



AGENDA
CITY PLANNING COMMISSION

City Hall - Council Chambers
6131 Taylorsville Road
September 10, 2024
6:00 P.M.

1. Call Meeting To Order
2. Roll Call
3. Opening Remarks By The Chair and Commissioners
4. Citizens Comments
5. Swearing of Witnesses
6. Pending Business
 - A. None
7. New Business
 - A. MINOR CHANGE - The applicant, KEITH BOWMAN, is requesting approval of a 1,100 sq. ft. expansion to accommodate two additional exam rooms (MC 24-16).
 - B. LOT SPLIT - The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval of a Record Plan creating one 2.81 acre lot (existing use) and a separate 0.28 acre lot that will be used as an access drive for the city's new yard waste facility (LS 24-18).

- C. BASIC DEVELOPMENT PLAN - The applicant, CARRIAGE TRAILS CO, LLC, is requesting approval of a Rezoning to Planned Mixed-Use (PM) and a Basic Development Plan for 296.236 acres recently annexed into the City of Huber Heights. Property is located between Carriage Trails I and US 40 (BDP 24-17).

8. Additional Business

- A. None

9. Approval of Minutes

- A. Without objection the minutes of the August 13, 2024, Planning Commissioj meeting are approved.

10. Reports and Calendar Review

11. Upcoming Meetings

- A. October 15, 2024
November 12, 2024

12. Adjournment

AI-10321

7. A.

Planning Commission

Meeting Date: 09/10/2024

Minor Change

Information

Agenda Title

MINOR CHANGE - The applicant, KEITH BOWMAN, is requesting approval of a 1,100 sq. ft. expansion to accommodate two additional exam rooms (MC 24-16).

Purpose and Background

Attachments

Application

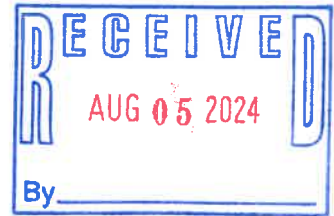
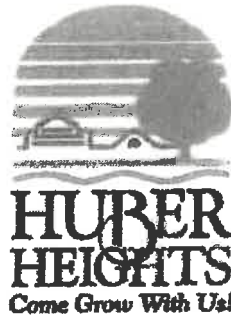
Staff Report

Decision Record

Site Plan

Fire Assessment

DEVELOPMENT APPLICATION
CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

6131 Taylorsville Road
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number MC 2416
Receipt Number 279631652

Date Filed 8-5-24
Amount Paid 150.00

TYPE OF ACTION REQUESTED

Check all that apply. Attach explanations & additional information as required.

- | | |
|---|--|
| ☐ Annexation & Zoning (Attach original annexation petition to this application.) | ☐ Planned Unit Development |
| ☐ Annexation Agreement | ☐ Basic Development Plan |
| ☐ Rezoning to _____ | ☐ Detailed Development Plan |
| ☐ Special Use | ☐ Major Change |
| ☐ Variance from the Zoning Ordinance | ☒ Minor Change |
| ☐ Lot Split | ☐ Other |
| ☐ Final Plat/Replat | |
| ☐ Preliminary Plat | |
| ☐ Text Amendment | |
| ☐ Zoning Ordinance | |
| ☐ Subdivision Regulations | |
| ☐ Other | |

9/10/24

APPLICANT INFORMATION

Identify the applicant & contact person on this page. Complete the attachment to list the owner(s) & other parties involved with the application.

<u>APPLICANT</u>		<u>CONTACT PERSON</u>	
Name	KEITH BOWMAN	Name	KEITH BOWMAN
Address	335 HULS DR. CLAYTON, OH 45315	Address	335 HULS DR. CLAYTON, OH 45315
Phone	937-836-0251	Phone	937-836-0251
Fax		Fax	
Email	KBOWMAN@CARRABUILDERS.COM	Email	KBOWMAN@CARRABUILDERS.COM

PROPERTY INFORMATION

Project Name: Dr. Gioiello DDS

Location of property: 7135 TROY PIKE
HUBER HEIGHTS, OH 45424

Book Page Parcel Number(s) P70 040050011

Current Zoning: Proposed Zoning:

Property Owner's Name: DR. BILL GIOIELLO Telephone: 937-237-9211

Address: 7135 TROY PIKE HUBER HEIGHTS, OH 45434

Total acres included in this application:

Type of Development: Residential Commercial Office ☒ Industrial Other

Brief description of application request:
1100 SF Addition on to existing building

Applicant's status: Owner Lessee Purchaser Agent ☒

Name of Engineer: Leesman Engineering Telephone:

Attach additional information as required. Please refer to the applicable application submittal checklist.

Applicant's Signature

Applicant's Signature: _____

Kalth H. Bowman

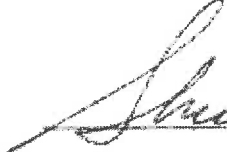
Printed Name: _____

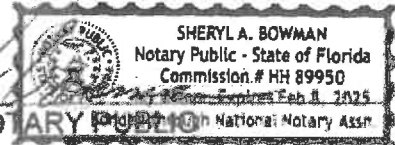
The owner of the property, if other than the applicant, must sign this application as evidence of concurrence with the request.



OWNER

Subscribed and sworn to before me this 23rd day of July, 2024.





BY THE ABOVE SIGNATURE, THE APPLICANT HEREBY ATTESTS TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED AND SUBMITTED ON AND WITH THIS APPLICANT. BY THE ABOVE SIGNATURE, THE APPLICANT FURTHERMORE CONSENTS TO BE BOUND BY THIS APPLICATION, BY ANY AGREEMENT MADE BY THE APPLICANT OR ITS AGENT, AND BY ALL DECISIONS MADE BY THE CITY OF HUBER HEIGHTS RELATING TO AND IN CONNECTION WITH APPLICATION AND REQUESTS.

=====

Date Received _____ Fee Paid _____ Received by _____

ADDITIONAL CONTACT INFORMATION

PROPERTY OWNER
Name WILLIAN GIOIELLO
Address 7135 TROY PIKE
HUBER HEIGHTS, OH 45424

Phone 937-237-9211
Fax _____
Email _____

ATTORNEY
Name _____
Address _____

Phone _____
Fax _____
Email _____

LAND PLANNER
Name _____
Address _____

Phone _____
Fax _____
Email _____

LANDSCAPE ARCHITECT
Name _____
Address _____

Phone _____
Fax _____
Email _____

AGENT
Name KEITH BOWMAN
Address 335 HULS DR.
CLAYTON, OH 45315

Phone 937-836-0251
Fax _____
Email KBOWMAN@CARRABUILDERS.COM

DEVELOPER
Name _____
Address _____

Phone _____
Fax _____
Email _____

ENGINEER
Name _____
Address _____

Phone _____
Fax _____
Email _____

OTHER
Name _____
Address _____

Phone _____
Fax _____
Email _____

The Applicant is obligated by Ordinance 87-O-231 to pay the City of Huber Heights ("City") for all costs and expenses incurred by the City if this application or request causes the City to incur extra expenses for professional analysis or other services by persons or organizations not part of the full-time City staff.

By the signature below, the Applicant herein states she/he has fully and completely read the above statement, understands the above statement, and agrees to fully comply with the above statement.

Date: 7/17/24
Project: Dr. Gioiello DDS

Owner's Signature

Printed Name _____

OWNER on this 23rd day of July, 2024

LEAH A. COWMAN
Notary Public - State of Florida
Commission # MH 89950
My Comm. Expires Feb 8, 2025
Bonded through National Notary Assn.



8/5 already processed

✓ Payment Successful [279631652]

Please, print this page as your receipt and keep it for your records.
A copy of the receipt was sent to kbowman@carrabuilders.com.

Transaction Number	279631652
Base Amount	\$150.00
Convenience Fee	\$4.12
Total Amount	\$154.12
Merchant Name	HH Zoning VT
Payment Date	July 23, 2024, 3:45 PM EDT

Bill Information

Zoning				
Customer Name	Item Description	Property Address (Include Lot #)	Invoice No.	Amount
Keith H. Bowman	Addition on to existing Property	7135 Troy Pike Huber heights Oh. 45424		\$150.00

Personal Information		Payment Information	
Full Name	Keith H. Bowman	Card Number	VISA Credit ending in 5284.
Address	335 Huls Dr CLAYTON Clayton, OH, 45315 United States	Full Name	Keith Bowman
Phone Number	(937) 836-0251	Address	335 Huls Dr CLAYTON Clayton, OH, 45315
Email Address	kbowman@carrabuilders.com	Phone Number	(937) 836-0251

PAYMENT TERMS AND CONDITIONS

CONVENIENCE FEE

A convenience fee is charged by Heartland Payment Systems for making payments on this website. The convenience fee is 2.75% and will appear as a separate transaction on your monthly statement.. The convenience fee is included in or has been added to your payment.

AUTHORIZATION

By checking the "I agree to the Terms and Conditions" checkbox below I am confirming my acceptance of the convenience fee associated with my payment, which payment is in accordance with the rules and regulations of the agreement between me and my card issuer.

My payment can only be completed upon the acceptance and authorization of my issuing credit or debit card company. If my payment cannot be completed, I will retain the same liability, which is my sole responsibility, for payment as though I had not attempted to make the payment.

Furthermore, I may also be liable for additional fees and penalties to the extent of applicable law.

RECEIPT

A receipt can be printed after payment is accepted which will serve as evidence of payment. If you provide an email address during the payment

Memorandum

Staff Report for Meeting of September 10, 2024

To: Huber Heights City Planning Commission
From: Aaron K. Sorrell, City Planner
Date: September 5, 2024
Subject: MC 24-16 (Building Expansion)
7135 Old Troy Pike

Department of Planning and Zoning

City of Huber Heights

APPLICANT/OWNER: Keith Bowman, Carra Builders – Applicant
Dr. Bill Gioiello - Owner

DEVELOPMENT NAME: Bill Gioiello, DDS – Office Expansion

ADDRESS/LOCATION: 7135 Old Troy Pike

ZONING/ACREAGE: Planned Office District (PO) / 1.125 Acres

EXISTING LAND USE: Dentist Office

ZONING
ADJACENT LAND: Surrounding properties are zoned: R-4

REQUEST: The applicant requests approval of a 1,100 SF expansion to accommodate two additional exam rooms.

ORIGINAL APPROVAL: N/A

APPLICABLE HHCC: Chapter 1171, 1173

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

STAFF ANALYSIS AND RECOMMENDATION:

Overview

The applicant is requesting a minor change of the PUD to construct a 1,100 SF addition to an existing 3,825 SF office building. The addition will provide two additional examination rooms, for a total of 10 examination rooms.

Site Characteristics

The site contains two principal buildings under common ownership. The subject building contains the existing dental office. The second building houses a roofing sales and insurance sales company. The site is well landscaped with mature trees.

Applicable Zoning Regulations

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1173 Planned Office District.

1171.11 Changes in the basic and detailed development plans.

A PUD shall be developed only according to the approved and recorded detailed development plan and supporting data together with all recorded amendments and shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises (including the internal use of buildings and structures) and location of structures in the PUD as set forth therein.

(a) Major Changes. Changes which alter the concept, uses or intent of the PUD including increases in the number of units per acre, change in location or amount of nonresidential land uses, more than 15 percent modification in proportion of housing types, significant redesign of roadways, utilities or drainage, may be approved only by submission of a new basic plan and supporting data in accordance with Sections 1171.03, 1171.04 and 1171.05.

(b) Minor Changes. The Zoning Officer recommends to the Planning Commission approval or disapproval of the minor changes in the PUD. Minor changes are defined as any change not defined as a major change.

Staff Analysis

Conformance With Planned Office District Requirements:

Use: Dental offices are principally permitted uses.

Development Standards:

- The site plan meets all parking and building setback and yard requirements.
- There are existing street trees along Old Troy Pike.
- The building design meets all exterior materials requirements.

- All utilities are below ground.

Parking and Loading:

- There are 42 existing parking spaces.
- The expansion will result in a net loss of four spaces totaling 38 parking spaces.

The code requires 39 parking spaces based on the number of offices and/or examination rooms between the two buildings. The dental offices require approximately 30 spaces, and the second building requires approximately nine (9) spaces. The applicant has indicated there are approximately three to four employees between the roofing and insurance companies, and the dental offices are the primary parking users. Staff feels there is adequate parking to support the addition of two examination rooms.

No other physical changes to the site are contemplated.

Additional Comments:

Fire: Approves the plans as submitted.

City Engineer: The City Engineer had no comments.

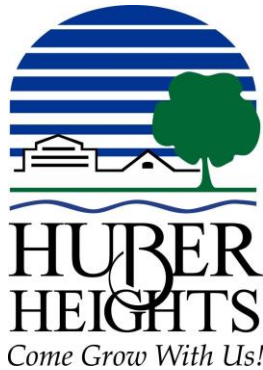
Recommendation

Staff recommends approval of the Minor Change to the PUD to facilitate the office expansion. Staff has no conditions associated with the recommended approval.

Planning Commission Action

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

- 1) Approve the Minor Change with or without conditions;
- 2) Deny the Minor Change; or
- 3) Table the application in order to gather additional information.



Planning Commission Decision Record

WHEREAS, on August 5, 2024, the applicant, Keith Bowman, requested approval of a 1,100 sq. ft. expansion to accommodate two additional exam rooms. Property is located at 7135 Old Troy Pike, further identified as Parcel Number P70 04005 0011 of the Montgomery County Auditor's Map (MC 24-16), and;

WHEREAS, on September 10, 2024, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

moved to approve the request by the applicant, Keith Bowman, for approval of a 1,100 sq. ft. expansion to accommodate two additional exam rooms. Property is located at 7135 Old Troy Pike (Case MC 24-16), in accordance with the recommendation of Staff's Memorandum dated September 5, 2024, with the following conditions:

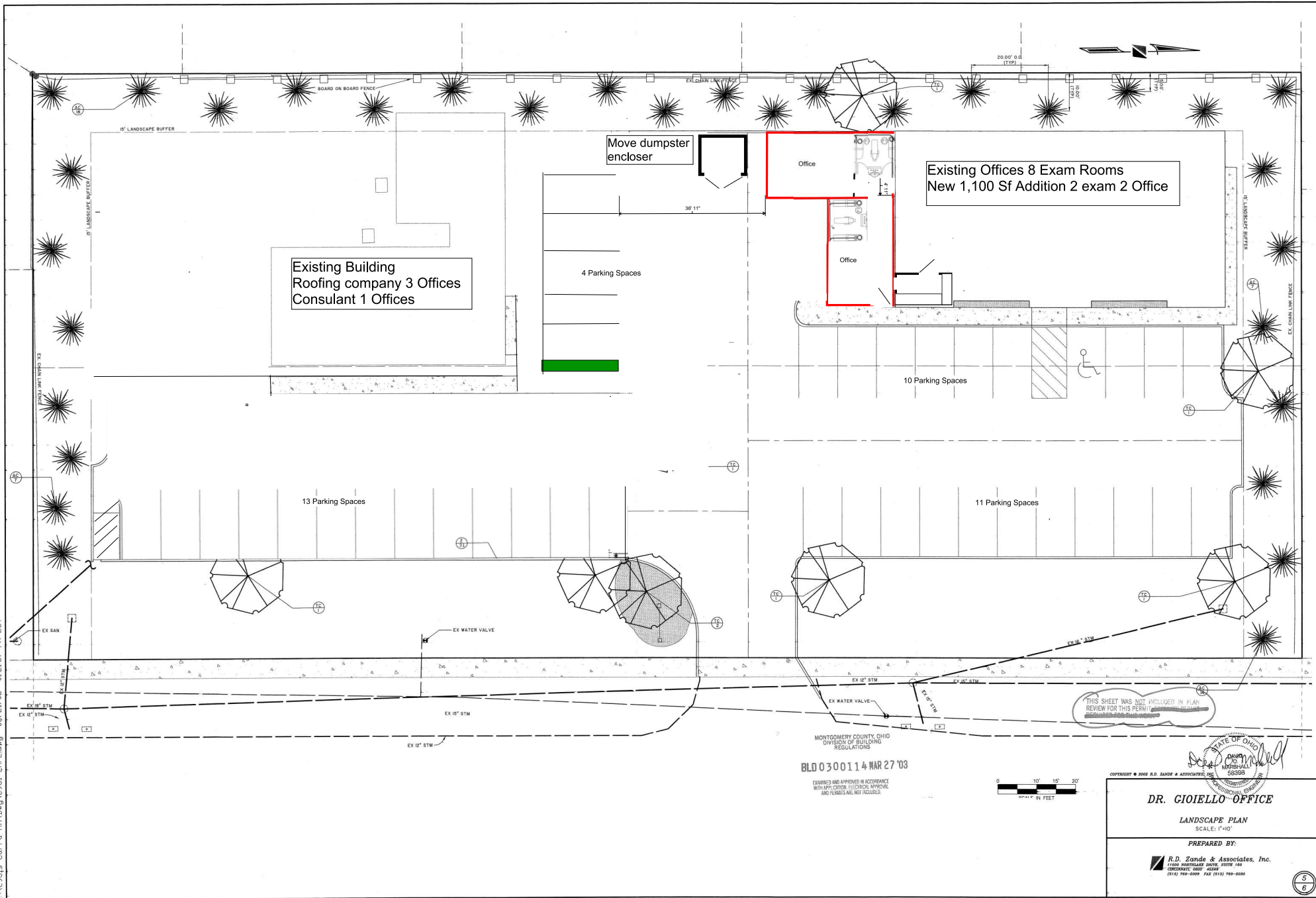
1. Approve as submitted

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

Terry Walton, Chair
Planning Commission

Date

P:\c981\Corra_HH\Draw\c981-LAP1.dwg 03/21/03 01:20:37 PM EST



MONTGOMERY COUNTY, OHIO
DIVISION OF BUILDING
REGULATIONS
BLD 0300114 MAR 27 '03
EXAMINED AND APPROVED IN ACCORDANCE
WITH APPLICATION, ELECTRICAL APPROVAL
AND PERMITS ARE NOT INCLUDED.



THIS SHEET WAS NOT INCLUDED IN PLAN
REVIEW FOR THIS PERMIT
REASON: [illegible]



DR. GIOIELLO - OFFICE
LANDSCAPE PLAN
SCALE: 1"=10'
PREPARED BY:
R.D. Zande & Associates, Inc.
11500 INDUSTRIAL BOULEVARD, SUITE 100
CINCINNATI, OHIO 45244
(513) 763-0000 FAX (513) 763-0000



Huber Heights Fire Division

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

Occupancy Name:	Gioiello Office
Occupancy Address:	7135 Old Troy Pike

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:	24-336
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	8/27/2024

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. A full plan review of the building systems, fire protection, egress and life safety will need to be conducted once the architectural plans have been submitted for permit. The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2024 and the Huber Heights Codified Ordinance.

Requirements: (Site Plan)

- The scope of the project is for a 1100 sq. ft. addition to the southside of existing business. New addition **does not affect** existing fire department access or the need for a new fire hydrant.
- A permit shall be obtained for construction from Montgomery County Building Regulations.

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 statutes 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

AI-10322

7. B.

Planning Commission

Meeting Date: 09/10/2024

Lot Split

Information

Agenda Title

LOT SPLIT - The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval of a Record Plan creating one 2.81 acre lot (existing use) and a separate 0.28 acre lot that will be used as an access drive for the city's new yard waste facility (LS 24-18).

Purpose and Background

Attachments

Application

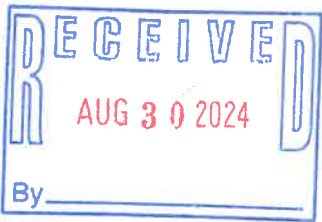
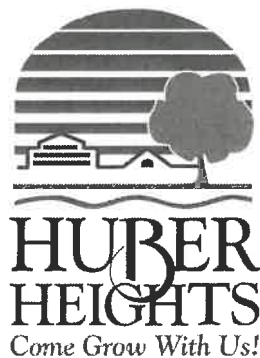
Staff Report

Decision Record

Drawing

Fire Assessment

DEVELOPMENT APPLICATION
CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

6131 Taylorsville Road 937.233.1423
Huber Heights, Ohio 45424 937.233.1272 (Fax)

Application Number LS 24-18 Date Filed 8/30/24
Receipt Number Amount Paid

TYPE OF ACTION REQUESTED

Check all that apply. Attach explanations & additional information as required.

- | | |
|---|--|
| ☐ Annexation & Zoning (Attach original annexation petition to this application.) | ☐ Planned Unit Development |
| ☐ Annexation Agreement | ☐ Basic Development Plan |
| ☐ Rezoning to <u> </u> | ☐ Detailed Development Plan |
| ☐ Special Use | ☐ Major Change |
| ☐ Variance from the Zoning Ordinance | ☐ Minor Change |
| ☒ Lot Split/Final Plat/Replat | ☐ Other |
| ☐ Preliminary Plat | |
| ☐ Text Amendment | |
| ☐ Zoning Ordinance | |
| ☐ Subdivision Regulations | |
| ☐ Other | |

9/10/24

APPLICANT INFORMATION

Identify the applicant & contact person on this page. Complete the attachment to list the owner(s) & other parties involved with the application.

<u>APPLICANT</u>		<u>CONTACT PERSON</u>	
Name	<u>The City of Huber Heights</u>	Name	<u>Aaron Sarrell</u>
Address	<u>6131 Taylorville Rd</u>	Address	<u>same</u>
Phone	<u>Huber Heights On</u>	Phone	<u>937-237-5819</u>
Fax	<u>937-233-1423</u>	Fax	
Email		Email	<u>asarrell@uhoh.org</u>

PROPERTY INFORMATION

Project Name: New Yard Waste Site

Location of property: 7255 Bridgewater Road

Book _____ Page _____ Parcel Number(s) _____

Current Zoning: _____ Proposed Zoning: _____

Property Owner's Name: The City of Huber Heights Telephone: _____

Address: _____

Total acres included in this application: _____

Type of Development: Residential _____ Commercial _____ Office _____ Industrial _____ Other _____

Brief description of application request:
Replat of 0.2848 acres

Applicant's status: Owner ☒ Lessee _____ Purchaser _____ Agent _____

Name of Engineer: _____ Telephone: _____

Attach additional information as required. Please refer to the applicable application submittal checklist.

Applicant's Signature



Applicant's Signature:



Printed Name:

The owner of the property, if other than the applicant, must sign this application as evidence of concurrence with the request.

OWNER

Subscribed and sworn to before me this _____ day of _____, 20____.

NOTARY PUBLIC

BY THE ABOVE SIGNATURE, THE APPLICANT HEREBY ATTESTS TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED AND SUBMITTED ON AND WITH THIS APPLICANT. BY THE ABOVE SIGNATURE, THE APPLICANT FURTHERMORE CONSENTS TO BE BOUND BY THIS APPLICATION, BY ANY AGREEMENT MADE BY THE APPLICANT OR ITS AGENT, AND BY ALL DECISIONS MADE BY THE CITY OF HUBER HEIGHTS RELATING TO AND IN CONNECTION WITH APPLICATION AND REQUESTS.

=====

Date Received _____ Fee Paid _____ Received by _____

ADDITIONAL CONTACT INFORMATION

PROPERTY OWNER

Name _____
Address _____

Phone _____
Fax _____
Email _____

ATTORNEY

Name _____
Address _____

Phone _____
Fax _____
Email _____

LAND PLANNER

Name _____
Address _____

Phone _____
Fax _____
Email _____

LANDSCAPE ARCHITECT

Name _____
Address _____

Phone _____
Fax _____
Email _____

AGENT

Name _____
Address _____

Phone _____
Fax _____
Email _____

DEVELOPER

Name _____
Address _____

Phone _____
Fax _____
Email _____

ENGINEER

Name _____
Address _____

Phone _____
Fax _____
Email _____

OTHER

Name _____
Address _____

Phone _____
Fax _____
Email _____

STATEMENT OF APPLICANT OBLIGATION FOR PAYMENT
OR CERTAIN PROFESSIONAL COSTS AND EXPENSES

The Applicant is obligated by Ordinance 87-O-231 to pay the City of Huber Heights ("City") for all costs and expenses incurred by the City if this application or request causes the City to incur extra expenses for professional analysis or other services by persons or organizations not part of the full-time City staff.

The payment of expenses and costs referred to in this statement shall be made to the City of Huber Heights in accordance with the then current administrative policy for such payment. An application or request may require funds to be deposited in advance with the City for such costs and expenses. The payment of such costs and expenses shall be in addition to any other application fee required by the City. The person whose signature appears below as Applicant states that she/he has full and complete authority to agree to, bind and obligate the Applicant to pay the costs and expenses referred to in this statement and to fully comply with the above statement.

By the signature below, the Applicant herein states she/he has fully and completely read the above statement, understands the above statement, and agrees to fully comply with the above statement.

_____ Witness	By: _____ Applicant's Signature
_____ Witness	Date: _____
	Project: _____

The undersigned, owner(s) of the certain real property described in the attached Exhibit "A" (the "Property"), do hereby appoint and expressly grant full authority to _____ to act as the sole agent of and on behalf of the undersigned in all matters related to and in connection with the attached Development Application. The undersigned hereby consents and agrees to be bound by the application, by any agreement made by the herein named agent with the City of Huber Heights in connection with this same case, and by all decisions made by the City in connection with this same case.

_____ Owner's Signature	_____ Owner's Signature
_____ Printed Name	_____ Printed Name

Sworn to before me and subscribed in my presence by the said

_____ on this _____ day of _____, 20_____.

Notary Public

Memorandum

Staff Report for Meeting of September 10, 2024

To: Huber Heights City Planning Commission
From: Aaron K. Sorrell, City Planner
Date: September 3, 2024
Subject: LS 24-18 (Yard Waste Site Entrance)
7255 Bridgewater Road

Department of Planning and Zoning

City of Huber Heights

APPLICANT/OWNER: City of Huber Heights – Applicant
Dayton Logistics of Georgia - Owner

DEVELOPMENT NAME: New Yard Waste Site

ADDRESS/LOCATION: 7255 Bridgewater Road

ZONING/ACREAGE: Light Industrial and Mixed Use (I-1) / 0.28 Acres

EXISTING LAND USE: Private Fueling Center

ZONING
ADJACENT LAND: North, East, West: I-1
South: A

REQUEST: The applicant requests approval of a record plan creating one 2.81 acre lot (existing use) and a separate 0.28 acre lot that will be used as an access drive for the city's new yard waste facility.

ORIGINAL APPROVAL: N/A

APPLICABLE HHCC: Chapter 1107 (Subdivision Regulations)

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

STAFF ANALYSIS AND RECOMMENDATION:

Overview

This application allows the City to construct an access drive to the new yard waste facility. Once replatted, the city will close on the purchase of the property and improve the site for use beginning on or around November 1st.

Staff Analysis

This application is required for the development of the new yard waste site. This replat creates two lots.

Lot 11 contains 2.81 acres. This lot is the site of an existing private fueling station. The existing land use will continue to conform with the zoning code.

The new lot contains 0.28 acres. This lot will become the driveway to the city yard waste site. Ultimately, this new lot and the lot to the south will be combined.

The 30-foot driveway and the proposed replat meets all the requirements of the subdivision regulations.

Additional Comments:

Fire: Approves the replat as submitted.

City Engineer: Approves the replat as submitted.

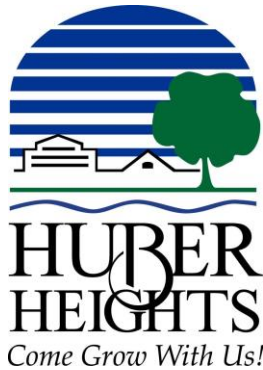
Recommendation

Staff recommends approval of the application as submitted.

Planning Commission Action

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

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



Planning Commission Decision Record

WHEREAS, on August 30, 2024, the applicant, The City of Huber Heights, requested approval of a Record Plan creating one 2.81 acre lot (existing use) and a separate 0.28 acre lot that will be used as an access drive for the city's new yard waste facility. Property is located at 7255 Bridgewater Road (Case LS 24-18), and;

WHEREAS, on September 10, 2024, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

moved to approve the request by the applicant, The City of Huber Heights, for approval of a Record Plan creating one 2.81 acre lot (existing use) and a separate 0.28 acre lot. Property is located at 7255 Bridgewater Road (Case LS 24-18), in accordance with the recommendation of Staff's Memorandum dated September 3, 2024, with the following conditions:

1. Approve as submitted.

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

Terry Walton, Chair
Planning Commission

Date

DEDICATION

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LAND HEREIN CONSOLIDATED DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THE SAME TO BE OUR VOLUNTARY ACT AND DEED AND DO HEREBY DEDICATE THE STREETS AND RESERVE THE EASEMENTS SHOWN ON THE WITHIN PLAT TO THE PUBLIC USE FOREVER.

OWNER: DAYTON LOGISTICS LLC

BY: _____
IT'S: _____

STATE OF OHIO)
COUNTY OF _____)SS:
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____, DAY OF _____, 2024, BY _____,
NO OATH OR AFFIRMATION WAS GIVEN.

NOTARY PUBLIC

OWNERS STATEMENT:

_____, BEING DULY SWORN, SAYS THAT ALL PERSONS OR CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN IT'S EXECUTION. SWORN TO OR AFFIRMED AND SUBSCRIBED BEFORE ME BY _____ THIS _____ DAY OF _____, 2024

NOTARY PUBLIC

CITY OF HUBER HEIGHTS, OHIO

CITY OF HUBER HEIGHTS CITY MANAGER
APPROVED BY THE CITY MANAGER OF THE CITY OF HUBER HEIGHTS ON THIS _____ DAY OF _____, 2024

BY: _____ DATE: _____
ITS CITY MANAGER

MONTGOMERY COUNTY ENGINEER APPROVED FOR DESCRIPTION

DATE: _____, 2024 JOB No. 2024--RE

ANDREW J. SHAHAN, P.E., P.S., OR AUTHORIZED REPRESENTATIVE

CHECKED BY: _____ DATE: _____

RECORD PLAN

CITY OF HUBER HEIGHTS

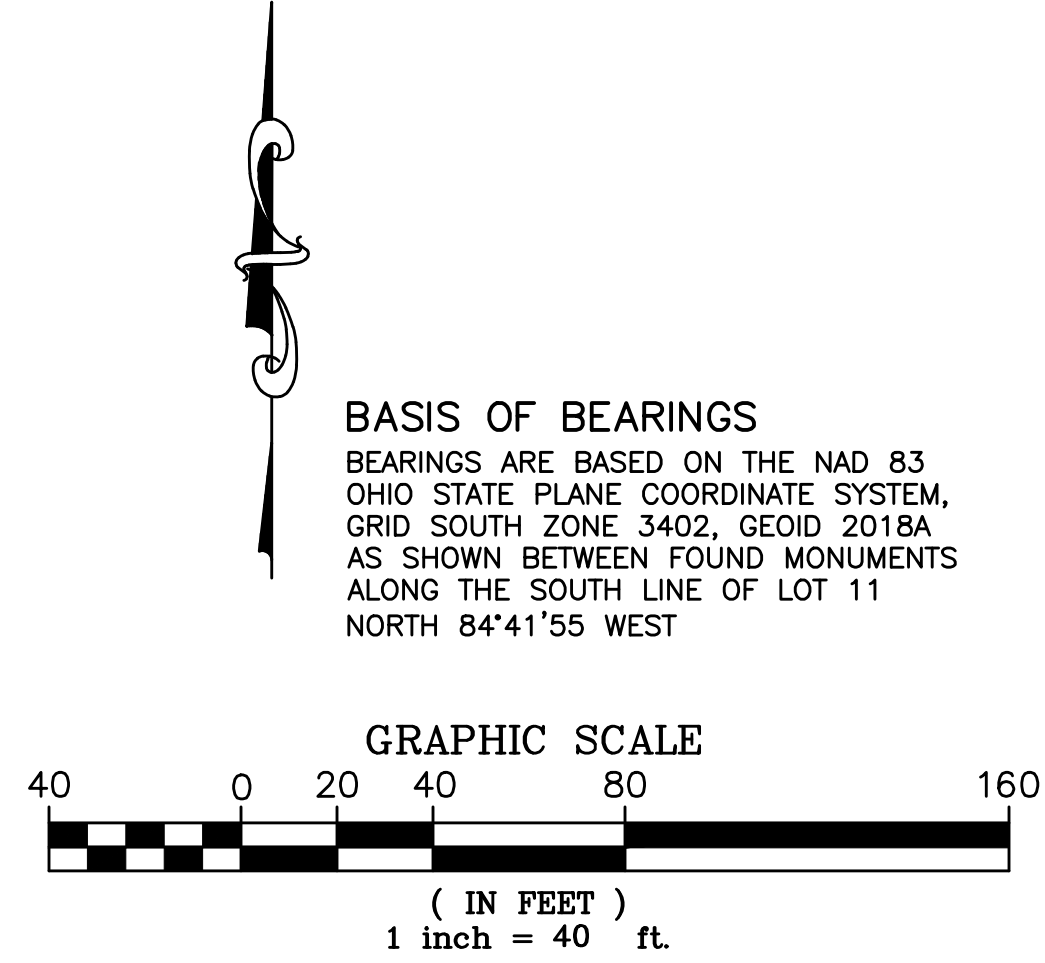
BEING A REPLAT OF LOT 11, TAYBRIDGE INDUSTRIAL PARK
SECTION 2
P.B. 147 PAGE 2
SECTION 35, TOWN 2, RANGE 8 M.Rs.
CITY OF HUBER HEIGHTS,
MONTGOMERY COUNTY, OHIO

PREPARED BY:

WE

VANATTA ENGINEERING INC
570 Congress Park • Dr Dayton, OH 45459
Phone: 937.438.5650
Fax: 937.438.5645

SURVEY REFERENCES:
PB 176 PAGE 2
PB 187 PAGE 20



VICINITY MAP

TAYBRIDGE INDUSTRIAL PARK
SUBDIVISION



SUPERIMPOSITION NOTE:

THE PLAT SHOWN HEREIN IS SUPERIMPOSED WITHIN THE LANDS OF THE DEDICATORS FROM WHICH THE PLAT IS DRAWN.

OCCUPATION STATEMENT

LINES OF OCCUPATION AGREE GENERALLY WITH THE BOUNDARY AS SHOWN.

SURVEY SYMBOLS LEGEND:

- EX 5/8" IRON PIN FOUND
- EX 1" IRON PIPE FOUND
- IRON PIN SET (5/8" DIA, 30" LONG)
- EX 1" IRON PIPE FOUND 1" X 1" SQUARE

DESCRIPTION

THE WITHIN IS A REPLAT OF 0.2848 ACRES IN LOT 11 TAYBRIDGE INDUSTRIAL PARK PG 176 PAGE 2 AND SECTION 35, TOWN2, RANGE 8, M.R.s., MONTGOMERY COUNTY OHIO, AS CONVEYED TO DAYTON LOGISTICS LLC BY I.R. DEED 16-018961 AS RECORDED IN THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO.

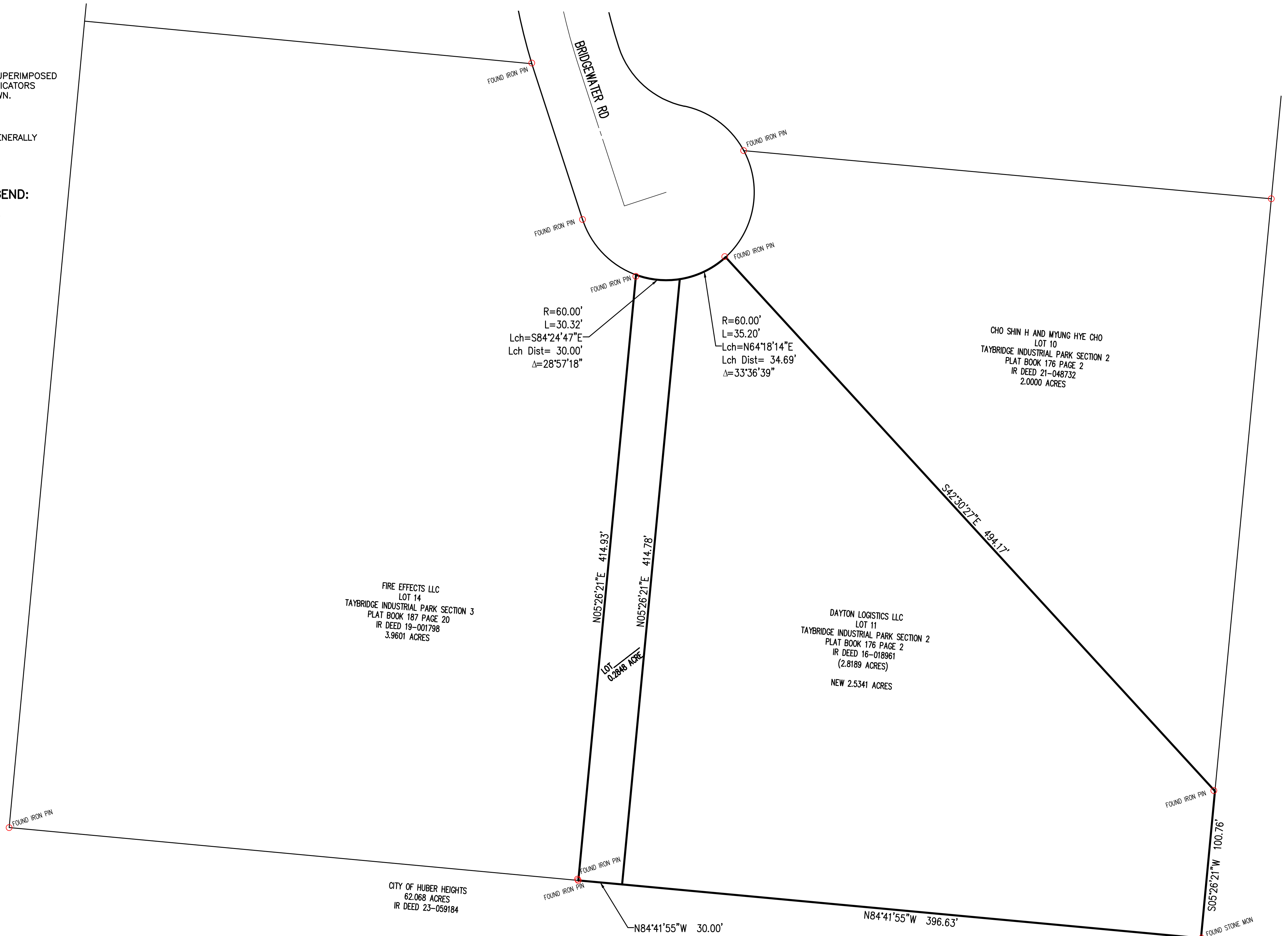
CERTIFICATION

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK IN MAY 25 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS.

VAN ATTA ENGINEERING, INC.

BRIAN ALAN BAKER
OHIO REGISTERED SURVEYOR NO. 8891

DATE





Huber Heights Fire Division

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

Occupancy Name:	Lot Split - New Driveway		
Occupancy Address:	Wildcat Road		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:	N/A	HH P&D:	
MCBR MEC:		HHFD Plan:	
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	9/4/2024

Fire Department Comments:

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

Plan submittal is approved as shown on drawing, lot split only. Additional requirements regarding fire department access and fire hydrants may be forthcoming if property is proposed to be used for commercial development.

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 statutes and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

AI-10323

7. C.

Planning Commission

Meeting Date: 09/10/2024

Basic Development Plan

Information

Agenda Title

BASIC DEVELOPMENT PLAN - The applicant, CARRIAGE TRAILS CO, LLC, is requesting approval of a Rezoning to Planned Mixed-Use (PM) and a Basic Development Plan for 296.236 acres recently annexed into the City of Huber Heights. Property is located between Carriage Trails I and US 40 (BDP 24-17).

Purpose and Background

Attachments

Application

Staff Report

Decision Record

Drawings

Legal Description

Fire Assessment

DEVELOPMENT APPLICATION
CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

6131 Taylorsville Road
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number _____
Receipt Number _____

Date Filed _____
Amount Paid _____

TYPE OF ACTION REQUESTED

Check all that apply. Attach explanations & additional information as required.

- | | |
|---|--|
| ☐ Annexation & Zoning (Attach original annexation petition to this application.) | ☒ Planned Unit Development |
| ☐ Annexation Agreement | ☒ Basic Development Plan |
| ☐ Rezoning to _____ | ☐ Detailed Development Plan |
| ☐ Special Use | ☐ Major Change |
| ☐ Variance from the Zoning Ordinance | ☐ Minor Change |
| ☐ Lot Split | ☐ Other |
| ☐ Final Plat/Replat | |
| ☐ Preliminary Plat | |
| ☐ Text Amendment | |
| ☐ Zoning Ordinance | |
| ☐ Subdivision Regulations | |
| ☐ Other | |

APPLICANT INFORMATION

Identify the applicant & contact person on this page. Complete the attachment to list the owner(s) & other parties involved with the application.

	<u>APPLICANT</u>		<u>CONTACT PERSON</u>
Name	<u>Carriage Trails Co. LLC</u>	Name	<u>William W. Keethler II</u>
Address	<u>5131 Post Road, Suite 101</u> <u>Dublin, OH 43017</u>	Address	<u>5131 Post Road, Suite 101</u> <u>Dublin, OH 43017</u>
Phone	<u>614.717.4441</u>	Phone	<u>614.717.4441</u>
Fax	<u>614.717.4440</u>	Fax	<u>614.717.4440</u>
Email	<u>bkeethler@carriage-trails.com</u>	Email	<u>bkeethler@carriage-trails.com</u>

PROPERTY INFORMATION

Project Name: Carriage Trails II

Location of property: north of Carriage Trails I

Book _____ Page _____ Parcel Number(s) SEE ATTACHED

Current Zoning: A Proposed Zoning: PM

Property Owner's Name: SEE ATTACHED Telephone: SEE ATTACHED

Address: SEE ATTACHED

Total acres included in this application: 296.236 acres

Type of Development: Residential ☒ Commercial ☒ Office _____ Industrial _____ Other _____

Brief description of application request:

This application is for a Basic Development Plan required for an expansion of the existing Carriage Trails I for a planned mixed-use district.

Applicant's status: Owner _____ Lessee _____ Purchaser _____ Agent ☒

Name of Engineer: IBI/ARCADIS Telephone: 513.942.3141

Attach additional information as required. Please refer to the applicable application submittal checklist.

Applicant's Signature

[Signature]

Applicant's Signature: Carriage Trails Co. LLC*

By: William W. Keethler II, President

Printed Name: _____

The owner of the property, if other than the applicant, must sign this application as evidence of concurrence with the rezoning request. **GLJ Holding Company LLC**

[Signature]
OWNER

Cassandra L. Riehle, Authorized Signer

Subscribed and sworn to before me this 19th day of August, 2024.
*as to Applicant



Madison J. Gregory
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

[Signature]
NOTARY PUBLIC

BY THE ABOVE SIGNATURE, THE APPLICANT HEREBY ATTESTS TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED AND SUBMITTED ON AND WITH THIS APPLICANT. BY THE ABOVE SIGNATURE, THE APPLICANT FURTHERMORE CONSENTS TO BE BOUND BY THIS APPLICATION, BY ANY AGREEMENT MADE BY THE APPLICANT OR ITS AGENT, AND BY ALL DECISIONS MADE BY THE CITY OF HUBER HEIGHTS RELATING TO AND IN CONNECTION WITH APPLICATION AND REQUESTS.

=====

Date Received _____ Fee Paid _____ Received by _____

ADDITIONAL CONTACT INFORMATION (page 4)
Basic Development Plan Submittal for Carriage Trails II

Property Owners: GLJ Holding Company LLC – Phone: 614.717.4441
5131 Post Road, Suite 101, Dublin, OH 43017

Agent: Bill Keethler or Ken Conaway
5131 Post Road, Suite 101
Dublin, Ohio 43017
614.565.0487 (Bill-cell)
614.571.0614 (Ken-cell)
bkeethler@carriage-trails.com or kconaway@carriage-trails.com

Attorney: Vorys, Sater, Seymour and Pease
c/o Jill S. Tangeman, Esq.
52 East Gay Street
Columbus, Ohio 43215
614.464.5608
jstangeman@vorys.com

Developer: Carriage Trails Co. LLC
c/o Bill Keethler or Ken Conaway
5131 Post Road, Suite 101
Dublin, Ohio 43017
614.565.0487 (Bill-cell)
614.571.0614 (Ken-cell)
bkeethler@carriage-trails.com or kconaway@carriage-trails.com

**Land Planner/
Landscape
Architect:** Todd Foley
POD Design
100 Northwoods Blvd., Suite A
Columbus, Ohio 43235
614.360.3055
tfoley@poddesign.net

Engineer: Arcadis/IBI Group
c/o Jeffrey B. Koehn
23 Triangle Park Drive
Cincinnati, Ohio 45246
513.942.3141
Jeff.koehn@ibigroup.com

STATEMENT OF APPLICANT OBLIGATION FOR PAYMENT
OR CERTAIN PROFESSIONAL COSTS AND EXPENSES

The Applicant is obligated by Ordinance 87-O-231 to pay the City of Huber Heights ("City") for all costs and expenses incurred by the City if this application or request causes the City to incur extra expenses for professional analysis or other services by persons or organizations not part of the full-time City staff.

The payment of expenses and costs referred to in this statement shall be made to the City of Huber Heights in accordance with the then current administrative policy for such payment. An application or request may require funds to be deposited in advance with the City for such costs and expenses. The payment of such costs and expenses shall be in addition to any other application fee required by the City. The person whose signature appears below as Applicant states that she/he has full and complete authority to agree to, bind and obligate the Applicant to pay the costs and expenses referred to in this statement and to fully comply with the above statement.

By the signature below, the Applicant herein states she/he has fully and completely read the above statement, understands the above statement, and agrees to fully comply with the above statement.

Madison J. Gregory
Witness
Spiranella Colyn
Witness

Carriage Trails Co. LLC
By: [Signature]
Applicant's Signature
William W. Keethler II, President
Date: August 19, 2024
Project: Carriage Trails II

The undersigned, owner(s) of the certain real property described in the attached Exhibit "A" (the "Property"), do hereby appoint and expressly grant full authority to William W. Keethler II or Kenneth M. Conaway to act as the sole agent of and on behalf of the undersigned in all matters related to and in connection with the attached Development Application. The undersigned hereby consents and agrees to be bound by the application, by any agreement made by the herein named agent with the City of Huber Heights in connection with this same case, and by all decisions made by the City in connection with this same case.

GLJ Holding Company LLC
[Signature]
Owner's Signature
Cassandra L. Riehle, Authorized Signer
Printed Name
Owner's Signature
Printed Name

Sworn to before me and subscribed in my presence by the said William W. Keethler II
for Carriage Trails Co. LLC on this 19th day of August, 2024.



Madison J. Gregory
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

Madison J. Gregory
Notary Public



CARRIAGE TRAILS

Neighborhoods and Nature

City of Huber Heights, Ohio
Attachment
Basic Development Plan Submittal for Carriage Trails II

Applicant: Carriage Trails Co. LLC
c/o Bill Keethler or Ken Conaway
5131 Post Road, Suite 101
Dublin, Ohio 43017
614.565.0487 (Bill-cell)
614.571.0614 (Ken-cell)
bkeethler@carriage-trails.com or kconaway@carriage-trails.com

Property: ±**296.236** acres north of Carriage Trails I in Bethel Township,
Miami County, Ohio and described in the attached **Exhibit A.1 -**
Annexation Property

±59.24 acres (A01-012200) – GLJ Holding Company LLC
±50 acres (A01-012220) – GLJ Holding Company LLC
±20 acres (A01-012310) – GLJ Holding Company LLC
±26.695 acres (A01-01500) – GLJ Holding Company LLC
±27.129 acres (A01-016400) – GLJ Holding Company LLC
±21.151 acres (A01-044400) – GLJ Holding Company LLC
±56.153 acres (A01-012210) – GLJ Holding Company LLC
±35.873 acres (A01-046600) – GLJ Holding Company LLC

Current Zoning: Agricultural District (A)

Proposed Zoning: Planned Mixed-Use District (PM)

Owner: GLJ Holding Company LLC – Phone: 614.717.4441

Engineer: Arcadis/IBI Group
c/o Jeffrey B. Koehn
23 Triangle Park Drive
Cincinnati, Ohio 45246
513.942.3141
Jeff.koehn@ibi-group.com

**Land Planner/
Landscape
Architect:**

Todd Foley
POD Design
100 Northwoods Blvd., Suite A
Columbus, Ohio 43235
614.360.3055
tfoley@poddesign.net

Attorney:

Vorys, Sater, Seymour and Pease
c/o Jill S. Tangeman, Esq.
52 East Gay Street
Columbus, Ohio 43215
614.464.5608
jstangeman@vorys.com

[Narrative Statement starts on next page]

Narrative Statement

This Rezoning and Basic Development Plan application, ("Application") is for **296.236** acres, north of Carriage Trails Parkway, south of SR40, west of SR201 and east of Senna Street.

The Applicant, **Carriage Trails Co. LLC** ("Carriage Trails II"), is requesting the property be rezoned from Agriculture to a Planned Mixed-Use District consistent with the provisions of Chapter 1179 of the Huber Heights, Ohio Planning and Zoning Code. A basic development plan ("Basic Development Plan") is included with this Application.

This Application proposes a comprehensive development similar to the existing Carriage Trails ("Carriage Trails I"), which will include a variety of different housing types to accommodate various levels of buyers and renters, as well as commercial area in proximity to SR40, with an option for other permitted uses as provided in Chapter 1179 throughout the project.

The maximum residential gross density permitted in the development shall not exceed seven (7) dwelling units per acre. Gross density includes land occupied by public rights-of-way and any recreational, civic, commercial, and other nonresidential uses. Multi-family units shall be defined as multi-unit residential structures with stacked flats that share common hallways. Attached single family shall be defined as two or more residential units sharing a common wall with individual grade level entrances for each unit. Townhomes and garden condos are included in the attached single-family category.

Detached single-family homes, on equal or greater sized lots, shall be required in all sections abutting existing platted Carriage Trails I homes. Multi-family and commercial shall not be permitted in any area abutting existing Carriage Trails I residential development. Accessory Dwelling Units (ADU's) shall be permitted on any single-family lot.

A minimum of 20% of the total Carriage Trails site area of 825 acres, or 165 acres, of land shall be reserved for open or green spaces, which may include both public and private areas within the subdivisions. Open space may be developed in phases with the submission of detailed development plans ("Detailed Development Plans") for various sections.

Roadway connectivity shall be guided by the Basic Development Plan (**Exhibit C**). Significant flexibility shall be permitted in the final design of roads, but all public roads shall be approved by the City Engineer with the Detailed Development Plans.

The development standards set forth below shall apply to all areas unless otherwise specifically stated.

Development Standards

1. Minimum lot dimensions for each lot type per the Basic Development Plan and Pattern Book shall be as follows. Larger lots than those listed are also permitted.

<u>Lot Type</u>	<u>Minimum Width</u>	<u>Minimum Area</u>	<u>Maximum Building Coverage of Lot Area verify these prior to submitting</u>
Townhomes	20'	2,000	60%
Attached Single-Family	30'	3,600	60%
Village Homes/Cluster Homes	40'	4,800	60%
Small Single-Family	50'	6,000	60%
Large Single-Family	60'	7,500	50%

2. Minimum lot dimensions for non-residential components shall be approved with the Detailed Development Plan. However, the maximum building coverage for non-residential buildings shall not exceed 50% of the lot area.

3. Setbacks throughout the development shall be as follows:

<u>Unit Type</u>	<u>Front Yard</u>	<u>Minimum Side Yard</u>	<u>Minimum Rear Yard</u>	<u>Minimum Building Separation</u>
Townhomes/Attached Single-Family	20' from ROW	0'	20'	10'
All Single-Family	25' from ROW	5'	25'	10'
Multi-Family/Condo	20' from ROW	n/a	25'	6'
Commercial	10' from ROW	Per Detailed Development Plan	Per Detailed Development Plan	50' from a residential structure

4. Basic architecture shall be based on the concepts provided on **Exhibits E.1-E.4** and follow minimum standards:

Minimum floor areas shall be:

- i. Townhome/Attached Single-Family lots
 1. One-story dwelling shall have a minimum floor area of 800 square feet.
 2. Two-story dwelling shall have a minimum floor area of 1,000 square feet.

3. Three-story dwelling shall have a minimum floor area of 1,200 square feet.
 - ii. Single family residential lots up to and including 50 feet to 60 feet in width
 1. One-story dwellings shall have a minimum floor area of 1,100 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,200 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,300 square feet.
 - iii. Single family residential lots 60 feet to 70 feet in width
 1. One-story dwellings shall have a minimum floor area of 1,200 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,300 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,400 square feet.
 - iv. Single family residential lots 70 feet plus in width,
 1. One-story dwellings shall have a minimum floor area of 1,400 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,500 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,600 square feet.
 - v. Multi-family units, the minimum floor area shall be 700 square feet.
5. No single-family residential unit or multi-family residential building may be constructed on the property having a height greater than thirty-five (35) feet measured from the finish grade of the property at the main entrance of the residence or building to the eave of the roof.
6. Any commercial building over twenty (20) feet in height shall be designed with multiple floors or the appearance of multiple floors.
7. The major roof slopes on all single-family residential structures of traditional design shall have a minimum pitch of 5/12. Softer pitches may be accepted as an accent roof, or on porches, garage transitions and shed dormers etc. For multi-family units, all one-, two- or three-story buildings shall be required to have: i) pitched roofs with gable or hip ends; ii) mansard style roofs; and iii) flat roofs with mansard style roof or detailed parapet appearance so as to screen any roof top equipment and avoid a general flat roof appearance.
8. Roof materials and colors should be compatible throughout the community. Earth tone colors are preferred. Roof fans, vents and

flashing are to be painted or finished to match the roof.

9. Exterior building materials shall be wood, brick, stone, stucco, fiber-cement products (such as Hardie Plank) or vinyl siding with a minimum gauge of 0.040".
 - i. Natural earth tone colors are preferred. Accent colors can only be used to carefully add a highlight or detail to the natural earth tone colors. Gutters and downspouts are to be finished to complement fascia color. Trim is to be stained or painted to complement the exterior walls and roof.
 - ii. All exterior building materials and colors are subject to review by the Architectural Review Committee of the Master Homeowners Association.
 - iii. A minimum of 50% of the single-family homes within the development shall have primary facades finished with masonry products that meet the Definition of Other Approved Masonry Type of Material Per Section 1181.20 as published by the City. The masonry product shall be used over a minimum of 25% of the surface area of the façade. Alternate materials may be used for detail and trim. The masonry coverage area shall be applied to the façade area remaining after removing the area occupied by windows and doors or roofing surfaces.
 - iv. A minimum of 30% of the primary façade(s) of a multi-family structure of attached single family structure shall be finished with masonry products.
 - v. A minimum of 50% of the primary façade(s) of all non-residential structures shall be finished with masonry products.
10. Asphalt or gravel driveways shall not be permitted.
11. All yards, front, side and rear, shall be landscaped. All vacant lots shall be seeded and maintained in such a manner as to prevent erosion of the property and excess drainage onto adjoining lands. Each residential lot shall have at least one shade tree on each street frontage.
12. All entryway signs shall be ground mounted and shall be approved by the Master Owners' Association Design Review Committee. All signs must adhere to the City of Huber Heights, Ohio signage code.

Procedural Conditions

13. All of the above standards shall be included in the covenants and restrictions for the master homeowner's association (Master

Homeowners' Association"), which will be submitted to Planning Commission in conjunction with or prior to the first Detailed Development Plan.

14. Prior to the submission of any Final Development Plans, a landscaping plan for the greenspace, including any buffering or transitions between uses, shall be submitted for approval by Planning Commission. The plan shall include a site plan showing existing and proposed topography, proposed plantings, and a schedule or proposed grass / plant types.
15. Prior to the submission of any Final Development Plans, a master sign plan for the development shall be submitted for approval by Planning Commission. The sign plan will include a plan showing the location and type of each sign, and spec sheets showing typically materials, type of each sign, and spec sheets showing typically materials, appearance, and lighting of each type of sign, Maximum size/area for each type shall be provided, and a list of permitted materials and colors shall be included.
16. All Final Development Plans for the various sections shall include landscape and buffering plans, and green spaces, if applicable, which will be submitted to Planning Commission for approval.
17. All Final Development Plans for the various sections shall include water plans which will be submitted for approval by the City Engineer based on the City's standard requirements.
18. All Final Development Plans for the various sections shall include sanitary sewer plans which must be approved by the City Engineer based on the City's standard requirements.
19. All Final Development Plans for the various sections shall include storm water management plans which must be approved by the City Engineer based on the City's standard requirements.
20. Specific elevations will be provided with the Detailed Development Plan submittals.

Memorandum

Staff Report for Meeting of September 10, 2024

To: Huber Heights City Planning Commission
From: Aaron K. Sorrell, City Planner
Date: September 4, 2024
Subject: BDP 24-17 Basic Development Plan – Carriage Trails II

Application dated August 20, 2024

Department of Planning and Zoning

City of Huber Heights

APPLICANT/OWNER:	Carriage Trails Co. LLC – Applicant GLJ Holding Company LLC - Owner
DEVELOPMENT NAME:	Carriage Trails II
ADDRESS/LOCATION:	Generally situated between the Carriage Trails I development and US 40.
ZONING/ACREAGE:	Currently zoned A-2 (General Agriculture) in Bethel Township. Land recently annexed into Huber Heights. 296.236 Acres
EXISTING LAND USE:	Vacant / Agricultural
ZONING ADJACENT LAND:	North, East, West – A-2 (Bethel Township) South – PM (Planned Mixed-Use)
REQUEST:	The applicant requests approval of a rezoning to Planned Mixed-Use (PM) and basic development plan for 296.236 acres recently annexed into the City of Huber Heights.
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1171, 1179
CORRESPONDENCE:	In Favor – One email received (attached) In Opposition – None received

STAFF ANALYSIS AND RECOMMENDATION:**Overview:**

Since 2007, the applicant has facilitated the development of approximately 529 acres, yielding 1478 lots, not including land sold to other developers such as the lands along Red Buckeye Drive.

Recently, the applicant petitioned to annex approximately 296 acres into the City of Huber Heights. This annexation was approved by City Council on July 22, 2024. The final annexation plat was recorded with Miami County on August 13, 2024.

The applicant is seeking to zone the lands Planned Mixed Use District and seeks approval of a Basic Development Plan to establish broad development standards similar to the existing Carriage Trails development.

Proposed Development Regulations

The applicant is proposing development regulations and covenants that are very similar to the existing Carriage Trails Development.

The proposed development standards in Carriage Trails II are outlined below:

Permitted Dwelling Definitions: Multi-family units shall be defined as multi-unit residential structures with stacked flats that share common hallways. Attached single family shall be defined as two or more residential units sharing a common wall with individual grade level entrances for each unit. Townhomes and garden condos are included in the attached single-family category. Accessory Dwelling Units (ADU's) shall be permitted on any single-family lot.

Density: The maximum residential gross density permitted in the development shall not exceed seven (7) dwelling units per acre. Gross density includes land occupied by public rights-of-way and any recreational, civic, commercial, and other nonresidential uses.

Adjacent Uses to Carriage Trails I Homes: Detached single-family homes, on equal or greater sized lots, shall be required in all sections abutting existing platted Carriage Trails I homes. Multi-family and commercial shall not be permitted in any area abutting existing Carriage Trails I residential development.

Open Space: A minimum of 20% of the total Carriage Trails I & II site area of 825 acres, or 165 acres, of land shall be reserved for open or green spaces, which may include both public and private areas within the subdivisions. Open space may be developed in phases with the submission of detailed development plans for various sections.

Connectivity: Roadway connectivity shall be guided by the Basic Development Plan (**Exhibit C**). Significant flexibility shall be permitted in the final design of roads, but all public roads shall be approved by the City Engineer with the Detailed Development Plans.

The development standards set forth below shall apply to all areas unless otherwise specifically stated.

Development Standards

1. Minimum lot dimensions for each lot type per the Basic Development Plan and Pattern Book shall be as follows. Larger lots than those listed are also permitted.

<u>Lot Type</u>	<u>Minimum Width</u>	<u>Minimum Area</u>	<u>Maximum Building Coverage of Lot Area</u>
Townhomes	20'	2,000	60%
Attached Single-Family	30'	3,600	60%
Village Homes/Cluster Homes	40'	4,800	60%
Small Single-Family	50'	6,000	60%
Large Single-Family	60'	7,500	50%

2. Minimum lot dimensions for non-residential components shall be approved with the Detailed Development Plan. However, the maximum building coverage for non-residential buildings shall not exceed 50% of the lot area.
3. Setbacks throughout the development shall be as follows:

<u>Unit Type</u>	<u>Front Yard</u>	<u>Minimum Side Yard</u>	<u>Minimum Rear Yard</u>	<u>Minimum Building Separation</u>
Townhomes/Attached Single-Family	20' from ROW	0'	20'	10'
All Single-Family	25' from ROW	5'	25'	10'
Multi-Family/Condo	20' from ROW	n/a	25'	6'
Commercial	10' from ROW	Per Detailed Development Plan	Per Detailed Development Plan	50' from a residential structure

4. Basic architecture shall be based on the concepts provided on **Exhibits E.1-E.4** and follow minimum standards:

Minimum floor areas shall be:

- i. Townhome/Attached Single-Family lots
 1. One-story dwelling shall have a minimum floor area of 800 square feet.
 2. Two-story dwelling shall have a minimum floor area of 1,000 square feet.
 3. Three-story dwelling shall have a minimum floor area of 1,200 square feet.
 - ii. Single family residential lots up to and including 50 feet to 60 feet in width
 1. One-story dwellings shall have a minimum floor area of 1,100 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,200 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,300 square feet.
 - iii. Single family residential lots 60 feet to 70 feet in width
 1. One-story dwellings shall have a minimum floor area of 1,200 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,300 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,400 square feet.
 - iv. Single family residential lots 70 feet plus in width,
 1. One-story dwellings shall have a minimum floor area of 1,400 square feet,
 2. One and one-half story dwellings shall have a minimum floor area of 1,500 square feet, and
 3. Two-story dwellings shall have a minimum floor area of 1,600 square feet.
 - v. Multi-family units, the minimum floor area shall be 700 square feet.
5. No single-family residential unit or multi-family residential building may be constructed on the property having a height greater than thirty-five (35) feet measured from the finish grade of the property at the main entrance of the residence or building to the eave of the roof.
 6. Any commercial building over twenty (20) feet in height shall be designed with multiple floors or the appearance of multiple floors.
 7. The major roof slopes on all single-family residential structures of traditional

design shall have a minimum pitch of 5/12. Softer pitches may be accepted as an accent roof, or on porches, garage transitions and shed dormers etc. For multi-family units, all one-, two- or three-story buildings shall be required to have: i) pitched roofs with gable or hip ends; ii) mansard style roofs; and iii) flat roofs with mansard style roof or detailed parapet appearance so as to screen any roof top equipment and avoid a general flat roof appearance.

8. Roof materials and colors should be compatible throughout the community. Earth tone colors are preferred. Roof fans, vents and flashing are to be painted or finished to match the roof.
9. Exterior building materials shall be wood, brick, stone, stucco, fiber-cement products (such as Hardie Plank) or vinyl siding with a minimum gauge of 0.040".
 - i. Natural earth tone colors are preferred. Accent colors can only be used to carefully add a highlight or detail to the natural earth tone colors. Gutters and downspouts are to be finished to complement fascia color. Trim is to be stained or painted to complement the exterior walls and roof.
 - ii. All exterior building materials and colors are subject to review by the Architectural Review Committee of the Master Homeowners Association.
 - iii. A minimum of 50% of the single-family homes within the development shall have primary facades finished with masonry products that meet the Definition of Other Approved Masonry Type of Material Per Section 1181.20 as published by the City. The masonry product shall be used over a minimum of 25% of the surface area of the façade. Alternate materials may be used for detail and trim. The masonry coverage area shall be applied to the façade area remaining after removing the area occupied by windows and doors or roofing surfaces.
 - iv. A minimum of 30% of the primary façade(s) of a multi-family structure of attached single family structure shall be finished with masonry products.
 - v. A minimum of 50% of the primary façade(s) of all non-residential structures shall be finished with masonry products.
10. Asphalt or gravel driveways shall not be permitted.
11. All yards, front, side and rear, shall be landscaped. All vacant lots shall be seeded and maintained in such a manner as to prevent erosion of the property and excess drainage onto adjoining lands. Each residential lot shall have at least one shade tree on each street frontage.
12. All entryway signs shall be ground mounted and shall be approved by the Master Owners' Association Design Review Committee. All signs must adhere to the City of Huber Heights signage code.

Detailed Development Plan Submission Criteria

In addition to the procedures outlined in Section 1171, the following shall be submitted with, or prior to, the Detailed Development Plan applications:

1. All of the above standards shall be included in the covenants and restrictions for the master homeowner's association (Master Homeowners' Association"), which will be submitted to Planning Commission in conjunction with or prior to the first Detailed Development Plan.
2. Prior to the submission of any Detailed Development Plans, a landscaping plan for the greenspace, including any buffering or transitions between uses, shall be submitted for approval by Planning Commission. The plan shall include a site plan showing existing and proposed topography, proposed plantings, and a schedule of proposed grass / plant types.
3. Prior to the submission of any Detailed Development Plans, a master sign plan for the development shall be submitted for approval by Planning Commission. The sign plan will include a plan showing the location and type of each sign, and spec sheets showing typically materials, type of each sign, and spec sheets showing typically materials, appearance, and lighting of each type of sign, Maximum size/area for each type shall be provided, and a list of permitted materials and colors shall be included.
4. All Detailed Development Plans for the various sections shall include landscape and buffering plans, and green spaces, if applicable, which will be submitted to Planning Commission for approval.
5. All Detailed Development Plans for the various sections shall include water plans which will be submitted for approval by the City Engineer based on the City's standard requirements.
6. All Detailed Development Plans for the various sections shall include sanitary sewer plans which must be approved by the City Engineer based on the City's standard requirements.
7. All Detailed Development Plans for the various sections shall include storm water management plans which must be approved by the City Engineer based on the City's standard requirements.
8. Specific elevations will be provided with the Detailed Development Plan submittals.

Applicable Zoning Regulation

The applicable zoning chapters include: 1171 General Provisions, 1179 Planned Mixed Use District. 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)

1171.06 General standards for approval.

The Planning Commission shall review the application, prepared development plan and the facts presented at the hearing. The applicant shall have the burden of proof. No approval shall be given unless the Commission shall find by a preponderance of the evidence that such PUD on the proposed locations:

- (a) Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;
- (b) Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;
- (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;
- (d) Shall not impose an undue burden on public services such as utilities, fire and police protection, and schools;
- (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;
- (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;
- (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;
- (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;
- (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;
- (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;
- (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
- (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.

(Ord. 93-O-602, Passed 3-22-93)

1171.091 Planning commission/council review.

It is the purpose of the Planning Development regulations to encourage property owners to develop their land in efficient and effective ways. It is the intent of these regulations to encourage land uses which may not always meet traditional zoning rules. Inherent in these Planned Development regulations is an opportunity for property owners to develop their sites without requiring strict compliance with all zoning regulations where the overall plan is deemed to be in the best interest of the city. During review of a Basic or Detailed Development Plan by the Planning Commission or City Council, all requirements within Part 11, Title 7 of the Code are to be used as guidelines and may be varied as part of the Basic or Detailed Development Plan if it is determined that such deviation will not materially adversely affect neighboring properties or the community as a whole, any such variation of these requirements does not change the overall plan and character of the proposed development, and the variance does not have the effect of nullifying the intent and purpose of these regulations or the Zoning Ordinance. In granting variances or modifications, the Commission or Council may require such conditions as shall, in its judgement, secure substantially the objective of the standards or requirements so varied or modified.

(Case 427; Ord. 2002-O-1367, Passed 9-9-02)

Basic Development Plan Development Standards Analysis:

1179.06 Development standards (Planned Mixed Use)

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.

This application covers approximately 296 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.

The applicant has indicated they plan to amend the existing Carriage Trails I covenants and incorporate the recently annexed 296 acres.

- (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.

This rezoning and basic development plan is an extension of the original PM zoning. In addition to the residential uses, approximately 16 – 18 acres of land will be set aside for a new school and public park. Future commercial uses may be contemplated near US 40 if market conditions are favorable to such development.

(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.

In the near future, only residential and institutional (public school) uses are being considered. Those uses are compatible with the overwhelmingly residential nature of the area and the Carriage Trails I development.

- (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.

The development standards propose a minimum set aside of 20% toward green space and open space, which is similar to the Carriage Trails I development standards. Stormwater management requirements will likely result in higher percentage of open space, or pervious surface.

- (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.

The Basic Development Plan outlines broad circulation patterns and connections to the existing Carriage Trails I development. Exhibit C illustrates one main connection to US 40, but that there will likely be a second eastern connection as the land is further planned and developed.

The initial phases on the south end of the development illustrate appropriate connections to the existing Carriage Trails I street and sidewalk network.

- (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 will be provided as required in the zoning code.

- (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.

Sidewalks will be incorporated throughout the development.

- (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.

The applicant proposes entry features and wayfinding signage similar to Carriage Trails I and is illustrated in Exhibit D.

- (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.

The proposed development standards are similar to the Carriage Trails I development. The only exception is, at the request of the City Planner, the development standards permit Accessory Dwelling Units (ADU's) on single-family lots.

- (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 development standards limit the heights of residential buildings to 35-feet, measured to the roof eave.

- (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.

A lighting plan will be submitted with the detailed development plan.

- (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 shall comply with this requirement.

- (11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.

Conceptual architectural details of non-residential structures are illustrated in Exhibit E.4 and generally consistent with the non-residential exterior standards in the zoning code.

- (12) The distribution systems for utilities are required to be underground.

All utilities will be below ground.

- (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 proposed public park will likely be owned by the City. All other open space will be likely be owned and maintained by the developer or HOA.

- (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 fencing is currently illustrated on the plans.

- (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.

Exhibit C illustrates the initial phases of the development that tie into the Carriage Trails I development. The developer shall bring in future phases in sections, similar to the development of Carriage Trails I.

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.

A landscaping plan has not been submitted at this time. Staff requested the developer to require at least one shade tree per lot as a condition of the landscaping package each homebuyer must install.

- (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.

Perimeter landscaping requirements will be reviewed at the detailed development phase.

- (c) *Parking Lot Landscaping.* All parking lots are required to have interior landscaped areas as outlined in Chapter 1185, "Parking and Loading".

All parking areas will be reviewed at the detailed development phase.

- (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.

In addition to this requirement, staff requested the developer to require at least one shade tree per lot as a condition of the landscaping package each homebuyer must install.

1179.08 Parking and loading.

The provisions of Chapter 1185, "Parking and Loading" shall apply, except that the off-street loading spaces and docks 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. Within the PM development, off-street loading areas shall be physically isolated and/or enclosed from residences in or adjacent to the PM Development. In all cases, off-street loading spaces and docks are prohibited in the front and side yards of any property.

Parking and loading will be reviewed at the detailed development phase.

Staff Analysis of Standards for approval

The Planning Commission shall review the application, prepared development plan and the facts presented at the hearing. The applicant shall have the burden of proof. No approval shall be given unless the Commission shall find by a preponderance of the evidence that such PUD on the proposed locations:

- (a) *Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;*

The annexation of this land into the City was recently approved by the Huber Heights City Council, and there was extensive discussion about the residential nature of the future development. Additionally, this area was included in the adopted Comprehensive Plan as part of the Northtown pattern area.

- (b) *Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;*

During discussions with the developer, we anticipate a 10 to 15-year build out of Carriage Trails II, depending on market conditions. The first phases that connect to Carriage Trails I should begin within the next 12 months.

- (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;*

New roads will be constructed for this development, linking to the existing transportation network.

- (d) *Shall not impose an undue burden on public services such as utilities, fire and police protection, and schools;*

The site is served by adequate utilities.

- (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;*

The applicant plans to amend the existing Carriage Trails I covenants to include the new sections as they come on line.

- (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;*

These details will be addressed during the review of detailed development plans.

- (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;*

The majority of the land is cropland with few tree lines. Perimeter tree lines 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;*

The site plan uses the natural grade and existing contours to limit grading beyond the required stormwater detention area.

- (i) *Shall place underground all electric and telephone facilities, street light 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 below ground.

- (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;*

There was extensive discussion about the impact of this development on Bethel Schools. As a result, 16-18 acres is being set aside for a new school building to accommodate the anticipated students from 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*

At this time, residential and educational uses are contemplated for this site.

- (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.*

Staff does not feel the rezoning of this land will adversely affect the public peace, health, morals, safety or welfare.

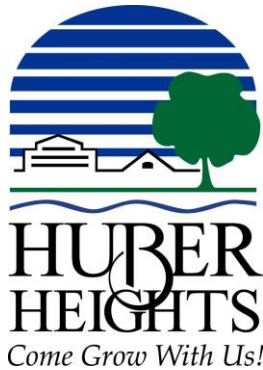
STAFF RECOMMENDATION

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06. Staff recommends approval of the Basic Development Plan submitted on August 20, 2024, to rezone the property to Planned Mixed Use (PM) and approve the Basic Development Plan incorporating the supplemental development standards proposed by the applicant.

Planning Commission Action

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

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



Planning Commission Decision Record

WHEREAS, on August 20, 2024, the applicant, Carriage Trails CO, LLC, requested approval of a Rezoning to Planned Mixed-Use (PM) and a Basic Development Plan for 296.236 acres recently annexed into the City of Huber Heights. Property is located between Carriage Trails I and US 40, further identified as Parcel Numbers A01-046600, A01-012310, A01-044400, A01-016400, A01-01500, A01-012210, A01-012220, AND A01-012200 of the Miami County Auditor's Map (BDP 24-17), and;

WHEREAS, on September 10, 2024, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

moved to approve the request by the applicant, Carriage Trails Co, LLC, for approval of a Rezoning to Planned Mixed-Use (PM) and a Basic Development Plan for 296.236 acres. Property is located between Carriage Trails I and US 40 (Case BDP 24-17), in accordance with the recommendation of Staff's Memorandum dated September 4, 2024, with the following conditions:

1. Approve as submitted.

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

Terry Walton, Chair
Planning Commission

Date

Carriage Trails II

Huber Heights

DATE: August 20, 2024

Basic Development Plan

PROJECT NO. 20030

SHEET INDEX

EXHIBIT A.1	Legal Description Plan
EXHIBIT B	Existing Conditions Plan
EXHIBIT C	Basic Development Plan
EXHIBIT D	Signage
EXHIBIT E.1	Architectural Character Imagery - Townhome Architectural Character Imagery - Attached Single Family
EXHIBIT E.2	Architectural Character Imagery - Village Homes Cluster Architectural Character Imagery - Small Single Family
EXHIBIT E.3	Architectural Character Imagery - Large Single Family Architectural Character Imagery - Multi-Family / Condo
EXHIBIT E.4	Architectural Character Imagery - Commercial - Senior Architectural Character Imagery - Commercial - Retail

PREPARED FOR



CARRIAGE TRAILS
Neighborhoods and Nature

5131 Post Road, Suite 101
Dublin, Ohio 43017

PREPARED BY



POD design

Columbus
100 Northwoods Blvd
Suite A
Columbus, Ohio 43235
p 614.255.3399

Cincinnati
20 Village Square, Floor 3
Cincinnati, Ohio 45246
p 614.360.3066

PODdesign.net

CONSULTANT



ARCADIS

ARCADIS
23 Triangle Park Drive, Suite 2300
Cincinnati, Ohio 45246
p 513.942.3141

arcadis.com

VICINITY MAP

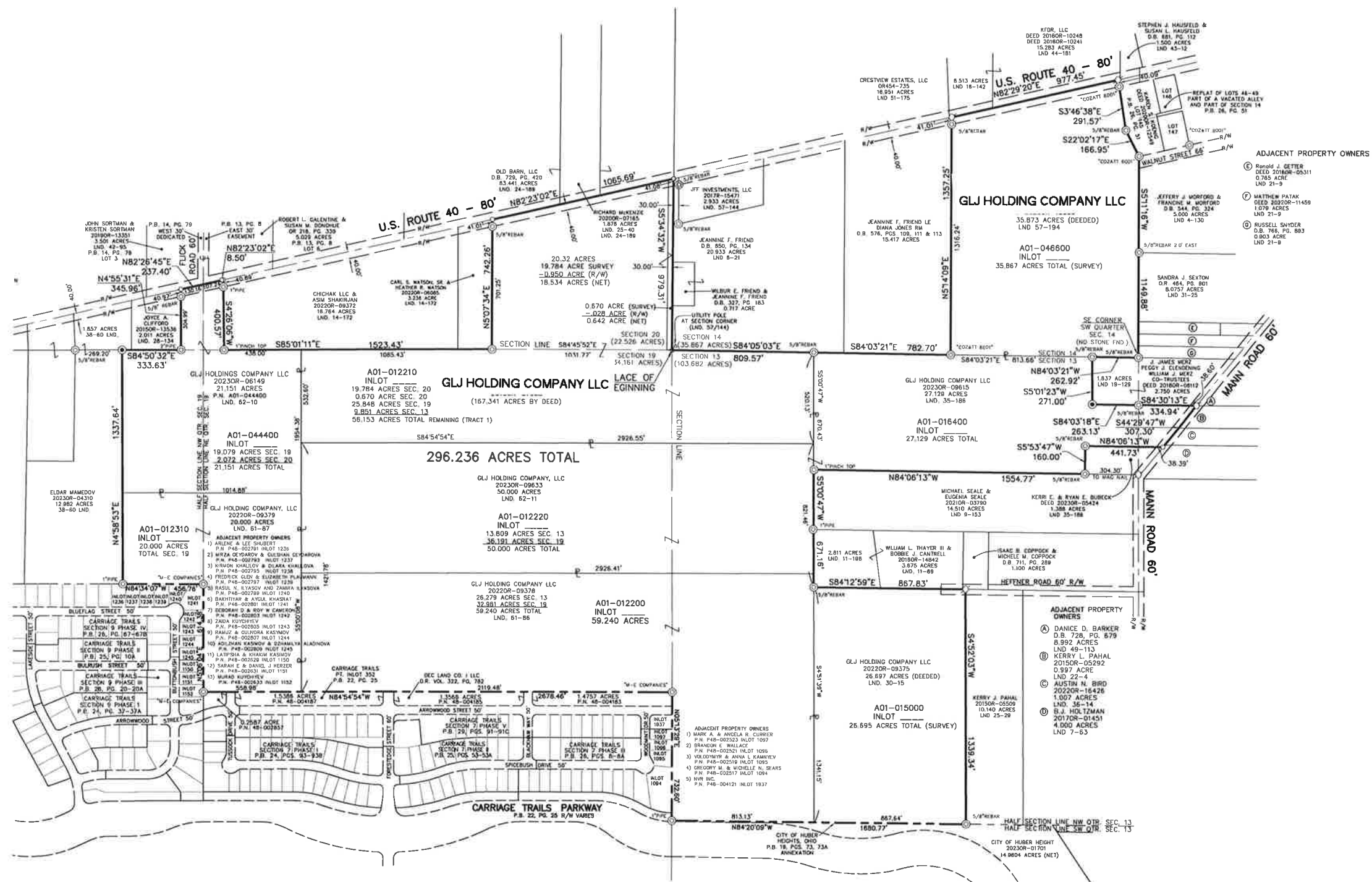


NOT TO SCALE





CARRIAGE TRAILS II ZONING EXHIBIT



- ADJACENT PROPERTY OWNERS
- ① RUSSELL J. SNYDER
DEED 2002OR-05311
0.785 ACRES
LND 21-9
 - ② MATTHEW PATAK
DEED 2002OR-11459
1.079 ACRES
LND 21-9
 - ③ RUSSELL SNYDER
D.B. 768, PG. 883
0.803 ACRES
LND 21-9

- ADJACENT PROPERTY OWNERS
- A) DANICE D. BARKER
D.B. 728, PG. 679
8.992 ACRES
LND 49-113
 - B) KERRY L. PAHAL
2015OR-05292
0.977 ACRES
LND 22-4
 - C) AUSTIN N. BIRD
2022OR-16428
1.007 ACRES
LND 38-14
 - D) B.J. HOLTZMAN
2017OR-01451
4.000 ACRES
LND 7-53



8101 North High Street, Suite 100
Columbus OH 43235 USA
tel 614 818 4900 fax 614 818 4901
arcadis.com

EXHIBIT A.1

\\11208615_C-2-2-E-4-10-0 Drawings\arcadis\mva\ANNEXANT II ZONING EXHIBIT.dwg created on 03/08/2025 by 01512171 km - B H&M Companies, Inc.

EXISTING CONDITIONS PLAN

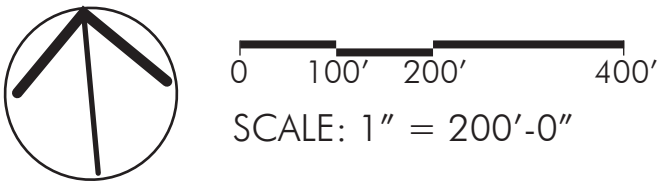
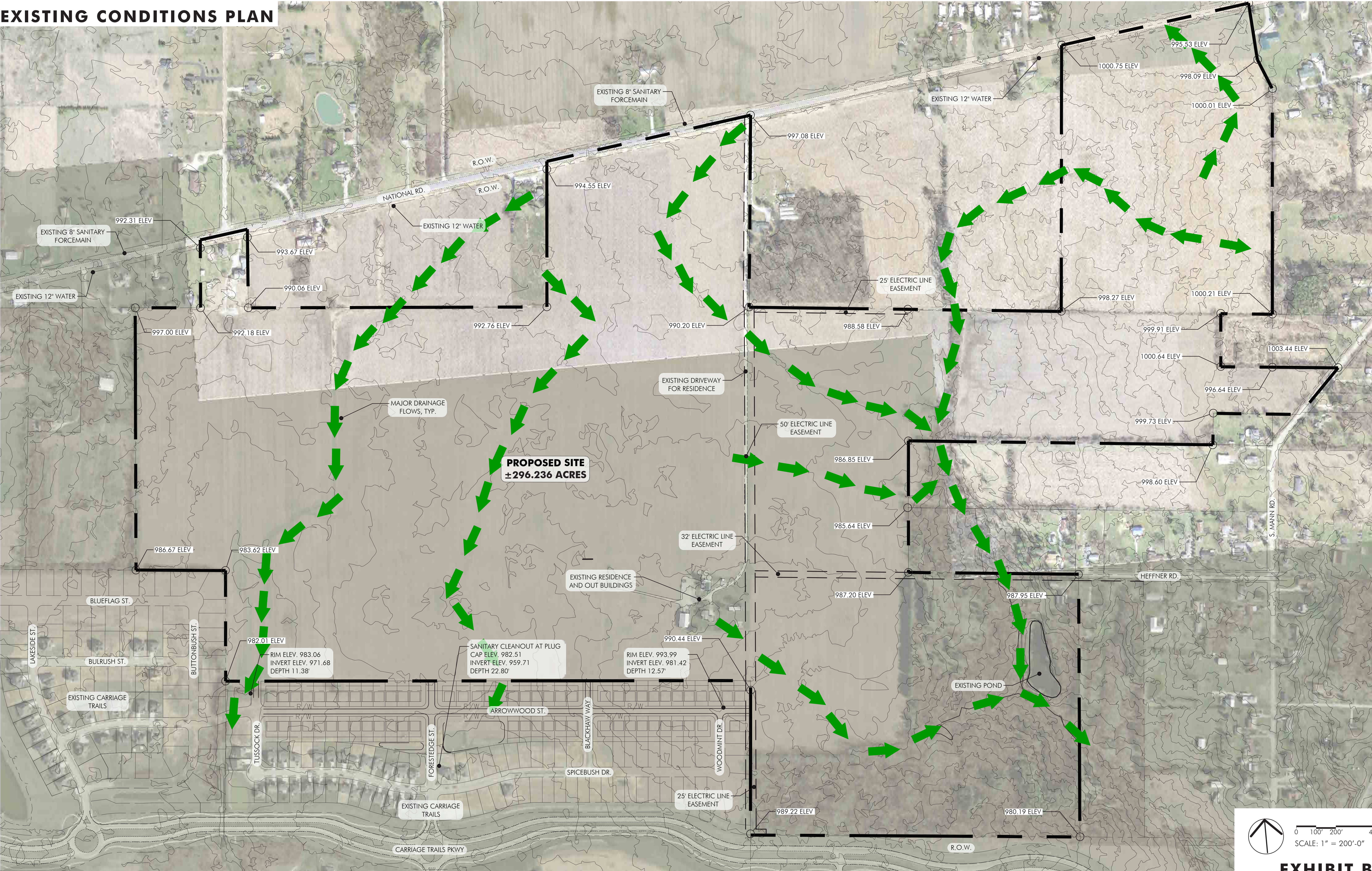


EXHIBIT B

BASIC DEVELOPMENT PLAN

BOULEVARD ENTRY W/ SIGNAGE

R.O.W.

NATIONAL RD.

R.O.W.

DEDICATED 60' R.O.W.

AREA OF DEVELOPMENT

DEDICATED 50' R.O.W.

HEFFNER RD.

S. MANN RD.

AREA OF DEVELOPMENT

AREA OF DEVELOPMENT

FUTURE SCHOOL SITE

50' R.O.W.

PROPOSED DEDICATED PUBLIC STREET EXTENDED TO EXISTING STUB

BLUEFLAG ST.

BULRUSH ST.

EXISTING CARRIAGE TRAILS

TUSOCK DR.

FORESTEDGE ST.

ARROWWOOD ST.

SPICEBUSH DR.

WOODMINT DR.

BLACKHAW WAY

50' R.O.W.

PROPOSED DEDICATED PUBLIC STREET EXTENDED TO EXISTING STUB

50' R.O.W.

PROPOSED PRIMARY ENTRY TO EXISTING PKWY W/ SIGNAGE

EXISTING CARRIAGE TRAILS

CARRIAGE TRAILS PKWY

R.O.W.

AREA OF DEVELOPMENT

SITE DATA

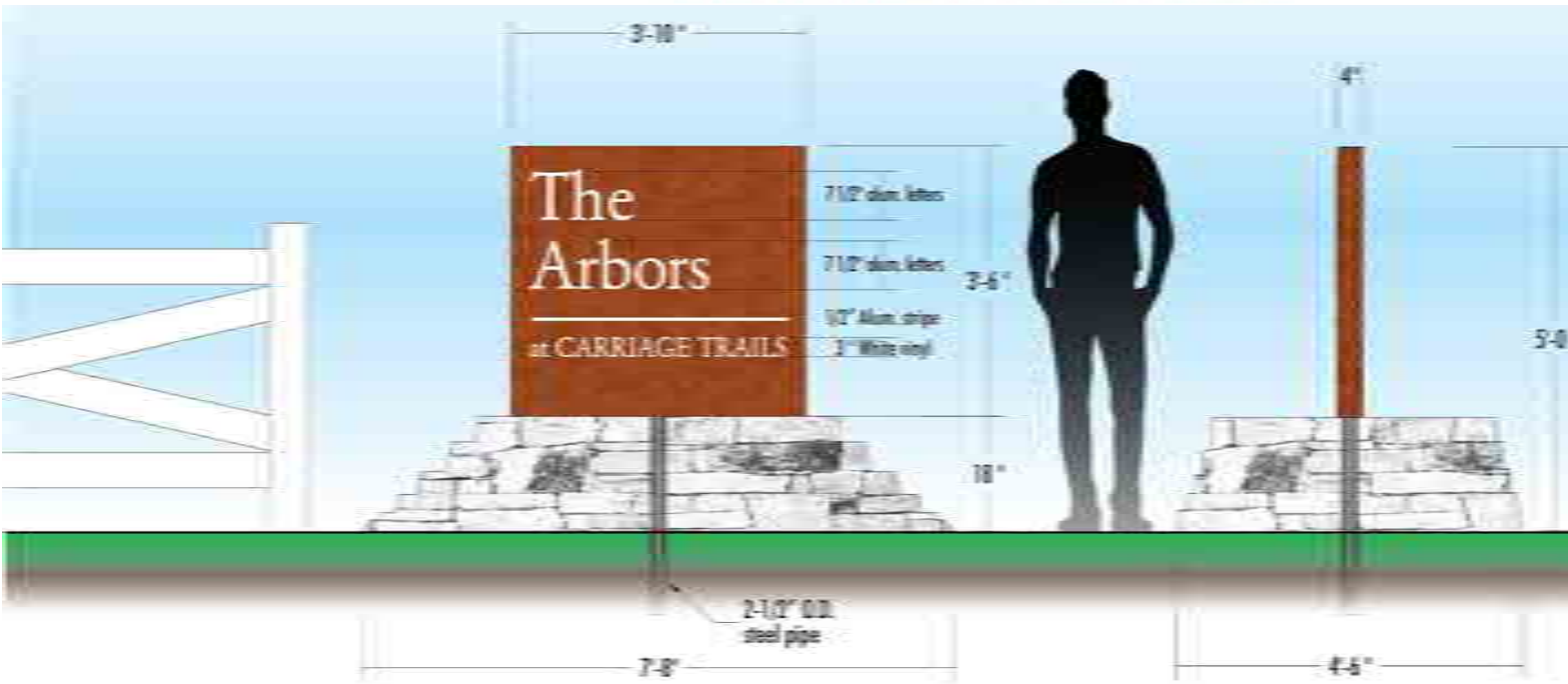
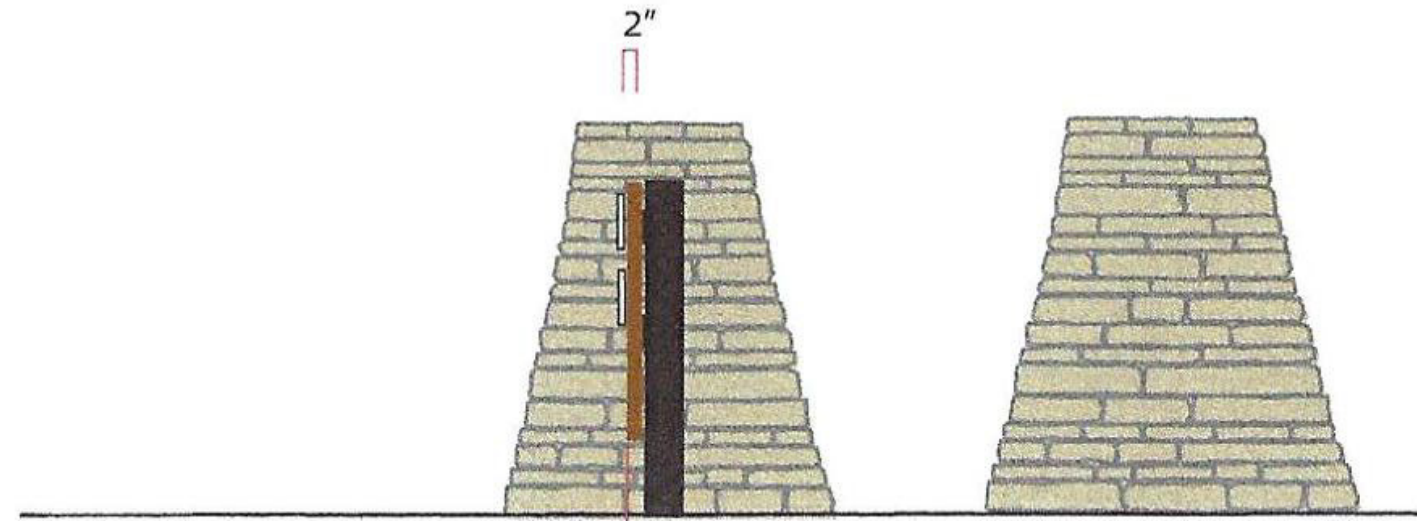
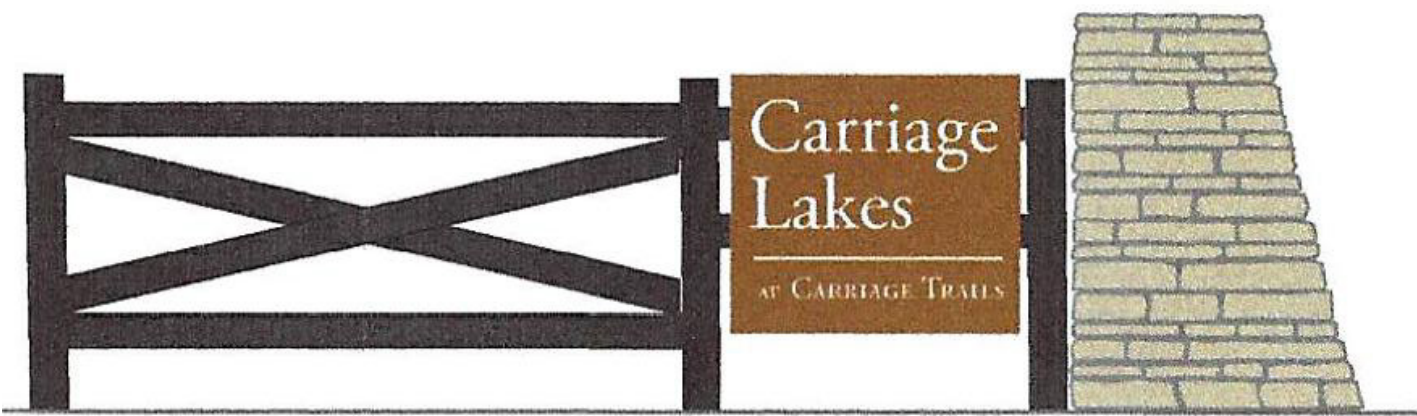
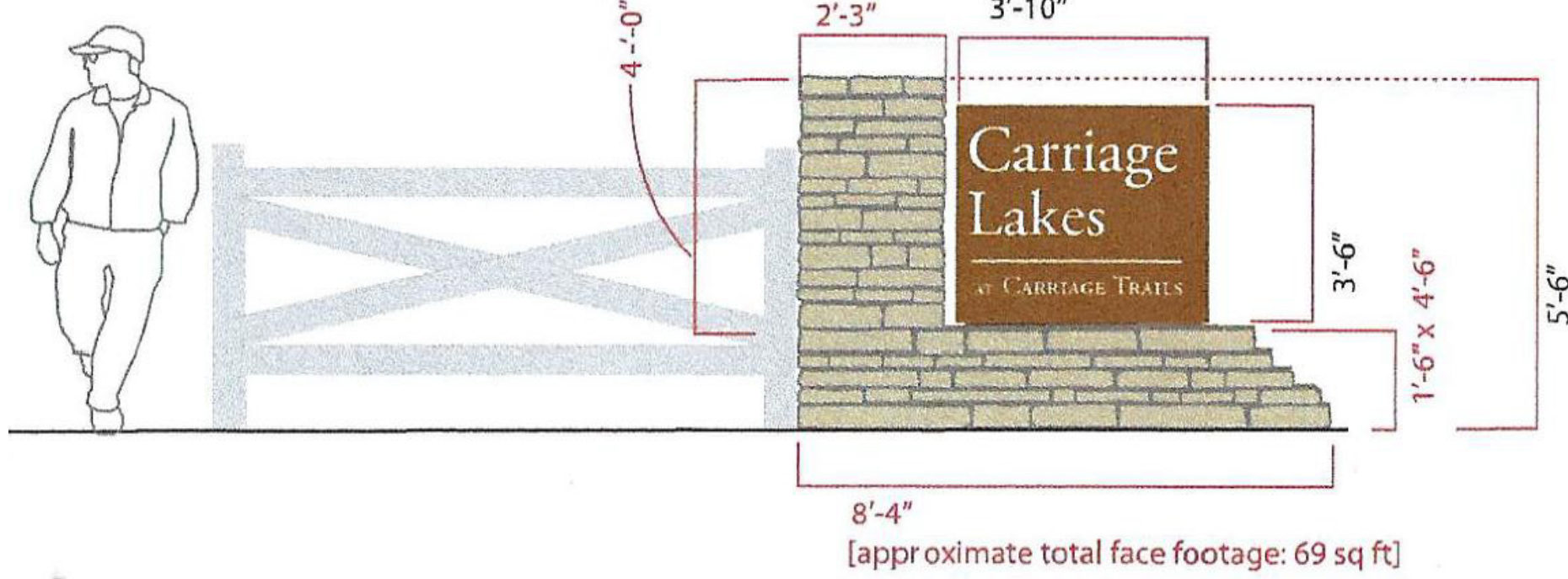
TOTAL SITE AREA	±296.236 AC
DENSITY	7.00 DU/AC (GROSS MAX.)
PROPOSED ZONING	PLANNED MIXED USE DISTRICT

0 100' 200' 400'

SCALE: 1" = 200'-0"

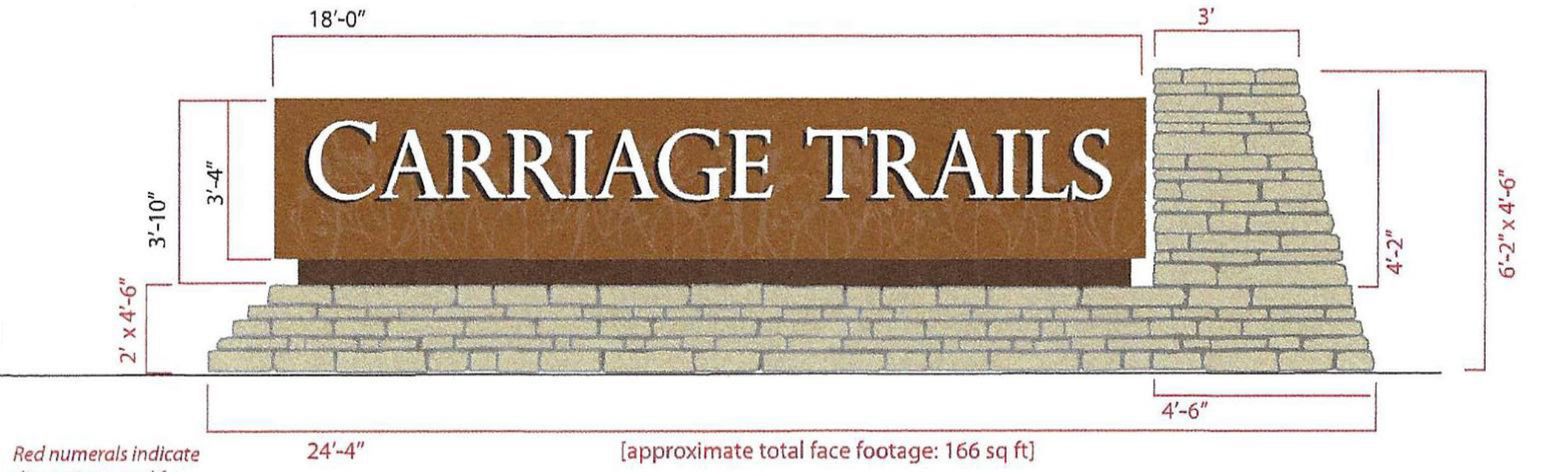
EXHIBIT

SIGNAGE

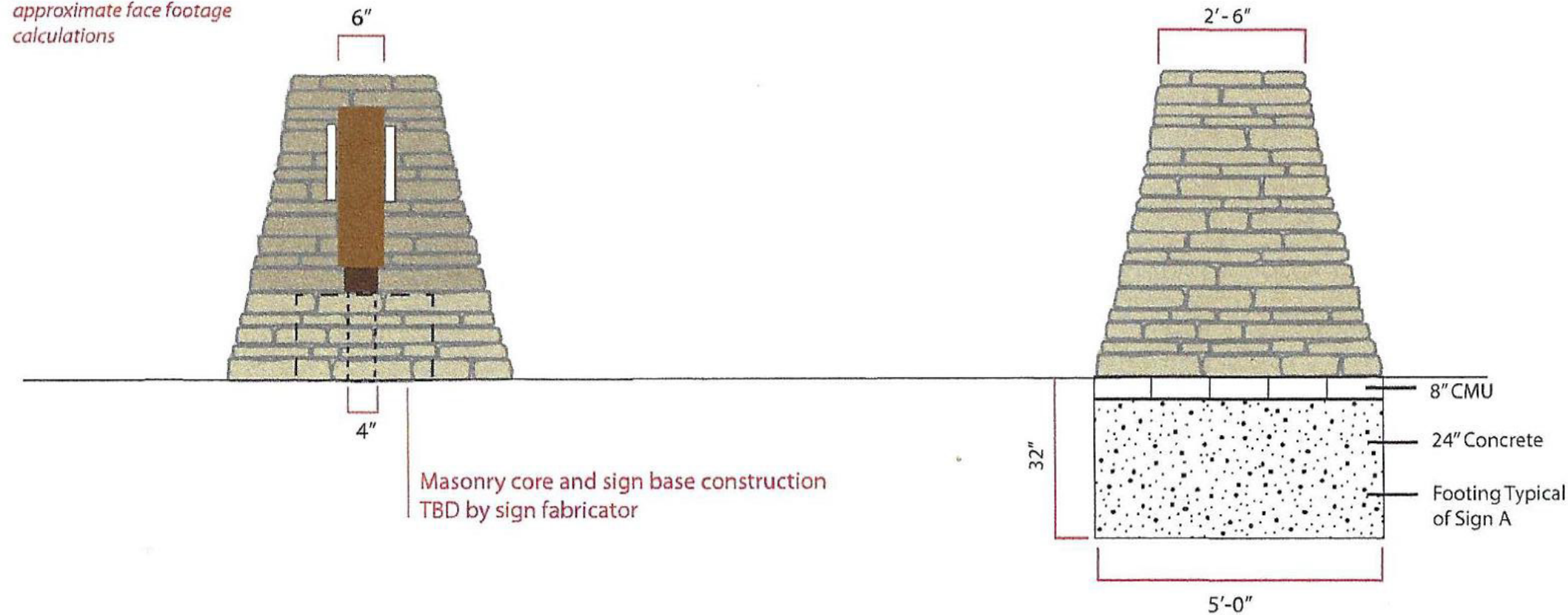


S/F non-illuminated monument ID sign with 1/4" routed aluminum letters (no standoffs) attached to metal cabinet, qty. 1. Stone base by customer.

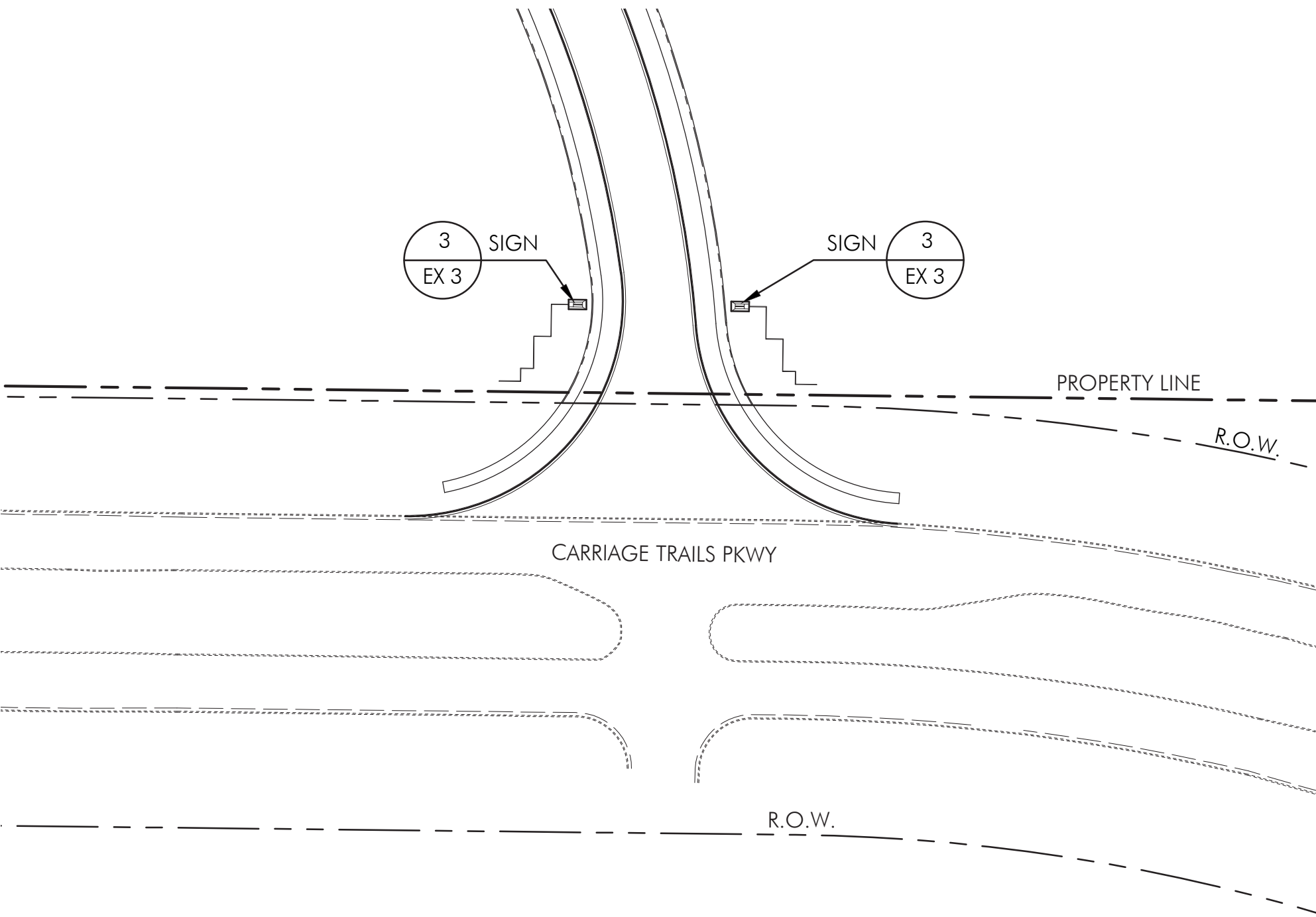
Custom "Rust" finish White



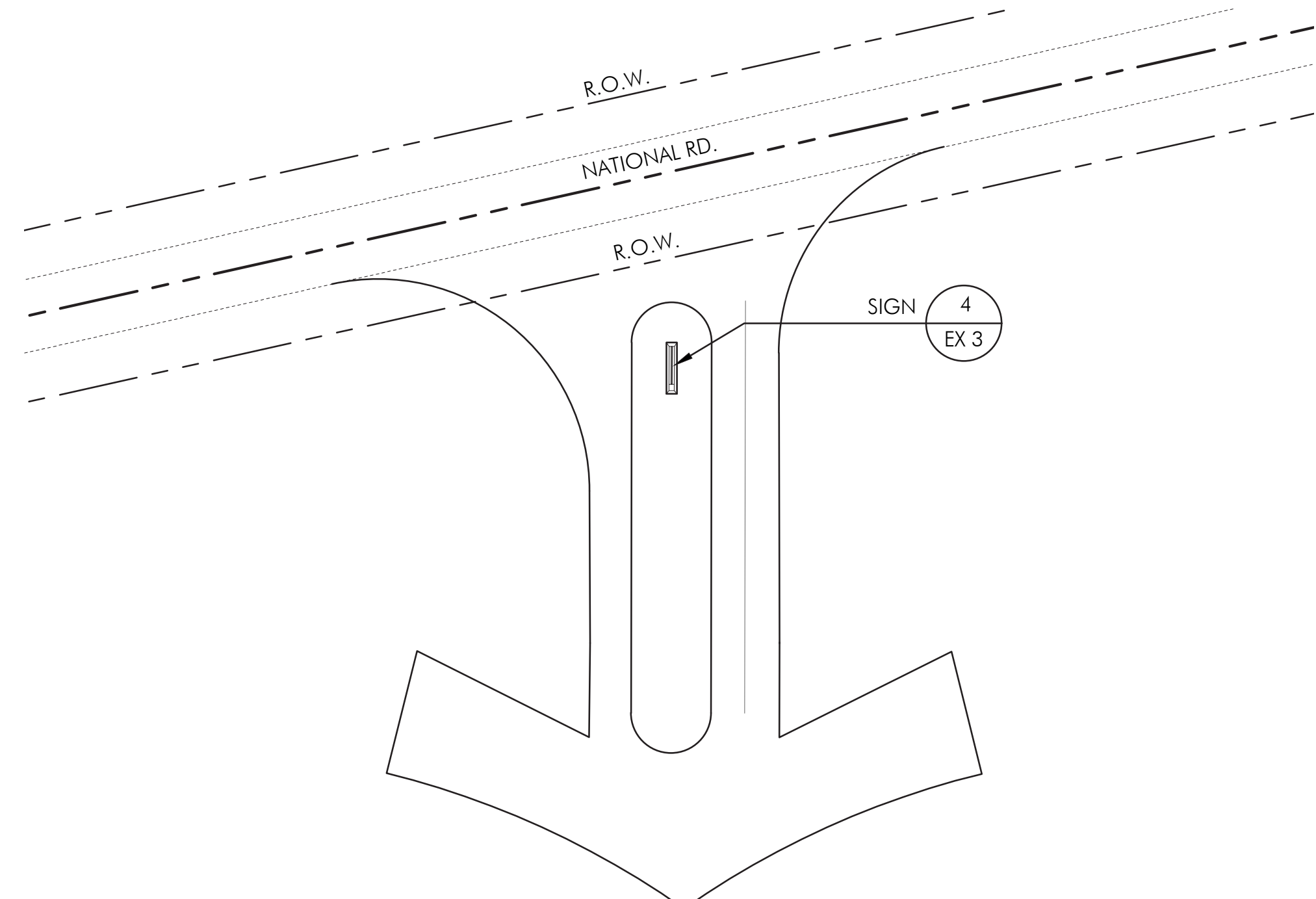
Red numerals indicate dimensions used for approximate face footage calculations



3 Primary / Secondary Community Identification Sign Options (Carriage Trail Primary & Internal)
N.T.S.



1 Carriage Trails Parkway Intersection Enlargement
SCALE: 1" = 200'-0"



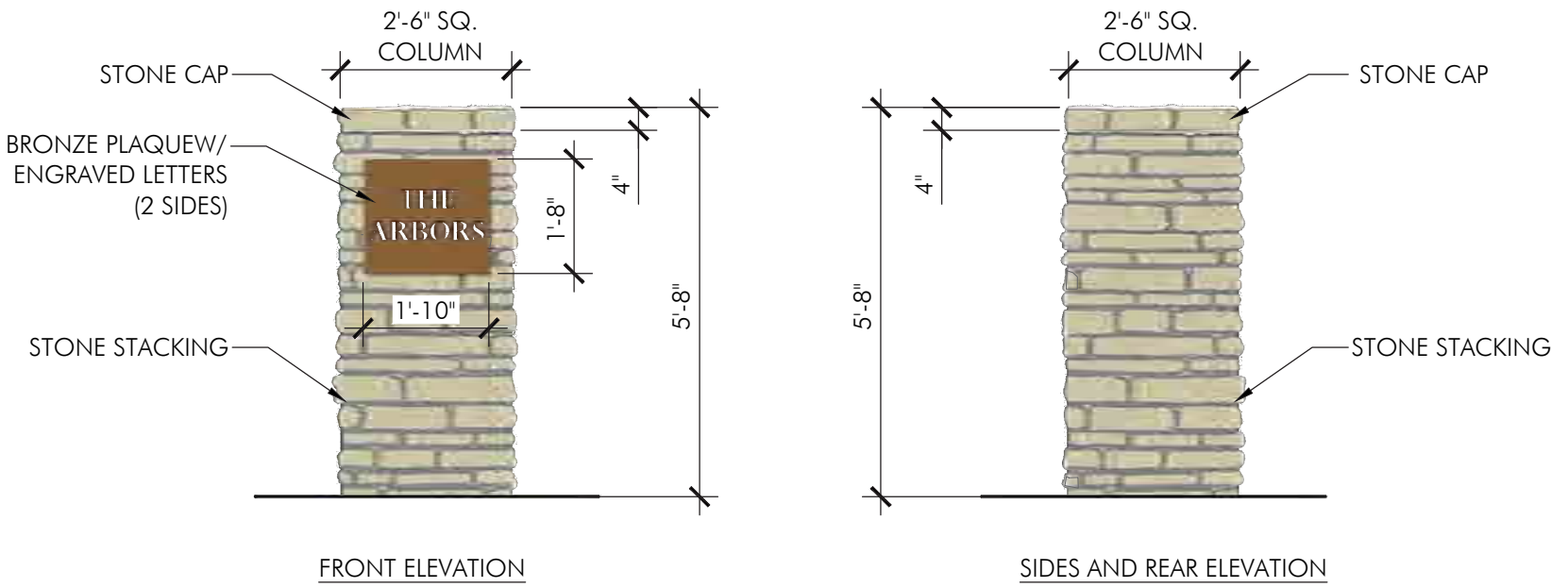
2 National Road Intersection Enlargement
SCALE: 1" = 200'-0"



Double-sided non-illuminated monument ID sign with 1/4" thick routed aluminum letters attached to aluminum cabinet with custom faux rust finish. Stone base by others.

PMS 180 C Orange PMS 469 C Brown White Custom "Rust" finish

4 Primary Community Identification Sign Options (National Road)
N.T.S.



5 Internal Project Identification Sign
N.T.S.

ARCHITECTURAL CHARACTER IMAGERY



TOWNHOME



ATTACHED SINGLE FAMILY



ARCHITECTURAL CHARACTER IMAGERY



VILLAGE HOMES - CLUSTER



SMALL SINGLE FAMILY

ARCHITECTURAL CHARACTER IMAGERY



LARGE SINGLE FAMILY



MULTI-FAMILY / CONDO



ARCHITECTURAL CHARACTER IMAGERY



COMMERCIAL - SENIOR



COMMERCIAL - RETAIL



DESCRIPTION OF 296.236 ACRES
BETHEL TOWNSHIP, MIAMI COUNTY, OHIO

Situated in the State of Ohio, County of Miami, Township of Bethel, being parts of Sections 13, 14, 19 and 20, Township 2, Range 9, Miami Rivers Survey, being a portion of that property as described in a deed to Gary L. Lavy, Trustee, of record in Document No. 2019OR-07903 (Tract I only), being all of that 35.873 acre tract as described in a deed to Carol J. Marchelletta of record in Document No. 2020OR-12550 and all of those properties as described in a deeds to GLJ Holdings Company LLC, of record in Document No. 2019OR-07903 (21.151 acres), Document No. 2022OR-09379 (20.000 acres), Document No. 2023OR-09633 (50.000 acres), Document No. 2022OR-09378 (59.240 acres), Document No. 2022OR-09375 (26.697 acres) and Document No. 2023OR-09615 (27.129 acres), all references herein being to the records of the Recorder's Office, Miami County, Ohio, and being more particularly described as follows:

Beginning at the common corner to Sections 13, 14, 19 and 20, said point being occupied by a utility pole and also being the southwesterly corner of that 20.933 acre tract as described in a deed to Jeannine F. Friend, of record in Deed Book 650, Page 134;

Thence South 84°05'03" East, along the southerly line of said 20.933-acre tract, a distance of 809.57 feet to a 5/8" rebar found at a angle point in said southerly line at the northwesterly corner of said Stafford tract;

Thence South 84°03'21" East, continuing along said southerly line and the southerly line of that 15.417-acre tract as described in a deed to Jeannine F. Friend (LE) and Diana Jones (RM), of record in Deed Book 576, Pages, 109, 111 and 113, a distance of 782.70 feet to an iron pin found with a plastic cap inscribed "COZATT 6001" at the southeasterly corner of said 15.417 acre tract and the southwesterly corner of said 35.873-acre tract;

Thence North 05°14'09" East, along the easterly line of said 15.417-acre tract, passing an 5/8" rebar found in the southerly right of way line of U.S. Route 40 (80.00 feet in width), at a distance of 1,316.24 feet, a total distance of 1,357.25 feet to a mag nail set found in the centerline of U.S. Route 40;

Thence North 82°29'20" East, along the centerline of U.S. Route 40, a distance of 977.45 feet to a mag nail found at the northwesterly corner of Lot 145, as shown and delineated on the plat "Replat of Lots 46-49 Part of a Vacated Alley and Part of Section 14", of record in Plat Book 26, Page 51 and described in a deed to Karen S. Koenig, of record in Document No. 2020OR-12549;

Thence South 03°46'38" East, along the westerly perimeter of said Lot 145, passing an iron pin found with a plastic cap inscribed "COZATT 6001" on the southerly right of way line of U.S. Route 40 at a distance of 40.09 feet, a total distance of 291.57 feet to an 5/8" rebar found at an angle point in said Lot 145;

Thence South 22°02'17" East, continuing along the westerly perimeter of said Lot 145, a distance of 166.95 feet to an iron pin found at the southwesterly corner of said Lot 145 in the northerly right of way line of Walnut Street (66.00 feet in width);

Thence South 05°11'16" West, along the westerly terminus of said Walnut Street and along the westerly line of that 5.000-acre tract as described in a deed to Jeffery J. Morford and Francine M. Morford, of record in Deed Book 544, Page 324, the westerly line of that 8.0757 acre tract as described in a deed to Sandra J. Sexton, of record in Document No. 2013OR-14891, the westerly line of that 0.765 acre tract as described in a deed to Ronald J. Getter, of record in Document No. 2016OR-05311 and the westerly line of that 1.079 acre tract as described in a deed to Matthew Patak, of record in Document No. 2022OR-11459 and the westerly line of that 0.903 acre tract as described in a deed to Russell Snyder, of record in Deed Book 766, Page 893,

Page 2 – 296.236 acres

a distance of 1,149.88 feet to a 5/8" rebar found at the southwesterly corner of said 0.903-acre tract and the northwesterly corner of that 2.750-acre tract and the northeasterly corner of that 1.637 acre to both described in a deed to J. James Merz, Peggy J. Clendening and William J. Merz, Co-trustees, of record in Document No. 2018OR-08112;

Thence North 84°03'21" West, along the northerly line of said 1.637-acre tract, a distance of 262.92 feet to a 5/8" rebar found at the northwesterly corner of said 1.637-acre tract;

Thence South 05°01'23" West, along the westerly line of said 1.637-acre tract, a distance of 271.00 feet to an iron pin set at the southwesterly corner of said 1.637-acre tract;

Thence South 84°03'18" East, along the southerly of said 1.637-acre tract, a distance of 263.13 feet to a 5/8" rebar found at the southwesterly corner of said;

Thence South 84°30'13" East, along the southerly line of said 2.750 acre tract, a distance of 334.94 feet to a mag nail found in the centerline of Mann Road (60.00 feet in width) at the southeasterly corner of said 2.750 acre tract;

Thence South 44°29'47" West, along said centerline, a distance of 307.30 feet to a mag nail set at the northeasterly corner of that 1.388-acre tract as described in a deed to Kerri E. Bubeck and Ryan E. Bubeck, of record in Document No. 2023OR-05424;

Thence North 84°06'13" West, along the northerly line of said 1.388-acre tract, a distance of 441.73 feet to a 5/8" rebar found at the northwesterly corner of said 1.388-acre tract;

Thence South 05°53'47" West, along the westerly line of said 1.388 acre tract, a distance of 160.00 feet to a 5/8" rebar found at the southwesterly corner of said 1.388 acre tract in the northerly line of that 14.510 acre tract as described in a deed to Michael Seale and Eugenia Seale, of record in Document No. 2021OR-03790;

Thence North 84°06'13" West, along said northerly line, a distance of 1554.77 feet to a 1" pinch top pin found at the northwesterly corner of said 14.51-acre tract;

Thence South 05°00'47" West, along the westerly line of said 14.510-acre tract and the westerly line of that 2.811-acre tract as described in a deed to William L. Thayer and Bobbie J. Cantrell of record in Document No. 2016OR-14842, a distance of 671.16 feet to a 5/8" rebar found at the southwesterly corner of said 2.811-acre tract;

Thence South 84°12'59" East, along the southerly line of said 2.811 acre tract, the southerly line of that 3.675 acre tract as described in a deed to William L. Thayer and Bobbie J. Cantrell of record in Document No. 2016OR-14842 and the southerly line of that 1.100 acre tract as described in a deed to Isaac B. Coppock and Michele M. Coppock of record in Deed Book 711, Page 289, a distance of 867.83 feet to a mag nail found in the centerline of Heffner Road (60 foot right of way) at the northwesterly corner of that 10.140 acre tract as described in a deed to Kerry J. Pahal, of record in Document No. 2015OR-05509;

Thence South 04°52'03" West, along the westerly line of said 10.140-acre tract, a distance of 1,339.34 feet to a 5/8" rebar found at the southwesterly corner of said 10.140-acre tract and in the northerly line of that 13.3764-acre tract as described in a deed to Carriage Pointe LTD., of record in Document No. 2021OR-04394;

Page 3 – 296.236 acres

Thence North 84°20'09" West, along said northerly line, a distance of 1680.77 feet to a 1" pipe found at the northwesterly corner of said 13.3764-acre tract and the southeasterly corner of "Carriage Trails Section 7, Phase III", a subdivision of record in Plat Book 26, Pages 8-8A;

Thence North 05°13'29" East, along the easterly line of said Carriage Trails Section 7, Phase III and the easterly perimeter of Inlot 352 (remainder) as shown and delineated upon the plat "Carriage Trails" a subdivision of record in Plat Book 22, Page 25, a distance of 732.60 feet to an iron pin found with plastic cap inscribed "M-E Companies";

Thence North 84°54'54" West, along the northerly perimeter of said Inlot 352, a distance of 2678.46 feet to an iron pin found with plastic cap inscribed "M-E Companies" in the easterly line of "Carriage Trails Section 9, Phase III", a subdivision of record in Plat Book 26, Pages 20-20A;

Thence North 05°06'04" East, along the easterly line of said "Carriage Trails Section 9, Phase III", and the easterly line of "Carriage Trails Section 9, Phase IV", a subdivision of record in Plat Book 26, Pages 67-67B, a distance of 614.38 feet to an iron pin found with plastic cap inscribed "M-E Companies" at the northeasterly corner of said "Carriage Trails Section 9, Phase IV";

Thence North 84°34'07" West, along the northerly line of said "Carriage Trails Section 9, Phase IV", a distance of 456.76 feet to an 1" pipe found at the southeasterly corner of that 12.982 acre tract as described in a deed to Eldar Mamedov Document No. 2023OR-04310;

Thence North 04°58'53" East, along the easterly line of said 12.982-acre tract, a distance of 1,337.64 feet to an iron pin set at the northeasterly corner of said 12.982 acre tract and in the southerly line of that 1.857 acre tract as described in a deed to Eldar Mamedov Document No. 2023OR-04310;

Thence South 84°50'32" East, along the southerly line of said 1.857-acre tract and the southerly line of that 2.011-acre tract as described in a deed to Joyce A. Clifford, of record in Document No. 2015OR-13536, a distance of 333.63 feet to a 2" pipe found at the southeasterly corner of said 2.011-acre tract;

Thence North 04°55'31" East, along the easterly line of said 2.011-acre tract, passing a 5/8" rebar found in the southerly right of way line of U.S. Route 40 (80.00 feet in width) at a distance of 304.99 feet, a total distance of 345.96 feet to a mag nail set in the centerline of U.S. Route 40;

Thence North 82°26'45" East, along said centerline, a distance of 237.40 feet to a mag nail set at an angle point in said centerline;

Thence North 82°23'02" East, continuing along said centerline, a distance of 8.50 feet to a mag nail set at the northwesterly corner of that 16.764-acre tract as described in a deed to Chichak LLC & Asim Shakirjan, of record in Document No. 2022OR-09372;

Thence South 04°26'06" West, along the westerly line of said 16.764 acre tract, passing a 1" pipe found in the southerly right of way line of U.S. Route 40 at a distance of 40.89 feet, a total distance of 400.57 feet to a 1" pinch top pin found at the southwesterly corner of said 16.764 acre tract;

Page 4 – 296.236 acres

Thence South 85°01'11" East, along the southerly line of said 16.764-acre tract and the southerly line of that 3.236-acre tract as described in a deed to Carl S. Watson and Heather R. Watson, of record in Document No. 2022OR-060885, a distance of 1523.43 feet to a 1" pinch top pin found at the southeasterly corner of said 3.236 acre tract;

Thence North 05°07'34" East, along the easterly line of said 3.236-acre tract, passing a 5/8" rebar in the southerly right of way line of U.S. Route 40 at a distance of 701.25 feet a total distance of 742.26 feet to a mag nail set in the centerline of U.S. Route 40;

Thence North 82°23'02" East, along said centerline, a distance of 1065.69 feet to a mag nail set at the northwesterly corner of that aforementioned 20.933-acre tract and in the common line to Sections 14 and 20;

Thence South 05°34'32" West, along said common line, the westerly line of said 20.933 acre tract and the westerly line of that 0.717 acre tract as described in a deed to Wilbur E. Friend and Jeannine F. Friend, of record in Deed Book 327, Page 183, a distance of 979.31 feet to the place of beginning and containing 296.236 acres of land of which, 35.867 acres lies in Section 14, 134.161 acres lies in Section 19, 22.526 acres lies in Section 20 and 103.682 acres lies in Section 13.

Bearings herein are based on the Ohio State Plane Coordinate System, North Zone, NAD 83.

Iron pins set consist of a 5/8-inch rebar, 30 inches long with an orange plastic cap stamped "IBI Group, S-6872/S-7740".

This description was prepared by IBI Group Survey, Columbus, Ohio, and is based on an actual field survey of the premises performed in May and November 2021 and September 2023.



By

A handwritten signature in black ink, appearing to read "David L. Chiesa".

David L. Chiesa

Date 09/26/23

Registered Surveyor No. 7740



Huber Heights Fire Division

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

Occupancy Name:	Carriage Trails II		
Occupancy Address:	Carriage Trails Parkway and National Road		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:	N/A	HH P&D:	
MCBR MEC:		HHFD Plan:	24-348
MCBR ELE:		HHFD Box:	
REVIEWER:	Susong	DATE:	9/4/2024

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 for a proposed mixed-use development. Drawings do not indicate which areas will be used for the different occupancies. Overall concept is approved based on all new roadways and waterlines with fire hydrants complying with requirements from the Ohio Fire Code and Huber Heights Codified Ordinances. Additional requirements regarding fire department access and fire hydrants may be forthcoming during development.

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 statutes and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

AI-10284

9. A.

Planning Commission

Meeting Date: 09/10/2024

Minutes

Information

Agenda Title

Without objection the minutes of the August 13, 2024, Planning Commission meeting are approved.

Purpose and Background

Attachments

Minutes

**Planning Commission
August 13, 2024, 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, Assistant City Manager, and Geri Hoskins, Planning & Zoning Administrative Assistant.

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. **TEXT AMENDMENT – The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval to amend Sections 1123 (Definitions) and 1196 (Medical Marijuana) of the Zoning Code (TA 24-15).**

Mr. Sorrell stated that currently, the city specifically prohibits medical marijuana facilities in every zoning district, but the code is silent on facilities used for the cultivation, processing or selling of adult-use (recreational) marijuana. This proposed text amendment would extend the prohibition of medical marijuana facilities to include adult-use marijuana facilities.

Through consultation with our legal department, planning staff recommends the following amendments:

Chapter 1123 – Definitions

Add the following definitions:

1123.741 – Marijuana. *Marijuana* means marihuana or cannabis that is cultivated, processed, dispensed, tested, or used for adult use purposes,

regardless of whether such marijuana is, or is not, in a form or intended for incorporation into a form permitted under Ohio R.C. Chapter 3780.

1123.742 – Marijuana, Medical. *Medical marijuana* means marijuana that is cultivated, processed, dispensed, tested, or used for medical purposes, regardless of whether such marijuana is, or is not, in a form or intended for incorporation into a form permitted under Ohio R.C. Chapter 3796.

1123.743 - Marijuana-related businesses or home occupations. *Marijuana-related businesses or home occupations* means a business or home occupation use, involving, in whole or in part, the cultivation, processing, distribution, and/or wholesale or retail sale of marijuana or medical marijuana on the premises. This definition specifically includes, but is not limited to, adult use cannabis operators, dispensaries of marijuana or medical marijuana, facilities for the cultivation, packaging, transportation, processing, storage, and/or sale of marijuana or medical marijuana; and bakeries or kitchens producing edible forms of marijuana or medical marijuana or products containing the same.

Amend Chapter 1196 to read as follows:

Chapter 1196 – Marijuana Facilities

1196.01 Marijuana and Medical Marijuana Facilities & Advertising

(a) Prohibition of Marijuana and Medical Marijuana Facilities

No marijuana-related businesses or home occupations may be established, licensed, maintained, or permitted in any Zoning District within the City.

(b) Limitations on Marijuana and Medical Marijuana Advertising

Advertising and/or signage for marijuana-related businesses or home occupations shall be prohibited in any Residence District, Estate Residential District, Planned Residential District, and Planned Mobile Home Residential District as defined in Section 1141.01 of the City's Zoning Ordinance, and shall not be permitted within one hundred (100) yards of any church, public library, public playground, public park, or school, as defined in Ohio R.C. section 3796.30.

(c) Exceptions

This prohibition shall not apply to:

- (i) Research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.
- (ii) Personal home cultivation and private use of marijuana or medical marijuana as authorized by Ohio R.C. Chapter 3780 or Ohio R.C. Chapter 3796.

(d) Severability

In the event that any portion of this Section shall be declared invalid or unenforceable for any reason by a court of competent jurisdiction, that portion shall be considered severable, and the remainder of this Section shall remain in full force and effect.

Discussion on prohibiting rather than restrictions, permanently prohibit, State Law allows us to prohibit, State does not allow us to prohibit alcohol, items regulated by FDA like vaping, signage, how those facilities look, only business that we can fully restrict, adult uses protected by first amendment, adult entertainment in the I2 district with a lot of conditions that make difficult to find a location, Supreme Court not protecting, more regulated than bars, issue with permanent prohibition, an ordinance than can be revisited, thought we were using moratorium to figure out how to regulate, Sin Tax, some zoning provisions should be allowed. Medical and recreational prohibited together. Home based business.

Action

Ms. Thomas moved to approve the request by the applicant, THE CITY OF HUBER HEIGHTS, for approval to amend Sections 1123 (Definitions) and 1196 (Medical Marijuana) of the Zoning Code (TA 24-15) in accordance with the recommendation of Staff's Memorandum dated August 8, 2024, and the Planning Commission Decision Record attached thereto.

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

Mr. Cassity stated the City needs to accommodate this kind of business.

Mr. Jeffries stated stigma is gone, look at the positives, income paying jobs, maybe extend current moratorium.

Ms. Thomas stated veterans need medical marijuana for PTSD.

VIII. Additional Business

None

IX. Approval of the Minutes

Without objection, the minutes of the July 9, 2024, Planning Commission meetings are approved.

X. Reports and Calendar Review

Minor Change, Dentist office
EV charging station – Sheetz on Old Troy Pike

Planning Commission Meeting
August 13, 2024

XI. Upcoming Meetings

September 10, 2024
October 15, 2024

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 6:30 p.m.

Terry Walton, Chair

Date

Geri Hoskins, Administrative Assistant

Date