

PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, OCTOBER 6, 2009
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET

CALL TO ORDER

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

OLD BUSINESS

3. Meeting Minutes Adoption of September 1, 2009 Meeting Minutes

NEW BUSINESS

4. Resolution PC 20-09 A resolution authorizing a private garage special use of a vacant lot located at 528 Gray Street

OTHER BUSINESS

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

ADJOURNMENT

6. Adjournment Adjourn Regular Session

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 1, 2009 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

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, Jim Oda, and Jean Franz
Members Absent: None
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Candace Goodall, Mark Sierschula, Gary Sierschula, Barbara Temple

MEETING MINUTES

Chairman Spoltman stated an amended copy of the August 4, 2009 meeting minutes was handed out prior to the meeting, and asked if there were additions, deletions or corrections to be made to the amended August 4, 2009 meeting minutes. Mrs. Franz made a motion to approve the August 4, 2009 meeting minutes as amended and submitted, and Mr. Bubp seconded the motion. Mr. Bubp, Aye: Mrs. Franz, Aye: Mr. Oda, Aye: Mr. Taylor, Aye: and Mr. Spoltman, Aye. A voice vote resulted in a 5-0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

1. PC-18-09

A Resolution authorizing the construction of a new building and the installation of equipment essential to 911 communications

Staff Comments

This is a request to approve plans to build a new structure to house the essential equipment integral to the 911 communications system components located at the City of Piqua E. Ash Street water tower site. The new structure will be located just to the north of the existing building and will include a pad and generator equipment located adjacent to the building along with a propane tank that will be located nearby, with a security fence to be erected. All of the structures will be fenced in, and this will be a joint venture between the City of Piqua and the 911 Center. The existing building will either be occupied by the Amateur Radio Club or removed from the premises at a later date.

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There was discussion on the landscaping, the type and placement of the fencing that is to be utilized, and who is responsible for the cost of the proposed landscape. It was suggested that slats be installed in the chain link fence, or a privacy type fence be installed along with the addition of trees, shrubs and other plantings around the fenced in area.

Barbara Temple, Director of Miami County Communications Center, came forward and explained where the fence would be located. Ms. Temple further stated they are concerned about security, and having large landscape plants around the area it would cut down on the visibility of the building, and having slats in the fence would make it harder to maintain security. Ms. Temple stated they plan on doing some type of landscape around the fence to soften the appearance of the building in the area.

There was discussion on whether or not there are any lights in the area, or if there were any plans to light the facility at night. Ms. Temple stated there are lights on the water tower, and in the nearby shopping center at this time, but that not lights were planned at this time for the building.

It was stated that the location of the building is not really visible from the road and is hidden by the businesses located in front of the area. It was noted that the security of the property is important and that they would agree to some type of landscape and a fence to screen the area. It was suggested to include a modest landscape plan and install a fence at the site.

Public Comments

No one came forward to speak for or against PC-18-09

Voting Record

Mr. Oda moved to approve PC 18-09 with the condition as stated " a modest landscape plan be submitted to the City Planner", seconded by Mrs. Franz. Roll Call vote, Mr. Oda, Mr. Bulp, Mrs. Taylor, Mrs. Franz, and Mr. Spoltman. Nay: None. A Roll Call vote resulted in a 5-0 vote to approve the request with the conditions as stated.

2. PC-19-09

A Resolution to consider for approval the landscape plan for the intersection of USR 36 and I-75

Mr. Schmiesing presented the final concept plans, and gave a brief overview of the landscape plan for the intersection of USR 36 and I-75.

Mark Sierschula, of Envision Works came forward and gave a brief overview of the type of plantings, and the color of the lettering on the wall to be installed in the plan for the USR 36 and I-75 Mr. Sierschula also explained the level of maintenance that would be required to maintain the various trees and plants during the year.

There was discussion concerning the type of plants to be utilized, the grass mowing in some of the areas, and the use of crabapple trees. It was brought to the board's attention that crabapple trees are prone to several problems, and if some other type of tree could be substituted in place of the crabapple trees. Mr. Sierschula stated a pear tree could possibly be substituted for the crabapple tree without any problem.

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There was discussion on the color of the black “Piqua” lettering on the dark gray stonewalls, and if it would be possible to use a lighter color stone on the wall. Mr. Schmiesing stated that the black lettering complements the black fencing on the deck.

Mr. Oda commended Envision Works on their plan, stating they have taken our thoughts and feelings into consideration and have put together a good plan.

The Planning Commission viewed this presentation a few months ago, and looks like you have incorporated just about everything we discussed. It looks like this plan suits us very well, said Mr. Spoltman

Public Comment

No one came forward to speak for or against PC 19-09.

Voting Record

Mrs. Franz moved to approve PC 19-09 with adjustments to the type of trees, and the color of the stonewall, seconded by Mr. Bubp. Roll Call vote: Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye. Roll Call vote resulted in a 5-0 vote to approve the request with the adjustments as stated.

OTHER

Monthly Report

Mr. Schmiesing presented the Monthly Reports.

Accessory Uses

Mr. Schmiesing stated this is in reference to a request to place an above ground swimming pool on a vacant lot across the alley from their home. Current provisions in the code do not allow for a swimming pool to be placed on a vacant lot where there is no principal use. The reason for bringing this to the Planning Commission is the applicant would like to have the opportunity to place the swimming pool on the vacant lot at this time. Staff is bringing this item to the Planning Commission looking for some direction as to whether it is appropriate to amend the code to incorporate such a provision to accommodate this type of request. Mr. Schmiesing further explained the principal permitted uses.

There was discussion concerning the placement of a swimming pool on a vacant lot, and if it would be considered an accessory use, and other problems that could arise if the code is changed at this time. Mr. Schmiesing explained some of the other scenarios that might arise if the code were to be changed at this time. Mr. Spoltman stated he feels this is a very unique situation that he feels does not warrant a change in the code. Mr. Bubp stated he feels it should be called a Special Use to accommodate the situation.

Mr. Schmiesing asked what the Planning Commission would like to do at this time, change the code to accommodate something like this, or leave the code like it is and review requests as they come in. All were in agreement to allow the code to remain the same and to review situations as they arise in the future.

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Mackenzie Erick, 123 Linden Avenue, the applicant came forward and gave a brief overview of what she would like to do and presented the Board members with a picture of the lot in question.

Mr. Oda asked if Ms. Erick understood the discussion of her unique situation. Ms. Erick stated yes, she understood.

Ms. Erick stated she came to the City and picked up a copy of the swimming pool regulations, purchased the pool, but could not get a building permit, she did not understand her situation would be unique.

There was discussion of the timetable of events that would have to happen to allow Ms. Erick to install her swimming pool on the vacant lot. Mr. Schmiesing stated currently the way the code is it cannot happen, but we can incorporate mechanisms into the code so it can be doable.

Mr. Oda stated the Planning Commission is willing to change the code to allow this type of situation.

Mr. Gary Bell, Country Club Road, father of Ms. Erick came forward and stated his daughter paid \$4000 for the pool, and is just waiting for it to be installed. If the City were to not allow Ms. Erick to install the pool at this time, would the City of Piqua be willing to write a letter stating that fact to the pool company so she could get her money back, asked Mr. Bell. Mr. Schmiesing stated yes, the city would be willing to write such a letter.

Mr. Spoltman stated we are not saying it cannot be done; there is a process that would have to be followed to make the change in the code to allow such a situation.

Heather Bell, Country Club Road, mother of Ms. Erick came forward and stated the neighbors around her daughters home do not have a problem with the location of the pool, and that there are plans to fence the pool in.

Mr. Schmiesing thanked the family for being patient, and to give the city a few months to work this out.

Going Places

Mr. Schmiesing explained the Going Places information the members received in their Planning Commission packets. There will be a workshop to further their land use efforts held in Piqua sometime in October/November to receive public input, said Mr. Schmiesing.

Mr. Schmiesing gave a brief update on the Parking Regulations that will be coming up soon.

Mr. Taylor stated the old hospital is looking much better. Mr. Schmiesing explained that they have satisfied the EPA requirements for the cleanup, and the building has been encapsulated. At this time the city is trying to bring financing to the table to help the owner with the completion of the project. We are not letting the owner off the hook, said Mr. Schmiesing.

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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 7:20 p.m.

RESOLUTION No. PC 20-09

WHEREAS, Mike Brookhart, owner of the subject location in the city of Piqua, Ohio, being in a district zoned R-1 (One Family Residential), has submitted a request to authorize a private garage special use to be located at 528 Gray Street; and,

WHEREAS, section 154.140 of the City of Piqua Code of Ordinances provides the procedure for authorizing the special use of a premises; 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.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



DEVELOPMENT OFFICE

201 West Water Street • Piqua, Ohio 45356
Phone (937) 778-2049 • Fax (937) 778-0809

GENERAL PERMIT APPLICATION

APPLICANT INFORMATION Primary Contact Billing Contact

Company/Organization Name: MIKE BROOKHART

Contact Person First Last Name:

Street Address: 2109 WILSHIRE DR. City: PIQUA State: OHIO Zip: 45356

Email Address: Home Phone: 778-1138

Cell Phone: Work Phone: 440-5658 Fax:

LOCATION INFORMATION No Existing Address Assignment / Address Assignment Requested

Street Address: 528 GREY ST. LOT 2821

Owner Name: MIKE & PAM BROOKHART

Parcel ID: N44 - 035650

Subdivision/Neighborhood Name:

DETAIL INFORMATION

Use Type: Residential Commercial-Business Commercial-Residential

Use Class: Principal Accessory Temporary

Work Description:

Work Class: New Construction Addition/Enlargement Remodel/Alteration Tenant Finish
 Demolition Change Use/Occupancy Reconstruction Relocation

Work Scope: Building Structure Other Structure (parking, driveway, deck, pool, etc...) Signage

Work Valuation: \$ 2500 Start Date: SEPT. 30 ASAP End Date: NOV 30 2009

Existing Use:

Proposed Use: STORAGE

Notes:

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: 9-15-09

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: [Signature] Date: 9-15-09

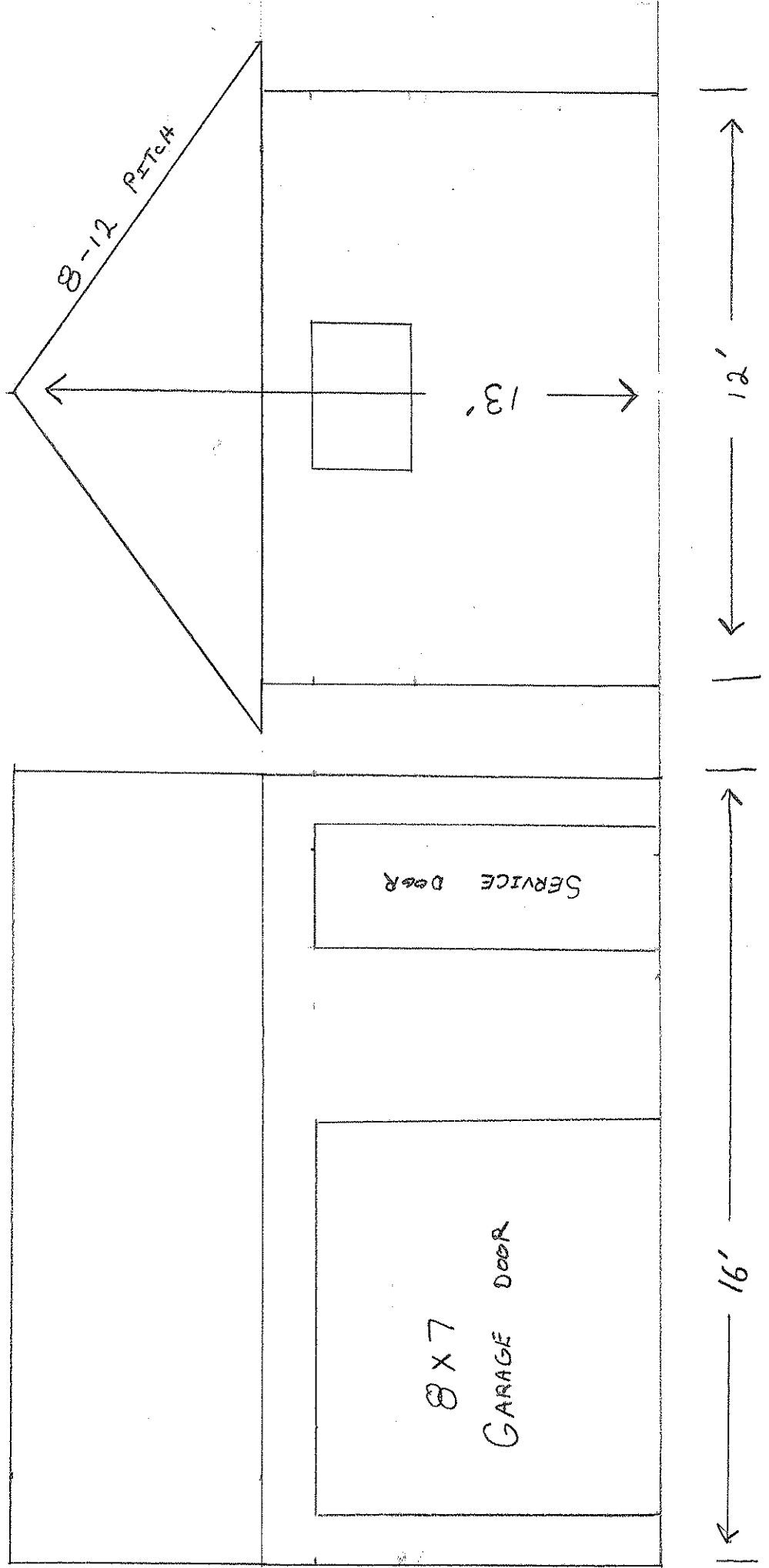
OFFICE USE

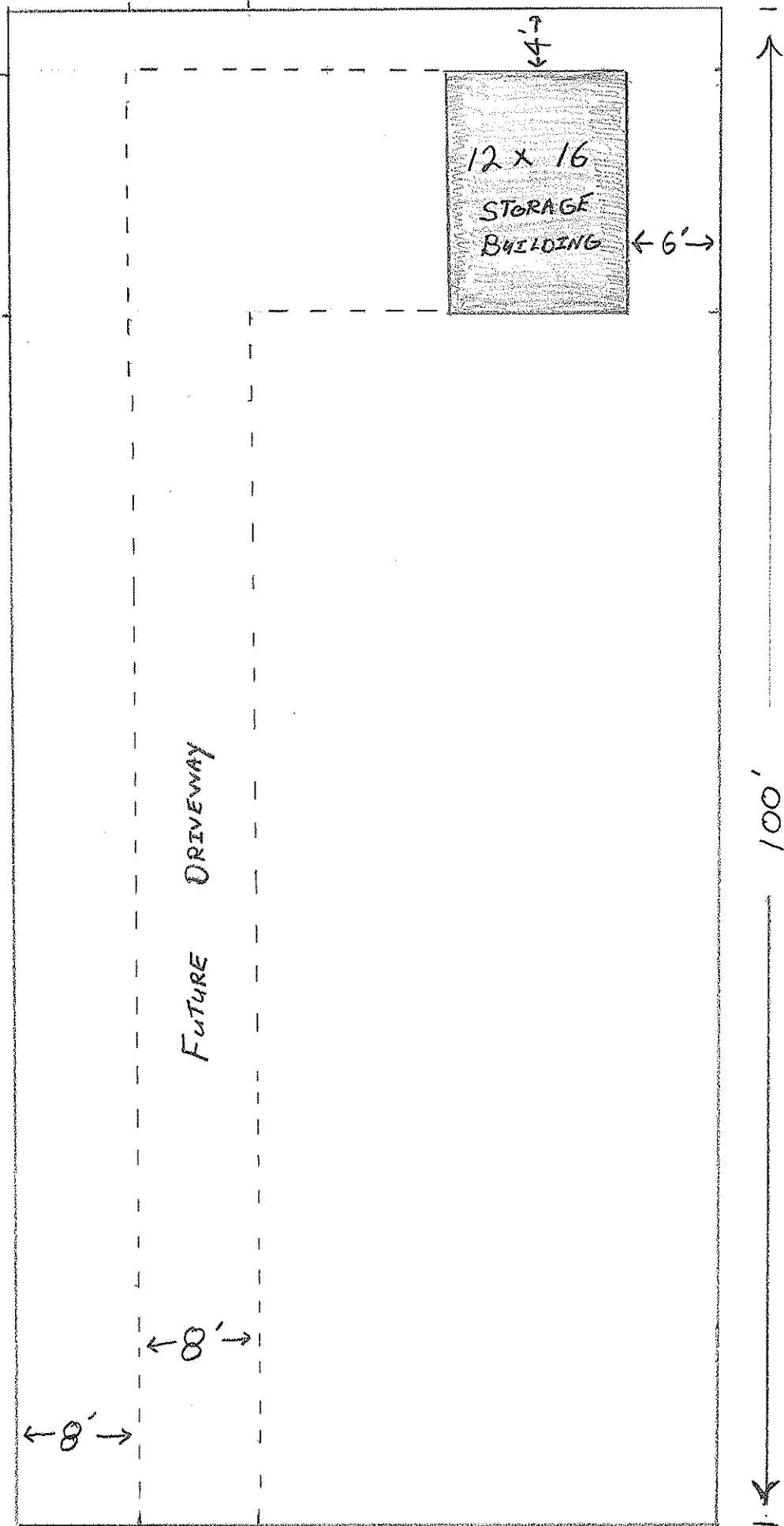
Received By: D Tamplin Date:

Receipt Number: 186350 Date: 9-15-09

Approved By: Date:

12 x 16 SHED BUILT ON
CONCRETE SLAB - 6" THICK

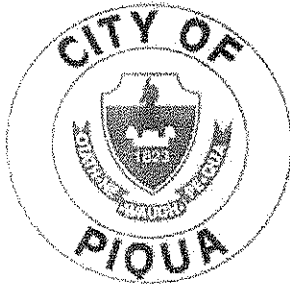




GREY ST.

47'

100'



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-5165
E-Mail: cschmiesing@piquaoh.org

STAFF REPORT

Date: September 22, 2009
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: 528 Gray Street

GENERAL INFORMATION

Applicant: Mike Brookhart
Owner: Mike Brookhart
Location: 528 Gray
Zoning: R-1 One-family Residential
Land Use
Existing: Undeveloped Lot
Proposed: Private garage and driveway
Request: Authorization of a private garage as a special use not accessory to a principal permitted use.

DISCUSSION/FINDINGS

This request is to authorize a special use to allow the construction of a private garage on an undeveloped lot that currently does not include a principal structure. The proposed location and setbacks of the 16 foot by 12 foot private garage satisfy the code requirements for this type of improvement under the circumstances that exist. Accessibility to the proposed private garage will be provided by a concrete driveway to be constructed from the garage to the public street.

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 placement of the proposed structure is consistent with the location of other accessory use type structures found within the neighborhood and maintains the possibility of further developing the lot with a dwelling unit principal permitted use at a future date.

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 special use is consistent and compatible with the surrounding use activity.

STAFF REPORT

Date: September 22, 2009
Subject: 528 Gray Street

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

Staff Analysis: The economic policies of the City encourage productive use activities that contribute positively to the community.

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

Staff Analysis: The improvements will be subject to compliance with all applicable code requirements.

COMPREHENSIVE PLAN

The goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of infill development and redevelopment projects that contribute positively to the surrounding land use and the community in general.

CONCLUSION

The proposed use is a unique development of the lot that must be carefully considered. In rendering a decision concerning this matter the Planning Commission must cite conditions and circumstances specific to this location that support the boards' decision. At this particular location one might cite the age of the subdivision development and lack of any recent lot development with principal permitted uses as a factor influencing the decision rendered. Likewise, the proximity and impact of the nearby commercial use activities have on the marketability of this lot for residential development purposes also represent conditions the board may want to cite when rendering a decision concerning this matter.

RECOMMENDATION

With specific factors influencing the decision rendered to be provided by the board, staff recommends that the Planning Commission **approve** this request.

STAFF REPORT

Date: September 22, 2009
Subject: 528 Gray Street

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VICINITY MAP



PLANNING COMMISSION MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
MEETING NOTICE AND AGENDA TO:			
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLITEN BOARD		
PC 20-09	MIKE BROOKHART	2109 WILSHIRE DRIVE	PIQUA, OHIO 45356
PC 20-09	DAVID REYNOLDS	526 GRAY STREET	PIQUA, OHIO 45356
PC 20-09	CHARLES WILKINSON	530 GRAY STREET	PIQUA, OHIO 45356
PC 20-09	PATRICIA ROSS	533 GRAY STREET	PIQUA, OHIO 45356
PC 20-09	CHARLES AND DORTHY TABLER	1515 MARGENE DRIVE	PIQUA, OHIO 45356
PC 20-09	GARLAND C MULLENNIX	527 GRAY STREET	PIQUA, OHIO 45356
PC 20-09	AMOS & NORMA MORGAN	1519 MARGENE DRIVE	PIQUA, OHIO 45356
PC 20-09	SOUTHWEST NEIGHBORHOOD, PRESIDENT	512 HARNEY STREET	PIQUA, OHIO 45356
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 COMISSION	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	
	WPTW	EMAIL	
	PIQUA CHANNEL 5	EMAIL	
	MIAMI COUNTY HOME BUILDERS ASSOCIAT	EMAIL	