



Whitehouse Planning Commission Meeting Notice

Notice is hereby given that the Planning Commission of the Village of Whitehouse will meet on Monday, November 4, 2024, at 6:00 p.m. in the Council Chambers, Whitehouse Village Hall, 6925 Providence Street, Whitehouse, Ohio.

AGENDA

1. Call the Regular Meeting to Order
2. Approve Minutes of the October 7, 2024, Planning Commission Meeting.
3. Review and discuss Sections 1247 *Planned Unit Development Review* and 1253 *Planned Unit Development*
4. Review and make a recommendation to affirm, reject, or amend Section 1248.08 *Application/Time Location*
5. Other business as appropriate under the Charter.
6. Adjourn.

Jordan D. Daugherty
Municipal Administrator

**MINUTES OF THE PLANNING COMMISSION
VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO
October 7, 2024**

At 5:15 pm, Tom Lytle called the Public Hearing portion of the Whitehouse Planning Commission to order.

Merrill Rainey, resident, asked what the overall look of the property in question would be. Charlie Grass explained what he is wanting to do with the property by putting a subdivision in. Mr. Rainey has concerns with construction noise and disturbance of critters in the area that will be wanting to seek shelter in the nearby houses. Mr. Rainey asked when construction would start. Charlie is hoping for spring if everything goes well. Another resident is concerned with the traffic on Waterville Street. Bud Lebarr asked if it will be two family homes or single family. They will be single family homes. Andy Ulrich is concerned about the flooding that occurs now and what impact this will have. Greg Feller said when Oak Brook was developed, a detention pond was not required. Now, with new subdivisions, there are new rules to follow for the EPA and they require a detention pond for the drainage of storm water. Charlie said each yard will also have swales along with several catch basins for drainage. Tom Metzger asked if a drainage study was done. He said the drainage is much slower because of the flooding in the ditch. Mr. Feller said the detention pond is designed to be a slow release into the ditch. Mr. Metzger would like to see the development put off until the county cleans out the ditch. Mr. Lytle reminded everyone that the purpose of tonight's meeting is strictly to change the zoning and make a recommendation to Council. The recommendation will go before the Council on October 15 and there will also be a public hearing before the meeting. The public hearing was then closed by Chairman Lytle.

At 6:13 pm, Tom Lytle called the Whitehouse Planning Commission to order.

Roll Call: Tom Lytle, Dave Prueter, Allen Kuck, Charles Kethel and Mayor Bingham. Also in attendance were: Charlie Grass, Greg Feller of Feller Finch, Municipal Administrator Jordan Daugherty and Deputy Administrator Joshua Hartbarger.

Mr. Prueter made a motion to approve the minutes of the September 9, 2024, meeting; Mr. Kethel seconded the motion. Motion passed 5-0.

Mayor Bingham is not in favor of an R-3 development but would rather see a R-2 development instead which would be bigger lots with less houses. Council will make the final decision on the zoning change for this property. Allen Kuck asked Charlie if it was possible to develop this as a R-2 instead of a R-3. Charlie said it might be difficult to do that, but he would have to crunch some numbers. Planning Commission members were not in favor of changing the zoning from a S-1 to an R-3. They would like to see an R-2 if possible. Jordan reminded the audience that Council ultimately makes the decision. They could overturn the commission's decision, or they can sustain the recommendation. The regular Council meeting takes place on October 15 at 6:30 where the decision will be made. There is a public hearing before the meeting at 5:45, where the public will be able to view the renderings again if they choose.

Mr. Lytle thanked everyone for coming and their comments on the issue. The meeting was adjourned.

Respectfully submitted,

Jordan Daugherty
Municipal Administrator

CHAPTER 1247 PLANNED UNIT DEVELOPMENT REVIEW

- 1247.01 Application Procedure
 - 1247.02 Amendments to an Approved Planned Unit Development (changes)
 - 1247.03 Submission of Development Plan
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1247.01 **Application Procedure**¹⁵

- A. Rezoning to a Planned Unit Development (PUD) District is discretionary and may be initiated by the property owner or an agent legally authorized to act on their behalf by petition, submitted and processed in accordance with Chapter 1248 (Amendments).
- B. A PUD District may be located in the "S," "R," "C," "M," and "BP" Districts in accordance with Chapter 1253 (Planned Unit Development).
- C. The application shall include a Development Plan in accordance with Section 1247.03 (Submission of Development Plan). If a PUD district is proposed to be associated with a different conventional district than the zoning district in effect for the site, the applicant may defer submission of a Development Plan until Council votes on the petition to amend the Zoning Map to the proposed PUD Zoning District. Such non-concurrent review of the PUD Development Plan shall be submitted and processed in accordance with Chapter 1248 (Amendments).
 - 1. *Preliminary Discussions.* Prior to submission of the Development Plan, each subdivider of land or their surveyor or registered professional engineer is encouraged to confer with the Administrator before preparing a Development Plan in order to become thoroughly familiar with the subdivision requirements and those of the official plans affecting the area within which the proposed subdivision lies.
 - 2. *Preliminary Sketch Drawings.* In addition, a sketch drawing may be submitted, in duplicate, to the Planning Commission for its preliminary review and recommendations. The drawing shall contain enough information so that an accurate analysis can be made. The Commission shall advise and aid the developer or owner in obtaining the best possible layout for all concerned. After a proper solution has been worked out, the developer or owner may proceed with preparation of a Development Plan.
- D. Upon submission of a PUD Development Plan, the drawing shall be analyzed by the Commission for conformity to the PUD and Subdivision Regulations. If the drawing does not conform to these Subdivision Regulations, the owner or an agent legally authorized to act on their behalf shall be notified so that the drawing may be revised.

¹⁵ Amended Ord. 27-2006; Effective August 1, 2006

1. Prior to review by the Planning Commission, the Development Plan shall be sent to the appropriate public agencies for their review and recommendations. When the recommendations of the public agencies are received, they shall be reviewed by the Planning Commission. If the drawing is not acceptable to public agency, the owner or an agent legally authorized to act on their behalf shall be notified so that the drawing may be revised. If the drawing is acceptable and/or subject to certain modifications, the drawing shall be presented to the Commission for consideration.
 2. The Commission may introduce such changes or revisions to the drawing as are deemed necessary to the interests and needs of the community, provided that such changes are not in violation of the Planned Unit Development and Subdivision Regulations. Changes agreed to by the owner or an agent legally authorized to act on their behalf shall be marked in red on the approved drawing. The developer or his or her agent shall then furnish the Commission with three (3), 24" x 36" blueline or blackline paper prints of the revised drawing containing such agreements and three (3) good quality black and white reproducible, PMT, PDF digital copy, or velox reductions of the original prints at a size 11" by 17".
 3. The Commission shall disapprove the drawing if it does not contain the necessary information, if it is not in accordance with the Planned Unit Development and Subdivision Regulations, or if the proposed improvements are not approved by the appropriate public agencies.
 4. The Commission shall render a decision upon the PUD and within ten (10) days thereafter, the owner or an agent legally authorized to act on their behalf shall be notified in writing of the Commission action, and such notification will also be given to appropriate public agencies.
- E. Upon final approval of the Development Plan by Council, the subject property shall be designated as a PUD District on the Zoning Map and any other zoning district regulations that applied to the property shall no longer apply to that property. Such designation shall include the zoning district in the name along with the PUD notation (e.g., "R-4 PUD").
- F. All planned developments shall be platted in accordance with applicable subdivision rules and regulations. An approved Development Plan shall replace the Preliminary Plat Procedure requirement according to Section 1123.04 of the Subdivision Regulations. Council approval of a Development Plan is valid for one (1) year and allows the developer to proceed with the preparation of the improvement plans required by the various public agencies. Within this time period, a Plat may be filed as provided for in Section 1123.05 (Plat Requirements) of the Subdivision Regulations.

- G. No construction of any improvement on a parcel to be developed pursuant to an approved Development Plan shall occur prior to Plat approval, recording of the Plat in the office of the County Recorder, and filing for a Zoning Permit with the Zoning Inspector subject to Section 1241.03 (Permits Required), Section 1241.05 (Application and Issuance of Zoning Permits), and Section 1241.06 (Site Design and Development).

1247.02 Amendments to an Approved Planned Unit Development (changes)

After the final development plan has been approved by Council, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents.

A. Major Change

1. A major change, as defined herein, shall require review and recommendation by the Planning Commission and approval by Council.
2. A major change is any change which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended and which does not meet the criteria under a minor change, as herein described.

B. Minor Change

1. Minor changes or revisions, as defined herein, may be approved by the Administrator provided such requests substantially conform to the standards established by the approved Development Plan and this Ordinance.¹⁶
2. Minor changes or revisions shall be limited to the following:
 - a) Adjustments to the size and location of buildings, swimming pools, and other on site structures so long as:
 - 1) They do not result in an increase in the number of units over and above those that the plan covers;
 - 2) They do not encroach materially into the established setback areas;
 - 3) They do not encroach into the designated parking areas to the extent that would necessitate an alteration in the layout of the access drives or provisions for additional parking spaces; and
 - 4) They do not create a larger building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.

¹⁶ Amended Ord. 27-2006; Effective August 1, 2006

- b) Alterations to the proposed drives and/or parking areas so long as they do not encroach into building areas or specified recreation areas.
- c) Adjustments in the size and location of development identification signs.

1247.03 Submission of Development Plan¹⁷

A Development Plan illustrating compliance with the standards and criteria set forth in Chapter 1253 (Planned Unit Development) shall be submitted for all subdivisions located within Whitehouse, which are intended to be recorded as a plat within a PUD. The Development Plan shall not be accepted for processing unless it is submitted at least thirty (30) days before a meeting of the Commission and the following data are contained therein:

A. Submission Format

1. The Development Plan shall be based on a boundary survey prepared by a registered surveyor or a registered, professional engineer.
2. The submission shall contain:
 - a) Three (3) blueline or blackline prints of the Development Plan on 24" x36"; and
 - b) Three (3) good quality black and white reproducible PMT, PDF digital copy, or velox reductions of the original prints shall be submitted at a size 11" by 17".
2. Identification shall be noted as follows:
 - a) The title "Development Plan" and the proposed name of the subdivision;
 - b) The case file number if one has been assigned for the development;
 - c) Names, addresses, and phone numbers of the developer, and any parties who should be informed of the progress of the request, including the land owner(s), attorney, architect, engineer, landscape architect or other appropriate consultants;
 - d) The scale of the drawing (one inch equals 100 feet preferred);
 - e) The date and a north point which points either toward the top of the drawing or to the left side of the drawing;

¹⁷ Amended Ord. 27-2006; Effective August 1, 2006

- f) A general location sketch showing and section and corporation lines, and all adjacent roadways;
 - g) A complete legal description by township, section, town and range or by other legal description;
 - h) The approximate acreage.
3. Delineation shall include, but not be limited to, the following:
- a) Boundary lines of the proposed subdivision indicated by dashed heavy lines;
 - b) Boundary lines of all tracts of unsubdivided and subdivided land abutting the proposed plat, showing owners of tracts greater than one acre;
 - c) The existing zoning of the proposed subdivision and abutting tracts in zoned areas;
 - d) Contours are preferably indicated at two (2) foot intervals as measured in the field;
 - e) Indication of ground forms, ditches, creeks, or other natural features that may affect the development of the property;
 - f) The Base 100-year Flood Elevations (BFE) and the lowest floor elevation of the structure;
 - g) Locations, widths and names of all existing or prior platted streets, other public ways, and sidewalks. The layout of proposed streets, their proposed names and widths and the widths of proposed alleys, sidewalks, crosswalks, trails, etc. Proposed street names shall be checked with the Real Estate Transfer Department of the County Auditor's office to avoid duplication. Right-of-way and pavement widths shall be measured from the centerline of the roadway;
 - h) Railroad and utility rights of way and other easements;
 - i) Parks and other public open spaces;
 - j) Existing and proposed lots or parcels indicating dimensions and lot areas, lot numbers, proposed use of lots, and zoning setback requirements. Indicate in a table the type, total number, total area, and unit density for a residential plan, or in the case of a business or industrial plan, a statement identifying the principal types of office, business, and/or industrial uses that are to be included in the proposed development;

- k) Proposed drive approach aprons. The drive approach width(s) shall be dimensioned where the apron meets the roadway pavement and shall be dimensioned at the throat;
- l) Existing buildings and structures within or adjacent to the tract. Proposed building set-back lines, showing dimensions. Dimensions of proposed buildings to be constructed. Indicate any building removals or other alterations to occur on the property;
- m) Existing sewers, water mains, fire hydrants, culverts, other underground facilities and open drainage ditches in and within close proximity to the tract, indicating the size, depth, direction of flow and location. Suggested locations of proposed water lines, sanitary sewer lines, and storm sewer lines, including a diagram of proposed drainage of streets and lots, with indication of areas to be used for storm water detention or retention , their outlet into existing facilities, and proposed elevations of drains at critical points.
- n) An entranceway, perimeter, and common space landscaping and screening plan in accordance with Section 1257.09 (Landscaping and Screening Requirements) and the Whitehouse Street Tree Ordinance;
- o) The locations, size (height), and material of all existing and proposed entranceway, perimeter, and common space fencing and/or walls;
- p) The location, height and dimensions of existing or proposed signs on the property;
- q) The location and dimensions of existing or proposed off-street parking spaces and drive aisles for common areas. The drawing shall include the number and size of the proposed parking stalls including handicap spaces. The type of pavement composition of the parking area, *i.e.*, asphalt or concrete shall be indicated. If the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any between the two areas, shall be shown.

CHAPTER 1253 PLANNED UNIT DEVELOPMENT

- 1253.01 Purpose
 - 1253.02 Description
 - 1253.03 "S" or "R" District Planned Unit Development
 - 1253.04 "C" District Planned Unit Development
 - 1253.05 "M" District Planned Unit Development
 - 1253.06 "BP" Business Park District Planned Unit Development
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1253.01 **Purpose**³⁸

For the purpose of conserving land through more efficient allocation of private lots, multi-family dwelling units, common grounds and other non-residential uses, promoting efficiency in providing public utility services and receiving the benefits of new techniques of community development and renewal, the process of planned unit development shall be established for the "S," "R," "C," "M," and "BP" Districts. The designation of a Planned Unit Development shall be at the discretion of the property owner and may be initiated pursuant to Section 1247 (Planned Unit Development Review).

1253.02 **Description**³⁹

Planned Unit Developments may be residential, commercial, or industrial developments or they may be combinations of uses, such as residential and commercial, commercial and industrial or a combination of uses in a business park.

A. Minimum Site Area

1. The minimum site area for a PUD development shall be:

<u>Type of Development</u>	<u>Minimum Site Area</u>
Residential development:	5 net acres
Commercial development:	5 net acres
Industrial development and business park:	25 net acres
Combination residential-commercial development:	25 net acres
Combination commercial-industrial development:	30 net acres

³⁸ Amended Ord. 27-2006; Effective August 1, 2006

³⁹ Amended Ord. 27-2006; Effective August 1, 2006

2. In combination developments, the amount of land devoted to commercial usage shall not exceed twelve and one-half (12.5) percent of the total land area of the development. All Planned Units must be arranged progressively in relation to the zoning of the area abutting.
 3. The Planning Commission may recommend and Council may approve reduction in the area of a Planned Unit Development for those sites which are isolated by natural or man made barriers or by existing development so that additional land is not available for inclusion in the new development.
- B. All planned developments shall be platted in accordance with applicable subdivision rules and regulations.

1253.03 "S" or "R" Districts, Planned Unit Development

In an "S" or "R" District, Planned Unit Developments may be permitted as follows:

- A. Impervious Surface Coverage. No more than forty (40) percent of gross parcel acreage shall be devoted to coverage by buildings, street pavement, motor vehicle driveway pavement, and parking area pavement.
- B. Open Space. No less than ten thousand (10,000) square feet or ten (10) percent of the net parcel acreage whichever is greater, none of which shall be a part of any yard, shall be allocated to consolidated common green space and/or recreation areas. Such open space land or recreational facilities shall be held in corporate ownership by the owners of the project area building sites, and the developer shall incorporate into the protective covenants and/or deed restrictions, a clause giving an interest in such land to each owner who buys property within the development.
- C. Perimeter Setback. A yard setback of twenty-five (25) feet shall be maintained on all perimeter parcels of the Planned Unit Development.
- D. Maximum Density. The maximum number of dwelling units permitted in the Planned Unit Development shall be calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown for the underlying zoned district. For purposes of this calculation, net residential acreage equals eighty (80) percent of the gross parcel acreage and gross parcel acreage is the total parcel area excluding public rights-of-way and flood plain.
- E. Minimum Dimensions. To provide maximum flexibility for the development of residential lots, the dimensional requirements under Chapter 1250 (Establishment of Districts) may be reduced no less than the following dimensions:

Minimum Dimensional Requirements - Lots			Minimum Yard (in feet)	
Dwelling	Minimum Lot Width Per Family	Minimum Lot Area Per Family	Front	Rear
Single or Two Family	45 feet (*)	5,000 sq. ft. (*)	30	0
Multi Family	24 feet (*)	2,400 sq. ft. (*)	30	0
* The Planning Commission may approve and recommend reductions below the minimum requirements of the Whitehouse Subdivision Regulations.				

Minimum Dimensional Requirements - Yards/Buildings ⁴⁰				
Dwelling	Minimum Yard Width (in feet)		Maximum Height of Buildings	
	Either Side (*)	Sum of Side Yards	Stories	Feet
Single or Two Family	0 – 10 feet	10	2	35
Multi Family	0 – 10 feet	10 (**)	2	35
Footnotes: * Only zero lot line units may have a zero minimum side yard. ** Applies to each end unit				

F. Minimum Requirements⁴¹

1. Maximum lot coverage of structures shall not exceed forty (40) percent of net acreage.
2. Minimum yard area, exclusive of structures, is six hundred (600) square feet.
3. End unit minimum building separation distance shall be ten (10) feet.
4. Required side yard setbacks shall contain no permanent structures.

G. Zero Lot Line Development

1. Proposed zero lot line developments shall submit deed restrictions of record for any vacant lot adjacent to the zero-foot setback which places the adjacent owner on notice that any development shall attach to the common wall of the first zero lot line development or provide a minimum side yard of ten (10) feet.⁴²

⁴⁰ Amended Ord. 27-2006; Effective August 1, 2006

⁴¹ Amended Ord. 27-2006; Effective August 1, 2006

⁴² Amended Ord. 27-2006; Effective August 1, 2006

2. Walls of structures adjacent to buildings built on the zero lot line must not contain any windows, doors, or openings of any kind unless ten (10) feet of separation is maintained.⁴³
3. The provisions of the following shall govern as to the rights and obligations and occupants of lots respecting side yard easements. For purposes of definition, the "servient tenement" is defined as the property providing a side yard easement. The "dominant tenement" is defined as the property adjoining benefiting from the easement.
 - a) A five (5) foot maintenance easement shall exist along all zero lot lines exclusive of lots which share a common zero lot line wall.
 - b) Lots subject to this easement will be set forth as an appropriate reservation grant in the deed to the dominant tenement
 - c) The easement shall be maintained by the owners or occupants of the servient tenement as open space, landscaping or as a garden and shall be retained in a manner not to restrict its use by the owners or occupants of the dominant tenement
 - d) The owners or occupants of the dominant tenement shall have limited, nonexclusive right to use and occupy the side yard easement for purposes of maintenance, repair or replacement of the structure. Ingress and egress will be provided without limitation for these purposes. Owners and occupants of the dominant tenement shall be responsible for all damage to the servient tenement which may restrict the use and enjoyment of the side yard. This responsibility extends to maintenance of the exterior walls of the structure which shall be maintained and retained in a manner compatible with the servient tenement.
 - e) The owners and occupants of the servient tenement shall be limited to the use of the easement for purposes described in 3.d) of this section. The owner or occupant of the servient tenement shall be responsible for any damage to the structure of the dominant tenement which is caused by the negligence of the owner or occupant of the servient tenement or by persons entering on the servient tenement with consent of the owner or occupant.

1253.04 "C" District Planned Unit Development

In "C" Districts, a planned unit development may be permitted in accordance with the provisions of the Whitehouse Zoning Code and are subject to all limitations as set forth therein.

⁴³ Amended Ord. 27-2006; Effective August 1, 2006

- A. Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space will be required between uses within the groups; however, the yard requirements must be observed at the edge of the complete development. Planting buffers using vegetative screens, walls, or fences pursuant to Section 1258.05.B.6. (Landscaping and Screening) in this resolution shall be required.⁴⁴
- B. Off-street parking and loading requirements shall be observed as required; however, group parking is recommended so long as the number of spaces provided is equal to the required number of spaces required for each use to be developed.
- C. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the developer as well as from the stand-point of the adjoining and surrounding existing or potential developments.
- D. The ground area occupied by all the buildings shall not exceed in the aggregate twenty-four (24) percent of the total area of the lot or tract.

1253.05 "M" District Planned Unit Development

In "M" Districts, a Planned Unit Development may be permitted as follows:

- A. Industrial uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order that those thoroughfares which are constructed may be built to the highest possible standards.
- B. Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services, or clinics may form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned industrial area.
- C. Off-street parking and loading areas shall conform to the provisions of this Ordinance and all screening requirements of Section 1257.09.E. (Off-Street Parking Lot Landscaping and Screening) shall be observed.

⁴⁴ Amended Ord. 27-2006; Effective August 1, 2006

- D. No building shall be less than seventy-five (75) feet distance from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

1253.06 **"BP" Business Park District Planned Unit Development**

In a "BP" District, a planned unit development may be permitted as follows:

- A. All uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A business park area shall provide for the harmony of buildings and a compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout the planned business park in order that those thoroughfares which are constructed may be built to the highest possible standards.
- B. Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services, or clinics may form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned business park.
- C. Off-street parking and loading areas shall conform to the provisions of this Ordinance and all screening requirements of Section 1257.09.E. (Off-Street Parking Lot Landscaping and Screening) shall be observed.
- D. No building shall be less than seventy-five (75) feet distance from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

1248.07 Action of Council

After holding the above public hearing, the Council shall consider such recommendations and vote on the passage of the proposed amendment to the Text of the Zoning Ordinance or the Zoning Map. The Council may overrule a negative or modify the recommendation of the Planning Commission by the affirmative vote of the majority of the Council. On other actions by the Commission, a majority vote by Council shall decide.

1248.08 Application/Time Limitation

An application shall not be made more frequently than once each year for any change of zoning or a special use on a parcel of record.