

ORDINANCE NO. OR01-24

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY AND THE CLASSIFICATION OF APPROXIMATELY 9.98 ACRES OF LAND KNOWN AS 1866 SHILOH SPRINGS ROAD, PARCEL ID NO. H33 01620 0001, FROM BUSINESS – PLANNED UNIT DEVELOPMENT (B-PUD) TO INDUSTRIAL – PLANNED UNIT DEVELOPMENT (I-PUD) FOR THE PURPOSE OF ALLOWING DESIGN, BUILD, AND LIGHT MANUFACTURING.

WHEREAS, Applicant Jeff Miller, M&M Construction (“M&M”), has applied for an official Zoning Map amendment to change the zoning of approximately 9.98 acres of land known as 1866 Shiloh Springs Road, Parcel No. H33 01620 0001, from Business – Planned Unit Development (B-PUD) to Industrial – Planned Unit Development (I-PUD); and

WHEREAS, the City’s Planning and Development Director, after review of the application for the official Zoning Map amendment, Section 1125.08 of the Trotwood Codes of Ordinances (Zoning Text and Map Amendment) and Chapter 1140 (Planned Unit Development (PUD)) of the Trotwood Codes of Ordinances, has determined that the existing building on this parcel would allow for multiple industrial users; and

WHEREAS, the Planning Commission held a public hearing on January 23, 2024, Case #PL-2024-02, after notice of the same was duly served on all persons required to be notified by law in accordance with Section 1125.08 of the Trotwood Codes of Ordinances; and

WHEREAS, the Planning Commission recommends that City Council amend the official Zoning Map of the City by reclassifying approximately 9.98 acres of land known as 1866 Shiloh Springs Road, Parcel No. H33 01620 0001, from B-PUD to I-PUD, to include the following conditions:

1. Applicant to apply for a Commercial Zoning Permit for any modifications to the existing building and resulting change in parking needs;
2. Applicant must secure Business Registration authorization prior to leasing spaces;
3. Applicant to apply for a sign permit. Signs must comply with current regulations at the time of application;
4. Truck parking shall not be permitted on site except within the loading dock areas; and
5. Future development of the residual acreage would require a modified Planned Unit Development and is subject to the PUD process and approval by the Planning Commission and City Council.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

WHEREAS, City Council, after having fully considered this matter and having determined that the proposed official Zoning Map amendment is in conformance with the Comprehensive Land Use Plan of the City and that said amendment will promote the general welfare of the City, hereby intends to adopt the recommendation from the Planning Commission regarding the official Zoning Map amendment described above.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The Trotwood City Council accepts the Planning Commission’s recommendation and hereby amends the official Zoning Map of the City by reclassifying approximately 9.98 acres of land known as 1866 Shiloh Springs Road, Parcel No. H33 01620 0001, from Business – Planned Unit Development (B-PUD) to Industrial – Planned Unit Development (I-PUD).

SECTION II: The approval of the Zoning Map amendments is predicated upon the conditions of 1) Applicant to apply for a Commercial Zoning Permit for any modifications to the existing building and resulting change in parking needs; 2) Applicant must secure Business Registration authorization prior to leasing spaces; 3) Applicant to apply for a sign permit. Signs must comply with current regulations at the time of application; 4) Truck parking shall not be permitted on site except within the loading dock areas; and 5) Future development of the residual acreage would require a modified PUD and is subject to the PUD process and approval by the Planning Commission and City Council.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

SECTION IV: This Ordinance shall take effect at the earliest time allowed by law.

Passed this 4th day of March, 2024.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

ATTEST:


KARA B. LANDIS
CLERK OF COUNCIL

APPROVED:


YVETTE F. PAGE
MAYOR


TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. **OR01-24** adopted by the Trotwood City Council at a regular scheduled meeting held on the **4th** day of **March, 2024**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL



Trotwood City Council Staff Report

To: Mayor Page and Members of City Council
Quincy Pope, City Manager

From: Deborah McDonnell,
Planning and Development Director

Date: January 24, 2024

Subject **City Council Consideration of**
PC Case #: PL-2024-02

On Tuesday, January 23, 2024, the Trotwood Planning Commission held a Public Hearing on PC Case #PL-2024-02. Attached is the Staff Report for more information.

Zoning Map Amendment Application per TCO 1125.08 to change the zoning classification of approximately 9.98 acres on PID H33 01620 0001 at 1866 Shiloh Springs Rd from PUD (Business) to PUD (Industrial) to allow for design, build and light manufacturing for Display Dynamics, Inc. Jeff Miller, M&M Construction, Applicant.

The planning commission approved the following Conditions:

1. Applicant to apply for a Commercial Zoning Permit for any modifications to the existing building and resulting change in parking needs.
2. Applicant must secure Business Registration authorization prior to leasing spaces
3. Applicant to apply for a sign permit. Signs must comply with current regulations at the time of application.
4. Truck parking shall not be permitted on site except within the loading dock areas.
5. Future development of the residual acreage is subject to the PUD process and approval by the Planning Commission and City Council.

The planning commission recognized these other regulatory requirements:

- Applicant must obtain building occupancy approval from Montgomery County Building Department
- The applicant must submit Material Safety Data Sheets (MSDS) to the Fire Department and provide for an inspection by the Fire Department.

The Planning Commission voted to APPROVE the change in zoning for PL-2024-02 and recommend passage by the Trotwood City Council.



TROTWOOD
• GROWING TOGETHER •

Trotwood Planning Commission Staff Report

To: Mr. Ernest Curry, Chairman,
Planning Commission Members

From: Deborah McDonnell, Planning and Development Director

Dated: January 18, 2024
Meeting: January 23, 2024

Case: **PL-2024-02 Zoning Map Amendment** Application per TCO 1125.08 to change the zoning classification of approximately 9.98 acres on PID H33 01620 0001 at 1866 Shiloh Springs Rd from PUD (Business) to PUD (Industrial) to allow for design, build and light manufacturing for Display Dynamics, Inc. Jeff Miller, M&M Construction, Applicant.

DESCRIPTION:

This is a request to rezone 1866 Shiloh Springs from a Business Use PUD to an Industrial Use PUD to allow for multiple industrial users to occupy an existing building.

SITE(S) AND AREA(S):

The property is located near the corner of Shiloh Springs Road and Denlinger road. Surrounding Zoning includes:

North: RFF-Residential Four Family

South: B-PUD and RMF-L (Precious Blood Church/School)

East - B-PUD (Self Storage) and Regional Business

West: I-PUD and GB

DISCUSSION:

The applicant, Jeff Miller, M&M Construction, is purchasing 1866 Shiloh Springs Rd and intends to occupy the building along with leasing to Display Dynamics and other small businesses that support the product displays designed by Display Dynamics.

Existing PUD

The current PUD was approved by the Planning Commission on May 27, 2008 with case 08-10. City Council approved the PUD as presented on June 2, 2008. At that time the building was used for commercial retail. The intended occupant was Allen Refrigeration, who serviced and repaired refrigeration units. The nature of the business was described as industrial in nature. However, due to the reduced intensity of the use, the recommendation was to allow the use in this location.

Excerpts from the staff reports include;

“This site was once the former Builders Square retail facility which ceased operations in the 1990’s... The site consists of 9.980 acres and features more than 480 feet of street frontage along Shiloh Springs Road. Improvements include an 82,560 square foot rectangular building positioned on the eastern half of the site. The building has a north south orientation, with the building façade facing Denlinger Road.” (CJ Daugherty, 2008, p2)

“Strictly speaking, the nature of the proposed use as classified under the Trotwood Zoning Ordinance is light industrial in nature...All activities related to the business operation will take place entirely within the enclosed portion of the building. There will be no outdoor storage of equipment or materials.” (CJ Daugherty, 2008, p3-4)

Proposed Use

Display Dynamics, Inc was founded in 1994 as a *“full-service custom exhibit company with one basic vision – To expand imagination by helping our clients create extraordinary exhibits, displays, and thematic environment.”* (<https://www.disdyn.com/>) Some of their local projects include a shuttle display at the National Museum of the U.S. Air Force, the Columbus Zoo, Solid Rock Church, Columbus Metro Parks, and Boonshoft Museum of Discovery. You are invited to view their website for more information on this company.

They are currently located in a 65,000 square foot building in Clayton, Ohio. They are seeking a larger facility to expand their operation and to partner with other smaller companies that produce elements of the exhibits and displays.

As the primary company utilizing the building, they and all other smaller companies would operate within the perimeter of the existing building and do not expect to have outdoor storage of equipment, trucks, or materials.

Zoning Code

TCO Part 11 Appendix B describes allowable uses. Manufacturing is considered an industrial use permitted in the Light Industrial I & II areas. However, a PUD can be used *“to provide a means of development that is flexible and innovative when development of a site by standard, more rigid, conventional zoning district regulations may produce less efficient use of the land and less amenities and benefits for the community and users of the development.”* (TCO 1140.01)

UTILITIES & INFRASTRUCTURE

This is a developed site. Water, Sewer and Gas are available from current connects along Shiloh Springs Road.

SITE ARRANGEMENT

There are six (6) criteria for site arrangement. All of the criteria were met in prior PUD. Nothing is expected to change with the new occupant.

1. Favorable relationships with the existing natural topography.
2. Safety, convenience and ease of pedestrian and vehicular movement on, about, and throughout the site.
3. Overall positive visual quality
4. Efficient, functional organized development
5. All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner.

MANDATORY PUD SIZE REQUIREMENT

TCO 1140.03 states the minimum land area which must be included in an application shall be five (5) acres. The area within this PUD request is 9.98 acres.

OFF STREET PARKING

Off street parking is regulated by TCO 1181.03. Parking will be located in the existing parking area to the west and south of the structure for automotive parking only. No Trucks or tractor-trailers are expected to use the parking lot at this time. TCO 1181.05 list parking for industrial/manufacturing as one space for each 1,000 sq ft of floor area. A total of 82 parking spaces would be required. However, given the nature of the business, a **variance** is requested using the following formula:

one space per employee and one visitor space per 5,000 sq ft of floor area or part thereof

Initially, Display Dynamics will employ 4. Visitor parking would be calculated as 17 (82,560sq ft divided by 5,000). Total initial parking would be 21. The parking area is large enough to accommodate current demand and to expand as other smaller businesses locate in the building.

LANDSCAPING & SCREENING

Section 1175.08 Landscaping for off street parking is required. Landscaping was installed under the current PUD authorization. Additional landscaping is not required.

SITE INGRESS & EGRESS

Required access to the site will be from Shiloh Springs Road. The main entrance to the facility will be from the western approach. Truck traffic associated with material delivery and product shipping will occur from the eastern approach along Shiloh Springs and access two loading docks on the east side of the building.

A second means of ingress and egress for employee vehicles exists using a driveway along Denlinger Road. Truck traffic will not be permitted to use this entrance/exit.

SIGNAGE

A signage plan was not presented at the time of application. The applicant expects to utilize the size and location of existing signs. A sign permit will be required for changing that signage.

FUTURE USE AND DEVELOPMENT OF THE RESIDUAL ACREAGE

M&M Construction and Display Dynamics have no current plans to develop the residual property. They do expect to allocate space in the current building for independent contractors who supply materials or design elements to occupy the building. Each new business must apply for a Commercial Zoning Certificate and Business Registration applications prior to signing a lease for use in the building. Uses must be compatible with the intent of the PUD and not negatively impact parking or traffic patterns established in the PUD. However, the applicant intends to modify the eastern wall of the building for additional doorways to accommodate other users. Parking would be evaluated under each Commercial Zoning application to ensure compliance with the code.

Future building expansion or any other use of residual acreage would require a modified Planned Unit Development application and approval from the planning commission.

PROPOSED CONDITIONS

1. Applicant to apply for a Commercial Zoning Permit for any modifications to the existing building and resulting change in parking needs.
2. Applicant must secure Business Registration authorization prior to leasing spaces
3. Applicant to apply for a sign permit. Signs must comply with current regulations at the time of application.
4. Truck parking shall not be permitted on site except within the loading dock areas.
5. Future development of the residual acreage is subject to the PUD process and approval by the Planning Commission and City Council.

Other regulatory approvals necessary.

- Applicant must obtain building occupancy approval from Montgomery County Building Department
- The applicant must submit Material Safety Data Sheets (MSDS) to the Fire Department and provide for an inspection by the Fire Department.

STAFF RECOMMENDATION

Staff recommends approval of the proposed PUD for light industrial uses as presented with conditions and to recommend passage to City Council.

PLANNING COMMISSION REVIEW AND APPROVAL ALTERNATIVES:

The Commission's action could be:

1. Move to **APPROVE** as presented
2. Move to **Modify** the PUD adding/subtracting conditions
3. Move to **DENY**
4. Move to **TABLE** the request for more Information

Attachments:

1. Application for Map Amendemnt
2. Site Map
3. Zoning Map
4. Prior action of the City Council



Office of Planning & Development
 3035 Olive St, Trotwood, OH 45426 (937) 854-7227

Planning Application

Reference # PL-2024-0002 Date Submitted: 1/9/2024 11:13:00 AM

Property Details

Address: 1866 SHILOH SPRINGS RD , DAYTON, OH 45426
 Parcel ID: H33 01620 0001
 Zoning District: PUD

Application Details

Type: Zoning Map Amendment
 Project Name: Jeff Miller - M&M Construction

Applicant Details

Name: Jeff Miller
 Firm: M&M Construction
 Address: 570 S. Diamond Mill , New Lebonon, OH 45345
 Email: mmconstruction.jeff@gmail.com Phone #: (937) 657-3055

Property Owner Details

Name: TOM Reece Tax ID:
 Firm: Tommy II LLC
 Address: 207 DENWOOD TRL , ENGLEWOOD ,OH 45315
 Email: treece@allenRefrigeration.com Phone #: (937) 430-0035

Other Professionals

Professional	Name	License #	Firm	Address	Phone #	Email
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Site Characteristics

Municipal Zoning: Business - PUD
 Existing Use: Manufacturing Repair
 Proposed Use: Design, Build, Manufacture custom construction

Is the project along, or does it affect a county roadway? Yes If yes, which Shiloh Springs

Does the property affect county drainage facilities? No If yes, which

Total Tract Area greater than one acre (43,560 sq. ft.)? Yes Any portion of property within flood area? No

Total Impervious Coverage greater than 1/4 acre (10,890 sq. ft.)? * Yes Does the property contain or abut a steep slope? No

Project Information

Parcels/Lots	Existing	Proposed	Total
Vacant lots to be sold	1.00	0.00	-1.00
Linear feet of new roadway	0.00	0.00	0.00
Tract Area (in Square Feet)	0.00	0.00	0.00
Impervious Area (in Acre)	0.00	0.00	0.00
Building Coverage (in Square Feet)	0.00	0.00	0.00
Gross Floor Area (in Square Feet)	9.98	9.98	0.00
Floor Area Ratio	0.00	0.00	0.00
Total SF of Commercial/Industrial	0.00	0.00	0.00
Number of Dwelling Units (DUs)	0.00	0.00	0.00
Dwelling Units (DUs) per Acre	0.00	0.00	0.00
Number of Affordable Dwelling Units (Recognized by COAH)	0.00	0.00	0.00
Number of Bedrooms	0.00	0.00	0.00
Number of Parking Spaces	0.00	0.00	0.00
Bicycle rack storage capacity	0.00	0.00	0.00
Number of trees on site	0.00	0.00	0.00
Hours of Operation	0.00	0.00	0.00
Number of Employees	0.00	0.00	0.00
Infrastructure Cost	7am - 5pm		
	4		
	\$0.00		

Status of Applications and Approvals

	Date	Status
Administrative		
Engineering		
Fire Department		
Planning Commission		
City Council		
BZA (If applicable)		
Other:		

Other Information

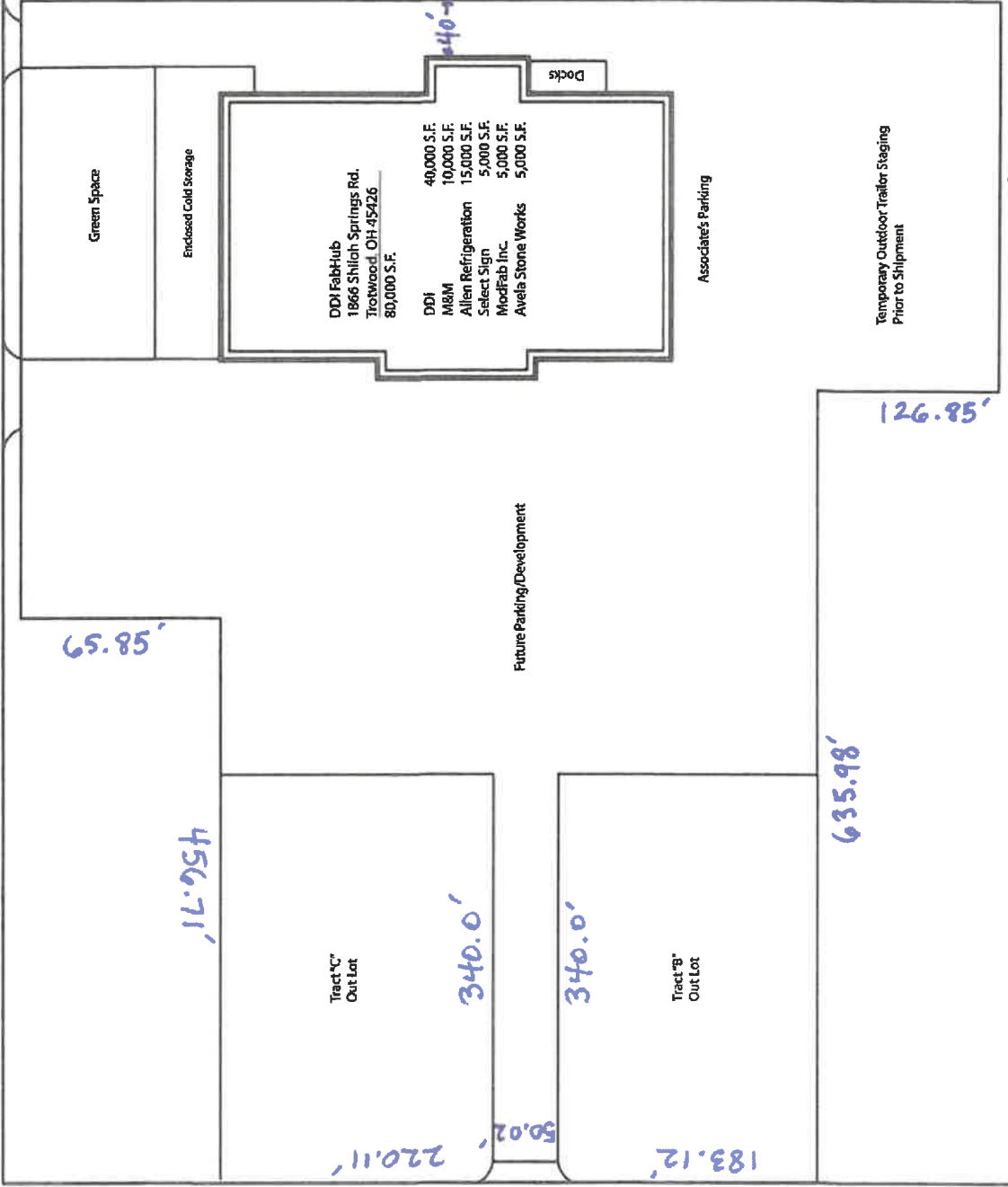
Amount Due: \$300.00

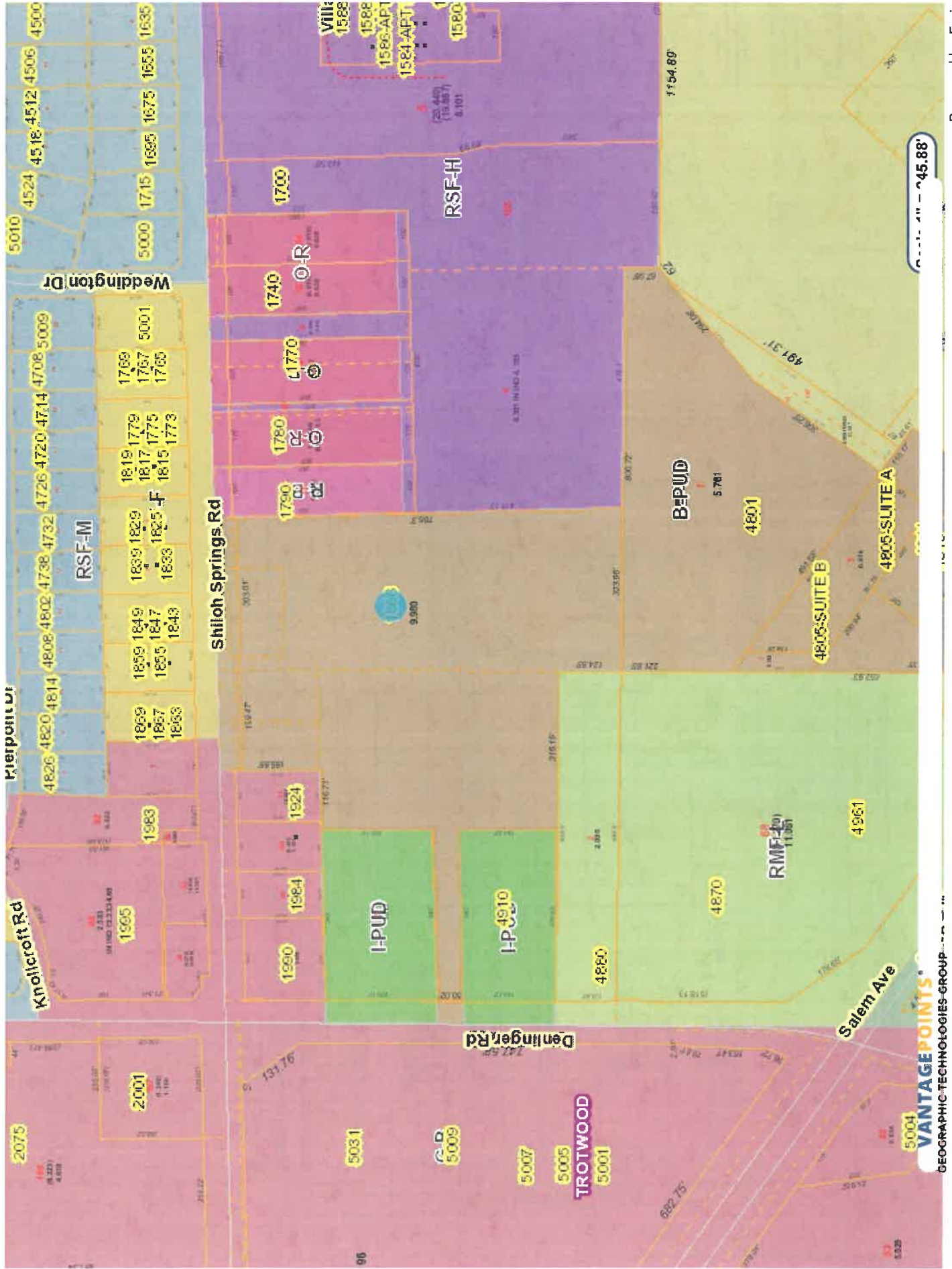


DDI FabHub Site Plan

Shiloh Springs Rd.

Denlinger Rd.





Kaitlin Higgins

From: McDonnell, Debbie
Sent: Friday, January 19, 2024 10:47 AM
To: Joe Hurr
Cc: Kaitlin Higgins
Subject: RE: 1866 Shiloh Spring's road

Dear Mr. Hurr,

Thank you for reaching out to us regarding this project. The proposed tenant is Display Dynamics Inc. They are a design and build company for displays that are used all around the country, many in our area. Their website is

<https://www.disdyn.com/>

Their operation will be totally self-contained within the building. It is light manufacturing so the noise, fumes, or odors that comes with heavy machinery is not a factor. They expect to operate Monday through Friday during normal business hours. We are not anticipating additional truck traffic other than material drop off and set loading for shipment. They have 4 employees so I do not see an impact on traffic.

They do intend to lease space to other small manufacturers that will support the primary user. Again all operations would be internal and other than some additional parking for more employees would not have an effect on your enjoyment of your property.

There is a provision in the recommendation to approve the change of use that outlines any changes to the size of the building or use of the parking lot does require a modification to the PUD. With that comes notice to you, and approval by the Planning Commission and City Council

I appreciate the opportunity to share this potential new tenant and the operations with you. I trust I have answered your questions.

(Kaitlin, please include correspondence with response in the PC Board packet)

Deborah A McDonnell,
City of Trotwood, Planning Director
3035 Olive Rd.
Trotwood, OH 43426
937-854-7216

NOTICE: Written communications to and from public officials or public employees, including e-mails, are subject to the Ohio Public Records Act, and in most cases must be made available to any person, including the media, upon request. E-mails which qualify as a public record, will be released, unless it clearly falls under a specific exemption in the State Law.

From: Joe Hurr <jhurr@preciousbloodchurch.org>
Sent: Friday, January 19, 2024 10:29 AM
To: McDonnell, Debbie <dmcdonnell@trotwood.org>
Subject: Fwd: 1866 Shiloh Spring's road

[WARNING] This message comes from an external organization and **did not originate** from within the City of Trotwood network. Be cautious of any content below, including links and embedded pictures!
This message brought to you by [Magnus IT](#).

Concerns for rezoning of 1866 Shiloh Springs Road

The only concerns we would have would be:

- noise-- what if any noise levels would there be and would it be loud enough to interfere with the educational processes at the school as well as daily recess. What, if any noise would effect and Weekday and Sunday Mass at the church as well as any evening or weekend events. Also we have people living in 4880 Denlinger which would back up to the property
- access to the back side of our property.
- effect on traffic in the area.... gets hairy around here now with early morning drop off of school and dismissal time
- any kind of fumes or odors that would linger over to the property

Thanks for asking for our comments

Joe Hurr
Business Manager
Precious Blood Church/ Mother Brunner Catholic school
4961 Salem Avenue
Dayton Ohio 45416
937-276-5954 x 2101

TROTWOOD, OHIO 45426
3035 NORTH OLIVE ROAD
CITY OF TROTWOOD

ORDINANCE NO. 24-08

AN ORDINANCE BY THE COUNCIL OF THE CITY OF TROTWOOD, OHIO AMENDING THE PLANNED UNIT DEVELOPMENT AT 1866 SHILOH SPRINGS ROAD TO ALLOW REOCCUPANCY OF THE EXISTING 82,560 SQ. FT. BUILDING

WHEREAS, the City of Trotwood would prefer to have existing buildings occupied rather than vacant; and

WHEREAS, amending the Planned Unit Development for 1866 Shiloh Springs Road would allow for reoccupancy of the existing building for the servicing and storage of commercial refrigeration equipment; and

WHEREAS, the Planning Commission held a public hearing, after notice of the time and place of the public hearing had been given as required by law; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO, THAT:

SECTION I:

The Planning Commission recommended approval of the amendment to the Planned Unit Development at 1866 Shiloh Springs Road, subject to the following conditions:

Conditions of Approval.

- 1.) The approved use for the servicing and storage of commercial refrigeration units shall take place entirely within the enclosed portion of the building/facility. No outdoor storage of equipment or materials is permitted.
- 2.) The applicant shall submit to the Zoning Administrator for approval, an off-street parking plan which depicts the number of parking spaces, as well as the overall configuration of the parking area, prior to the issuance of a Zoning Certificate.
- 3.) The applicant shall submit to the Zoning Administrator a landscape plan depicting the placement of 6'-0" high evergreen trees along the north side of the proposed parking area (between the east and west driveway approaches along Shiloh Springs Road). The trees should include one or more species from Plant List C (Evergreen Trees), as provided for under Section 1175.13 of the

Zoning Ordinance. This plan should be submitted for approval prior to the issuance of a zoning certificate.

- 4.) The applicant shall commit for the placement of vinyl inserts within the existing 6'-0" high chain link fence which abuts the property occupied by Precious Blood Church/School, located in the "RSF-L" Zoning District to the south.
- 5.) The applicant shall submit to the Zoning Administrator a landscape plan depicting the placement of evergreen shrubbery and deciduous shade trees within the existing landscape strip/buffer areas located on the remaining frontage of Shiloh Springs Road. Shade trees should be placed no more the 30'-0" on center. The plant material should be selected from Plant List E (Evergreen Shrubby) and Plant List A (Deciduous Shade Trees), as provided for under Section 1175.13 if the Zoning Ordinance. This plan should be submitted for approval prior to the issuance of a zoning certificate.
- 6.) Approved signage for Allen Refrigeration and Equipment under this approval to amend the PUD shall be as follows:
 - One wall sign (wall lettering) shall be permitted for placement upon the building façade. The area of the sign shall not exceed 150 square feet. Nor shall the signage/lettering be placed at a height which exceeds the height of the building.
 - One 2-sided monument sign shall be permitted for placement along the Shiloh Springs frontage, near the west driveway approach. The monument sign should not exceed an area of 64 square feet (32 sq. ft. per face). Nor should it exceed six feet in height.
 - Neither of the above signs shall be illuminated.
 - The remaining original steel sign structure(s) shall be removed from the site, prior to the issuance of a zoning certificate.
 - The applicant shall obtain sign permit(s) for any proposed identification sign.

- 7.) The applicant shall submit to the Zoning Administrator *Material Safety Data Sheets* (MSDS) of all chemical compounds to be used on the premises for review by the Fire Department. An inspection of the premises shall also be made by the Fire Department prior to occupancy of the property.
- 8.) The applicant shall also obtain a Certificate of Use and Occupancy from the Montgomery County, Department of Building Regulations, prior to the occupancy of the premises.
- 9.) Under the amended Planned Unit Development (PUD), any future use and/or development of the residual acreage associated with the overall site shall require separate Planning Commission approval.

SECTION II:

It is the determination and decision of this Council that the recommendation of the Planning Commission is hereby accepted and the requested amendment of the PUD is granted.

SECTION II:



This Ordinance shall take effect at the earliest date allowed by law.

PASSED THIS 16th DAY OF June, 2008.

ATTESTED:


CLERK OF COUNCIL

APPROVED:


MAYOR

VICE-MAYOR

May 29, 2008

**TO: Lois Singleton
Clerk of Council**

**FROM: Carl J. Daugherty
Planning & Zoning Administrator**

**SUBJECT: PC Case #08-10.
Planned Unit Development Amendment to permit the reoccupancy of
an existing 82,560 square foot building for the servicing and storage of
commercial refrigeration equipment at 1866 Shiloh Springs Road
(being Parcel I.D. #H33-01620-00001).**

Attached for Council's review is the staff report prepared for the above-referenced Planning Commission case. At its regularly scheduled meeting on May 27, 2008, the Commission recommended for approval (with conditions) of the requested PUD amendment under PC Case #08-10.

Should you have questions or require additional information, please let me know.

Attachments

cc: Mike Lucking
Steve McHugh
Rhonda Finley

May 22, 2008

TO: Planning Commission Members

FROM: Carl J. Daugherty
Planning & Zoning Administrator

SUBJECT: PC Case #08-10
Planned Unit Development Amendment to permit the reoccupancy of an existing 82,560 square foot building for the servicing and storage of commercial refrigeration equipment at 1866 Shiloh Springs Road (being Parcel I.D. #H33-01620-00001).

***PLANNED UNIT DEVELOPMENT AMENDMENT
APPROVAL***

PROPERTY LOCATION: 1866 Shiloh Springs Road
(Parcel I. D. #'s H33-01620-0001)

CURRENT ZONING: "PUD" Planned Unit Development

PREVIOUS LAND USE(S): Commercial Retail (Building Materials)

APPLICANT(S): Tommy II, LLC
1866 Shiloh Springs Road
Trotwood, OH 45426

PROPERTY OWNERS: Same

LAND USE REQUEST:
To amend the existing Planned Unit Development (PUD) on the 10-acre site at 1866 Shiloh Springs Road, which currently allows for commercial retail. The proposed amendment to the PUD would permit the reoccupancy of the existing 82,560 square foot building for commercial refrigeration equipment servicing and storage.

SITE DESCRIPTION:

The subject property is the former *Builders Square* retail facility which ceased operations in the 1990's at 1866 Shiloh Springs Road. The site consists of 9.980 acres and features more than (480) feet of street frontage along Shiloh Springs Road. Existing improvements include an 82,560 square foot rectangular building positioned on the eastern half of the site. The building has a north-south orientation, with the building façade facing Denlinger Road.

In terms of ingress and egress to the site, there are currently accessible driveway approaches on Shiloh Springs from the north side of the site which lead to the front (west) side of the building, as well as to the rear (east) side of the facility. In addition, the site also features access from Denlinger Road. There is an abundance of improved and impervious off-street parking located on the eastern and southern portions of the site. The site has been idle for approximately ten years.

PROPOSED PUD AMENDMENT:

The original PUD provided for the development of the former Builders Square retail establishment, which operated on site for more than ten years beginning in 1986. In March of 2008, the property was acquired by Allen Refrigeration, which currently operates from two separate locations in the City of Dayton—their main office in East Dayton, as well as a storage facility in downtown Dayton. For some time, Allen has been experiencing significant growth. This fact, coupled with Allen's desire to co-locate operations within a single facility, has led Allen to purchase the property at 1866 Shiloh Springs. This facility will allow them to achieve these business goals.

The nature of Allen's proposed operations can be best described as follows: Commercial refrigeration units will be received at the facility from the dock area located to the rear of the building. Once brought into the facility, the units will be initially cleaned and taken directly into the warehouse area where they will await servicing. Once taken to the service area, they will be refurbished and provided a final finish. The units will then be taken back into the warehouse, or shipped out immediately via truck into the market-place.

Allen's proposed utilization of the existing 80,000 + square feet area is as follows:

<input type="checkbox"/> Shop (Servicing & Finish Areas)	9,000 sq. ft.
<input type="checkbox"/> Offices	2,000 sq. ft.
<input type="checkbox"/> Shipping, Receiving & Cleaning	9,500 sq. ft.
<input type="checkbox"/> Storage of Units	62,000 sq. ft.

The shipment of products to and from the site will occur entirely at the dock areas of the facility, located along the east side of the property. Trucks ingressing and egressing the site will utilize the east approach from Shiloh Springs Road. Typically, one to two trucks will frequent the property on a daily basis. Required off-street parking for employee use will be located along the north end of the building. Existing off-street

parking located south and west of the building will not be utilized as part of the proposed operations. Accordingly, Allen intends to relinquish these areas to a future end user(s). Any future use of the undeveloped portions of the property will require separate Planned Unit Development approval/amendment.

SURROUNDING ZONING:

North—"RSF-M" Residential Single-Family Medium Density
Note: Pending rezoning to "R-FF" Residential Four-Family

South—"RSF-L" Residential Single-Family Low Density;
"B-P" Business Park

West—"R-B" Regional Business

East—"RMF-H" Residential Multi-Family High Density.

SURROUNDING LAND USES:

The surrounding land uses are four-family residential to the **north**; Precious Blood Church/School to the **south**; commercial retail to the **west**; and commercial service (fitness establishment) to the **east**.

UTILITIES & INFRASTRUCTURE:

As a developed and improved site, the property features county water and sewer from Shiloh Springs Road. Natural gas is also among the utility improvements on the property.

DISCUSSION REGARDING THE NATURE OF THE USE:

Strictly speaking, the nature of the proposed use as classified under the Trotwood Zoning Ordinance is light industrial in nature. Accordingly, the PUD will require amendment prior to the approval of zoning occupancy for Allen Refrigeration. While the proposed use for zoning classification purposes is a deviation from the previous use (retail building materials), the Zoning Administrator's investigation of Allen's current operations have led to the conclusion that the proposed use will *actually* operate at a lower level of intensity than the previous use by Builder's Square. This assertion is based upon the following:

- 1) All activities related to the business operation will take place entirely within the enclosed portion of the building. There will be no outdoor storage of equipment

or materials. Further, the nature of the servicing component of the overall use is not a by nature noise and/or dust-producing.

- 2) The applicant intends to utilize only approximately 1/3 of the ten-acre site, with the improved parking areas located south and west of the building not being part of the business operation.
- 3) As compared with the previous use, the amount of traffic will be negligible, with the only traffic consisting of employees (up to 35), as well as infrequent truck traffic circulation to and from the rear of the property.

OFF-STREET PARKING AREA.

Allen intends to utilize the area along the north end of the building (Shiloh Springs frontage) to fulfill the off-street parking requirements associated with the use. **The applicant will be required to submit an off-street parking plan which depicts the number of parking spaces, as well as the overall configuration of the parking area, prior to the issuance of a Zoning Certificate.**

Under Section 1181.03 OFF-STREET PARKING AND DESIGN STANDARDS, all off-street parking spaces shall be in accordance with the following standards and specifications:

- (a) Parking Space Dimensions. Each off-street parking space shall not measure less than ten (10) feet in width by twenty (20) feet in length, exclusive of access drives or aisles and shall be of useable shape and condition.
- (b) Access. There shall be adequate provisions for ingress and egress to all parking spaces. Where the lot or parking spaces do not provide direct access to a public street or alley, an access drive shall be provided, with a dedicated easement of access as follows:
 - 1) The access drive shall be a minimum of twenty (20) feet in width.
- (c) Screening. Screening shall be provided for all non-residential parking areas on each side of the parking area that abuts any residential zoning area.
- (d) Paving. All points of ingress/egress and all open off-street parking spaces, shall be improved and maintained with a durable, dustless surface of asphalt, concrete, or brick.
- (e) Visibility. Access of driveways for parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible by an pedestrian or motorist approaching the access or driveway from a public street, private street or alley.
- (f) Marking. All parking spaces shall be marked with paint lines, curb stones, a minimum of four (4) inches in width, or in some other manner approved by the City and shall be maintained in a clearly visible condition.

- (g) Maintenance. Any owner of property used for off-street parking areas shall maintain such areas in good condition without holes and free from dust, trash, weeds, and other debris.
- (h) Lighting. Any lights used to illuminate a parking area shall be shielded and so arranged as to direct the light away from the adjacent properties and rights of way.

SUBSEQUENT NOTE: Prior to the Planning Commission hearing on May 27, 2008, the applicant had indicated that the designated off-street parking area for Allen Refrigeration would be located along the north side of the building, near the Shiloh Springs frontage.

At the Planning Commission hearing, the applicant subsequently informed the Commission that they had revised the location of their off-street parking plan, which is now proposed to be located along the south side of the building.

Under 1181.05 PARKING SPACE REQUIREMENTS, the following parking space requirements would apply:

- (y) Industrial/Manufacturing. One space for each 1,000 sq. ft. of floor area

Given the classification under the zoning ordinance as a light industrial use, a total of (82) off-street parking spaces would be required. However, in consideration of the actual parking requirements, based upon the nature of the use, a lower parking requirement is proposed based upon the following formula:

- One space for each full-time employee, plus one visitor space for every 5,000 square feet of floor area or part thereof.

Allen anticipates the full-time employee level to grow to (35) employees in the foreseeable future, for a total employee parking space requirement of (35) spaces. In addition, a total of (17) visitor spaces would be required based upon the following: 82,560 sq. ft. divided by 5,000 sq. ft., totals (16.5) or (17) parking spaces. Therefore, the total minimum number of parking spaces to be required is (52).

SITE INGRESS & EGRESS.

Required access to the site will be from Shiloh Springs Road. The main entrance to the facility will be from the western approach along Shiloh Springs. Access to the site for truck traffic and circulation associated with the pick-up and delivery of company merchandise will occur from the eastern approach along Shiloh Springs Road.

LANDSCAPING & SCREENING.

Under Section 1175.08 LANDSCAPING FOR OFF-STREET PARKING AREAS, landscaping is required for the perimeter of all parking areas. Under Subsection (c)

“Parking lots shall have perimeter buffer zones of a minimum of 6 ½ feet containing evergreen plant material that will achieve an effective, dense screen”.

Landscaping/Screening of Off-Street Parking Area.

The proposed parking area along the north side of the building does feature a perimeter landscape strip area which is approximately thirty (30) feet in depth. **As a condition of approval of the PUD amendment, the Zoning Administrator recommends that the Planning Commission require the staggered placement of evergreen trees along the entire Shiloh Springs frontage between the east and west driveway approaches from Shiloh Springs to provide solid screening of the parking area. The trees should be a minimum of 6'-0" in height at the time of planting and should include one or more of the following species from Plant List C (Evergreen Trees) as follows, under Section 1175.13 of the Zoning Ordinance.**

- 1) American Holly
- 2) Austrian Pine
- 3) Canadian Holly
- 4) Carolina Hemlock
- 5) Eastern Red Cedar
- 6) Colorado Blue Spruce
- 7) Norway Spruce
- 8) Scotch Pine
- 9) Southern Magnolia
- 10) White Fir
- 11) White Pine

The applicant will be required to submit a landscape plan, depicting the placement of evergreen trees along the north side of the parking area for the Zoning Administrator’s approval, prior to the issuance of a Zoning Certificate.

Screening along the South Property Line.

In addition, the southern portion of the site abuts Precious Blood Church/School, an area which is zoned “RSF-L” Residential Single-Family Low Density. **As a condition of PUD amendment approval, the Zoning Administrator recommends that the Planning Commission require the placement of white vinyl inserts within the existing 6'-0" high chain link fence which abuts the property located in the “RSF-L” Zoning District to the south.**

Perimeter Landscaping Along Remaining Shiloh Springs Frontage.

Under Section 1175.08 LANDSCAPING FOR OFF-STREET PARKING AREAS, the perimeter landscape strip (buffer) area located along the remaining Shiloh Springs frontage (northwest corner of the site) is recommended for the placement of landscape material, as a condition of PUD amendment approval. **The buffer landscape areas should contain evergreen shrubbery (under Plant list E), no less than three feet in height at the time of planting along the remaining frontage along Shiloh Springs Road. Species under Plant list E are as follows:**

- 1) Anglojap Yew
- 2) Blue Holly
- 3) Chinese Juniper
- 4) Japanese Holly
- 5) Japanese Yew
- 6) Korean Boxwood
- 7) Leatherleaf Viburnum
- 8) Mugho Pine
- 9) Spreading Yew

In addition, the area should also contain deciduous shade trees. Plant list A under Section 1175.13 provides the following list of tree species. All deciduous trees should be placed no further than thirty (30) feet on center:

- | | |
|---------------------------------|------------------|
| 1) European Beech | 9) Pin Oak |
| 2) Ginkgo | 10) Red Maple |
| 3) Scarlet Oak | 11) Red Oak |
| 4) London Plane Tree (Sycamore) | 12) Tulip Poplar |
| 5) Sugar Maple | 14) Sweetgum |
| 6) Willow Oak | 15) Elm |
| 7) Shumardi Oak | 16) Shingle Oak |
| 8) Norway Maple | |

The applicant will be required to submit a landscape plan for approval by the Zoning Administrator, depicting the placement of evergreen shrubbery and deciduous street tree placement within the existing landscape strip area along the remaining frontage of Shiloh Springs Road. This should be submitted prior to the application and issuance of a Zoning Certificate.

SIGNAGE.

The applicant proposes the placement of signage in two primary site locations to identify the presence of Allen Refrigeration and Equipment, Inc.:

- 1) Wall Signage. Wall signage is proposed to be placed on the façade of the building.
- 2) Monument Signage. A two-sided monument sign is also proposed to be located along the Shiloh Springs frontage.

Given that Allen Refrigeration & Equipment is not a retail operation with high levels of consumer walk-in traffic, the amount of required signage for identification purposes is

not particularly high. Accordingly, Planning staff recommends the following relative to the placement of signage on the property.

- One wall sign (wall lettering) be permitted for placement upon the façade of the building. The area of this sign should not exceed 150 square feet. Nor should the signage/lettering exceed the height of the building.
- One 2-sided monument sign be permitted for placement along the Shiloh Springs frontage, near the west site entrance. The monument sign should not exceed an area of 64 square feet (32 sq. ft. per side). Nor should it exceed six feet in height.
- The applicant has indicated no need or desire to illuminate either sign location. Therefore, for the purposes of the Planned Unit Development, sign illumination will not be permitted under the PUD as amended.

In addition, the original steel sign structure for the previous use remains on-site. As a condition of PUD amendment approval, it is recommended to the Planning Commission that the existing sign structure be removed by the applicant prior to the issuance of a zoning certificate.

FUTURE USE AND DEVELOPMENT OF THE RESIDUAL ACREAGE.

Allen Refrigeration and Equipment, Inc. has indicated that they foresee using only the portion of the site occupied by the existing 82,560 square foot building improvement. The requested approval for the amendment of the PUD to allow for the servicing and storage of commercial refrigeration units is limited to the reoccupancy of the existing building.

Allen's intentions are to market the residual property until a potential end user is identified. **Future development of the remaining acreage associated with the overall site will require separate Planned Unit Development approval from the Planning Commission.**

STAFF RECOMMENDATION.

The Zoning Administrator recommends for approval of the amendment of the existing Planned Unit Development (PUD) to allow for the occupancy of the existing 82,560 square foot building for the servicing and storage of commercial refrigeration units, subject to the fulfillment of the following conditions:

PLAT MAP

