CALL TO ORDER
1. Chair Comments
   Opening Remarks
2. Roll Call
   Clerk Calls the Roll

OLD BUSINESS
3. Meeting Minutes
   May 12, 2009 Meeting Minutes

NEW BUSINESS
4. Resolution PC 13-09
   A resolution requesting authorization of
   a vehicle sales special use to be located
   at 337 S. Main Street.

OTHER BUSINESS
5. Monthly Report
   General Information, Legislative Update,
   Special Projects, Permits

ADJOURNMENT
6. Adjournment
   Adjourn Regular Session
CALL TO ORDER

6:00 P.M. – Chairman Spoltman called the meeting to order. Mr. Spoltman noted for the record the hearing of each item would be conducted according to a modified Roberts Rules of Order, more specifically as follows:

A. Clerk to State the Agenda Item
B. Staff Comments
C. Applicant/Agent Comments
D. Other Affected Parties Comments
E. Board Member Comments and Questions
F. Board To Take Action On The Item

ROLL CALL

Members Present: Mark Spoltman, Brad Bubp, Mike Taylor, Jim Oda, and Jean Franz
Members Absent: None
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Ben Scott, Naomi Maher

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the April 21, 2009 meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the April 21, 2009 meeting minutes as submitted, and Mrs. Franz seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mrs. Franz, Aye; Mr. Taylor, Aye and Mr. Spoltman. A roll call vote resulted in a 5-0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

1. PC-11-09

A proposal to amend the zoning chapter of the codified ordinances to modify code provisions pertaining to temporary uses.

Mr. Schmiesing gave a brief synopsis of the proposed code amendments and the reason they were brought to the Planning Commissions attention. The changes are in Code Section 154.005 Definitions, and 154.126 Temporary Uses.

There was discussion on the definition of a Portable Storage Unit; locations for the units to be placed in; size of the area in which the container can be placed, the size of the container; duration of the portable storage unit on site; will extensions be given if necessary; are permits required to set a portable storage unit; residential or commercial use; would gravel be acceptable to locate container on.

Several amendments were suggested and they are as follows:
Page 18 of 30 Portable Storage Unit. Delete the last three words “for personal property”.
Page 25 of 30 Wheelchair Ramp. Change the spelling of the word “slopping to sloping”.
Page 29 of 30 Portable Storage Unit. Add “; Residential”.
Page 29 of 30 (2) Add in the fourth line after the word damage) “or other extenuating circumstances”.
Page 29 of 30 (3) Add in the second line after the word not “be” and delete the word “not” after the word located.
Page 29 of 30 (d) Portable storage unit add “; Residential”.
Page 30 of 30 (3) Exceptions add (f) Portable Storage Units; “Business or industrial”.

There was discussion on the use of Temporary Uses; the length of time at the same location, type of use to be considered when issuing permit, size of wagon, trailer, or stand/shack; fee for permit; locations defined by the code in conjunction with other businesses located in area.

Several amendments were suggested as follows:
Page 19 of 30 Seasonal/Temporary Service and Retail Establishments. At the end of the third line after the word area add “with a defined boundary delineated” and delete the word “defined” and add the word “other” after or, delete the word “enclosure” and add the word “feature”.
Page 26 of 30 (B) General Provisions. Insert in second line after the word the “established development and”.

Public Comment

Ben Scott, Ash Street, Owner of McDonalds Corporation in Piqua, voiced his opinion on the issuance of Temporary Permits in the City of Piqua, and how the stands and mobile food trailers affect the areas where they are set up in as temporary businesses. Mr. Scott stated he appreciates the efforts the Planning Commission puts into in overseeing the Zoning Code.

Naomi Maher, Covington Avenue, owner of Nonie’s Shaved Ice Shack, came forward and explained how her business is set up, the location of her shack, and the placement and use of the picnic tables in her immediate area for customers to sit on while enjoying her products.

Mr. Oda commended Mr. Schmiesing on a job well done on putting together the development of the changes to the code for the Planning Commissions review.

Mr. Oda moved to approve the request as amended, and Mr. Bubp, seconded the motion. Roll call: Aye: Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. A roll call vote resulted in a 5-0 vote to approve the request with the amendments.

2. PC 12-09

A Resolution to appoint a Planning Commission member to serve on the Board of Zoning Appeals.

Mr. Schmiesing stated this would appoint a member to serve as the representative of the Planning Commission on the Board of Zoning Appeals.

Public Comment

No one came forward to speak for or against PC 12-09.
Motion was made by Mr. Oda, seconded by Mr. Bubb to nominate Mark Spoltman to the Board of Zoning Appeals as the representative of the Planning Commission. Voice vote. Mr. Oda, Aye; Mr. Bubb, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye.

Mr. Oda moved to approve the appointment of Mr. Spoltman as the representative of the Planning Commission to the Board of Zoning Appeals, and Mr. Bubb seconded the motion. Voice vote, Mr. Oda, Aye; Mr. Bubb, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye. A voice vote resulted in a 5-0 vote to approve the appointment of Mr. Spoltman as the Planning Commission representative on the Board of Zoning Appeals.

OTHER

Mr. Schmiesing stated he would forward the recommendations on to the Piqua City Commission for their consideration at their Monday, May 18th, 2009 meeting. Mr. Schmiesing encouraged the Planning Commission members to attend the Piqua City Commission meeting in show of their support for the adopted resolutions.

Mr. Schmiesing also advised the Planning Commission of Heritage Ohio’s recent recognition of the Fort Piqua Plaza as the Best Public Improvement, and their recognition of Lorna Swisher as the Mainstreet Manager of the Year. The Commission was also advised of the upcoming ceremony to rename the town square to William McCullough Square in recognition and to honor the service of Mr. McCullough to his community and the nation.

ADJOURNMENT

With no further business to conduct it was moved and seconded that the regular meeting be adjourned. With all those present in favor the regular meeting was adjourned at 7:40 p.m.
RESOLUTION No. PC 13-09

WHEREAS, Rob Cooper, on behalf of the owner, James Kruse, of the subject location in the city of Piqua, Ohio, being in a district zoned B (General Business District), has submitted a request to authorize a vehicle sales special use to be located at 337 S. Main Street; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for authorizing the enlargement of a nonstandard use of a premises by approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

☐ Will be compatible with the stated intent of the zoning district.
☐ Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
☐ Is compatible with the general economic development policies of the City.
☐ Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member ____________ hereby moves to ____________ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member ____________, and the voting record on this motion is hereby recorded as follows.

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<td>Mr. Mark Spoltman</td>
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CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name  Cooper Auto Sales LLC  Phone  937-497-7111
   Applicant's Address  935 N Vanderbilt Rd. Sidney Oh 45365

2. Owner's Name  Rob Cooper - Tom Fay  Phone  937-497-7111
   Owner's Address  1335 Elmwood Circle Piqua 45356

3. Type of legal interest held by applicant  Partner - Cooper Auto Sales

4. Location of Special Use Permit request
   A. Legal description (Inlot No. or attach legal description)
   B. Address  337 S Main St Piqua OH 45356

5. Existing zoning  4B

6. Existing usage  Storage

7. Proposed usage  Clean Paint Existing Facility For Used Car Sales

8. Proposed special usage  USED CAR SALES Lot

9. No. of plot plans submitted (if required UNLESS waived)  18

10. Describe the reason for the requested special use:
    Used Car Sales

I hereby certify that the proposed request is authorized by the "Owner of Record" and agree
to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant:  [Signature]  Date: 5-20-09
Signature of Owner:  [Signature]  Date: 5-20-09

Note: Both the owner and the applicant shall sign when application is made by someone
other than the owner.

********************************************************** OFFICE USE ONLY **********************************************************

$100.00 Fee Paid 100.00  Date Fee Paid 5-21-09
Receipt No. 184382  P.C. Res. No.  

RECEIVED
MAY 21 2009
CITY OF PIQUA
DEVELOPMENT OFFICE
STAFF REPORT

Date: May 21, 2009
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: Resolution PC 13-09

GENERAL INFORMATION

Applicant: Cooper Auto Sales
Owner: Kruse James W and Jeanne E Mckaig
Location: 337 S. Main Street
Zoning: B General Business District
Land Use
   Existing: Storage Building; Parking Lot; Vacant Office
   Proposed: Business Office; Vehicle Sales; Parking Lot; Storage Building
Request: Authorization of a vehicle sales special use

DISCUSSION/FINDINGS

This request is to authorize a vehicle sales special use of the subject premises. The proposed use includes occupying the existing building with a small sales office and utilizing the exiting parking lot area for the display of vehicles and for customer parking. As currently proposed, nine vehicles displayed for sale and up to two customer vehicles will be parked on the lot at any one time. During discussions with the applicant it was indicated that the exterior of the building will be painted and the site will be generally cleaned-up. The submittals provided indicate no other site improvements as part of this project.

The zoning code includes criteria to be given specific consideration when determining whether to authorize a special use. The following highlights the criteria described in the code and provides staff’s analysis of how this request measures up to those standards.

The proposed special use is compatible with the stated intent of the zoning district?

Staff Analysis: The stated intent of the B General Business chapter is to “…provide an integrated collection of structures and uses designed to supply a majority of the daily needs of city residents”.

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

Staff Analysis: The proposed vehicle sales occupancy of the premises will significantly increase the use intensity of the lot.
STAFF REPORT

Date: May 21, 2009
Subject: Resolution PC 13-09

The proposed special use is compatible with the general economic development policies of the city?

Staff Analysis: The productive use of a premise in compliance with adopted community standards is consistent with the general economic development policies of the city.

The proposed special use conforms to all other applicable codes and regulations of the city?

Staff Analysis: All submittals presented conform, or will be required to conform, to all applicable codes and regulations of the City, less and exceptions noted herein, before a zoning permit will be issued.

COMPREHENSIVE PLAN

The increased use intensity of the premises is consistent with a number of the Comprehensive Plan objectives that emphasize enhancing the use of underutilized properties. The area in which the subject property is located is identified as a Neighborhood Conservation area by the Land Use Conservation and Development Map. Neighborhood Conservation is defined by the Plan as being, "Preservation of existing neighborhood character and continued maintenance of buildings and infrastructure."

CONCLUSION

Within the Comprehensive Plan there is much discussion about the importance of the aesthetics of the built environment throughout the community, in particular along the primary entrances into the city. It is debatable whether the proposed vehicle sales use of the lot provides the type of distinctive character the Comprehensive Plan notes as being desirable for the reuse of underutilized sites found within established neighborhoods. The proposed display of vehicles and customer parking will utilize all of the existing pavement surface area, and in at least one location extend into a lawn area. The proposed display of vehicles on the drawing provided show vehicles extending all the way to the front lot line with little or no setback from the front lot line and the public right of way; and, there are no off-street maneuvering lanes providing access to or from the proposed off-street customer parking spaces forcing the vehicles utilizing these spaces to back into the public street to exit the lot. Therefore, it is staff's conclusion that the proposed use of the premises may result in a use intensity that exceeds the capacity of the existing improvements and may have an adverse affect on the surrounding neighborhood and adjacent public right of way.

RECOMMENDATION

If the Planning Commission chooses to approve this request, staff recommends that the following conditions be imposed:

1. No more than seven (7) display vehicles may occupy the lot at any given time.
2. The display vehicles shall be setback a minimum of five (5) feet from the front lot line. All vehicles shall be displayed or parked upon a pavement surface.
3. Two (2) off-street parking spaces shall be provided at the south end of the existing pavement area, and parking blocks shall be installed at the east limit of each space.
4. The vehicles sales special use authorization shall automatically terminate upon any discontinuance of the vehicle sales use of the subject premises.
*** MEETING NOTICE ***

Please be advised that the City of Piqua Planning Commission will conduct a meeting at the time and location stated below.

TIME: 6:00 P.M.
DATE: Tuesday, June 2, 2009
LOCATION: Commission Chambers - 2nd Floor
Municipal Government Complex
201 W. Water Street

This letter serves to notify those persons who may have an interest in an agenda item to be discussed at this meeting. View the Planning Commission packet in its entirety online at http://www.piquaoh.org/agenda_plan_comm.htm or by visiting the Development Office.

This is your opportunity to speak in favor of, or object to, an item to be considered. If you desire to state your opinion concerning this matter and will be unable to attend the meeting, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

Please contact this office if you have any questions pertaining to this notice.

Chris Schmiesing
Christopher W. Schmiesing
City Planner
Enc.
<table>
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<td>COOPER AUTO SALES</td>
<td>935 VANDERMARK RD</td>
<td>SIDNEY, OH 45365</td>
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<td>PIQUA, OH 45356</td>
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<td>8538 N PIQUA LOCKINGTION</td>
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<td>PC 13-09</td>
<td>ULBRICH S INC</td>
<td>P O BOX 151</td>
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<td>ULBRICH BRADLEY M</td>
<td>P O BOX 151</td>
<td>PIQUA, OH 45356</td>
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<td>PC 13-09</td>
<td>SOUTHVIEW NEIGHBORHOOD ASSOCIATION</td>
<td>714 S DOWING ST</td>
<td>PIQUA, OH 45359</td>
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**Entire Packet To:**
- FRED ENDERLE            INTER-OFFICE MAIL
- CHRIS SCHMIESING        INTER-OFFICE MAIL
- PLANNING COMMISSION     REGULAR MAIL

**E-Meeting Notice To:**
- AMY WELKER              EMAIL
- CHRIS BOEKE             EMAIL
- CITY COMMISSION         EMAIL
- DEAN BURCH              EMAIL
- DEBBIE STEIN            EMAIL
- FRED ENDERLE            EMAIL
- HARRY BUMGARNER         EMAIL
- LORNA SWISHER           EMAIL
- MARTIN KIM              EMAIL
- STACY WALL              EMAIL
- AMY HAVENAR             EMAIL
- BRUCE JAMISON           EMAIL
- PIQUA DAILY CALL        EMAIL
- DAYTON DAILY NEWS       EMAIL
- WPTV                    EMAIL
- PIQUA CHANNEL 5         EMAIL
- MIAMI COUNTY HOME BUILDERS ASSOCIATION EMAIL