

**Planning Commission
April 9, 2019 Meeting
City of Huber Heights**

- I. Chair Terry Walton called the meeting to order at approximately 7:00 p.m.
- II. Present at the meeting: Mr. Jeffries, Ms. Opp, Ms. Vargo, Mr. Williams, and Mr. Walton

Members Absent: None

Staff Present: Scott Falkowski, Assistant City Manager; and Geri Bellinger, Planning & Zoning Administrative Secretary.

- III. **Opening Remarks by the Chairman and Commissioners**

None.

- IV. **Citizens Comments**

None.

- V. **Swearing of Witnesses**

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

- VI. **Pending Business**

None.

- VII. **New Business**

- 1. **DETAILED DEVELOPMENT PLAN – The applicant, CARRIAGE TRAILS AT THE HEIGHTS, LLC, is requesting approval of a Detailed Development Plan for Windbrooke – Section 2 (ZC 19-10).**

Scott Falkowski explained in detail that Section 2 is at the very North end out on Route 40. Originally Oberer development. 25 acres with 70 ft. wide lots with 29 new houses. They meet the requirements from 2005. Drainage flows to the West, hydrants already installed, includes additional right of way.

Mr. Jeffries asked about the 3 non-buildable lots, Mr. Falkowski stated that they will be green space.

Mr. Conaway shared that 998 developed with 919 sold. He also stated that a 5 ft. minimum side yard requirement on both sides would need to be added.

Ms. Vargo asked if it would be both Ryan and Inverness, Mr. Conaway stated that is being negotiated right now. There were multiple builders in Section 1.

Action

Mr. Jeffries moved to approve the request by the applicant, CARRIAGE TRAILS AT THE HEIGHTS, LLC, for the approval of a Detailed Development Plan for Windbrooke – Section 2 (Zoning Case 19-10) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

Next step would be to finalize the construction drawings and get permits and start construction.

2. **DETAILED DEVELOPMENT PLAN – The applicant, DEC Land CO 1, LLC, is requesting approval of a Detailed Development Plan for Section 8, Phase V of Carriage Trails (ZC 19-16).**

Mr. Falkowski explained this is the Southern side of Carriage Trails, there are 24 60 ft. lots with proper drainage and public water and sewer. It is the continuation of the project.

Ms. Vargo asked about the open space lot and Mr. Falkowski stated for recreation.

Mr. Conaway said the easement for utilities is there. The HOA maintains the green space. Public access easement with have continued maintenance.

Action

Ms. Vargo moved to approve the request by the applicant, DEC Land CO 1, LLC, for the approval of a Detailed Development Plan for Section 8, Phase V of Carriage Trails (Zoning Case 19-16) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

3. **DETAILED DEVELOPMENT PLAN – The applicant, DEC Land CO 1, LLC, is requesting approval of a Detailed Development Plan for Section 8, Phase VI of Carriage Trails (ZC 19-18).**

Mr. Falkowski explained this is a one cul-de-sac street that has already been approved. 60 ft. lots with 14 new homes. Drainage is the same, public water and sewer. This will finish this section.

Action

Mr. Williams moved to approve the request by the applicant, DEC Land CO 1, LLC, for the approval of a Detailed Development Plan for Section 8, Phase VI of Carriage Trails (Zoning Case 19-18) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

4. **TEXT AMENDMENT – The applicant, CITY OF HUBER HEIGHTS, is requesting approval to amend Chapter 1189 of the Planning & Zoning Code entitled “Signs” (ZC 19-11).**

Mr. Falkowski recommended tabling this for more discussion due to some new laws. All agreed.

Action

Tabled until the next Planning Commission meeting.

5. **TEXT AMENDMENT – The applicant, CITY OF HUBER HEIGHTS, is requesting approval to amend Section 1123.01, 1123.02, and 1123.25 of the Planning & Zoning Code entitled “Accessory Buildings” (ZC 19-12).**

Mr. Falkowski stated this to address carports. Common material is wood and masonry. Some requests for fabric have now turned into issues with deterioration. More permanent type.

Mr. Jeffries asked for clarification on rigid vinyl. Mr. Falkowski said that the city attorney has reviewed.

Action

Mr. Jeffries moved to approve the request by the applicant, City of Huber Heights, for the approval to amend Section 1123.01, 1123.02, and 1123.25 of the Planning & Zoning Code entitled “Accessory Buildings” (Zoning Case 19-12) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

6. **TEXT AMENDMENT – The applicant, CITY OF HUBER HEIGHTS, is requesting approval to amend Section 1313.04 of the Planning & Zoning Code entitled “Maintenance Standards” (ZC 19-13).**

Mr. Falkowski explained this is for exterior structures on the lot, outdoor storage.

Mr. Williams asked how it is enforced. Mr. Falkowski said they receive 2 letters then on to PMRB.

Ms. Vargo asked if this addressed PODS, Mr. Falkowski said there was a specific section for that.

Mr. Jeffries said he feels 365 days is too long, change permit language of 30-day permit. Zoning Dept have a close out date.

Mr. Jeffries also stated that new construction shouldn't be allowed to use adjacent lot for trash and debris.

Ms. Opp mentioned old vehicles and Mr. Falkowski stated already codes that address this.

Action

Mr. Jeffries moved to approve the request by the applicant, City of Huber Heights, for the approval to amend Section 1313.04 of the Planning & Zoning Code entitled "Maintenance Standards" (Zoning Case 19-13) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

7. **TEXT AMENDMENT – The applicant, CITY OF HUBER HEIGHTS, is requesting approval to amend Section 1181 of the Planning & Zoning Code entitled "Swimming Pool" (ZC 19-14).**

Mr. Falkowski explained that the location must be 10 ft. and located in the rear yard. Discussion on the corner lots having 2 front yards. Anything over 24 inches would be considered swimming pool.

Action

Mr. Jeffries moved to approve the request by the applicant, City of Huber Heights, for the approval to amend Section 1181 of the Planning & Zoning Code entitled "Swimming Pool" (Zoning Case 19-14) in accordance with recommendations of Staff's Memorandum dated April 9, 2019, and the Planning Commission Decision Record attached thereto.

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

8. **TEXT AMENDMENT – The applicant, CITY OF HUBER HEIGHTS, is requesting approval to amend Section 521.08 of the Planning & Zoning Code entitled "Littering and Deposit of Garbage and Trash" (ZC 19-15).**

Mr. Falkowski stated this is to add TLCs, Temporary Large Capacity dumpster restrictions. Allowed when permit is obtained, issued for 30 days twice a year. Not to remain longer than 7 days after construction is completed.

Ms. Vargo felt 30 days are too short for some construction projects. Permit have a fee of \$30.00.
Will table this for modification or more research.

New builds – throwing trash and needing dumpsters. They are acceptable if properly maintained.

Rehab of commercial property is addressed already.

VIII. Additional Business

None.

IX. Approval of the Minutes


Without objection, the minutes of the March 12, 2019, Planning Commission meeting are approved.



X. Reports and Calendar Review

Mr. Falkowski stated there will be a lot Split at The Oaks along with rezoning. Carriage Trails, DDP, Phase VII, a Minor Change at Carriage Trails, and Final Plat Phase III and IV.

XI. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:20 p.m.



Terry Walton, Chair



Geri Bellinger, Administrative Secretary

4/23/19

Date
4/23/19

Date