

PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, DECEMBER 14, 2010
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 | November 9, 2010 Meeting Minutes |
|--------------------|----------------------------------|

NEW BUSINESS

- | | |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4. Resolution PC 21-10 | A resolution acting on a request to vacate a portion of unimproved public alley right of way located south of Hemm Avenue and west of S. Main 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,
NOVEMBER 9, 2010 - 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

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: Joyce & Clifford Smith, Bob Garbig, Al Cooper, Brad Ulbrich

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 October 12, 2010 Meeting minutes as submitted. Mr. Bubp seconded the motion. Mr. Oda, Aye: Mr. Bubp, Aye: Mr. Taylor, Aye: Ms. 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-19-10

A resolution requesting authorization of an accessory building special use of a lot contiguous to 447 Young Street

Mr. Schmiesing stated this request is for authorization to construct a private utility shed on a vacant lot without a principal structure. This is a 12' x 12' building that is to be located 65 feet toward the interior of the lot away from the adjacent street frontage. The shed use will be incidental to use/occupancy of the single-family residence located at 447 Young Street. The subject lot is contiguous to the lot occupied by the principal use and the shed would be an accessory, said Mr. Schmiesing.

Mr. Schmiesing further stated staff recommends the following conditions for approval of the Special Use Permit.

1. The subject lot and the lot known as 447 Young Street shall continue to maintain a common owner.
2. The shed use shall be accessory to the principal use found at 447 Young Street.

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Clifford Smith, Young Street, applicant came forward and gave a brief explanation for the use of the utility shed he plans to put on the vacant lot if approved.

A motion was made by Mr. Oda to approve the request with the conditions recommended by staff, and Mr. Bubp seconded the motion. Roll Call Vote, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye, Ms. Franz, Aye; and Mr. Spoltman, Aye. Nay: None. A voice vote resulted in a 5-0 vote to approve the request with the conditions recommended as stated.

Mr. Schmiesing stated the Zoning Permit has already been filled out and will be processed, and the applicant will be notified when completed.

2. PC 20-10

A Resolution requesting authorization of a vehicle sales and service special use at 405 S. Main Street

Mr. Schmiesing stated this resolution would authorize a vehicle sales and service use of the existing building and pavement at 405 S. Main Street. The proposed improvements include cleaning up and existing site amenities. The property is located on an arterial route and includes approximately 2,200 square feet of pavement surface with approximately 50 feet of street frontage, which includes the drive entrance from Main Street public right of way. The building has a service bay that will accommodate one or two vehicles at a time, and also includes a small office space. In the rear is an existing gravel area and to the south of the lot is an existing bush row. Across the street and next door to the north is more commercial property activity, and further north along Main Street and immediately south of this property are residential use types.

Mr. Schmiesing further stated staff recommends the following conditions for approval of the Special Use Permit.

1. The hours of business be limited to 8:00A.M. to 8:00 P.M. Monday through Saturday and 11:00 A.M. to 6:00 P.M. on Sunday.
2. The number of vehicles displayed on the pavement at any given time be limited to 6 vehicles.
3. A minimum of two off street parking spaces and room to turn around an automobile shall be maintained on the gravel area to the rear of the building at all times.
4. A maneuvering lane with a minimum width of 24 feet, extending from the drive opening to the gravel off street parking in the rear of the building, shall be maintained at all times.
5. At no time will there be inoperable or damaged vehicles parked, stored, or otherwise kept on the premises.

Mr. Schmiesing stated he received a letter from the Southview Neighborhood Association stating their concerns about the change in zoning at 405 S. Main Street. Mr. Schmiesing went over the list of concerns stating some of them have been answered previously, and some of the other concerns were: lighting of the lot area if the lights be shaded as to not shine in residents windows; how will the cars be placed on the lot; will there be car repairs being done in the shop; hours of operation; what type of signage is planned and is it in the Downtown Design District; is the plumbing and wiring up to code; concerned about junk cars, parts, oils and fluids leaking; would they be allowed to sell cars from the street.; and was concerned about cars blocking the

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sidewalks. Mr. Schmiesing answered the concerns of the Southview Neighborhood Association.

Bob Garbig, McKinley Avenue, applicant, came forward and gave a brief overview of the plans he has for the vehicle sales and service located at 405 S. Main Street.

Mr. Schmiesing reminded Mr. Garbig he would need to contact the Miami County Building Regulations Department to obtain a Change of Occupancy Permit.

Al Cooper, S. Main Street came forward and voiced several concerns with the vehicle sales and service going into 405 S. Main Street. Mr. Spoltman stated there are provisions in the code that will be followed that would cover most of the concerns Mr. Cooper expressed.

Brad Ulbrich, S, Wayne Street, property owner of 405 S. Main Street, came forward and gave a brief overview on the safety factors of the building, and answered questions from the board regarding their various questions and concerns. This is a small business, and we would like to see him succeed, said Mr. Ulbrich. Mr. Schmiesing stated he was aware Mr. Ulbrich had several parking blocks at another location that he could possibly move to the 405 S. Main Street location.

There was discussion concerning the number of cars allowed, and how they are to be displayed on the lot the type of lighting to be used, the width of the maneuvering lane and the painting of a stripe to designate the maneuvering lane. After discussion Mr. Oda made a motion to amend PC Resolution 20-10 under the list of staff conditions to remove #2, and add a new #2, and to make a change in #4 to read as follows:

2. ~~The number of vehicles displayed on the pavement at any given time be limited to 6 vehicles.~~ **Parking block be placed along the west edge of the pavement to prevent encroachment of vehicles into the public sidewalk area.**
4. A maneuvering lane with a minimum width of 24 ~~22~~ feet, extending from the drive opening to the gravel off street parking in the rear of the building, shall be maintained at all times.

Mr. Bulp seconded the motion to amend PC Resolution 20-10 as stated. Voice vote indicated all were in agreement of the amendments of PC 20-10.

Chairman Spoltman reviewed the criteria for complying with the staff conditions, the concerns from the Southview Neighborhood Association and asked Mr. Garbig if he was agreeable to all of the staff conditions and understood what needed to be done. Mr. Garbig stated he was agreeable to all of the conditions that were recommended by the staff at this time.

Mr. Schmiesing explained to Mr. Garbig he would need to revise the site plan of the lot area showing the maneuvering lane marked with a paint stripe to indicate the drive area. Mr. Garbig indicated he would revise his site plan and resubmit it to the Planning & Zoning Department

A motion was made by Ms. Franz to approve the request, with the recommendations as stated, seconded by Mr. Oda. Roll Call Vote, Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye, Ms. Franz, Aye; and Mr. Spoltman, Aye. Nay: None. A voice vote resulted in a 5-0 vote to approve the request with the recommendations as stated.

At 7:05 P.M. Mr. Oda stated he had to leave due to another commitment.

OTHER BUSINESS

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Planning Grant – Community Challenge Planning Grant

Mr. Schmiesing stated he received notice the City of Piqua did not receive funding of the land use code rewrite through the Community Challenge Planning Grant.

Monthly Reports

Monthly Reports were presented and accepted. There was discussion of several of the items on the monthly report.

Mr. Bubp inquired as to the status of the hospital project. Mr. Schmiesing explained the project is currently in the Phase II Assessment process, and things are moving along as scheduled.

Ms. Franz inquired about a home that has been stripped of all of the siding and is down to the bare boards at the corner of Garnsey and Roosevelt. Mr. Schmiesing explained the property is in the process of being demolished.

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 7:15 P.M.

RESOLUTION No. PC 21-10

WHEREAS, the Piqua Power System, owner of the adjacent parcels located in the City of Piqua, being in a district zoned I-2 (Heavy Industrial), has submitted a request to vacate an unimproved public alley right of way; and,

WHEREAS, the City of Piqua City Commission has declared their intent to consider the vacation of the subject right of way and referred the item to the Planning Commission for study and a recommendation; and,

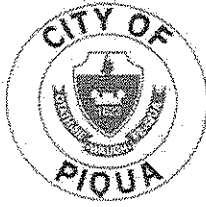
WHEREAS, section 98 of the Piqua Charter provides the procedure for considering a right of way vacation request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the portion of public right of way proposed for vacation:

- Is unimproved and does not provide essential access to surrounding properties
- Is unoccupied by public utilities or other uses commonly located within public right of way
- Is not identified on any transportation plan indicating the right of is or will be necessary
- Is not essential to any existing or future development or use of the surrounding properties

NOW THEREFORE BE IT RESOLVED, board member _____ hereby moves to _____ the request, 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 herby 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"/>



CITY COMMISSION MEETING REPORT

For the Regular Meeting of October 19, 2010

TO: Fred Enderle, City Manager
FROM: Chris Schmiesing, City Planner
SUBJECT: Petition to vacate a portion of platted alley right-of-way

PURPOSE:

Approve a resolution to declare intent to vacate a portion of the platted public right-of-way and refer item to Planning Commission for study.

RECOMMENDATION:

Approve the Resolution to initiate the process required by the City of Piqua Charter to consider a request to vacate a portion of platted public right of way.

BACKGROUND:

The city of Piqua Municipal Power System has purchased the property located on either side of the subject alley way and desires to consolidate the parcels into one tract of land. The purpose for combining the parcels is to create one tract large enough to accommodate an improvement project proposed at this site. The subject right-of-way is currently vacant with no existing surface improvements found at this location. The primary land use in this area is light industrial.

ALTERNATIVES:

- 1) Approve Resolution to refer the request to the Planning Commission for study and a recommendation.
- 2) Defeat the Resolution and refuse to consider the vacation request.

DISCUSSION:

There are no adjacent properties that use or depend upon this alley right-of-way for access. The proposed vacation would result in the vacating of the subject alley right-of-way that has not been in use for quite some time. Vacating the alley right-of-way will allow the property to be combined with the adjoining properties. Upon replatting the land into one tract sufficient acreage will be available to facilitate the construction of the proposed improvements.

FINANCIAL IMPACT:

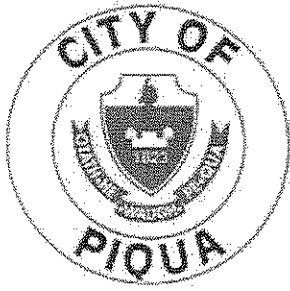
Forwarding this request to the Planning Commission for further study will have no fiscal impact on the City.

COMMUNITY IMPACT:

Upon completing a cursory review of the request the Development Department has determined that it appears unlikely the proposed vacation would have an adverse affect on the surrounding property owners or the interest of the general public.

CONFORMITY TO CITY PLANS & POLICIES:

The proposed vacation is consistent and compatible with all adopted City plans and policies, including the Goal, Principles, and Objectives and Strategies outlined in the Land Use and Utilities chapters of the Plan It Piqua Comprehensive Plan document.



LEGAL NOTICE

Publish Date: November 27, 2010

Pursuant to Section 98 of the City of Piqua Charter, notice is hereby given that the City Commission has declared their intent to vacate an unimproved portion of dedicated alley right of way located west of S. Main Street and south of Hemm Avenue, and on Tuesday, December 14, 2010 at 6:00 p.m. in the Commission Chambers at the Municipal Government Complex, located at 201 West Water Street, Piqua, Ohio, the Piqua Planning Commission will meet in regular session to consider this item and hear any objections thereto.

Contact: Chris Schmiesing, City Planner
Phone (937) 778-2049
Email cschmiesing@piquaoh.org

RESOLUTION NO. R-127-10


**A RESOLUTION OF INTENT TO VACATE
PUBLIC RIGHT-OF-WAY**

WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate a portion of platted alley right-of-way located west of S. Main Street between Hemm Avenue and Statler Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: This Commission hereby intends to vacate a portion of platted alley right-of-way located west of S. Main Street between Hemm Avenue and Statler Avenue, as described in Exhibit "A" attached hereto. The City Manager or his duly authorized representative is hereby directed to cause notice of this Resolution to be served by certified mail upon all persons whose property abuts said tract. Said notice shall state the time and place at which objections can be heard by the Planning Commission.

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.


LUCINDA L. FESS, MAYOR

PASSED: October 19, 2010

ATTEST: Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION

Exhibit 'A'

ALLEY VACATION IN CITY OF PIQUA, MIAMI COUNTY, OHIO

DESCRIPTION: A VACATION OF THE ALLEY ADJACENT AND TO THE WEST OF LOT 7541 FROM THE SOUTH RIGHT OF WAY LINE OF HEMM AVENUE TO THE NORTH RIGHT OF WAY LINE OF STATLER AVENUE AS SHOWN IN THE REPEAT PART RIVERSIDE AREA AS RECORDED IN MIAMI COUNTY RECORDS' PLAT RECORDS PLAT BOOK 14 PAGE 13 AND AS DESCRIBED IN THE ANNEXATION TO THE CITY OF PIQUA AS RECORDED IN MIAMI COUNTY RECORDS' PLAT RECORDS PLAT BOOK 9 PAGE 71.

VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY
 OF _____ 2011 AT _____ M.
 FILE # _____ FEE \$ _____
 BY _____ BY DEPUTY RECORDER
 MIAMI COUNTY AUDITOR
 TRANSFERRED THIS _____ DAY OF _____ 2011
 MIAMI COUNTY AUDITOR
 BY DEPUTY AUDITOR



BASE OF RECORDS
 BASIS OF RECORDS IS THE CENTERLINE OF
 COUNTY ROAD 25-A, AS RECORDED IN THE
 CENTERLINE SURVEY PLAT 12, PAGE 78-C.

AGREED
 BY CITY OF PIQUA CORPORATION LINE

REFERENCES
 PLAT RECORDS
 PLAT 14 PAGE 13
 PLAT 20-A
 LAND SURVEY VOLUME 52 PAGE 164

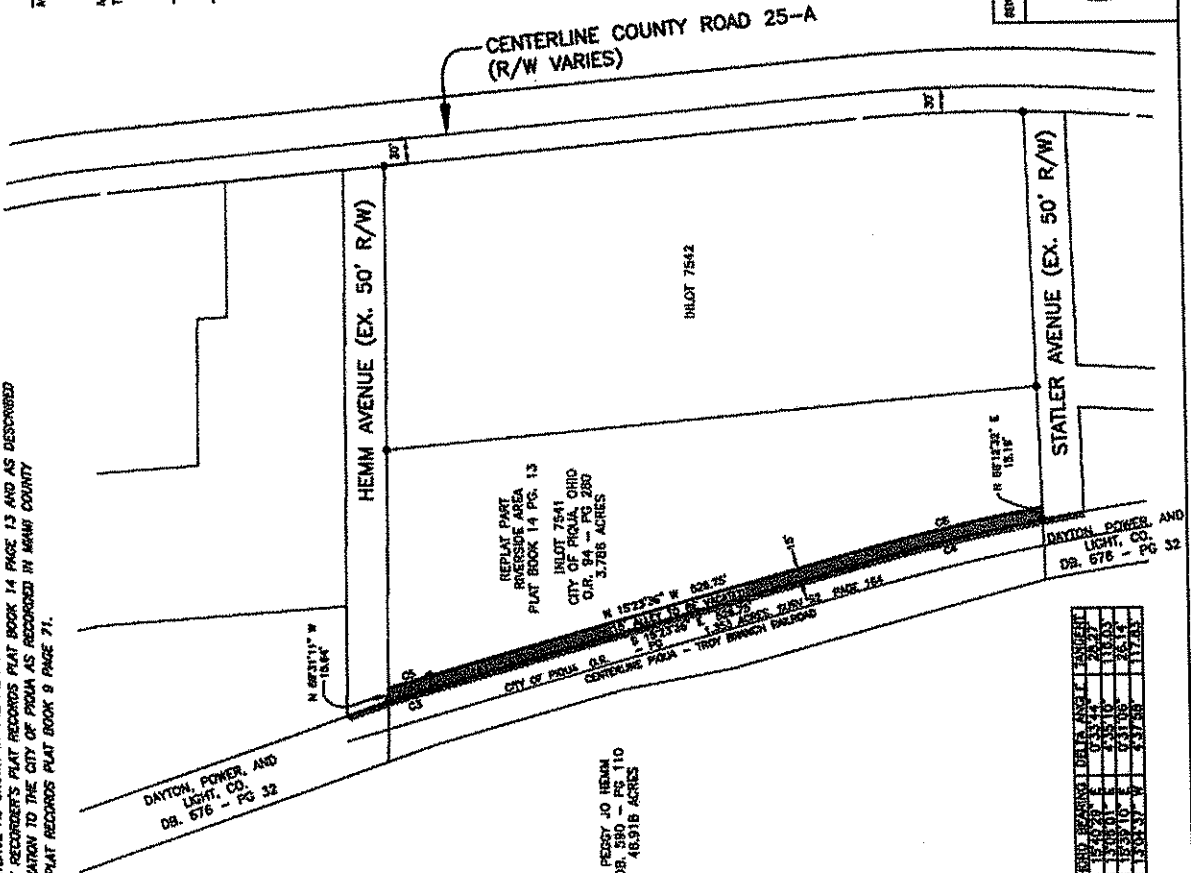
SEEDS AS REFERENCED HEREBY

PHILIP C. BRUMBAUGH
 CIVIL ENGINEER
 PROFESSIONAL SURVEYOR #5057

BEING A MEMBER OF A 1/2" PLAT FOR FOUR POWER COMPANY - SEPTEMBER 2, 2010



BRUMBAUGH & ASSOCIATES
ENGINEERING & SURVEYING, LLC
 1105 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 PH. (937) 686-3005
 FAX (937) 686-3928



This Vacation Plat was Reviewed and
 Approved this _____ Day of _____, 2010

 City of Piqua - Mayor

 City of Piqua - Secretary

This Vacation Plat was Reviewed and
 Approved by the City of Piqua Planning
 Commission this _____ Day of _____, 2010

 Mayor

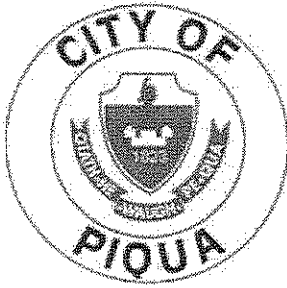
 Clerk of Commission

This Vacation Plat was Reviewed and
 Approved by the City of Piqua
 Commission this _____ Day of _____, 2010

 Mayor

 Clerk of Commission

CURVE	RADIUS	ARC LENGTH	CHORD	BEARING	CHORD BEARING	AREA
CA	5777.84	54.55	54.55	S 15° 40' 29" E	0.5314	20.37
CB	2697.19	21.18	21.18	S 15° 40' 29" E	2.3510	10.00
CC	5777.84	54.55	54.55	S 15° 40' 29" E	7.4118	35.15
CD	2697.19	21.18	21.18	N 15° 40' 29" E	3.3728	17.25



PLANNING COMMISSION

www.piquaoh.org/bd_plan_comm

**2011 PLANNING COMMISSION
MEETING CALENDAR**

Date	Time
January 11, 2011	6:00
February 8, 2011	6:00
March 8, 2011	6:00
April 2, 2011	6:00
May 10, 2011	6:00
June 14, 2011	6:00
July 12, 2011	6:00
August 9, 2011	6:00
September 13, 2011	6:00
October 11, 2011	6:00
November 8, 2011	6:00
December 13, 2011	6:00

All meetings will be held in the Municipal Government Complex - 2nd Floor Commission Chambers, located at 201 W. Water Street, Piqua, unless otherwise indicated.

**PLANNING COMMISSION
DECEMBER 14, 2010
MAILING LIST**

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
MEETING NOTICE AND AGENDA TO:			
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLETIN BOARD		
PC 21-10	PIQUA POWER SYSTEM	123 BRIDGE ST	PIQUA, OH 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	