CALL TO ORDER

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

OLD BUSINESS

3. Meeting Minutes  Adoption of August 4, 2009 Meeting Minutes

NEW BUSINESS

4. Resolution PC 18-09  A resolution authorizing the construction of a new building and the installation of equipment essential to 911 communications

5. Resolution PC-19-09  A Resolution to consider for approval the landscape plan for the intersection of USR 36 and I-75

OTHER BUSINESS

6. MONTHLY REPORT  General Information, Legislative Update, Special Projects, Permits

7. Accessory Uses
8. Going Places

ADJOURNMENT

9. Adjournment  Adjourn Regular Session
CALL TO ORDER

6:00 P.M. – Chairman Mark 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, and Jean Franz
Members Absent: Jim Oda
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Roberta Rike

Motion was made to excuse Mr. Oda from the August 4, 2009 Piqua Planning Commission Meeting. Voice vote, Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye.

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the July 7, 2009 meeting minutes included in the agenda packet. Mrs. Franz made a motion to approve the July 7, 2009 meeting minutes as submitted, and Mr. Taylor seconded the motion. Mr. Bubp, Aye: Mrs. Franz, Aye: Mr. Taylor, Aye, and Mr. Spoltman, Aye. A voice vote resulted in a 4-0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

1. PC-17-09

Staff Comments

A Resolution authorizing a General Merchandise use to be located at 1129 Park Avenue Mr. Schmiesing stated this is a request to authorize a change in the use of the premises to allow an existing nonconforming personal service retail sales and service use to be changed to a nonconforming general merchandise retail sales and service use. The proposed use is consistent with the past use of the property, and will be compatible with the surrounding land use and the neighborhood in general. Staff recommended the Planning Commission approve this request.

Public Comments

Roberta Rike, 5564 W. US. Rt. 185, Covington, applicant came forward and stated she plans to open a specialty shop for women, and by doing so help the community and herself. Several questions were asked regarding the cosmetic work that is being done, the hours of operation, and the projected opening date.
Mrs. Rike explained she is doing minor cosmetic work, and plans to open around the first of September. The hours of operation are not set yet, they may vary but will be either 11:00 A.M. – 5:00 P.M. or 12: P.M. – 6:00 P.M., said Mrs. Rike.

Mrs. Rike also inquired as to the possibility of placing a sandwich sign on the front sidewalk at certain times to announce sales, and placing a park bench in front of the building for customers to enjoy. Mr. Schmiesing stated he would get together with Mrs. Rike and discuss the options.

Mr. Spoltman stated his agreement with the staff report.

Voting Record

Mr. Taylor moved to approve the request, seconded by Mrs. Franz. Roll Call vote, Mr. Bubp, Aye: Mr. Taylor, Aye: Mrs. Franz, Aye: and Mr. Spoltman, Aye. A Roll Call vote resulted in a 4-0 vote to approve the request.

OTHER

Monthly Report

Monthly reports were reviewed and Mr. Schmiesing went over several of the items.

Mr. Schmiesing and Chairman Spoltman updated the Planning Commission on the Storm Water Advisory Committee activity.

Mr. Schmiesing updated the Planning Commission on happenings related to the Comprehensive Plan transportation objectives and responded to questions.

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 6:45 p.m.
RESOLUTION No. PC 18-09

WHEREAS, Candace Goodall, Architect, on behalf of Miami County 911 Communications Center, owner of the subject facilities, located at 1241 E. Ash Street in the city of Piqua, Ohio, being in a district zoned B General Business, has submitted a request to authorize the construction of a new building and the installation of equipment essential to 911 communications; and

WHEREAS, section 154.025 (C) 2 list "Essential Services" as an accessory permitted use; and,

Whereas, section 154.005 definition of "Essential Services" states, "Buildings required in conjunction with an essential service may be permitted in a district when approved by the Planning commission. In granting this permission the Planning commission shall take into consideration the location, size, use and effect the building will have on adjacent land and buildings."; 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.

Date: ______________________

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<thead>
<tr>
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<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
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<tr>
<td>Mr. Jim Oda</td>
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<td>Mrs. Jean Franz</td>
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<td>Mr. Mark Spoltman</td>
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**APPICANT INFORMATION**

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<th>Field</th>
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<tr>
<td>Company/Organization Name</td>
<td>Candace Goodill, Architect</td>
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<tr>
<td>Contact Person First Last Name</td>
<td>Candace Goodill</td>
</tr>
<tr>
<td>Street Address</td>
<td>12465 Fairway Drive</td>
</tr>
<tr>
<td>City</td>
<td>Troy</td>
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<tr>
<td>State</td>
<td>Ohio</td>
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<tr>
<td>Zip</td>
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</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:cq.arch@earthlink.net">cq.arch@earthlink.net</a></td>
</tr>
<tr>
<td>Cell Phone</td>
<td>937-573-8614</td>
</tr>
<tr>
<td>Work Phone</td>
<td>937-335-1579</td>
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<td>Home Phone</td>
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**LOCATION INFORMATION**

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**DETAIL INFORMATION**

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<td>Other Structure (parking,</td>
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<td>driveway, deck, pool, etc...)</td>
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<td>Work Valuation</td>
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<tr>
<td>Start Date</td>
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<td>End Date</td>
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**APPLICANT’S ACKNOWLEDGEMENT**

I hereby request review of this application and the submittals provided incidental and necessary thereto, and hereby request certification that the application and submittals provided conform to the applicable provisions of the City of Piqua Code of Ordinances, and request the approval and issuance of a General Permit for this project, purpose of said permit request being to authorize the planned use of the subject property and to authorize the release of any other permits required for the work necessary to complete this project.

Applicant’s Signature: [Signature]
Date: 8-17-09

**OWNER’S CONSENT**

I, the owner of record of the subject property, hereby acknowledge with full consent the application and submittals presented, and understand and acknowledge that receipt of certification that the application and submittals provided conform to the applicable provisions of the City of Piqua Code of Ordinances, and or the approval and issuance of the General Permit, in no way waives or dismisses any applicable local, state, or federal standards or laws, or the obligation of the property owner to comply with the same. Further, I, the owner of record of the subject property, hereby grant permission to the enforcing official to enter upon the subject property for the purpose of inspecting the use or work incidental and pursuant to this application request.

Owner’s Signature:
Date:
STAFF REPORT

Date: August 20, 2009
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: PC Resolution 18-09

GENERAL INFORMATION
Applicant: Candace Goodall
Owner: 911 Communications owns building/equipment (City of Piqua owns land)
Location: 1241 1/2 E Ash Street
Zoning: B General Business District
Land Use
  Existing: Essential Services
  Proposed: Essential Services
Request: Replace existing essential services building with a new structure.

DISCUSSION/FINDINGS
This request is to approve the plans submitted for improvements related to the replacement of a building used in providing essential services to the community. The building being replaced houses equipment integral to the 911 communications system components located at the City of Piqua E. Ash Street water tower site. The existing building being vacated will be reoccupied by the Amateur Radio Club or removed from the premises. The new structure will be positioned just to the north of the existing building and will include a pad and generator equipment located adjacent to the building and a propane tank that will be located nearby. A security fence to be erected in the future is also shown on the plans.

The zoning code states the following criteria to be utilized when considering this type of request.

In granting this permission the Planning Commission shall take into consideration the location, size, use, and effect the building will have on adjacent land and buildings.

Staff's comments: The utilitarian nature of the use and the appearance of the proposed building and accessory features stand in stark contrast to the commercial architecture and landscaping typical of the development types permitted and found in this zoning district. In addition, the proposed utility building, propane tank and generator will be out in plain sight and readily visible from the surrounding commercial development parcels.
The devaluing effect the appearance of these items will have on the surrounding development parcels must be considered.

**COMPREHENSIVE PLAN**

The overarching theme repeated throughout the comprehensive plan is the need to promote development and redevelopment projects that enhance the aesthetics of the community.

**CONCLUSION**

The essential services use is an existing use of this premise and the proposed improvements will not change the use of the premises, however, the proposed improvements will have an affect on the character of the area and represent the types of accessory features that are typically located out of sight or screened from the public view when located in a business development area.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve this request with the following condition:

- A landscape plan designed to wholly or partially screen the proposed use activity from public view shall be prepared by a landscape architect and submitted to the City Planner for approval. The landscape plan shall be submitted for approval by a date which allows for construction and installation of the landscape features to be fully installed and complete by not later than 30 days following the erection and or installation of the essential services building described by this document.
RESOLUTION No. PC 19-09

WHEREAS, the City of Piqua has secured the services of Envision-Works, Inc., landscape architects and planners, to develop a landscape plan for the intersection of USR 36 and I-75; and,

WHEREAS, section 32.001 (C) of the City of Piqua Code of Ordinances states the members of the Planning Commission shall be vested with the powers as provided in section 94 of the Piqua Charter; and,

WHEREAS, section 94 of the City of Piqua Charter states the Planning Commission shall have powers "...concerning the plan, design, location, removal, relocation, and alteration of any buildings or structures belonging to the city or location in public streets or public property; the location, widening, extension, and vacation of streets, parks, parkways, playgrounds, and other public places; the approval of plats for the subdivision of land; location of railroads and street railways; the zoning of the city..."; and,

WHEREAS, the Planning Commission has studied the landscape plan presented for consideration and approval; and

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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Date: __________________________
# PLANNING COMMISSION

## MAILING LIST

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<th>City, State, Zip</th>
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<td>Candace Goodall</td>
<td>1265 Fairway Drive</td>
<td>Troy, Ohio 45366</td>
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<td>PC 18-09</td>
<td>Miami County 911 Communications Center</td>
<td>210 Maryhill</td>
<td>Troy, Ohio 45366</td>
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<td>PC 18-09</td>
<td>Hsiang Won Chun</td>
<td>1811 Park Avenue</td>
<td>Piqua, Ohio 45356</td>
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<tr>
<td>PC 18-09</td>
<td>Ash Street Center LLC</td>
<td>1227 E. Ash Street</td>
<td>Piqua, Ohio 45356</td>
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<tr>
<td>PC 18-09</td>
<td>Bent Tree Apartments Limited Partnership</td>
<td>1240 Garby Road</td>
<td>Piqua, Ohio 45356</td>
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<tr>
<td>PC 18-09</td>
<td>Envision-Works, Inc.</td>
<td>5600 Kentshire Drive, Suite 2</td>
<td>Kettering, Ohio 45440</td>
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<tr>
<td>PC 18-09</td>
<td>McKenzie Emrick</td>
<td>123 Linden Avenue</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
- BILL MURPHY  
  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 ASSOCIATE  
  EMAIL