential units and four commercial out lots. Staff recommends the following conditions for approval:

1) The permitted uses shall be those outlined in Chapter 1179, excluding:
- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

2) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

3) The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Planning Commission Action

Planning Commission may take the following actions with a motion:

1) Approve the rezoning and basic development plan with or without conditions;
2) Deny the rezoning and basic development plan (the Commission should state the specific reasons for denial); or
3) Table the application.

Planning Commission Decision Record

WHEREAS, on March 31, 2023, the applicant, RHM Real Estate Group, requested approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use). Property is located at 7125 Executive Blvd, further identified as Parcel Numbers P70 03910 0080, P70 03910 0081, and P70 03910 0005 of the Montgomery County Auditor's Map (Case RZ BDP 23-08), and;

WHEREAS, on March 31, 2023 the applicant, RHM Real Estate Group, requested approval of Basic Development Plan for approximately 300 residential units and four commercial out lots on Parcel Number P70 01820 0003 and Lot #1 and Lot #4 of the Pride One Subdivision.

WHEREAS, on April 11, 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.

Mr. Cassity moved to approve the request by the applicant, RHM Real Estate Group, for approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan for approximately 300 residential units and four commercial out lots. Property is located at 7125 Executive Blvd, (RZ BDP 23-08) in accordance with the recommendation of Staff's Memorandum dated April 4, 2023, as amended with the following conditions:

1) The permitted uses shall be those outlined in Chapter 1179, excluding:
- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes

- Drive Thru or Drive Up windows
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

2) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

3) The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

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

_____ _____

Terry Walton, Chair Date
Planning Commission

Planning Commission
April 11, 2023, 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. Cassity, Mr. Jeffries, 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

None.

IV. Citizens Comments

None.

V. Swearing of Witnesses

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

VI. Pending Business

None.

VII. New Business

1. **REZONING - The applicant, STP HOLDINGS, LLC, is requesting approval of a Rezoning from O1 (Office) to B1 (Commercial) for a laundromat. Property is located at 6740 Brandt Pike (RZ 23-09).**

   Mr. Sorrell stated the applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

   The last tenant of the building was Bane Staffing. The site is well established with adequate parking and in overall good condition. The applicant is planning minor improvements to the site and building, but no substantial improvements are necessary. The site is on a major thoroughfare with a substantial number of multi-family units within close proximity.

   The applicable zoning regulations are Chapter 1130 – Amendments and Chapter 1153 B-1 Commercial District. There are few standards associated with the approval of a straight zoning map amendment outside of the Planned Development process.

The applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

Conformance with Comprehensive Plan
The City's comprehensive plan indicates the site is located in the Southtown pattern area. One of the key goals of this pattern is: "Focus on renovation, infill development, and incremental broadening of uses and housing types".

Staff feels the rezoning from O-1 General Office to B-1 Commercial District is consistent with the comprehensive plan. There has been less demand for office-restricted development, and we anticipate this trend will continue.

Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application. Rezoning to B-1, will broaden the potential uses that can reuse this building, which is in generally good condition on a key thoroughfare.

The Fire Department approves of the rezoning.

The engineer had no comments at this point in the review process.

Staff is supportive of the rezoning from O-1 General Office to B-1 Commercial District.

George Karras stated there would be advanced security system, hospital grade ozone. Water will go into sanitary system 20-24 washers and dryers, staffed, hours would be 7am to 9pm, out be 10:30pm.

Action

Mr. Jeffries moved to approve the request by the applicant, STP HOLDINGS, LLC, for approval of a Rezoning from O1 (Office) to B1 (Commercial) in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

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

2. **REZONING AND BASIC DEVELOPMENT PLAN - The applicant, RHM REAL ESTATE GROUP, is requesting approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan for approximately 300 residential units and commercial uses on approximately 22.3 acres. Property is located at 7125 Executive Blvd (RZ BDP 23-08).**

Mr. Sorrell stated the applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use. The basic development plan will facilitate the construction of approximately 300 residential townhome apartments on approximately 17 acres and four

commercial out lots on approximately 5 acres. This plan represents phase 1 & 2 and follows the takedown options the developer has with the city. Phases 3 & 4, the other half of the Lehman farm will require separate basic development plan approval.

At this point, the applicant has not submitted proposed covenants or deed restrictions. Staff recommends the following non-residential uses should be eliminated from permitted use list for this basic development plan:

- Filling stations
- Sweepstakes cafes
- Convenience store
- Self-Storage – Indoor Climate Controlled
- Car Wash

The applicant is proposing a mix of residential and commercial uses.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek.

The proposed development plan appears will direct the stream into the existing storm water system to allow development of the commercial area along Executive Blvd.

In general, the site slopes west to east. Two onsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity. Final stormwater calculations and required detention basins will be determined with the detailed development plan.

This phase of the development has two proposed entrances from Executive Boulevard that are aligned with existing access points and spaced in a manner where little traffic conflict points should exist. The site plan is designed to provide good connectivity to the commercial and residential areas.

The plans illustrate an emergency vehicle entrance from Loblolly Drive, along with a pedestrian connection to the neighborhood. Staff requested the pedestrian connection to increase connectivity between the neighborhood and the new commercial uses along Executive Boulevard.

Parking for the residential units is provided through a mixture of garages (360 spaces) and surface parking (161 spaces) for a total of 531 spaces. This is just over 1 space per bedroom, which equates to 1.77 spaces per unit. The code suggests a parking ratio of 2 spaces per unit, or 600 spaces. Staff is comfortable

with the parking proposal. As a comparison, the Marion Meadows (Heritage Commons) apartments have a parking ratio of 1.67 spaces per unit.

The proposed commercial area has approximately 178 spaces, which is a parking ratio of 1 space per 168 SF. This ratio exceeds the parking requirement for most commercial uses.

The proposal provides interior sidewalks and connections between the commercial and retail area, and to the northern neighborhood. Additionally, the applicant proposing a 10' multi-use path along Executive Boulevard.

A sign package was not submitted with the application. Signage will be addressed during the detailed development plan process.

The current layout meets all setback requirements.

The residential buildings are approximately 39' tall at their highest point.

No lighting plans were submitted, but a lighting plan will be required at the detailed development plan phase.

The applicant is aware of this requirement and will address it in the detailed development plans.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

The submitted renderings indicate a mixture of stone or brick highlights. The commercial architecture appears to be distinct from the farmhouse style of the residential units.

All utilities will be placed underground.

The residential open space will be owned by the apartment development owner.

No on-site fencing is proposed

This basic development plan application is for phase 1 and 2 of the overall development. The applicant has indicated they are looking to "fast-track" this development and would like to close on the property by mid-May if the rezoning and basic development plan are approved.

The applicant proposes a 15' setback / buffer area adjacent to Agriculturally zoned land, and a 20' setback adjacent to the R-7 residential area. R-7 allows multi-family development of up to 8-units per lot, with a building height not to exceed 2-1/2 stories or 35' feet.

The end units, at their highest point, are 38'-7". Staff recommends as a condition of approval, the applicant preserve the existing trees that abut properties along Scatter Root Place and Loblolly Drive. The existing vegetation provides better screening and buffering than new fences or landscaping will provide.

The commercial out lots will be reviewed at the detailed development plan phase, however the covenants indicate the commercial developments will comply with

Street trees will be required along Executive Boulevard as those sites are developed.

Staff recommends approval of the rezoning and Basic Development Plan to construct 300 residential units and four commercial out lots. Staff recommends the following conditions for approval:

1) The permitted uses shall be those outlined in Chapter 1179, excluding:
- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

2) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

3) The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Ms. Vargo asked about a sweepstakes café. Mr. Cassity asked if both projects rezoned to PM, large scale rezoning. Ms. Vargo asked about materials of buildings, in the detail plan. Mr. Jeffries sked about the Loblolly access, restrictions on self-storage, fast casual eating, not worrying about fast tracking. Ms. Vargo stated we have control of this land.
Mr. Sorrell added we can limit QSRs, eliminate drive throughs. Mr. Cassity agreed no drive throughs. Mr. Jeffries asked about west parcel 11 ft. expansion and Mr. Cassity asked about sidewalks being 5 ft. buffer between sidewalk and roadway. Mr. Jeffries asked about commercial to west being connected and garage parking.

Andrew Iarussi from RHM mentioned 6 – 12% masonry Horizon Line 11th hour, 45 days.

Ms. Vargo asked if all rentals and market rate. Mr. Iarussi stated like Parkview. 40 1 bedroom, 52 2 bedroom, and 8 3 bedrooms. Range from $1200 to $2000.

Mr. Cassity asked the difference in Horizon Line. Mr. Iarussi said high level density 150 units little more sprawled. Vision is density, lively, entertainment. No AirB&B,

Mr. Jeffries asked about Commercial up-front users. Restaurants, taverns, bars but will be user driven. Commitment from correct kind of users.

Mr. Cassity noted that a gate is mentioned, not final on secure gate.

The Commission added Drive Thru to the excluded uses.

Action

Ms. Cassity moved to approve the request by the applicant, RHM REAL ESTATE GROUP, for approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record as amended with the following conditions:

The permitted uses shall be those outlined in Chapter 1179, excluding:

- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Drive Thru and Drive Up windows
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

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

3. MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN - The applicant, FLYING ACE CAR WASH, is requesting approval of a Major Change to the Basic Development Plan to construct a new car wash facility. Property is located at 7730 Brandt Pike (MJC 23-07).

Mr. Sorrell stated the applicant is proposing to purchase the former 5/3rd bank building at 7730 Brandt Pike and redevelop the site into a Flying Ace Car Wash. The applicant owns a number of Flying Ace facilities throughout the region, including the Merily Way location. A second location is expected to reduce traffic volume the Merily Way location sees during peak times, which will help alleviate the traffic issues at the Merily Way / Old Troy Pike intersection.

The applicant plans to demolish the existing vacant building and reuse the building pad and much of the parking area and travel lanes.

Note: The applicant has revised the site plan to accommodate Fire Department access requests by adding additional pavement at the entrance and north end of the building. The Fire Department has accepted these alterations. No other material changes to the plans have been made.

The site is one of three outparcels in the Sulphur Grove Shopping Center when Wal-Mart was constructed. The site is relatively flat and sits below the Brandt Pike roadway grade. Site access is from Cedar Hill Drive and an access road within the shopping center.

There are a number of restrictive covenants on this site imposed by Wal-Mart, which control building height, size, parking ratios and use. The Flying Ace Car Wash appear to satisfy the covenants.

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1172 Planned Commercial District. Since the car wash use and building design is significantly different than the previous bank use, considers this application a major change to the Basic Development Plan.

The applicant proposes constructing a 4,500 SF car wash facility with vacuum stations. The building exterior is a mixture of cultured brick and metal siding. The applicant has stated this facility can process 120 vehicles hourly, during peak periods.

- The site plan meets all parking and building setback and yard requirements.
- There are existing street trees along Brandt Pike and Cedar Hill Dr.
- The applicant intends to reuse the existing parking lot lights. A lighting plan was not submitted with this application but will be reviewed as part of the detailed development plan application to ensure there is no direct lighting cast from wall packs on the west building side.
- The building design meets all exterior materials requirements.
- All utilities are below ground.

- The code requires 1 space per employee, minimum 4; 2 spaces for drying / finishing; and 15 waiting spaces. This site plan illustrates:
    - 4 employee parking spaces, 1 handicap space
    - 20 vacuum spaces (drying / finishing)
    - 51 waiting spaces.

- The applicant plans to use the existing landscaping, including the perimeter screening and buffering beds. The landscaping plan illustrates six new parking lot shade trees, new planting beds (Golden Spirea) along the west edge of the site, and new juniper bushes screening the driveway from Cedar Hill Drive. This plan appears to meet code.

- The applicant plans to reuse or replace the existing monument sign with a similar structure in design and height. While the sign detail indicates the sign is 7’-6”, the sign is installed on a sloping hillside. The sign height measured from the west side of the sign is close to 6’ tall, which meets code.
- Two building signs are illustrated, while not dimensioned in the plans, appear to total less than 75 SF.

It is staff’s opinion that the proposal is consistent with the comprehensive plan and thoroughfare plan.

While no schedule of development has been submitted, the applicant has stated to staff that they will initiate construction shortly after all plans are approved by the City and County.

The was considerable discussion about traffic and queuing between the applicant and city staff. This site can queue up to 51 vehicles, versus 31 at the Merily Way site. Staff has recommended a swing gate be installed along Cedar Hill Drive to clearly block the entrance on the handful of days the site is at capacity. Staff feels a closed gate, rather than cones, will significantly deter people from waiting along Cedar Hill Drive.

Based on similar experiences in Columbus, the applicant believes this second location will significantly improve the traffic issues faced at the Merily Way site during peak periods. Based on customer travel data shared by the applicant, staff strongly believes a second location will significantly improve the traffic queuing issues at the Merily Way location.

Staff does not anticipate any undue burden on public services. The area has adequate utility and street capacity. As stated above, staff feels this location will improve traffic flow at Merily Way and Old Troy Pike intersection.

Any conditions imposed by the Planning Commission or City Council will be memorialized in the PUD legislation and remain in effect unless modified by the Planning Commission or City Council.

The staff believes the site plan is generally well arranged, and internal circulation is efficient and compatible with the intended use. The applicant intends to augment the existing landscaping to provide additional screening around the parking and stacking areas. The landscaping, lighting and parking requirements will be reviewed with the Detailed Development application.

Based on plans submitted, all significant trees and natural features will be preserved.

This is a developed site and no grading is anticipated.

All utilities will be placed underground.

Staff does not anticipate any additional public services required to support this development.

All proposed uses are consistent with the Planned Commercial district. As discussed in this report and the pre-application meeting with Planning Commission, vehicle queuing is the primary concern, based on our experiences with the Merily Way site.

This site has significant advantages including the ability to stack 51 vehicles and three processing lanes. With the addition of a gate at Cedar Hill Drive, staff feels the negative impacts of queuing on peak days will be negated.

All lighting, glare, noise (from vacuums and external speakers) will be reviewed with the Detailed Development application.

The Fire Department has approved this revised site access plan.

The engineer recommends a gate at the Cedar Hill Drive entrance.

Staff is extremely supportive of the major change to the Basic Development Plan. This use is permitted in the Planned Commercial District and appears to meet the restrictive covenants imposed by Wal-Mart. While it is not the city's responsibility to enforce private covenants, it is noteworthy because the covenants do limit the reuse of this site while Wal-Mart still occupies the shopping center.
Additionally, staff strongly believes a second Flying Ace location will reduce the traffic congestion issues occasionally plaguing the Merily Way location.

Staff recommends approval with the following condition:

- A gate shall be installed at the Cedar Hill Drive entrance.

Lengthy discussion on the stacking, entrance/exit flow, gate, backing up on Cedar Hill Drive, left onto Cedar Hill Drive, right in/right out, signage on Brandt Pike side.

Mike Anderson from Van Atta Engineering
The signage on the building is a mural, their concept. The gate will be discussed with Engineering, no stacking onto Cedar Hill Dr., permanent traffic patterns. Mr. Cassity asked if both lanes are stacked full, refuse new customers. Mr. Jeffries stated the gate be prominent.

Aleta George was present and stated Stonehurst is a headache already now more congestion, no turn lane on Stonehurst.

Action

Ms. Thomas moved to approve the request by the applicant**,** FLYING ACE CAR WASH, for approval of a Major Change to the Basic Development Plan to construct a new car wash facility in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Cassity, Mr. Jeffries, Ms. Thomas, and Mr. Walton. NAYS: Ms. Vargo. Motion to approve carried 4-1.

VIII. Additional Business

Residential exterior materials discussion

Mr. Sorrell asked the commission to look at and think about current building materials for further discussion later.

IX. Approval of the Minutes

Without objection, the minutes of the March 14, 2023, Planning Commission meeting are approved.

Mr. Jeffries asked to take another look at Sheetz, Mr. Sorrell said RHM is looking at all of it as a whole. That way we will have a full picture of the area. Curb cuts won't change.

X. Reports and Calendar Review

XI. Upcoming Meetings

May 9, 2023
June 13, 2023

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:53 p.m.

Terry Walton, Chair **Date**

Geri Hoskins, Administrative Secretary **Date**

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A REZONING FROM PLANNED EMPLOYMENT PARK (PEP) TO PLANNED MIXED USE (PM) FOR THE PROPERTY LOCATED AT 7125 EXECUTIVE BOULEVARD AND FURTHER IDENTIFIED AS PARCEL NUMBERS P70 03190 0080, P70 03190 0081, AND P70 03190 0005 AND A BASIC DEVELOPMENT PLAN FOR PARCEL NUMBER P70 01820 0003 AND LOT #1 AND LOT #4 OF THE PRIDE ONE SUBDIVISION ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ BDP 23-08).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ BDP 23-08 and on April 11, 2023 recommended approval by a vote of 5-0 of the Rezoning from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Rezoning from Planned Employment Park (PEP) to Planned Mixed Use (PM) and a Basic Development Plan (Case RZ BDP 23-08) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. The permitted uses shall be those outlined in Chapter 1179, excluding:
   - Filling stations
   - Sweepstakes cafes
   - Convenience stores
   - Self-storage facilities
   - Car washes
   - Drive Thru or Drive Up windows
   - Other uses deemed incompatible with a community entertainment district as determined by the Planning Director
2. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Division.
3. The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

AI-9136 **Topics of Discussion** **N.**

Council Work Session

Meeting Date: 04/20/2023

Case RZ 23-09 - STP Holdings, LLC - Rezoning - 6740 Brandt Pike

Submitted By: Geri Hoskins

Department: Planning

Council Committee Review?: Council Work Session **Date(s) of Committee Review:** 04/20/2023

Audio-Visual Needs: SmartBoard **Emergency Legislation?:** No

Motion/Ordinance/ Resolution No.:

Agenda Item Description or Legislation Title

Case RZ 23-09 - STP Holdings, LLC - Rezoning - 6740 Brandt Pike

Purpose and Background

The applicant, STP Holdings, LLC, is requesting approval of a Rezoning from General Office (O-1) to Commercial (B-1) for a proposed laundromat (Case RZ 23-09).

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Map
Fire Assessment
Staff Report
Decision Record
Minutes
Ordinance



City of Huber Heights

1 inch = 42 feet

Date: 3/15/2023

Huber Heights Fire Division

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

Occupancy Name:	STP Holdings
Occupancy Address:	6740 Brandt Pike

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:	23-110
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	3/27/2023

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 for a rezoning from O1 (office) to B1 (commercial). Permits shall be obtained from Montgomery County Building Regulations for a change of use and alterations. Additional requirements may be forthcoming during plan review process.

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

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 2017 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.

Administrative Office: 7008 Brandt Pike Huber Heights, Ohio 45424
Telephone: (937) 233 - 1564 Fax Number: (937) 233 - 4520

Memorandum

Staff Report for Meeting of April 11, 2023

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, City Planner

Date: April 4, 2023

Subject: Rezoning Case: RZ 23-09
6740 Brandt Pike

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	STP Holdings, LLC – Applicant ADJ Properties LLC - Owner
DEVELOPMENT NAME:	6740 Brandt Pike
ADDRESS/LOCATION:	6740 Brandt Pike
ZONING/ACREAGE:	O-1 General Office / 0.7 Acres
EXISTING LAND USE:	Vacant Office Building
ZONING ADJACENT LAND:	North: O-1 East: R-2 & R-6 West: R-6 South: PC
REQUEST:	The applicant requests a rezoning from O-1 to B-1 to develop and operate a laundromat.
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1130, 1153
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received

Overview
The applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

Site Characteristics
The last tenant of the building was Bane Staffing. The site is well established with adequate parking and in overall good condition. The applicant is planning minor improvements to the site and building, but no substantial improvements are necessary. The site is on a major thoroughfare with a substantial number of multi-family units within close proximity.

Applicable Zoning Regulations
The applicable zoning regulations are Chapter 1130 – Amendments and Chapter 1153 B-1 Commercial District. There are few standards associated with the approval of a straight zoning map amendment outside of the Planned Development process.

Chapter 1130.01 - General states: "Whenever the public necessity, convenience, general welfare or good zoning practices require, the City Council may, by ordinance or resolution, amend, or repeal the regulations, restrictions, boundaries or classification of property."

Chapter 1130.07 – Recommendation by Planning Commission states:
"After the public hearing required by this chapter is closed, the Planning Commission shall recommend to Council that the requested amendment be:
(a) Granted as requested;
(b) Denied;
(c) Granted as modified by, or subject to such conditions as deemed appropriate by, the Planning Commission. The Planning Commission may, as a condition of approval, modify the proposed amendment or impose any additional requirements or conditions it deems appropriate."

Chapter 1153.01– Principal Permitted Uses
Only the following principal uses shall be permitted in this District unless otherwise considered and approved by the Board of Zoning Appeals to be of similar character:

(a)Stores and shops for the conducting of any retail business;
(b)Plumbing and heating shop, television shop and self-service laundry;
(c)Banks, Credit Unions, Savings and Loans;
(d)Barber shops and beauty parlors;
(e)Dressmaking, millinery, shoe and tailor shops, and those shops doing pressing and receiving dry cleaning;
(f)Offices; and
(g)Restaurants, cafes, tearooms and other eating places.

Staff Analysis

Rezoning Analysis:

The applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

Conformance with Comprehensive Plan

The City's comprehensive plan indicates the site is located in the Southtown pattern area. One of the key goals of this pattern is: "Focus on renovation, infill development, and incremental broadening of uses and housing types".

Staff feels the rezoning from O-1 General Office to B-1 Commercial District is consistent with the comprehensive plan. There has been less demand for office-restricted development, and we anticipate this trend will continue.

Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application. Rezoning to B-1, will broaden the potential uses that can reuse this building, which is in generally good condition on a key thoroughfare.

Additional Comments:

Fire: The Fire Department approves of the rezoning.

City Engineer: The engineer had no comments at this point in the review process.

Recommendation

Staff is supportive of the rezoning from O-1 General Office to B-1 Commercial District.

Planning Commission Action

Planning Commission shall recommend to Council that the requested amendment be:

1) Granted as requested;
2) Denied;
3) Granted subject to conditions.

Planning Commission Decision Record

WHEREAS, on March 21, 2023, the applicant, STP Holdings, LLC, requested approval of a Rezoning from O1 (Office) to B1 (Commercial) for a proposed laundromat. Property is located at 6740 Brandt Pike, further identified as Parcel Number P70 00705 0001 of the Montgomery County Auditor's Map (Case RZ 23-09), and;

WHEREAS, on April 11, 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.

Mr. Jeffries moved to approve the request by the applicant, STP Holdings, LLC, for approval of a Rezoning from O1 (Office) to B1 (Commercial) for a proposed laundromat. Property is located at 6740 Brandt Pike (RZ 23-09) in accordance with the recommendation of Staff's Memorandum dated April 4, 2023, with the following conditions:

1. Grant as requested.

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

_____ _____

Terry Walton, Chair Date
Planning Commission

Planning Commission
April 11, 2023, 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. Cassity, Mr. Jeffries, 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

None.

IV. Citizens Comments

None.

V. Swearing of Witnesses

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

VI. Pending Business

None.

VII. New Business

1. **REZONING - The applicant, STP HOLDINGS, LLC, is requesting approval of a Rezoning from O1 (Office) to B1 (Commercial) for a laundromat. Property is located at 6740 Brandt Pike (RZ 23-09).**

   Mr. Sorrell stated the applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

   The last tenant of the building was Bane Staffing. The site is well established with adequate parking and in overall good condition. The applicant is planning minor improvements to the site and building, but no substantial improvements are necessary. The site is on a major thoroughfare with a substantial number of multi-family units within close proximity.

   The applicable zoning regulations are Chapter 1130 – Amendments and Chapter 1153 B-1 Commercial District. There are few standards associated with the approval of a straight zoning map amendment outside of the Planned Development process.

The applicant requests rezoning of a developed 0.7-acre parcel from O-1 General Office to B-1 Commercial District to facilitate the redevelopment of a former office building into a self-service laundry.

Conformance with Comprehensive Plan
The City's comprehensive plan indicates the site is located in the Southtown pattern area. One of the key goals of this pattern is: "Focus on renovation, infill development, and incremental broadening of uses and housing types".

Staff feels the rezoning from O-1 General Office to B-1 Commercial District is consistent with the comprehensive plan. There has been less demand for office-restricted development, and we anticipate this trend will continue.

Details of the proposed campground will be reviewed at a future time when the applicant submits the Special Use application. Rezoning to B-1, will broaden the potential uses that can reuse this building, which is in generally good condition on a key thoroughfare.

The Fire Department approves of the rezoning.

The engineer had no comments at this point in the review process.

Staff is supportive of the rezoning from O-1 General Office to B-1 Commercial District.

George Karras stated there would be advanced security system, hospital grade ozone. Water will go into sanitary system 20-24 washers and dryers, staffed, hours would be 7am to 9pm, out be 10:30pm.

Action

Mr. Jeffries moved to approve the request by the applicant, STP HOLDINGS, LLC, for approval of a Rezoning from O1 (Office) to B1 (Commercial) in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

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

2. **REZONING AND BASIC DEVELOPMENT PLAN - The applicant, RHM REAL ESTATE GROUP, is requesting approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan for approximately 300 residential units and commercial uses on approximately 22.3 acres. Property is located at 7125 Executive Blvd (RZ BDP 23-08).**

Mr. Sorrell stated the applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use. The basic development plan will facilitate the construction of approximately 300 residential townhome apartments on approximately 17 acres and four

commercial out lots on approximately 5 acres. This plan represents phase 1 & 2 and follows the takedown options the developer has with the city. Phases 3 & 4, the other half of the Lehman farm will require separate basic development plan approval.

At this point, the applicant has not submitted proposed covenants or deed restrictions. Staff recommends the following non-residential uses should be eliminated from permitted use list for this basic development plan:

- Filling stations
- Sweepstakes cafes
- Convenience store
- Self-Storage – Indoor Climate Controlled
- Car Wash

The applicant is proposing a mix of residential and commercial uses.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek.

The proposed development plan appears will direct the stream into the existing storm water system to allow development of the commercial area along Executive Blvd.

In general, the site slopes west to east. Two onsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity. Final stormwater calculations and required detention basins will be determined with the detailed development plan.

This phase of the development has two proposed entrances from Executive Boulevard that are aligned with existing access points and spaced in a manner where little traffic conflict points should exist. The site plan is designed to provide good connectivity to the commercial and residential areas.

The plans illustrate an emergency vehicle entrance from Loblolly Drive, along with a pedestrian connection to the neighborhood. Staff requested the pedestrian connection to increase connectivity between the neighborhood and the new commercial uses along Executive Boulevard.

Parking for the residential units is provided through a mixture of garages (360 spaces) and surface parking (161 spaces) for a total of 531 spaces. This is just over 1 space per bedroom, which equates to 1.77 spaces per unit. The code suggests a parking ratio of 2 spaces per unit, or 600 spaces. Staff is comfortable

with the parking proposal. As a comparison, the Marion Meadows (Heritage Commons) apartments have a parking ratio of 1.67 spaces per unit.

The proposed commercial area has approximately 178 spaces, which is a parking ratio of 1 space per 168 SF. This ratio exceeds the parking requirement for most commercial uses.

The proposal provides interior sidewalks and connections between the commercial and retail area, and to the northern neighborhood. Additionally, the applicant proposing a 10' multi-use path along Executive Boulevard.

A sign package was not submitted with the application. Signage will be addressed during the detailed development plan process.

The current layout meets all setback requirements.

The residential buildings are approximately 39' tall at their highest point.

No lighting plans were submitted, but a lighting plan will be required at the detailed development plan phase.

The applicant is aware of this requirement and will address it in the detailed development plans.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

The submitted renderings indicate a mixture of stone or brick highlights. The commercial architecture appears to be distinct from the farmhouse style of the residential units.

All utilities will be placed underground.

The residential open space will be owned by the apartment development owner.

No on-site fencing is proposed

This basic development plan application is for phase 1 and 2 of the overall development. The applicant has indicated they are looking to "fast-track" this development and would like to close on the property by mid-May if the rezoning and basic development plan are approved.

The applicant proposes a 15' setback / buffer area adjacent to Agriculturally zoned land, and a 20' setback adjacent to the R-7 residential area. R-7 allows multi-family development of up to 8-units per lot, with a building height not to exceed 2-1/2 stories or 35' feet.

The end units, at their highest point, are 38'-7". Staff recommends as a condition of approval, the applicant preserve the existing trees that abut properties along Scatter Root Place and Loblolly Drive. The existing vegetation provides better screening and buffering than new fences or landscaping will provide.

The commercial out lots will be reviewed at the detailed development plan phase, however the covenants indicate the commercial developments will comply with

Street trees will be required along Executive Boulevard as those sites are developed.

Staff recommends approval of the rezoning and Basic Development Plan to construct 300 residential units and four commercial out lots. Staff recommends the following conditions for approval:

1) The permitted uses shall be those outlined in Chapter 1179, excluding:
- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

2) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

3) The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

Ms. Vargo asked about a sweepstakes café. Mr. Cassity asked if both projects rezoned to PM, large scale rezoning. Ms. Vargo asked about materials of buildings, in the detail plan. Mr. Jeffries sked about the Loblolly access, restrictions on self-storage, fast casual eating, not worrying about fast tracking. Ms. Vargo stated we have control of this land.
Mr. Sorrell added we can limit QSRs, eliminate drive throughs. Mr. Cassity agreed no drive throughs. Mr. Jeffries asked about west parcel 11 ft. expansion and Mr. Cassity asked about sidewalks being 5 ft. buffer between sidewalk and roadway. Mr. Jeffries asked about commercial to west being connected and garage parking.

Andrew Iarussi from RHM mentioned 6 – 12% masonry Horizon Line 11th hour, 45 days.

Ms. Vargo asked if all rentals and market rate. Mr. Iarussi stated like Parkview. 40 1 bedroom, 52 2 bedroom, and 8 3 bedrooms. Range from $1200 to $2000.

Mr. Cassity asked the difference in Horizon Line. Mr. Iarussi said high level density 150 units little more sprawled. Vision is density, lively, entertainment. No AirB&B,

Mr. Jeffries asked about Commercial up-front users. Restaurants, taverns, bars but will be user driven. Commitment from correct kind of users.

Mr. Cassity noted that a gate is mentioned, not final on secure gate.

The Commission added Drive Thru to the excluded uses.

Action

Ms. Cassity moved to approve the request by the applicant, RHM REAL ESTATE GROUP, for approval of a Rezoning of approximately 43 acres from PEP (Planned Employment Park) to PM (Planned Mixed Use) and a Basic Development Plan in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record as amended with the following conditions:

The permitted uses shall be those outlined in Chapter 1179, excluding:

- Filling stations
- Sweepstakes cafes
- Convenience stores
- Self-Storage facilities
- Car Washes
- Drive Thru and Drive Up windows
- Other uses deemed incompatible with a community entertainment district as determined by the Planning Director.

The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

The existing trees and non-invasive vegetation that abut properties along Scatter Root Place and Loblolly Drive shall be preserved and maintained in a healthy manner. Dead or dying trees shall be replaced with species approved by the City.

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

3. MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN - The applicant, FLYING ACE CAR WASH, is requesting approval of a Major Change to the Basic Development Plan to construct a new car wash facility. Property is located at 7730 Brandt Pike (MJC 23-07).

Mr. Sorrell stated the applicant is proposing to purchase the former 5/3rd bank building at 7730 Brandt Pike and redevelop the site into a Flying Ace Car Wash. The applicant owns a number of Flying Ace facilities throughout the region, including the Merily Way location. A second location is expected to reduce traffic volume the Merily Way location sees during peak times, which will help alleviate the traffic issues at the Merily Way / Old Troy Pike intersection.

The applicant plans to demolish the existing vacant building and reuse the building pad and much of the parking area and travel lanes.

Note: The applicant has revised the site plan to accommodate Fire Department access requests by adding additional pavement at the entrance and north end of the building. The Fire Department has accepted these alterations. No other material changes to the plans have been made.

The site is one of three outparcels in the Sulphur Grove Shopping Center when Wal-Mart was constructed. The site is relatively flat and sits below the Brandt Pike roadway grade. Site access is from Cedar Hill Drive and an access road within the shopping center.

There are a number of restrictive covenants on this site imposed by Wal-Mart, which control building height, size, parking ratios and use. The Flying Ace Car Wash appear to satisfy the covenants.

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1172 Planned Commercial District. Since the car wash use and building design is significantly different than the previous bank use, considers this application a major change to the Basic Development Plan.

The applicant proposes constructing a 4,500 SF car wash facility with vacuum stations. The building exterior is a mixture of cultured brick and metal siding. The applicant has stated this facility can process 120 vehicles hourly, during peak periods.

- The site plan meets all parking and building setback and yard requirements.
- There are existing street trees along Brandt Pike and Cedar Hill Dr.
- The applicant intends to reuse the existing parking lot lights. A lighting plan was not submitted with this application but will be reviewed as part of the detailed development plan application to ensure there is no direct lighting cast from wall packs on the west building side.
- The building design meets all exterior materials requirements.
- All utilities are below ground.

- The code requires 1 space per employee, minimum 4; 2 spaces for drying / finishing; and 15 waiting spaces. This site plan illustrates:
    - 4 employee parking spaces, 1 handicap space
    - 20 vacuum spaces (drying / finishing)
    - 51 waiting spaces.

- The applicant plans to use the existing landscaping, including the perimeter screening and buffering beds. The landscaping plan illustrates six new parking lot shade trees, new planting beds (Golden Spirea) along the west edge of the site, and new juniper bushes screening the driveway from Cedar Hill Drive. This plan appears to meet code.

- The applicant plans to reuse or replace the existing monument sign with a similar structure in design and height. While the sign detail indicates the sign is 7’-6”, the sign is installed on a sloping hillside. The sign height measured from the west side of the sign is close to 6’ tall, which meets code.
- Two building signs are illustrated, while not dimensioned in the plans, appear to total less than 75 SF.

It is staff’s opinion that the proposal is consistent with the comprehensive plan and thoroughfare plan.

While no schedule of development has been submitted, the applicant has stated to staff that they will initiate construction shortly after all plans are approved by the City and County.

The was considerable discussion about traffic and queuing between the applicant and city staff. This site can queue up to 51 vehicles, versus 31 at the Merily Way site. Staff has recommended a swing gate be installed along Cedar Hill Drive to clearly block the entrance on the handful of days the site is at capacity. Staff feels a closed gate, rather than cones, will significantly deter people from waiting along Cedar Hill Drive.

Based on similar experiences in Columbus, the applicant believes this second location will significantly improve the traffic issues faced at the Merily Way site during peak periods. Based on customer travel data shared by the applicant, staff strongly believes a second location will significantly improve the traffic queuing issues at the Merily Way location.

Staff does not anticipate any undue burden on public services. The area has adequate utility and street capacity. As stated above, staff feels this location will improve traffic flow at Merily Way and Old Troy Pike intersection.

Any conditions imposed by the Planning Commission or City Council will be memorialized in the PUD legislation and remain in effect unless modified by the Planning Commission or City Council.

The staff believes the site plan is generally well arranged, and internal circulation is efficient and compatible with the intended use. The applicant intends to augment the existing landscaping to provide additional screening around the parking and stacking areas. The landscaping, lighting and parking requirements will be reviewed with the Detailed Development application.

Based on plans submitted, all significant trees and natural features will be preserved.

This is a developed site and no grading is anticipated.

All utilities will be placed underground.

Staff does not anticipate any additional public services required to support this development.

All proposed uses are consistent with the Planned Commercial district. As discussed in this report and the pre-application meeting with Planning Commission, vehicle queuing is the primary concern, based on our experiences with the Merily Way site.

This site has significant advantages including the ability to stack 51 vehicles and three processing lanes. With the addition of a gate at Cedar Hill Drive, staff feels the negative impacts of queuing on peak days will be negated.

All lighting, glare, noise (from vacuums and external speakers) will be reviewed with the Detailed Development application.

The Fire Department has approved this revised site access plan.

The engineer recommends a gate at the Cedar Hill Drive entrance.

Staff is extremely supportive of the major change to the Basic Development Plan. This use is permitted in the Planned Commercial District and appears to meet the restrictive covenants imposed by Wal-Mart. While it is not the city's responsibility to enforce private covenants, it is noteworthy because the covenants do limit the reuse of this site while Wal-Mart still occupies the shopping center.
Additionally, staff strongly believes a second Flying Ace location will reduce the traffic congestion issues occasionally plaguing the Merily Way location.

Staff recommends approval with the following condition:

- A gate shall be installed at the Cedar Hill Drive entrance.

Lengthy discussion on the stacking, entrance/exit flow, gate, backing up on Cedar Hill Drive, left onto Cedar Hill Drive, right in/right out, signage on Brandt Pike side.

Mike Anderson from Van Atta Engineering
The signage on the building is a mural, their concept. The gate will be discussed with Engineering, no stacking onto Cedar Hill Dr., permanent traffic patterns. Mr. Cassity asked if both lanes are stacked full, refuse new customers. Mr. Jeffries stated the gate be prominent.

Aleta George was present and stated Stonehurst is a headache already now more congestion, no turn lane on Stonehurst.

Action

Ms. Thomas moved to approve the request by the applicant**,** FLYING ACE CAR WASH, for approval of a Major Change to the Basic Development Plan to construct a new car wash facility in accordance with the recommendations of Staff's Memorandum dated April 4, 2023, and the Planning Commission's decision record attached thereto.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Mr. Cassity, Mr. Jeffries, Ms. Thomas, and Mr. Walton. NAYS: Ms. Vargo. Motion to approve carried 4-1.

VIII. Additional Business

Residential exterior materials discussion

Mr. Sorrell asked the commission to look at and think about current building materials for further discussion later.

IX. Approval of the Minutes

Without objection, the minutes of the March 14, 2023, Planning Commission meeting are approved.

Mr. Jeffries asked to take another look at Sheetz, Mr. Sorrell said RHM is looking at all of it as a whole. That way we will have a full picture of the area. Curb cuts won't change.

X. Reports and Calendar Review

XI. Upcoming Meetings

May 9, 2023
June 13, 2023

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:53 p.m.

Terry Walton, Chair **Date**

Geri Hoskins, Administrative Secretary **Date**

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2023-O-

TO APPROVE A REZONING FROM GENERAL OFFICE (O-1) TO COMMERCIAL (B-1) FOR THE PROPERTY LOCATED AT 6740 BRANDT PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 00705 0001 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE RZ 23-09).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case RZ 23-09 and on April 11, 2023 recommended approval by a vote of 5-0 of the Rezoning from General Office (O-1) to Commercial (B-1); and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Rezoning from General Office (O-1) to Commercial (B-1) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

1. Grant as requested.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the _____ day of _____ , 2023;
_____ Yeas; _____ Nays.

Effective Date:

AUTHENTICATION:

_____ _____
Clerk of Council Mayor

_____ _____
Date Date

AI-9135 **Topics of Discussion** **O.**

Council Work Session

Meeting Date: 04/20/2023

Liquor Permit #65215090695 - Sheetz - 7550 Old Troy Pike

Submitted By: Anthony Rodgers

Department: City Council

Type of Liquor Permit: New

Motion/Ordinance/ Resolution No.:

Agenda Item Description

Liquor Permit #65215090695 - Sheetz - 7550 Old Troy Pike

Review and Comments - Police Division

The Police Division has no objections to the approval of this liquor permit.

Review and Comments - Fire Division

The Fire Division has no objections to the approval of this liquor permit.

Fiscal Impact

Source of Funds:	N/A
Cost:	N/A
Recurring Cost? (Yes/No):	N/A
Funds Available in Current Budget? (Yes/No):	N/A
Financial Implications:	

Attachments

Memorandum - Fire Division

Liquor Permit

Huber Heights Fire Division

TO: Anthony Rodgers, Clerk of Council

FROM: Keith Knisley, Fire Chief

DATE: 04/13/2023

RE: Liquor Permit #65215090695 – 7550 Old Troy Pike

I am writing to inform you that there are no outstanding Fire Code Violations as this building is under construction, however all construction to this point is compliant with the codes.

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

65215090695 PERMIT NUMBER / NEW TYPE	OHIO SPRINGS INC DBA SHEETZ 785 7550 PLD TROY PIKE HUBER HGHTS OH 45424
ISSUE DATE	
03 28 2023 FILING DATE	
C1 C2 D1 PERMIT CLASSES	
57 TAX DISTRICT / 083 / A / D73570 RECEIPT NO.	

FROM 04/04/2023

PERMIT NUMBER / TYPE	
ISSUE DATE	
FILING DATE	
PERMIT CLASSES	
TAX DISTRICT / RECEIPT NO.	

MAILED 04/04/2023 RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/05/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A NEW 6521509-0695
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OHIO 45424