CALL TO ORDER

1. Chair Comments
2. Roll Call

OLD BUSINESS

3. Meeting Minutes

NEW BUSINESS

4. Resolution PC 17-10
   A resolution requesting authorization of a animal grooming special use at 124 S. Wayne Street

5. Resolution PC 18-10
   A Resolution requesting authorization of a child day care special use at 8527 N. County Road 25-A

OTHER BUSINESS

   General Information, Legislative Update, Special Projects, Permits

ADJOURNMENT

7. 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: Jim Oda, Mike Taylor, Mark Spoltman, Jean Franz, and Brad Bubp
Members Absent: None
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Mr. & Mrs. Jan Bondurant

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the July 13, 2010 Meeting minutes as submitted. Mr. Bubp seconded the motion. 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 in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS
1. PC-16-10

A request to allow a private garage (not accessory to a principal structure) special use of Inlot 1630, a vacant lot located west of the alley west of Gordon Street and north of Covington Avenue

Mr. Schmiesing stated this request is to authorize the construction of a private garage on a vacant lot without a principal structure. The Applicants plan to build a 24 x 30 foot building (A picture of the building was shown to all Board Members by Mrs. Bondurant) would be located 35 feet toward the interior of the lot away from the adjacent alley, and accessed by a gravel driveway.

Public Comment

Mrs. Marilyn Bondurant, applicant, came forward and gave a brief description of what their plans are for the use of the garage if approved. They recently, moved to Piqua from outside of Covington and have 2 classic cars they would like to store in the garage. Mrs. Bondurant further stated they believe they have already made a great improvement to the neighborhood after removing an old wooden fence that was falling down and a lot of brush along the alley.

Mr. Spoltman stated he felt this was good fit for the neighborhood and reviewed the criteria for granting a special use, citing the conformance of this request with each of those criteria.
A motion was made by Mr. Oda to approve the request, seconded by Mrs. Franz. Roll Call Vote, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye, Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay: None. A voice vote resulted in a 5-0 vote to approve the request.

Mr. Schmiesing stated the next step for the applicants would be to come into the Planning & Zoning Department to complete the zoning and building permit process.

**OTHER BUSINESS**

**Community Challenge Planning Grant**

Mr. Schmiesing gave a brief update on the CCPG Application to fund Land Use Code Update Project. The grant awards may be announced by November, although it is likely to be later. Mr. Spoltman stated he felt the use of this funding for this project would be money well spent.

**DFIRM Map Updates**

Mr. Schmiesing stated there was nothing new to report other than the appeals period would be coming to a close in September. Soon thereafter ODNR will forward the flood plain language that municipalities participating in the Nation Flood Insurance Program are required to adopt into the local zoning ordinance.

**Monthly Reports**

Monthly Reports were presented and accepted. Mr. Schmiesing noted on the commercial permit building activity reflected $175,000 in improvements over the month of August, with the largest single improvement dollar wise being the $150,000 in tenant finishes for the new Hot Head Burrito on Covington Avenue. The residential permits issued include $615,000 in construction activity with one of the bigger items being the repairs to the house fire damage on Hopewood Drive.

**Repainting of I-75/USR 36 Bridge Beam Fascia**

Mr. Schmiesing reported that the Ohio Department of Transportation has decided to paint the USR 36 bridge beam fascia and has asked the City for input on the paint color to be used. Mr. Schmiesing indicated that the landscape architect that prepared the I-75/USR 36 interchange landscaping plan recommend that the beams be painted a beige/tan color. The landscape architect stated this color palette would best compliment the colors of the plant material selections and the hardscaping treatments included in the landscape plan. It was also noted that ODOT officials had advised the City that the bridge parapet walls will take on a light tan color once the bridge deck work is complete and all of the new concrete is sealed. All Planning Commission members present voiced their support for the recommended beige/tan color for the bridge beam fascia.

**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 6:25 P.M.
RESOLUTION No. PC 17-10

WHEREAS, Catherine Yant, on behalf of Thomas Scott Johnson, owner of the subject parcel located in the City of Piqua, being in a district zoned B (General Business), has submitted a request to authorize an animal grooming shop special use at 124 S. Wayne Street; and,

WHEREAS, an animal grooming shop is a special use in the B General Business zoning designation in which the property is located; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for authorizing the special 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 [name] hereby moves to [number] the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member [name], and the voting record on this motion is hereby recorded as follows.

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CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name: Catherine Yount Phone: 937-514-0347
   Applicant's Address: 920 W 3rd St. Bradford OH 45330

2. Owner's Name: Thomas Scott Johnson Phone: 
   Owner's Address: 1305 Madison Ave.

3. Type of legal interest held by applicant: Leasehold

4. Location of Special Use Permit request: 124 S. Wayne
   A. Legal description (Inlot No. or attach legal description): Inlot 3456, Par No. #44-04196
   B. Address: 124 S. Wayne St. Piqua, OH 45356

5. Existing zoning: B - General Business

6. Existing usage: Retail

7. Proposed usage: Dog grooming shop

8. Proposed special usage: 

9. No. of plot plans submitted (16 required UNLESS waived): 

10. Describe the reason for the requested special use:

To be permitted to groom dogs in the facility.

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: Catherine Yount Date: 8-29-10

Signature of Owner: Thomas Scott Johnson Date: 1-1-2010

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: 9-1-10

Receipt No.: P.C. Res. No.: 
STAFF REPORT

Date: October 1, 2010
To: Planning Commission
From: Chris Schmiesing, City Planner
Subject: 124 S. Wayne Street – Animal Grooming Special Use

GENERAL INFORMATION

Applicant: Catherine Yant
Owner: Catherine Yant
Location: 124 S. Wayne Street
Zoning: B (General Business)
Land Use
   Existing: Specialty Retail
   Proposed: Animal Grooming
Request: Authorization of animal grooming special use at this location.

DISCUSSION/FINDINGS

This request is to authorize the animal grooming special use of the existing building found at this location. The proposed improvements include modest interior alterations to accommodate the proposed use and also a new sign and awning on the front exterior of the building. The subject property is immediately adjacent to residential dwelling units to the south and southwest, and the rear of the property backs up to a church parking lot. To the north is a community banquet hall and across the street to the east is more residential and community social service facility. The existing non standard off street parking area in the rear of the building will remain as is and provide off street parking for the employees of this business.

COMPREHENSIVE PLAN

The goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of permitting property uses that contribute positively to the neighborhood concerned and the community in general.

CONCLUSION

While the proposed animal grooming special use of the premises is consistent with the mixed use character of this neighborhood, the animal grooming use in and of itself may present compatibility concerns with regards to the the immediately adjacent residential and church uses found nearby.
RECOMMENDATION

Staff recommends that the Planning Commission approve the requested special use with the following conditions:

1. The business hours shall be limited to between the hours of 8am and 8pm Monday through Saturday.
2. There shall be no boarding or keeping of animals on the premises outside of normal business hours.
3. There shall be no business related activities conducted outdoors.

VICINITY MAP
RESOLUTION No. PC 18-10

WHEREAS, TMC Teaching & Mentoring Communities, on behalf of Spirit Life Church Inc. owner of the subject parcel located in the City of Piqua, being in a district zoned B (General Business), has submitted a request to authorize a child day care special use in the Spirit Life Church located at 8527 N. County Road 25-A; and,

WHEREAS, an child day care is a special use in the B General Business zoning designation in which the property is located; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for authorizing the special 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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Application for Special Use Permit

1. Applicant’s Name: IMC-Teaching & mentoring Phone: 419-384-4700
   Applicant’s Address: 601 N. Stone Fremont, OH 43420

2. Owner’s Name: Spirit of Life Church, Inc Phone: 66-876-7910
   Owner’s Address: 4405 N. St. Rte 560 Urbana, OH 43078

3. Type of legal interest held by applicant: Lease or property

4. Location of Special Use Permit request: 8527 N. County Rd 25A Piqua, OH 45356
   A. Legal description (lot No. or attach legal description): Legal description attached
   B. Address: 8527 N County Rd 25A Piqua, OH 45356

5. Existing zoning: Commercial

6. Existing usage: Church

7. Proposed usage: Daycare center

8. Proposed special usage: Daycare Center

9. No. of plot plans submitted (16 required UNLESS waived): 3

10. Describe the reason for the requested special use:
    TO OPERATE A DAYCARE CENTER

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: 9/18/10
Signature of Owner: [Signature] Date: 9/18/10

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: [Date Fee Paid: 9/22/10]
Receipt No. [Receipt No.: 194903] P.C. Res. No. [P.C. Res. No.: ]
Figures

Figure 1. Building Plan Layout (per Miami County Tax Records)

Figure 2. South Back Wall

Figure 3. South end of East Wall
Figures

Figure 4. North Wall

Figure 5. West Wall

Figure 6. Patio Area at southwest corner

Figure 7. East Wall

Figure 8. Interior CMU Wall

Figure 9. Typical Roof framing above Ceiling
Exhibit "A"

Tract I:
Situate in the State of Ohio, County of Miami, City of Piqua, and being Inlots 7467, 7468, 7469 and parts of Inlots 7465 and 7466 in said City, more particularly described as follows:

Beginning at an iron pin which marks the Southeast corner of Inlot 7466; thence South 76° 13' west, along the south line of Inlot 7465, 7466, 7467, 7468, 7469, a total distance of 311.37 feet to a point marking the southwest corner of Inlot 7469; thence North 12° 55' West with the west line of Inlot 7469, a total distance of 293.45 feet to the northwest corner of Inlot 7469, same being a point in the centerline of County Road 25A;

Thence northeasterly, along the centerline of County Road 25A, with a curve to the right, having a radius of 2455.53 feet, a total arc distance of 220.92 feet to a P.K. nail, the central angle of this arc is 3° 58' 21" and the long chord of this arc bears north 68° 27' 34" east and is 220.84 feet in length, witness an iron pin 67.94 feet distant on line next described;

Thence South 60° 49' 49" west 212.96 feet to an iron pin; thence North 79° 08' 30" east, 114.00 feet to an iron pin on the east line of Inlot 7465; thence South 1° 15' east, with the east line of Inlot 7465, a total distance of 122.72 feet to the place of beginning.

The above described tract includes all of Inlot 7467, 7468, 7469 and part of Inlots 7465 and 7466, said tract contains a total of 1.851 acres of which 0.310 acres is in right-of-way of County Road 25A, leaving an area of 1.541 acres, same being subject to all legal easements and restrictions of record. Reference: Lot Survey Volume 17, Page 73.

Tract II:
Situate in the City of Piqua, Miami County, Ohio and being Lot Numbered 7463 as shown on the plat in the City of Piqua, Miami County Plat Records.

Tract III:
Situate in the State of Ohio, County of Miami, City of Piqua, and being parts of Inlots 7465 and 7466 in said City, more particularly described as follows:

Beginning at a P.K. nail in the centerline of County Road 25A, which marks the Northeast corner of Inlot 7465, thence South 8° 12' East, with the East line of Inlot 7465, a total distance of 236.80 feet to an iron pin, passing the iron pin on the South right-of-way line of County Road 25A, said pin being 61.01 feet from the place of beginning;

thence South 79° 08' 30" West, crossing Inlot 7465 and Part of Inlot 7466, a total distance of 114.00 feet to an iron pin; thence North 10° 54' 40" West, a total distance of 212.96 feet to a P.K. nail on the North line of Inlot 7466, same being the centerline of County Road 25A, witnesses an iron pin 67.94 feet distant on line last described;

thence Northeasterly, along the centerline of County Road 25A, with a curve to the right, having a radius of 2455.53 feet, a total arc distance of 127.38 feet to the place of beginning, the central angle of this arc is 2° 58' 21" and the long chord of this arc bears North 68° 27' 34" East and 127.37 feet in length.

The above described parts of Inlots 7465 and 7466 contain a total area of 0.617 acres, of which 0.197 acres is in right-of-way of County Road 25A, leaving a net area of 0.420 acres, same being subject to all legal easements and restrictions of record. Description prepared by Richard W. Klockner, Professional Surveyor #4370. In accordance with a survey filed in the Miami County Engineer's Records of Lot Surveys Volume 17, Page 73.
July 2, 2009

Mr. Ken Vanhoose
Spirit Life Church
8527 N. County Road 25A
Piqua, OH 45356

RE: 8527 N. County Road 25A

Dear Mr. Vanhoose:

At your request, on Tuesday June 30, 2009, I met with your son Nathan at the property noted above. The purpose of this visit was to provide a general structural review of the building. This review of the structure was limited to visual observation of readily accessible areas only.

The building structure consists of pre-engineered steel frames supporting z-purlins with rolled insulation and metal roof and girts with metal siding on the walls. Per the Miami County tax records the building was constructed in 1977. The building is 100’ wide across the front (north) and 145’ long and has a 40’ x 45’ deep notch (patio) in the southwest corner (See figure 1). The building is constructed with two roof elevations. The western most 40’ of the building has a single slope roof elevation of about 10’ that slopes to a gutter along the west wall. The eastern most 60’ of the building has a higher roof elevation of 12 to 13 feet and has a ridge line at midspan allowing the roof to drain to a gutter along the east wall and onto the lower roof on the west wall. The roof structure supports the weight of an acoustical dropped ceiling on the interior of the building as well as various mechanical HVAC units and their associated ductwork.

At approximately 90’ back from the front of the building a concrete masonry wall extends to the underside of the roof deck (Figure 8). This wall is located only in the higher section of the building and appears to be non-bearing. It is apparent that at some point, some large overhead doors were filled in near the back of the building. Very little of the wall could be seen due to the dropped ceiling and drywall construction, but what was visible did not appear to have any problems.

During my visit to the site, I was able remove ceiling tiles in several different locations in the building. At these locations, there was nothing visible that would indicate any structural issues. See Figure 9 for a picture taken at one of these locations indicating the typical pre-engineered metal building construction.

On the exterior of the building, the concrete slab appears to bear on top of a concrete foundation wall. This foundation wall was visible along the south wall of the building and partially visible along the west wall in a few locations. The visible portion of the foundation wall did not show
evidence of any significant settlement or structural problems. The majority of the building exterior has asphalt paving tight against the building.

Along the front of the building there is a raised planter bed which is formed with large rocks mortared together to form a wall. At the east end of the planter, there is a large crack and the mortared rock wall has shifted. This may indicate that the foundation below this wall does not extend below frost elevation. The building siding at the back of the planter bed extends to a piece of flashing that disappears into the soil. It is unknown what material lies below this flashing with regards to supporting the soil in the planter.

Overall, the building structure did not appear to have any significant structural issues that were apparent during my visit to the site. The only area observed with a problem was with the planter located at the front of the building as noted above, which is not part of the building structure. If you have any questions regarding information provided in this document, please feel free to give me a call.

Sincerely,

STEINBICKER & ASSOCIATES, INC.

Mark E. Remmetter, P.E.
Managing Principal
STAFF REPORT

Date: October 1, 2010
To: Planning Commission
From: Chris Schmiesing, City Planner
Subject: 8527 N. County Road 25-A – Child Day Care Special Use

GENERAL INFORMATION

Applicant: TMC - Teaching and Mentoring Communities
Owner: Spirit Life Church
Location: 8527 N. County Road 25-A
Zoning: B (General Business)
Land Use
  Existing: Place of Worship
  Proposed: Child Day Care
Request: Authorization of child day care special use at this location.

DISCUSSION/FINDINGS

This request is to authorize the child day care special use of the existing building found at this location. The proposed improvements include modest exterior and interior alterations to accommodate the proposed use. The subject property is located on an arterial route and has ample off-street parking and drop-off/pick up area. The premises also includes a fenced exterior playground area.

COMPREHENSIVE PLAN

The goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of permitting property uses that contribute positively to the neighborhood concerned and the community in general.

CONCLUSION

The operation of the child day care will be in accordance with State of Ohio requirements for such a facility and the development characteristics of the neighborhood allow the proposed special use of the premises to coexist and be compatible with the surrounding light industrial and residential uses.

RECOMMENDATION

Staff recommends that the Planning Commission approve the requested special use.
STAFF REPORT

Date: October 1, 2010
Subject: 8527 N. County Road 25-A – Child day Care Special Use

VICINITY MAP

8527 N County Road 25-A
# PLANNING COMMISSION
## OCTOBER 1, 2010
### MAILING LIST

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<tr>
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<td>CATHERINE YANT</td>
<td>9320 USR 36</td>
<td>BRADFORD OH 45308</td>
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<tr>
<td>PC 17-10</td>
<td>THOMAS SCOTT JOHNSON</td>
<td>1305 MADISON</td>
<td>PIQUA, OH 45356</td>
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<td>PC 17-10</td>
<td>KNIGHTS OF ST JOHN</td>
<td>110 S WAYNE ST</td>
<td>PIQUA, OH 45356</td>
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<td>MEYERS JAMES W</td>
<td>3380 ZEIGLER RD</td>
<td>PIQUA, OH 45356</td>
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<td>TMC</td>
<td>601 N. STONE</td>
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<td>SPIRIT LIFE CHURCH</td>
<td>4405 N SR 560</td>
<td>URBANA OH 43078</td>
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<td>WEILER WELDING CO</td>
<td>8596 INDUSTRY PARK DR</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 SMISHER
  - 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 ASSOCIAT
  - EMAIL
October 1, 2010

*** MEETING NOTICE ***

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

**TIME:** 6:00PM

**DATE:** Tuesday, October 12, 2010

**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.

Christopher W. Schmiesing
City Planner

Enc.