



AGENDA
CITY PLANNING COMMISSION
City Governance Center - Council Chambers
6151 Brandt Pike
September 15, 2026
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, DAVID FRYE, is requesting approval of a Minor Change for sanctuary addition of less than 10% additional square footage, interior renovation, new parking area and detention basin. Property is located at 4400 Powell Road (MC 26-25).
 - B. REPLAT - The applicant, SWEET LIVING CAPITAL, INC., is requesting approval of a Replat for a future hotel development on a proposed 2.8 acres lot. Property is located at 5611 Merily Way (RP 26-26).

8. Additional Business

A. None

9. Approval of Minutes

A. Without objection the minutes of the August 11, 2026, Planning Commission meeting are approved.

10. Reports and Calendar Review

11. Upcoming Meetings

A. October 13, 2026
November 10, 2026

12. Adjournment

AI-11744

7. A.

Planning Commission

Meeting Date: 09/15/2026

Minor Change

Information

Agenda Title

MINOR CHANGE - The applicant, DAVID FRYE, is requesting approval of a Minor Change for sanctuary addition of less than 10% additional square footage, interior renovation, new parking area and detention basin. Property is located at 4400 Powell Road (MC 26-25).

Purpose and Background

Attachments

Staff Report

Decision Record

Application

Drawing

Fire Assessment

Memorandum

Staff Report for Meeting of September 15, 2026

To: Huber Heights City Planning Commission
From: Hailey Hayes, City Planner
Date: August 20, 2026
Subject: MC 26-25 Penuel Church of the Nazarene
4400 Powell Road

Department of Planning and Zoning, City of Huber Heights

APPLICANT/OWNER: David Frye – Applicant

DEVELOPMENT NAME: Penuel Church of Nazarene Minor Change

ADDRESS/LOCATION: 4400 Powell Road, Huber Heights Ohio 45424

ZONING/ACREAGE: PC – Planned Commercial District
1.2 Acres

EXISTING LAND USE: Church

**ZONING
ADJACENT LAND:** North: R-5, R-6
East: PC
West: R-4,R-1
South: R-5

REQUEST: A Minor Change to the approved PUD detailed development plan to allow a sanctuary addition of less than 10% additional square footage, interior renovation, and a new parking area and detention basin.

ORIGINAL APPROVAL: N/A

APPLICABLE HHCC: Chapter 1171, 1176

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

Overview

Site Characteristics

This site is relatively flat with one existing building on it. Due to potential flooding in the future they are constructing a detention pond on the southwest side of the property to eliminate any future problems they may have with flooding into nearby residents properties as well as a new parking section to the south of the building that includes 44 new parking spaces. No setbacks are impacted.

Applicable Zoning Regulations

The applicable zoning regulations are Chapter 1171 – General Provisions and Chapter 1176 - Planned Commercial District.

1171.11 - Changes in the basic and detailed development plans, states;

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.

CHAPTER 1176 - (PC) PLANNED COMMERCIAL DISTRICT^[46]

1176.01 - Principal permitted uses.

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

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

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

1176.02 - Accessory uses.

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

- (a) Uses customarily incident to all principal permitted uses; and

(b) Temporary buildings and uses for construction purposes, not to exceed 12 months.
(Ord. 89-O-339, Passed 2-6-89)

1176.03 - Development standards.

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

(a) *Minimum Land Area Requirement.*

(1) No minimum land area shall be required.

(b) *Site Planning.*

(1) All yards within the development plan except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a minimum of 15 feet along property lines.

(2) The parking and loading facilities shall be a distance of at least 25 feet from the established right-of-way line, and the building(s) or the structure(s) at least 75 feet from the established right-of-way line per the Official Thoroughfare Plan or the recorded plat.

(Ord. 2006-O-1656, Passed 10-5-05)

1176.04 - Parking and loading.

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

(Ord. 89-O-339, Passed 2-6-89)

1176.05 - Special uses.

The following shall be permitted as a special use:

(a) Reserved.

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

(c) Places of worship.

(d) Indoor self-service storage facilities as part of an adaptive reuse of an existing building.

(Ord. 2000-O-1159, Passed 1-10-00; Ord. 2002-O-1354, Passed 6-24-02; Ord.

No. [2023-O-2569](#), § 3, 2-13-23)

Staff Analysis

Conformance With Planned Commercial District Requirements:

Use: The existing church is a special use.

Development Standards:

The site plan shows that the proposed parking expansion complies with the minimum off-street parking requirements necessary to support the church expansion. To mitigate potential stormwater runoff impacts on adjacent properties, the applicant has incorporated an on-site detention basin into the design. Staff finds that the proposed parking configuration and stormwater management measures are appropriate and sufficient to accommodate the sanctuary expansion.

Landscaping:

The proposed site layout involves the removal of an existing sidewalk on the northern property boundary to accommodate the sanctuary expansion. To maintain pedestrian connectivity, a new sidewalk will be constructed along the southern boundary, linking the new parking area to the existing pedestrian network. Additionally, the applicant proposes installing internal landscape islands within the existing parking lot to improve traffic circulation and safety. No existing landscaping or mature vegetation will be removed as part of this development.

Exterior Finish:

The same material the existing building uses will be matched to the new property additions.

Parking and Loading: The site plan shows that the additional parking to be added on the property meets code requirements.

Additional Comments:

Fire: Fire access roads must follow clear rules for size, surface strength, and signs so fire trucks can reach emergencies safely.

City Engineer: The City Engineer had reviewed the storm water plan and has no additional comments.

Recommendation

Planning staff recommends approval of the minor change of the Penuel Church as submitted.

Planning Commission Action

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

- 1) Recommend approval of the minor change application, with or without conditions.
- 2) Recommend denial of the minor change application.
- 3) Table the application to gather additional information.



Planning Commission Decision Record

WHEREAS, on August 20 2026, the applicant DAVID FRYE, requested approval of a Minor Change for sanctuary addition, interior renovation, new parking area, and a detention basin. Property located at 4400 Powell Road, Parcel Number P70 04003 0110 of the Montgomery County, Ohio Records (MC 26-25), and;

WHEREAS, on September 15, 2026, 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, David Frye, for approval of a Minor Change application. Property is located at 4400 Powell Road (Case MC 26-25), in accordance with the recommendation of Staff's Memorandum dated August 20, 2026, with the following conditions:

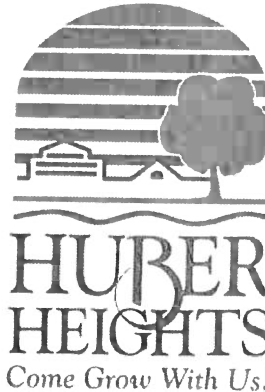
1. Approve as submitted.

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

Terry Walton, Chair
Planning Commission

Date

DEVELOPMENT APPLICATION
CITY OF HUBER HEIGHTS



RECEIVED

AUG 20 2026

PLANNING DEPARTMENT

6151 Brandt Pike
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number MC 2625
Receipt Number 047376

Date Filed 8/20/26
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 | |

Sept. 15, 26

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>DAVID FRYE</u>	Name	<u>DAVID FRYE</u>
Address	<u>50 WALNUT RD.</u> <u>MEDWAY, OH 45341</u>	Address	<u>50 WALNUT RD.</u> <u>MEDWAY, OH 45341</u>
Phone	<u>(937) 727-4515</u>	Phone	<u>(937) 727-4515</u>
Fax		Fax	
Email	<u>DAVE.FRYE@BUILDBERGER.COM</u>	Email	<u>DAVE.FRYE@BUILDBERGER.COM</u>

PROPERTY INFORMATION

Project Name: PENUEL CHURCH OF THE NAZARENE BUILDING & PARKING ADDITION

Location of property: 4400 POWELL ROAD

Book P70 Page 04003 Parcel Number(s) 0110

Current Zoning: PP Proposed Zoning: PP

Property Owner's Name: PENUEL CHURCH OF Telephone: (937) 245-0511
THE NAZARENE

Address: 4400 POWELL ROAD

Total acres included in this application: 1.2 AC. OF NEW IMPROVEMENTS

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

Brief description of application request:
SANCTUARY ADDITION, NEW PARKING AREA & DETENTION BASIN

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

Name of Engineer: ABERCROMBIE & ASSOCIATES, INC. Telephone: (513) 385-5757

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

Applicant's Signature

[Signature]

Applicant's Signature:

DWID Faye - Agent

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 28 day of July, 2014.

Lucy Perry
Notary Public, State of Ohio
My Commission Expires 12-01-2026

[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

<u>PENUEL CH. OF THE NAZARENE</u> <u>PROPERTY OWNER</u> Name <u>DESIRE NTWAYINGABO</u> Address <u>4400 POWELL ROAD</u> <u>DAYTON, OH 45424</u> Phone <u>937-797-1148</u> Fax _____ Email <u>DESIRE@PENUELCHURCH.ATTORNEY</u> <u>com</u> Name _____ Address _____ _____ _____ Phone _____ Fax _____ Email _____		<u>AGENT</u> Name _____ Address _____ _____ _____ Phone _____ Fax _____ Email _____ <u>DEVELOPER</u> <u>* AGENT</u> Name <u>DAVID FRYE - BERGER CONSTR.</u> Address <u>50 WALNUT RD.</u> <u>MEDWAY, OH 45341</u> Phone <u>(937) 727-4515</u> Fax _____ Email <u>DAVE.FRYE@BUILDBERGER.COM</u>	
<u>LAND PLANNER</u> Name _____ Address _____ _____ _____ Phone _____ Fax _____ Email _____		<u>ENGINEER</u> Name <u>CRAIG ABERCROMBIE</u> Address <u>8111 CHEVIOT RD.</u> <u>CINCINNATI, OH 45247</u> Phone <u>(513) 385-5757</u> Fax _____ Email <u>CRAIGA@ABERCROMBIE-ASSOCIATES.COM</u>	
<u>BUILDING</u> <u>LANDSCAPE ARCHITECT</u> Name <u>BILL SCHALK - KBA ARCHITECTS</u> Address <u>29 HIGH ST.</u> <u>MILFORD, OH 45150</u> Phone <u>(513) 752-7800</u> Fax _____ Email <u>BSCHALK@KBAINC.COM</u>		<u>OTHER</u> Name _____ Address _____ _____ _____ Phone _____ Fax _____ Email _____	

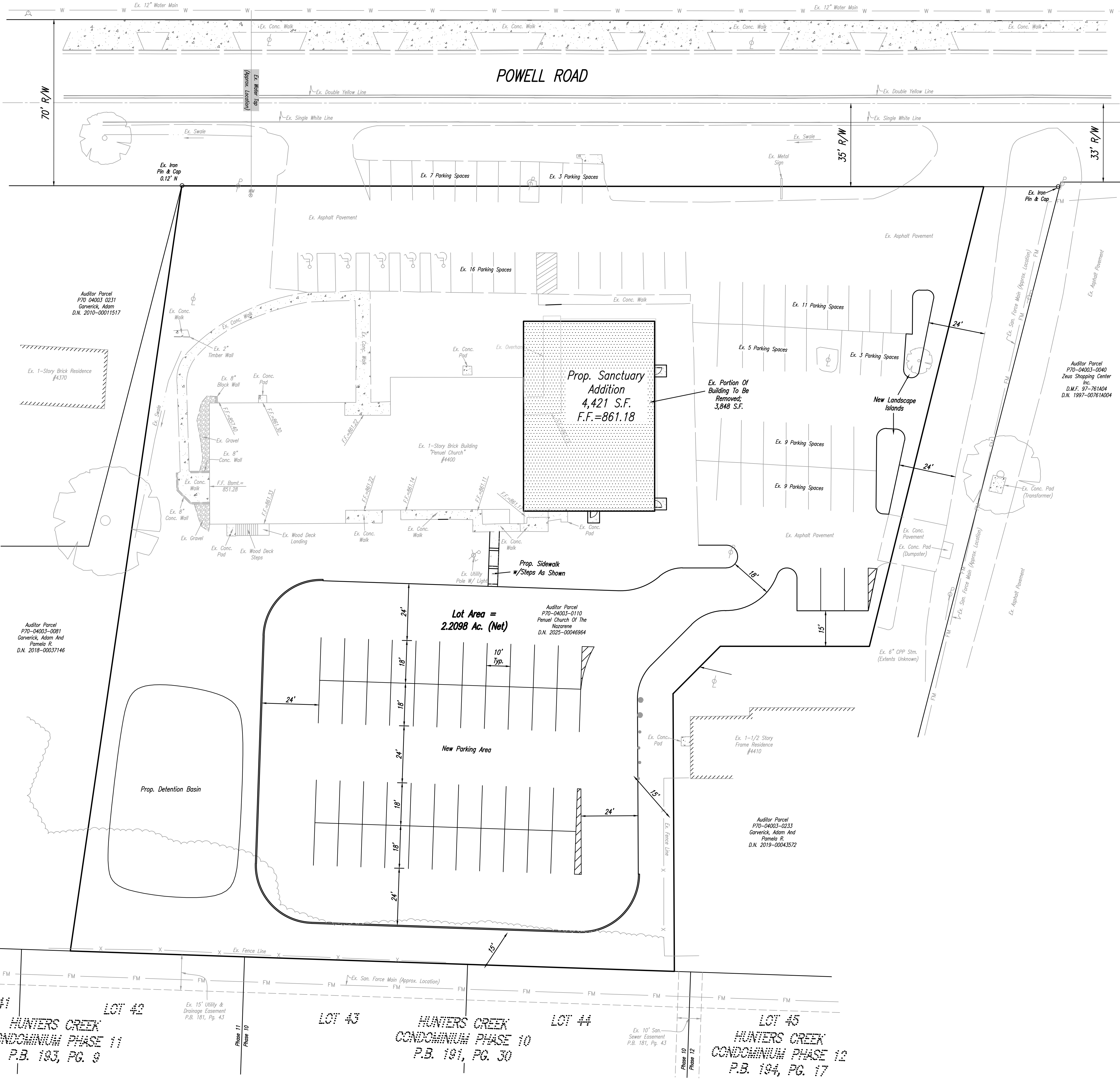


MINOR CHANGE ZONING REQUEST FOR PENUEL CHURCH LOCATED AT 4400 POWELL ROAD, HUBER HEIGHTS OHIO 45424

THE CHURCH IS ADDING LESS THAN 10% MORE SQUARE FOOTAGE TO THE CURRENT FLOOR PLAN, RENOVATING THE INTERIOR OF THE EXISTING SPACE TO IMPROVE THE SPACE REQUIREMENTS FOR THEIR NEEDS. IN ADDITION THEY WOULD LIKE TO ADD PARKING WHICH IS FALLING WITHIN THE SETBACK GUIDELINES FOR SIDE AND REAR ZONING REQUIREMENTS.

THE CHANGES WILL ENHANCE THE PROPERTY AND BE IN ACCORDANCE WITH THE ZONING GUIDELINES THEY HAVE BEEN UNDER FOR THE PAST 40 YEARS.

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.



LEGEND	
	Ex. Light Pole
	Ex. Utility Pole
	Ex. Guy Wire
	Ex. Electric Meter
	Ex. Electric Box
	Ex. Telephone Box
	Ex. Electrical Service
	Ex. Downspout
	Ex. A.C. Unit
	Ex. Mailbox
	Ex. Fire Hydrant
	Ex. Water Valve
	Ex. Water Meter
	Ex. Gas Meter
	Ex. Catch Basin
	Ex. Overhead Utility Lines

EXISTING UNDERGROUND UTILITIES REPRESENTED ON THIS DRAWING ARE APPROXIMATE LOCATION ONLY BASED ON FIELD OBSERVATIONS AND AVAILABLE RECORDS. CONTACT THE LOCAL UTILITY PROTECTION SERVICES AND AGENCIES PRIOR TO ANY EXCAVATION, CONSTRUCTION OR DESIGN.

ELEVATION DATUM SHOWN IS RELATIVE TO _____ BASED ON _____

SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X" AS DETERMINED BY A REVIEW OF FLOOD MAP NO. 39113C0159E, DATED JANUARY 6, 2026 OF THE NATIONAL FLOOD INSURANCE PROGRAM.



MINOR REVISION
PENUEL CHURCH
4400 POWELL ROAD

REVISIONS	Date	Drawn By	Checked By	Scale
	6-23-26	R.B.	D.P.	1"=20'

SITE LAYOUT & PAVING PLAN
4400 POWELL ROAD - PENUEL CHURCH
SECTION-27; TOWN-2, RANGE-8, M.R.S.
CITY OF HUBER HEIGHTS
MONTGOMERY COUNTY, OHIO

Abercrombie & Associates, Inc.
Civil Engineering + Surveying
8111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
www.abercrombie-associates.com

THIS DRAWING AND THE DESIGN CONCEPTS REPRESENTED, AS INSTRUMENTS OF SERVICE, ARE THE SOLE PROPERTY OF ABERCROMBIE & ASSOCIATES, INC., AND MAY NOT BE USED, REPRODUCED, OR COPIED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN AUTHORIZATION OF ABERCROMBIE & ASSOCIATES, INC.



Huber Heights Fire Division

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

Occupancy Name:	Penuel Church of the Nazarene		
Occupancy Address:	4400 Powell Rd		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:		HH P&D:	
MCBR MEC:		HHFD Plan:	
MCBR ELE:		HHFD Box:	
REVIEWER:	Pugh	DATE:	09/02/2026

Fire Department Comments:

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

Review is for approval of rezoning. These comments are based only on the proposed site work, fire department access and basic fire protection concept. 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 2025, Ohio Building Code 2024 and the Huber Heights Codified Ordinance. Additional requirements for structure may arise during permitting process:

Requirements:

- **OFC 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
- **OFC 503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities [as approved by the fire code official](#)
- **OFC 503.3 Marking.** Where required by the fire code official, approved signs or other approved notices or markings that include the words "NO PARKING—FIRE LANE" shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

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 2025 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-11751

7. B.

Planning Commission

Meeting Date: 09/15/2026

Replat

Information

Agenda Title

REPLAT - The applicant, SWEET LIVING CAPITAL, INC., is requesting approval of a Replat for a future hotel development on a proposed 2.8 acres lot. Property is located at 5611 Merily Way (RP 26-26).

Purpose and Background

Attachments

Staff Report

Decision Record

Application

Drawing

Fire Assessment

Memorandum

Staff Report for Meeting of September 15, 2026

To: Huber Heights City Planning Commission
From: Hailey Hayes, City Planner
Date: August 28, 2026
Subject: RP 26-26 Texas Road House Replat
5611 Merily Way

Department of Planning and Zoning, City of Huber Heights

APPLICANT/OWNER: Sweet Living Capital Inc
– Owner(s)

DEVELOPMENT NAME: Texas Roadhouse Replat

ADDRESS/LOCATION: 5611 Merily Way

ZONING/ACREAGE: PC – Planned Commercial / 6.5 Acres

EXISTING LAND USE: Retail

ZONING
ADJACENT LAND: North: P-C
East: P-C
West: P-C
South: P-C

REQUEST: Texas Road House wants to replat their lot for a potential new hotel development on a proposed 2.8 acres lot.

ORIGINAL APPROVAL: N/A

APPLICABLE HHCC: Chapter 1107

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

Overview

Site Characteristics

The site comprises of an already existing Texas Roadhouse. The topography is flat, and no major changes to the site's land will be made.

Applicable Zoning Regulations

1107.01 - Required.

The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision and drawings and specifications of the improvements required therein. The final plat shall have incorporated all changes in the preliminary plat required by the Planning Commission. Otherwise, it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time. The final plat and the supplementary information shall be prepared by a qualified registered engineer or surveyor and shall conform to the minimum standards for boundary surveys in the State of Ohio.

(Ord. 83-O-124, Passed 7-11-83)

1107.02 - Application for approval.

An application for approval for the final plat, using the forms provided, together with copies of the plat as specified, the supplementary information, and the appropriate filing fee shall be submitted to the Planning Commission. The number of copies and the amount of the fee are stated in the Administrative Rules and Regulations.

(Ord. 83-O-124, Passed 7-11-83)

1107.08 - Approval.

The City Planning Commission shall officially approve or disapprove the final plat within 30 days after it has been filed. Failure of the Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission, and a copy of such record shall be forwarded to the subdivider.

(Ord. 83-O-124, Passed 7-11-83)

Staff Analysis

Conformance With Planned Commercial District Requirements:

Use:

The existing restaurant is permitted for use within the Planned Commercial District. The potential existing use, a hotel, is also a permitted use within this district.

Development Standards:

The two parcels established by this replat comply fully with all applicable zoning regulations. All on-site utility services are routed underground, and the configuration introduces no adverse impacts on existing setback requirements. The proposed lot configuration satisfies all statutory size and frontage criteria.

Additional Comments:

Fire: No Comments

City Engineer: .

Recommendation

It is the opinion of staff that the proposed replat meets the applicable review standards set forth in Section 1107 of the Zoning Code. Therefore, staff recommends approval of the Texas Roadhouse Replat Record Plan.

Planning Commission Action

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

- 1) Recommend approval of the replat application.
- 2) Recommend denial of the replat application.



Planning Commission Decision Record

WHEREAS, on August 28, 2026, the applicant SWEET LIVING CAPITAL, INC., requested approval of a Replat for a future hotel development on a proposed 2.8 acres lot. Property located at 5611 Merily Way, Parcel Number P70 04005 0132 of the Montgomery County, Ohio Records (RP 26-26), and;

WHEREAS, on September 15, 2026, 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, Sweet Living Capital, Inc., for approval of a Replat application. Property is located at 5611 Merily Way (Case RP 26-26), in accordance with the recommendation of Staff's Memorandum dated August 28, 2026, with the following conditions:

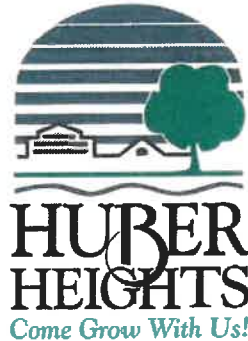
1. Approve as submitted.

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

Terry Walton, Chair
Planning Commission

Date

DEVELOPMENT APPLICATION
CITY OF HUBER HEIGHTS



RECEIVED

AUG 28 2026

PLANNING DEPARTMENT

6151 Brandt Pike
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number LS 26-26
Receipt Number _____

Date Filed 8/28/26
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/Final Plat/Replat | ☐ Other |
| ☐ Preliminary Plat | |
| ☐ Text Amendment | |
| ☐ Zoning Ordinance | |
| ☐ Subdivision Regulations | |
| ☐ Other | |

Sept. 15, 26

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	Sweet Living Capital, Inc	Name	Ackroyd Surveying & Mapping, LLC
Address	1101 Kermit Drive, Suite 202 Nashville, TN 37217	Address	5647 Beaver Head Ct Columbus, OH 43230
Phone	410-977-7275	Phone	614-619-0515
Fax		Fax	
Email	ktownsend@sweetlivinginc.com	Email	matt@ackroydsurveying.com

PROPERTY INFORMATION

Project Name: Texas Roadhouse Replat

Location of property: 5611 Merily Way, Huber Heights

Book 07-078183 Page _____ Parcel Number(s) P70 04005 0132

Current Zoning: Commercial Proposed Zoning: Commercial

Property Owner's Name: Texas Roadhouse of Huber Heights, LLC Telephone: (417) 230-5018

Address: 6040 Dutchmans Lane, Suite 400, Louisville, KY

Total acres included in this application: 6.518

Type of Development: Residential ___ Commercial x Office ___ Industrial ___ Other ___

Brief description of application request:

Replat to split the lot for a future hotel development on the proposed 2.870 Acres

Applicant's status: Owner ___ Lessee ___ Purchaser x Agent ___

Name of Engineer: Terrain Evolution Telephone: 614-385-1092

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

Applicant's Signature

Kenneth Townsend

Applicant's Signature:

Kenneth Townsend

Printed Name:

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

TEXAS ROADHOUSE OF HUBER HEIGHTS, LLC

Russell Chalmers
OWNER

Subscribed and sworn to before me this 27th day of August, 2026.



Brittanie Soto
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.

By: Kenneth Townsend
Applicant's Signature
Date: 8/26/2026
Project: _____
Witness _____
Witness _____

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 Kenneth Townsend 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.

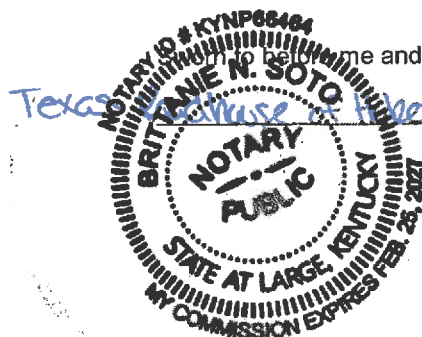
TEXAS ROADHOUSE OF HUBER HEIGHTS, LLC

Russell Arbuckle
Owner's Signature

Owner's Signature

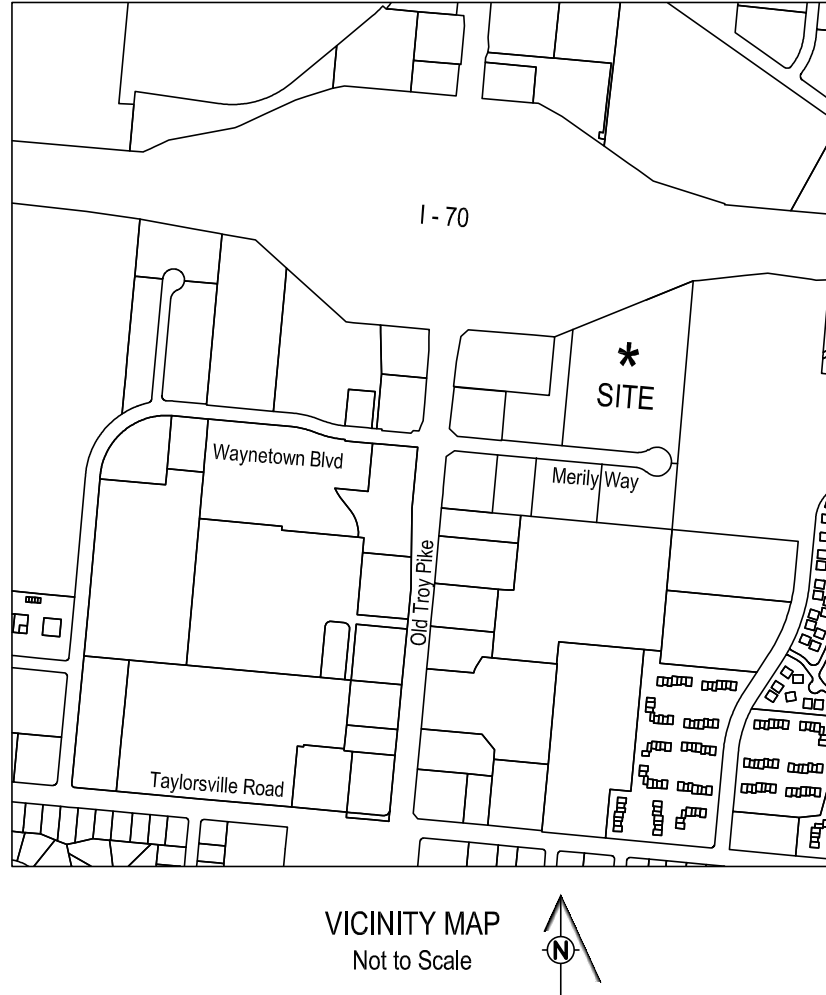
Russell Arbuckle - Senior Director of Real Estate
Printed Name

Printed Name



I, the undersigned, do hereby certify that I am the owner of the above described property and subscribed in my presence by the said Senior Director of Real Estate on this 27th day of August, 2026.

Brittanie Soto
Notary Public



PROPERTY ADDRESS: 5611 Merily Way, Huber Heights, Ohio 45424

AUDITOR'S PPN: P70 04005 0132

DESCRIPTION

Situated in the State of Ohio, County of Montgomery, City of Huber Heights, located in Section 29, Town 2, Range 8, M.Rs., and being a replat of Lot 1 of the Texas Roadhouse Plat, of record in Plat Book 209, Pg 4, being all of the same land as conveyed to Texas Roadhouse of Huber Heights, Inc. of record in Instrument Record Deed 07-078183, as recorded in the deed records of Montgomery County, Ohio.

DEDICATION

We, the undersigned Texas Roadhouse of Huber Heights, Inc. being the owners and lienholders of the land platted herein, do hereby voluntarily consent to and join in the execution of said plat and do hereby reserve the easements and dedicate the road Right-of-Way on said Plat to the public use forever.

Easements shown within the Plat are for the construction, operations, maintenance, repair and replacement of storm water drainage, water, sewer, gas, electric, telephone or other utility lines or services, and for the express privileges of removing any and all trees or other obstructions to the free use of said utilities, and for providing ingress to and egress from the premises for said purposes, and are to be maintained as such forever

The "Cross Access Easement" as shown hereon shall be dedicated to the fee simple owner of Lot 3 for the use of the existing drive on Lot 2 for the purpose of ingress/egress to Lot 3.

SIGNED AND ACKNOWLEDGED:

Texas Roadhouse of Huber Heights, Inc

Scott M. Colosi
Chief Financial Officer, Texas Roadhouse, Inc
Manager of Texas Roadhouse of Huber Heights, Inc

IN THE PRESENCE OF:

WITNESS WITNESS

STATE OF KENTUCKY
COUNTY OF _____

Before me, a Notary of the Public in and for said State, personally appeared Scott M. Colosi, Manager of Texas Roadhouse of Huber Heights, Inc, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of Texas Roadhouse of Huber Heights, Inc, for the uses and purposes therein expressed.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS _____ OF _____, 2026

My Commissions Expires _____

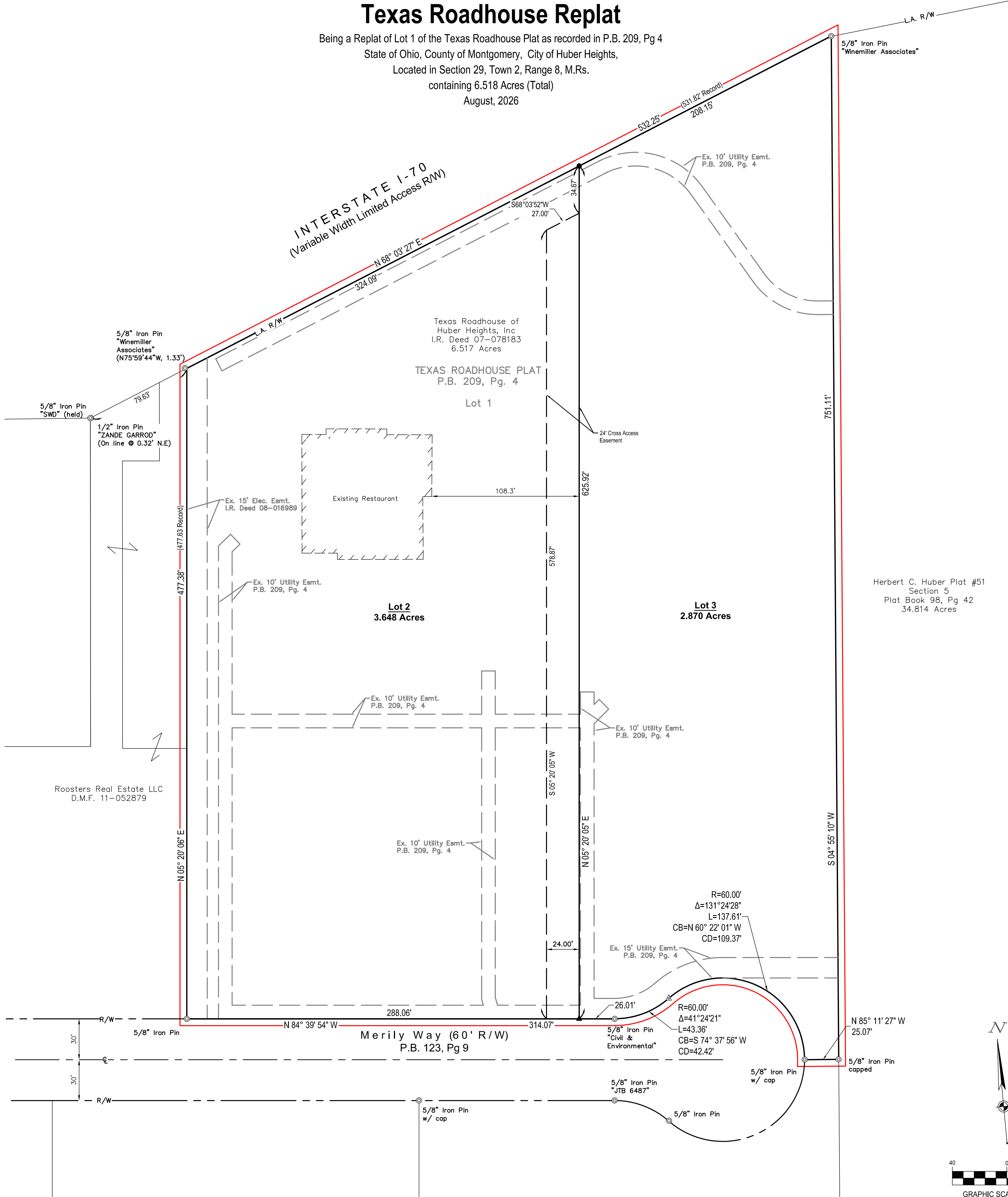
LEINHOLDER: NONE

OWNER:
Texas Roadhouse of Huber Heights, Inc
6040 Dutchmans Lane, Suite 400
Louisville, KY 40205

DEVELOPER:
Sweet Living Capital, Inc
1101 Kermit Drive, Suite 202
Nashville, TN 37217
Contact: Ken Townsend
Phone: 410-977-7275

Record Plan Texas Roadhouse Replat

Being a Replat of Lot 1 of the Texas Roadhouse Plat as recorded in P.B. 209, Pg 4
State of Ohio, County of Montgomery, City of Huber Heights,
Located in Section 29, Town 2, Range 8, M.Rs.
containing 6.518 Acres (Total)
August, 2026



APPROVALS

City of Huber Heights:

Approved this ____ day of _____, 2026 by the
Planning Commission of the City of Huber Heights Ohio

CHAIRMAN

MONTGOMERY COUNTY COUNTY ENGINEER
Approved for Description

Date _____, 2026

Job# 2026-0214RE

Andrew J. Shahan P.E., P.S. or Authorized Representative

Checked By

Date

ACREAGE SUMMARY

Lots 1 & 2: 6.518 Acres
Right-of Way Dedicated: 0.000 Acres
Total Area: 6.518 Acres

BASIS OF BEARINGS

Bearings shown hereon are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD 83 (2011), derived from GPS observations processed against the Ohio CORS network, with the right-of-way line of Merily Way being North 84°39'54" West, and are used to denote angles only

OCCUPATION

Occupation generally fits the surveyed lines as shown hereon.

SUPERIMPOSED NOTE

All the lands of the dedicators is shown hereon

PERTINENT DOCUMENTS

- Deeds of record and Record Plats as shown
- Survey #s SUR-86-25, SUR-86-25-A, SUR-98-12

LEGEND

- - Monument found as described
- - Iron pin set (3/8" x30" Rebar with cap inscribed "Ackroyd 8897")
- ▲ - 8" Mag Spike Set
- R/W - R/W Line
- ⊕ - Centerline of R/W

SURVEYOR'S CERTIFICATION

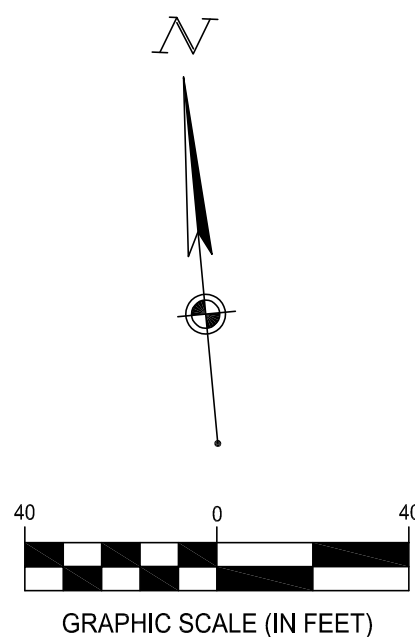
I hereby certify that this plat represents a true complete survey made by me and this subdivision was prepared in accordance with O.A.C. 4733-37 - Minimum Standards for Boundary Surveys, and O.R.C. Chapter 711 - Plats. All measurements are in decimal feet. Field work was performed in July, 2026. All monuments are to be set as shown.

Matthew J. Ackroyd, PS 8897
matt@ackroydsurveying.com

Prepared by:

ACKROYD
SURVEYING & MAPPING

ackroydsurveying.com
- Columbus, Ohio -





Huber Heights Fire Division

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

Occupancy Name:	Texas Roadhouse (Replat)		
Occupancy Address:	5611 Merily Way		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:		HH P&D:	
MCBR MEC:		HHFD Plan:	
MCBR ELE:		HHFD Box:	
REVIEWER:	Pugh	DATE:	09/01/2026

Fire Department Comments:

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

Review is for approval of rezoning. These comments are based only on the proposed site work, fire department access and basic fire protection concept. 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 2025, Ohio Building Code 2024 and the Huber Heights Codified Ordinance. Additional requirements for structure may arise during permitting process:

Requirements:

In reviewing the drawings for this replat project, the Huber Heights Division of Fire has no objection or comments regarding these changes to the submittal. If there are any changes to the access to the existing building, fire hydrant locations, fire lane easements or ingress and egress points a full plan review would be required.

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 2025 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-11743

9. A.

Planning Commission

Meeting Date: 09/15/2026

Minutes

Information

Agenda Title

Without objection the minutes of the August 11, 2026, Planning Commission meeting are approved.

Purpose and Background

Attachments

Minutes

**Planning Commission
August 11, 2026, 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. Johnson, Mr. Shomper, Ms. Thomas, Ms. Vargo, and Mr. Walton.

Absent: None.

Staff Present: Aaron K. Sorrell, Assistant City Manager, Hailey Hayes, City Planner, 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. **DETAILED DEVELOPMENT PLAN – The applicant, OAKES TREE DEVELOPMENT, is requesting approval of a Detailed Development Plan for 199 single family residential lots. Property is located at 5001 Old Troy Pike (DDP 26-21).**

Ms. Hayes stated that the applicant seeks detailed development plan approval for the proposed Miami Bluff Subdivision that is a residential development consisting of 199 single-family 45-foot by 125-foot lots (5,625 square feet each). Staff does not anticipate that the proposed development will have a negative impact on the surrounding neighborhood.

The subdivision includes three stormwater management facilities and two points of ingress and egress. Two access points are located along the west side of Old Troy Pike. The applicant is proposing a stub street for a future connection to Vitek Drive along the northern boundary of the site. Connecting Vitek Drive is not proposed at this time.

August 11, 2026

The applicant is proposing a "Lifestyle Product" featuring smaller homes on reduced-size lots designed to appeal to households seeking lower-maintenance living while still offering modern amenities. Planned neighborhood amenities include landscaped open space, connectivity, and pickleball courts to encourage recreation and community interaction.

Current Residential Setbacks

- Front Yard: 25 feet
- Rear Yard: 30 feet
- Side Yard: 5 feet

The development includes approximately 18.09 acres of open space. A central recreational area will feature two pickleball courts that integrate with the neighborhood network, providing convenient pedestrian access for residents.

The majority of the site consists of relatively flat agricultural land with minimal changes in elevation. However, the southwestern portion of the property contains a wooded area with significant topographic variation that naturally drains toward the Great Miami River. This area will require careful consideration during site development to preserve existing drainage patterns.

Water service will be provided through an existing water main located along Old Troy Pike. Sanitary sewer service will be extended to the site by connecting new sanitary sewer lines to an existing manhole located on the southwestern portion of the property, which ultimately conveys wastewater to the Tri-Cities wastewater system.

The development includes gateway signage at the two primary entrances located along the east side of the site to improve visibility for both northbound and southbound traffic within public right of way. Each entrance will feature signage with black aluminum fencing and stone columns.

The entrance areas will be landscaped with Juniper, Switch Grass, Fothergilla, and London Planetrees to enhance the overall appearance of the site. The South Gateway Entrance will also include a City of Huber Heights sign, as it is located near the City's southern jurisdictional boundary.

Maximum gross residential density shall not exceed five (5) dwelling units per acre.

Gross density calculations shall include all land within the development, including public rights-of-way, recreational areas, civic uses, commercial areas, and other nonresidential uses.

A minimum of 25 percent of the total site area (58.26 acres), or approximately 14.6 acres, shall be preserved as open or green space.

Open space may consist of both public and private areas and may be developed in phases as Detailed Development Plans are submitted.

Street connectivity shall generally conform to the Basic Development Plan submitted with the application dated May 19, 2026.

August 11, 2026

Flexibility in the final roadway layout is permitted; however, all public streets and related infrastructure shall be subject to review and approval by the City Engineer during the Detailed Development Plan process.

Staff has reviewed the proposed Detailed Development Plan for the Miami Bluff Subdivision and finds that the development is generally consistent with the City's planning objectives for residential growth, neighborhood connectivity, and the provision of quality open space and recreational amenities.

The proposed gross residential density complies with the recommended maximum density of five (5) dwelling units per acre. The subdivision layout also incorporates two connections to Old Troy Pike, providing adequate access for residents, emergency services, and overall neighborhood connectivity.

The development exceeds the proposed minimum open space requirement by providing approximately 18.09 acres of open space, surpassing the required 14.6 acres. These open space areas include a centrally located recreational amenity featuring pickleball courts, and pedestrian connections to the neighborhood sidewalk system. Staff believes these amenities will enhance the quality of life for future residents while encouraging outdoor recreation and pedestrian activity.

Public utilities are available to adequately serve the proposed development. Water service will be provided from the existing water main along Old Troy Pike, while sanitary sewer service will connect to the existing Tri-Cities sanitary sewer system. Utility improvements will be constructed in accordance with City standards and are subject to the City Engineer's approval.

As a result of the recent public hearings, additional landscaping and screening is proposed to buffer the development from the adjacent residential properties to the west and north. This screening is concentrated in areas where grading will result in the loss of existing trees. Screening is also proposed between the proposed lots and the existing commercial building.

Staff believes the proposal satisfies the applicable requirements of the Zoning Code and recommends approval of the Detailed Development Plan.

The Fire Division indicated that the proposed development must comply with applicable Ohio Fire Code and Huber Heights Codified Ordinance requirements related to fire apparatus access, roadway construction, water mains, fire hydrants, and fire flow. Additional verification will be required during the engineering and construction phases, including confirmation of hydrant placement, fire-flow calculations, roadway turnarounds during phased construction, and whether any homes exceeding 3,600 square feet will require double Storz hydrants. The proposed secondary emergency access satisfies the requirement for developments containing more than 30 dwelling units.

The City Engineer has determined that no additional traffic signal improvements are warranted as part of the proposed development.

Planning staff recommends approval of the Detailed Development Plan for Miami Bluffs Subdivision, submitted on July 20th, 2026, with the following conditions:

Planning Commission Meeting

August 11, 2026

- The applicant shall comply with the Basic Development Standards approved by Ordinance No. 26-O-2768, effective August 13, 2026.
- All South Gateway features shall be subject to the review and approval of the City Engineer and the Public Works Director.

Mr. Shomper brought up Engineer's no need for traffic light. Leston only cross street without a light, crossing over a 4-5 lane road. Mr. Sorrell said based on current traffic pattern light not needed. Will revisit with engineer.

Daniel Earles from Oakes Tree Development was present and stated they are dedicating right of way to the city, in phases with phase 1 having both entrances and 70 lots, stone column with landscaping placard.

Lori Metzger, resident talked about her concerns with the stub out street, ¼ mile driveway and paved road, 5 ft between homes, and absorption of water.

Action

Ms. Thomas moved to approve the request by the applicant, Oakes Tree Development, for a Detailed Development Plan (DDP 26-21) in accordance with the recommendation of Staff's Memorandum dated July 31, 2026, and the Planning Commission Decision Record.

Seconded by Mr. Walton. Roll call showed: YEAS: Mr. Johnson, Ms. Vargo, Ms. Thomas, and Mr. Walton. NAYS: Mr. Shomper. Motion to approve carried 4-1.

- 2. MINOR CHANGE – The applicant, TEXAS ROADHOUSE, is requesting approval of a Minor Change for construction of a 627 SF addition within the dining room to add an extra 48 seats and a toilet room. Property is located at 5611 Merily Way (MC 26-22).**

Ms. Hayes stated that the applicant seeks approval for a minor change to expand the dining room within Texas Roadhouse located at 5611 Merily Way. They expect it to hold an additional 48 seats.

Due to the additions, they will relocate four parking spaces to the west of the building. No ADA parking requirements will be impacted.

The site comprises of an already existing Texas Roadhouse. The topography is flat, and no major changes to the site's land will be made.

The existing restaurant is permitted for use within the Planned Commercial District.

All utilities serving the site are located underground. There is no impact on setback requirements.

The proposed building additions, including the expansion at the northeast corner of the building and the addition of a restroom on the west side, will require modifications to the existing landscaping.

August 11, 2026

River rock mulch will be installed over a weed barrier within the planting beds adjacent to the building foundation. Where feasible, river rock removed during construction will be salvaged and reused. Any landscaping damaged during construction will be replaced by the contractor with materials of like type, size, and quality at the contractor's expense. No existing trees are proposed for removal. Existing lawn areas will remain sodded with a Kentucky bluegrass blend consistent with landscaping commonly used in the area.

The proposed exterior materials include siding, trim, metal flashing, gutters, doors, downspouts, brick, metal roofing, and stone. All exterior finishes and landscaping associated with the additions are designed to match the existing building's architectural character and materials.

The proposed minor site modification will not affect the total number of required parking spaces. However, four existing parking spaces will be removed to accommodate the buildings' unisex bathroom addition.

The Fire Department has no major comments or concerns regarding the proposal but noted that separate permits will be required through Montgomery County Building Regulations for any modifications to the existing fire alarm or fire sprinkler systems.

Additionally, exit egress must be maintained throughout construction, duct detectors must comply with the Ohio Mechanical Code, and all required permits must be obtained before work begins.

The City Engineer has reviewed the proposed development and has no comments or concerns.

It is the opinion of staff that the proposed minor change meets the applicable review standards set forth in Section 1171 and 1176 of the Zoning Code. Therefore, staff recommends approval of the minor change application, to expand the dining room and construct a unisex restroom at the existing Texas Roadhouse restaurant located at 5611 Merily Way.

Action

Mr. Shomper moved to approve the request by the applicant, Texas Roadhouse, for a Minor Change (MC 26-22) in accordance with the recommendation of Staff's Memorandum dated July 29, 2026, and the Planning Commission Decision Record.

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

- 3. REPLAT – The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval of a Replat of 4.047 acres. Property is located at 6701 Executive Blvd. (RP 26-23).**

Planning Commission Meeting

August 11, 2026

Ms. Hayes stated the applicant requests approval of a replat to create two lots, one consisting of 3.138 acres and on 0.909 acres. To help facilitate the sale of two lots.

The applicable subdivision regulations are Chapter 1117 – Revision of plat after approval.

Lots comply with the subdivision and zoning requirements.

Fire had no comments.

The City Engineer had no comments.

Planning staff recommends approval of the replat as submitted.

Action

Mr. Johnson moved to approve the request by the applicant, The City of Huber Heights, for a Replat (RP 26-23) in accordance with the recommendation of Staff's Memorandum dated August 5, 2026, and the Planning Commission Decision Record.

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Shomper, Ms. Thomas, Ms. Vargo, Mr. Johnson, and Mr. Walton. NAYS: Motion to approve carried 5-0.

4. CODE REWRITE – The applicant, THE CITY OF HUBER HEIGHTS, is requesting approval and adoption of the Zoning Diagnostic Report which serves as a policy framework for the zoning code update. (CR 26-24).

Mr. Sorrell stated that the Zoning Diagnostic Report evaluates the existing zoning code's ability to achieve the policy goals and desired outcomes identified in the 2023 Comprehensive Plan, and provides a framework to update the code to address any deficiencies or obstacles identified during the evaluation.

Specifically, the report evaluates the existing code against the following objectives outlined in the Comprehensive Plan:

- A. Allow development densities that support pedestrian activity and transit use.
- B. Foster development that enhances the existing community character.
- C. Support infill development.
- D. Foster development that activates key street corridors.
Encourage a mix of housing types to provide for the needs of smaller households and seniors.
- E. Promote a mix of residential, retail, restaurant and office uses in appropriate locations.
- F. Foster development according to traditional neighborhood design principles.
- G. Reduce reliance on zoning variances and Planned Unit Developments (PUDs)
- H. Support growth of employment areas with integrated and nearby employee housing.

Planning Commission Meeting

August 11, 2026

These are aspirational objectives and may not be applicable to all neighborhoods or zoning districts.

Planning staff has worked with our consultants to develop and refine this report. Staff believes this is a solid framework for the zoning code update and recommends approval of the Zoning Diagnostic Report. This will serve as the roadmap moving forward to update the district regulations for public review and input.

Planning staff recommends approval of the Zoning Diagnostic Report to serve as a framework for the zoning code update.

Action

Ms. Thomas moved to approve the request by the applicant, The City of Huber Heights, for a Code Rewrite (CR 26-24) in accordance with the recommendation of Staff's Memorandum dated August 5, 2026, and the Planning Commission Decision Record.

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

VIII. Additional Business

None.

IX. Approval of the Minutes

Without objection, the minutes of the July 14, 2026, Planning Commission meeting were approved.

X. Reports and Calendar Review

XI. Upcoming Meetings

September 15, 2026

October 13, 2026

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 6:55 p.m.