

Memorandum

Staff Report for Meeting of May 14, 2024

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, City Planner

Date: May 9, 2024

Subject: DDP 24-09 Detailed Development Plan – 8000 SR 235.
Application dated April 23, 2024

Department of Planning and Zoning

City of Huber Heights

APPLICANT/OWNER: Buc-ee's Huber Heights, LLC – Applicant / Owner

DEVELOPMENT NAME: Buc-ee's Huber Heights

ADDRESS/LOCATION: 8000 St. Route 235

ZONING/ACREAGE: PC – Planned Commercial / 38.96 Acres

EXISTING LAND USE: Vacant / Agricultural

ZONING

ADJACENT LAND: North: I-1
East: Agricultural use (Clark County)
West: I-1 & PC
South: Highway use (I-70)

REQUEST: The applicant requests approval of a detailed development plan to facilitate the construction of a Buc-ee's travel center comprised of a 74,000 SF convenience store with 120 fueling pumps.

ORIGINAL APPROVAL: BDP approved October 23, 2023

APPLICABLE HHCC: Chapter 1171, 1176, 1181, 1182, 1189

CORRESPONDENCE: In Favor – None received
In Opposition – None received.

STAFF ANALYSIS AND RECOMMENDATION:**Overview:**

The applicant seeks to construct a new 74,000 SF Buc-ee's travel center on approximately 39 acres at the northeast corner of the I-70 and SR-235. In addition to the convenience store, the proposed site plan illustrates 120 fueling pumps, 24 Tesla charging stations and 699 parking spaces.

At the May 14th meeting, Buc-ee's is seeking approval of the detailed development plan including building signs. The pylon sign included in the application will be considered at a later date. This allows Buc-ee's to field verify the minimum height necessary for the pylon sign to be visible to motorists and not obstructed by trees along I-70.

Site History

The Planning Commission voted to recommend approval of the rezoning and basic development plan on September 12, 2023. The Huber Heights City Council approved the rezoning and basic development plan on October 23, 2023.

Site Characteristics

Two minor site constraints have influenced the site layout. First, a 15-inch sanitary sewer line bisects the site and runs to the Clark County treatment plant. The city is extending a new sanitary sewer line south to connect to the City of Fairborn's treatment plant. Once that connection is made, the 15-inch line bisecting the site can be abandoned. The City and Buc-ee's have been coordinating the location and construction of the new lift station, which will be near the front entrance. Construction of the lift station began in May.

Secondly, there is a Miami Conservancy District (MCD) retarding basin easement on the southern end of the site. These easements are common in the retarding basins behind each dam and control how buildings are constructed and how fill dirt is managed on-site. Simply put, the dams are designed to store a specific volume of water during major rain events, and the MCD does not want that volume reduced. The applicant has been working to obtain the necessary permits, and MCD has informed City staff those permits should be issued in the coming weeks.

Applicable Zoning Regulations

The applicable zoning chapters include 1171 General Provisions, 1176 Planned Commercial District, and 1181 General Provisions. The relevant sections are cited and discussed below:

1171.09 - Detailed development plan.

The detailed development plan shall conform substantially to the basic development plan. If desired by the developer, it may be submitted in stages with each stage reflecting a portion of the approved basic plan which is proposed to be recorded and developed;

provided however, that such portion conforms to all requirements of this chapter and other applicable ordinances. The requirement procedure for approval of a detailed development plan shall be:

(a) The detailed plan and supporting data shall be filed with the City. The Planning Commission shall determine that such plan is in conformity with these regulations and in agreement with the approved basic plan.

(b) After review of the detailed plan and supporting data, the Commission shall approve or disapprove the plan submitted by the developer. Disapproval of the detailed plan shall be based on its failure to comply with the basic development plan and current applicable codes, standards and regulations.

The staff analysis addresses the elements of the Detailed Development Plan and standards for approval.

Staff Analysis

The approved BDP Ordinance has the following conditions:

1. The applicant shall assess the health of the existing trees along the site's perimeter that will be incorporated into the landscaping plan. Healthy trees shall be identified and incorporated into the landscaping plan as appropriate, subject to approval as part of the Detailed Development Plan. The applicant shall also develop a plan to protect key trees during construction, subject to staff approval.
2. The applicant shall work with staff to determine the final street tree placement during the Detailed Development Plan phase.
3. Signs shall conform with Chapter 1189, unless otherwise approved in the Detailed Development Plan by the Planning Commission.
4. Permitted uses shall be those listed as permitted uses in Section 1176.01, except the following are prohibited:
 - Vehicle sales, rental, or service
 - Sweepstakes Cafes
 - Short-term lenders (pay-day lenders, loans against auto titles, etc.)
 - Dry cleaners
 - Outdoor sales and storage, unless approved by the Planning Commission

Conformance with Zoning Regulations

Conformance with the approved conditions of the BDP:

The applicant shall assess the health of the existing trees along the site's perimeter that will be incorporated into the landscaping plan. Healthy trees shall be identified and incorporated into the landscaping plan as appropriate, subject to approval as part of the Detailed Development Plan. The applicant shall also develop a plan to protect key trees during construction, subject to staff approval.

The applicant's landscaping plan illustrates the required tree survey by size and species. Along the perimeter of the site, approximately 75% of the existing trees will remain and are incorporated into the landscape plan. The site grading for the new retention ponds and front entrance necessitates removal of the remaining perimeter trees.

The applicant shall work with staff to determine the final street tree placement during the Detailed Development Plan phase.

Staff is pleased with the proposed landscaping plan and tree layout along SR-235. Staff has requested the applicant either add additional trees along SR-235 north of the main entrance or redistribute the trees closer to the roadway to fill in the current void along the slope from SR-235 to the parking area.

Signs shall conform with Chapter 1189, unless otherwise approved in the Detailed Development Plan by the Planning Commission.

Signs will be discussed in more detail later in this report.

Permitted uses shall be those listed as permitted uses in Section 1176.01, except the following are prohibited:

- **Vehicle sales, rental or service**
- **Sweepstakes Cafes**
- **Short-term lenders (pay-day lenders, loans against auto titles, etc.)**
- **Dry cleaners**
- **Outdoor sales and storage, unless approved by the Planning Commission**

These use restrictions were memorialized in the rezoning ordinance. The applicant is requesting outdoor sales along the perimeter wall of the store, which is illustrated on the site plan (sheet c-04).

Overall, the site plan within this DDP application is largely consistent with the BDP site plan approved by the City Council.

- The Buc-ee's store size remains the same at 74,000 S.F.
- Building elevations and wall signs are consistent with what was illustrated during the BDP discussions.
- The parking count remains at 699.
- All required setbacks are met.

The applicant has moved the site (building and parking) slightly to the south, to accommodate grading requirements. The new site plan illustrates reconfigured south retention pond and a third pond on the north side of the site.

Conformance With Other Zoning Requirements:

Lighting

The overall lighting plan conforms to the zoning code requirements for average illumination of the parking areas and light trespass restrictions. All fixtures are full cutoff fixtures.

The lighting plan indicates the parking lot lights are 30-feet tall. The Planning Commission has the discretion to set maximum lighting height under the zoning code. Since this site is not adjacent to any residential homes or apartments, and the highway lighting pole on the southwest edge of the site is nearly 100' tall, staff is comfortable with 30-foot parking lot lights.

Parking

The applicant proposes 699 parking spaces, more than the approximately 600 required by the zoning code. Stall dimensions are 10' x 20', as required. The 699 spaces include 11 RV/bus spaces, and 24 EV charging spaces.

Landscaping and Screening

Street trees: There is approximately 1,200 feet of frontage along SR-235, which requires 30 street trees. The plans indicate approximately 29 trees. Staff have requested additional trees or better distribution of trees along SR-235, north of the main entrance.

Parking lot landscaping: The landscaping plan meets and, in most cases, exceeds the zoning code requirements. Perimeter parking landscaping is met through a combination of trees and open space (buffer yards, retention pond). There are approximately 33 perimeter trees. This is in addition to the over 400 existing trees that will remain on site.

Interior parking lot landscaping: Interior parking lot landscaping includes a mixture of low plants and shrubs, along with a mixture of pin oak, black gum, honey locust, and hophornbeam (birch family) trees. All parking lot islands contain a tree with various ground plantings. Additionally, most parking stalls meet the requirement that there be two trees within 60 feet of the stall.

Service Structures

The trash compactors and generator are screens by solid fences.

Commercial Building Design Standards

The proposed building complies with the commercial building design standards outlined in the zoning code. The exterior is 100% masonry (a mixture of stucco and synthetic stone). The combination of smooth EIFS stucco, synthetic stone, decorative star medallions, and entrances break up the façade. There are no blank walls on the building.

Signage

Since this is a Planned Commercial District, the Planning Commission has great latitude in approving signage.

Building Signs: The applicant is proposing three wall signs each approximately 285 SF. (logo and text combined) for a total of approximately 855 SF. It is the staff's professional opinion that wall sign size should be allocated as a ratio of sign area to building wall length, so signs are proportional to building size, and they don't appear too large or too small. Many communities have a ratio of 1 to 2 sf per linear foot of the building wall. The North Heights Plaza shopping center PUD allows 2 SF per linear foot.

In this case, the Buc-ee's signs are well below 2 SF / linear foot. The proposed sign ratios are:

Main entrance (west wall):	0.7 SF / linear foot
North wall:	1.1 SF / linear foot
South wall:	1.1 SF / linear foot

Staff recommends approval of the building wall signs as submitted.

Fuel Canopy Signs: There are two fuel canopies, each with three logo signs, each 50.24 SF. The proposed logo ratios are:

Canopy ends:	0.8 SF / linear foot
Canopy 1 sides:	0.08 SF / linear foot
Canopy 2 sides:	0.11 SF / linear foot

Other Considerations**Traffic Improvements**

The Buc-ee's team, ODOT and the City have been working over the past months to address the additional traffic that will be generated by the proposed development. Based on the traffic study and ODOT recommendations, the following improvements will be constructed as part of this project:

SR-235 and Access A (main entrance):

- Construct a northbound right-turn lane at the SR-235 and Access A intersection.

SR-235 and Center Point 70 Boulevard/ Access B:

- Construct a channelized 375- foot northbound-right turn lane at the SR-235 and Center Point 70 Boulevard/ Access B intersection. The northbound right-turn lane is unsignalized and will be a free movement.
- Construct a southbound left turn lane at the SR-235 and Center Point 70 Boulevard/ Access B intersection. The recommended length of this turn lane is 200-feet including a 50-foot diverging taper. A 3-lane roadway section with center lane two-way left-turn lane (TWLT) will be constructed between Center Point 70 Boulevard Coca Cola Boulevard along SR-235.

- Construct an additional northbound thru-lane and receiving lane, north of Center Point 70/ Access B. The easternmost northbound thru-lane will merge into a single-lane north of Center Point 70.
- Modify signal timing and phasing at the SR-235 and Center Point 70 Boulevard/ Access B intersection.
- Extend the Northbound left-turn lane to 475-feet at the SR-235 and Center Point 70 Boulevard/ Access B intersection.
- Construct an eastbound right-turn lane at the SR-235 and Center Point 70 Boulevard/ Access B intersection. The recommended length of this turn-lane is 450-feet including a 50-foot diverging taper.
- Convert the southbound right-turn lane into a southbound thru-right-turn lane at the SR-235 and Center Point 70 Boulevard/ Access B intersection.

SR-235 and Coca Cola Boulevard:

- Update traffic signal timings at the SR-235 and Coca Cola Boulevard intersection.

I-70 Westbound to SR-235 Northbound Off-Ramp Intersection:

- Construct a signalized intersection at the I-70 Westbound to Northbound SR-235 Off-Ramp and Northbound SR-235 intersection.
- Construct an additional lane on I-70 Westbound Exit Ramp to form a two-lane ramp from the exit ramp gore to the proposed I-70 Westbound Ramp to northbound SR-235 ramp and SR-235 signalized intersection.
- Construct an additional northbound thru-lane at the proposed I-70 Westbound to Northbound SR235 Off-Ramp and Northbound SR-235 intersection. The additional northbound thru-lane will be 200 feet long including a 50-foot diverging taper.

SR-235 Corridor:

- Extend the existing 12-foot median along SR-235 to terminate 150-feet north of SR-235 and Artz Road/ Access A. A center two-way left-turn lane (TWLT) will be constructed that begins at the median and drops into a northbound left-turn lane at the SR-235 and Center Point 70/ Access B intersection.
- Restripe SR-235 Southbound from Artz Road to I-70 Westbound on-ramp.
- Widen SR-235 north of Center Point 70 Boulevard to two lanes each way for 450' from Center Point 70 Boulevard.

Based on these improvements, City staff and ODOT are comfortable that traffic flow will be maintained and manageable during normal operating days. It is important to note that traffic volumes will likely be higher in the months immediately after opening and during high-volume holidays.

Staff Analysis

The DDP application significantly conforms with the Basic Development Plan ordinance approved by the City Council. Additionally, the DDP generally conforms to all relevant zoning regulations, including landscaping, lighting, parking, and architectural standards.

The applicant has accommodated City and ODOT requests, particularly as it relates to traffic improvements.

Additional Comments:

Fire: See attached. The comments have been forwarded to the applicant.

City Engineer: Fire water lines shall be in a 10' public easement.

STAFF RECOMMENDATION

Staff feels the proposal meets the standards outlined in Section 1171.09. Staff recommends approval of the Detailed Development Plan submitted on April 23, 2024, with the following conditions:

1. The applicant shall comply with all Fire Department conditions.
2. Fire water lines shall be in a 10' public easement.
3. Additional street trees shall be provided or located along SR 235, north of the main entrance, subject to staff approval.
4. The pylon sign shall be considered at a future Planning Commission meeting and is excluded from approval of the sign package submitted with this application dated April 23, 2024.

Planning Commission Action

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

- 1) Approve the Detailed Development Plan with or without conditions.
- 2) Deny the Detailed Development Plan (the Commission should state the specific reasons for denial); or
- 3) Table the application.