

PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, JANUARY 10, 2012
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 | December 13, 2011 Meeting Minutes |
|--------------------|-----------------------------------|

NEW BUSINESS

- | | |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------|
| 4. Resolution PC 1-12 | A Resolution nominating and electing the Planning Commission Chairperson and the Vice Chairperson for the 2012 calendar year |
| 5. Resolution PC-2-12 | A Resolution recommending the Planning Commission appointment to the Board of Zoning Appeals for the 2012 calendar year |
| 6. Resolution PC-3-12 | A Resolution recommending the Planning Commission appointment to the Housing Council for the 2012 calendar year |
| 7. Resolution PC-4-12 | A Resolution acting on a request to vacate portions of Bassett Avenue and Statler Avenue |

OTHER BUSINESS

- | | |
|----------------------------------------------------------|-----------------------------|
| 8. Capital Improvements Program | Presentation by Amy Havenar |
| 9. Planning Commission Procedures, Rules and Regulations | |
| 10. Monthly Report | |

ADJOURNMENT

- | | |
|-----------------|-------------------------|
| 11. Adjournment | Adjourn Regular Session |
|-----------------|-------------------------|

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
DECEMBER 13, 2011 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX – COMMISSION CHAMBERS

CALL TO ORDER

Clerk Comments: Chairman Spoltman called the meeting to order at 6:00P.M. 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, Mark Spoltman, Jean Franz, Brad Bubp, and Mike Taylor
Members Absent: None
Staff Members: Chris Schmiesing
Attendees: Gwen Bowsher, Gary Huff

OLD BUSINESS

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. Bubp made a motion to approve the October 11, 2011 meeting minutes as submitted. A voice vote resulted in a 5 -0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

Resolution PC 12-11: Mr. Schmiesing introduced the item explaining that if the resolution is adopted it would recommend amending the zoning code to allow Animal Grooming as a special use in the Central business District. Mr. Schmiesing noted that the recent occupancy of 423 N. Main Street with this use type precipitated this item being brought before the Planning Commission for consideration. Mr. Schmiesing indicated that the proposed use type is similar to intensity and characteristics of those use already permitted in the Central Business District and that making the use type to the special use process will prevent the use from locating in an inappropriate location and allow for the mitigation of any other concerns that might typically be related to this use activity.

Gwen Bowsher, the prospective tenant of 423 N. Main Street, came forward to speak in support of the item. Mr. Schmiesing reminded Planning Commission members that if the proposed code amendment is adopted Ms. Bowsher would be required to return to the Planning Commission with a special use request specific to the 423 N. Main Street location and that at this time the commission is to consider the merits of the proposed code amendment as it relates to the entire Central Business District.

All of the commission members indicated their agreement with the staff report findings and recommendation to adopt the proposed amendment. Mr. Oda motioned to approve the resolution and Mrs. Franz seconded the motion and a roll call vote was taken - Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Mr. Oda, Aye; and, Mr. Spoltman, Aye.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
DECEMBER 13, 2011 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX – COMMISSION CHAMBERS

OTHER BUSINESS

Going Places: Mr. Schmiesing reviewed the *Going Places* presentation provided by Martin Kim at the October Planning Commission meeting and provided an update on the latest discussions at MVRPC concerning this project. Mr. Schmiesing noted that the MVRPC member agencies have been asked to adopt a resolution endorsing the *Going Places* Concentrated Development Vision, and suggested it would be appropriate for the Planning Commission to comment on this matter before an item is advanced to the City Commission for their consideration.

A lengthy conversation debating the merits of the vision and the potential impact on Piqua ensued. Members questioned MVRPC's interest in land use planning and the agency's role as it relates to authority in local land use matters. Staff explained that MVRPC's interest in studying land use within the region relates to their desire to better align transportation planning and decision making with land use activities. Staff noted that MVRPC has no authority whatsoever with regards to the local land use decisions, but pointed out that one possible outcome of the adoption of the vision could be the creation of MVRPC policy that ties the allocation of transportation funds to conformance with the vision.

Planning Commission members voiced concern about endorsing a vision that includes principles and a suggested land use map that in some regards contrasts with the locally adopted comprehensive plan. It was decided by the commission members that in this case it may be better to endorse the vision with citations calling out any objections, as opposed to refusing to endorse the document and unintentionally jeopardizing the community's standing regarding current and future funding applications submitted to the agency for consideration.

Mr. Bubp motioned to recommend approving a resolution of support that notes the local comprehensive plan will remain the guiding document for all local land use decisions. Mr. Oda seconded the motion and a voice vote resulted in a 5 -0 vote in support of the motion.

PC Procedures Rule and Regulations: Mr. Schmiesing commented on the proposed revisions to the Planning Commission Procedures rules and Regulations and stated that if there were no objections he would like the Planning Commission members to consider adopting the proposed revisions at the next meeting.

Monthly Report: Mr. Schmiesing commented on the year to date improvements valuation total noting that this is by far the most significant amount of construction activity to occur in the community in recent years.

ADJOURNMENT

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 meeting adjourned at 6:55 P.M.

RESOLUTION No. PC 01-12

PURSUANT TO, article B-1.1 of the Planning Commission Procedures, Rules, and Regulations as originally adopted February 5, 2002, the Planning Commission Chairman and Vice-Chairman shall be elected annually; and,

WHEREAS, article B-1.1 of the Planning Commission Procedures, Rules, and Regulations states the Planning Commission shall appoint chairman and vice-chairman by a majority vote in the month of January, or at the first regularly scheduled meeting held during the calendar year; and,

WHEREAS, the Planning Commission has nominated _____ as the chairman and _____ as the vice-chairman and both have agreed to serve in this capacity if appointed by the Planning Commission;

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 Bulp	<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"/>

RESOLUTION No. PC 02-12

PURSUANT TO, article 154.142(A)(2) of the City of Piqua Code of Ordinances, the Planning Commission is to provide a recommendation concerning the Planning Commission representative to be appointed to the Board of Zoning Appeals to serve for the 2012 calendar year; and,

WHEREAS, _____ has been nominated by the Planning Commission and agreed to serve in this capacity if appointed by the City Commission;

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"/>

RESOLUTION No. PC 03-12

The Planning Commission is to provide a recommendation concerning the Planning Commission representative to be appointed to the Housing Council to serve for the 2012 calendar year; and,

WHEREAS, _____ has been nominated by the Planning Commission and agreed to serve in this capacity if appointed by the City Commission;

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"/>

RESOLUTION No. PC 04-12

WHEREAS, the Larry & Sue Kinnison, 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 portions of Bassett Avenue and Statler Avenue public 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,

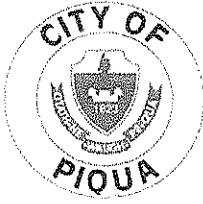
WHEREAS, section 98 of the Piqua Charter provides the procedure for considering a right of way vacation request; and,

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 December 6, 2011

TO: Gary Huff, City Manager
FROM: Chris Schmiesing, City Planner
SUBJECT: Petition to vacate a portion of platted public 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 property owners adjacent to the affected right of way have determined that they would prefer the subject right of way be vacated. The petitioners propose to maintain access to and from the affected properties from public right of way and or establish any ingress/egress easement as may be necessary. The Statler Avenue portion of right of way is unimproved and the existing pavement improvements in the Bassett Avenue right of way are in poor condition. 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:

The subject right-of-way currently serves as access to and from the adjacent properties and serves no other public transportation interest. The presence of public utilities within the subject right of way may require the establishment of utility easements.

FINANCIAL IMPACT:

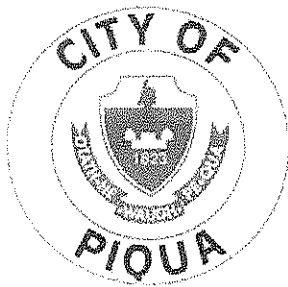
Forwarding this request to the Planning Commission for further study will have no fiscal impact on the City.

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 best 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.



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

December 7, 2011

LEGAL NOTICE

Pursuant to Section 98 of the City of Piqua Charter, notice of the City of Piqua City Commissions' declaration of intent to vacate a portion of Bassett Ave and Statler Avenue public right-of-way, and notice of the City of Piqua Planning Commission meeting date, time, and location, at which a public hearing will be conducted concerning this matter, said meeting to be held on Tuesday, January 10, 2011 at 6:00 P.M. in the Commission Chambers located on the 2nd floor of the Municipal Government Complex, 201 West Water Street, Piqua, Ohio, is hereby provided.

Contact: Chris Schmiesing
City Planner
(937) 778-2049

PUBLISH: Saturday, December 17, 2011

RESOLUTION NO. R-134-11

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

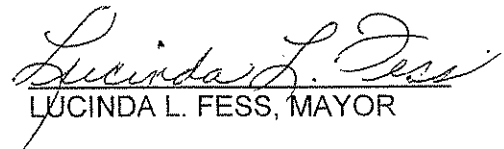
WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate platted right-of-way located prior to such action being considered; and,

WHEREAS, a petition requesting the vacation of portions of platted public right of way known as Bassett Avenue and Statler Avenue, as described in Exhibit "A" attached hereto, has been filed with the Clerk of Commission;

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 public right of way known as Bassett 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: December 6, 2011

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

Exhibit 'A'

VACATION OF PARTS STATLER AVENUE AND BASSETT AVENUE
CITY OF PIQUA, MIAMI COUNTY, OHIO

FLAT BOOK _____ PAGE _____
MIAMI COUNTY RECORDS RECORD OF PLATS
RECORDED FOR RECORD THIS _____ DAY
OF _____ 19____ AT _____ M.
P.M. BY _____
FILE # _____
PTE # _____

MIAMI COUNTY RECORDS BY SECURITY AGREEMENT

MIAMI COUNTY RECORDS
APPROVED AND TRANSMITTED _____ 20____

MIAMI COUNTY AUDITOR BY SECURITY AGREEMENT

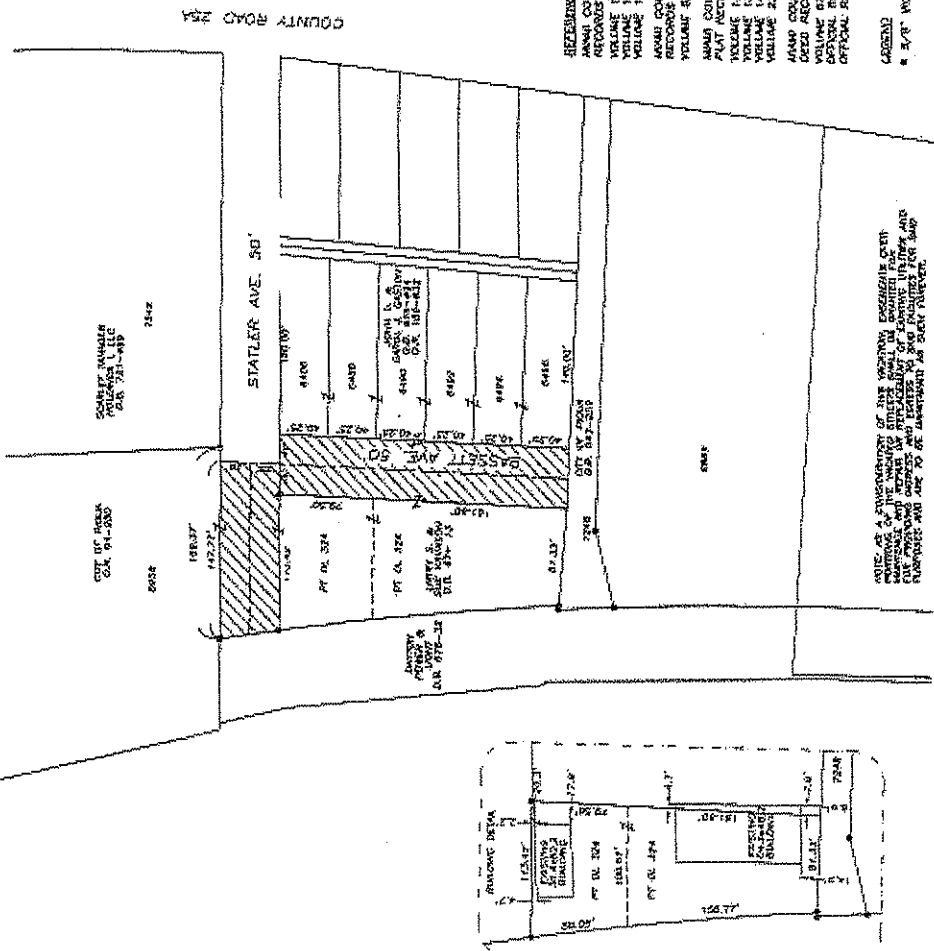
CITY OF PIQUA PLANNING COMMISSION
APPROVED AND APPROVED BY THE PLANNING COMMISSION
OF THE CITY OF PIQUA, OHIO
THIS _____ DAY OF _____ 20____

CHAIRMAN _____ SECRETARY _____

CITY OF PIQUA, COMMISSIONERS
ACCEPTED AND APPROVED BY THE COMMISSIONERS OF
THE CITY OF PIQUA, OHIO
THIS _____ DAY OF _____ 20____

CONCURRED BY _____

MAYOR _____ CLERK _____



- REFERENCES
- MIAMI COUNTY ENGINEER'S RECORDS OF LOT SURVEYS
 - VOLUME 1A, PAGE 7
 - VOLUME 1B, PAGE 37
 - VOLUME 1C, PAGE 32
 - MIAMI COUNTY ENGINEER'S RECORDS OF LAND SURVEYS
 - VOLUME 22, PAGE 784
 - MIAMI COUNTY RECORDS
 - PLAT RECORDS
 - VOLUME 11, PAGE 170
 - VOLUME 12, PAGE 45
 - VOLUME 13, PAGE 13
 - VOLUME 23, PAGE 38
 - MIAMI COUNTY RECORDS
 - DATE RECORDS
 - VOLUME 27A, PAGE 13
 - OFFICIAL RECORD 24, PAGE 201
 - OFFICIAL RECORD 180, PAGE 233

MIAMI COUNTY ENGINEER'S RECORDS OF LOT SURVEYS

MIAMI COUNTY ENGINEER'S RECORDS OF LAND SURVEYS

MIAMI COUNTY RECORDS

DATE RECORDS

VOLUME 27A, PAGE 13

OFFICIAL RECORD 24, PAGE 201

OFFICIAL RECORD 180, PAGE 233

MIAMI COUNTY ENGINEER'S RECORDS OF LOT SURVEYS

MIAMI COUNTY ENGINEER'S RECORDS OF LAND SURVEYS

MIAMI COUNTY RECORDS

DATE RECORDS

VOLUME 27A, PAGE 13

OFFICIAL RECORD 24, PAGE 201

OFFICIAL RECORD 180, PAGE 233

MIAMI COUNTY ENGINEER'S RECORDS OF LOT SURVEYS

APPLICATION FOR VACATION
OF PUBLIC RIGHT-OF-WAY

1. Applicant's Name LARRY & SUE KINNISON Phone # 773-5916
Applicant's Address 2 KESTREL CT. PIQUA, OH 45356
2. Owner's Name LARRY & SUE KINNISON Phone # 773-5916
3. Type of legal interest held by applicant WARRANTY DEED D.B. 674-13
4. Location of Public Right-Of-Way Vacation request BASSETT AVENUE FROM STATLER AVENUE SOUTH TO TERMINUS AT INLOT 7248, STATLER AVENUE FROM CENTER LINE OF BASSETT AVENUE WEST TO D.P. & L PROPERTY (FORMERLY RAILROAD RIGHT OF WAY LINE)
5. Describe the reason for the requested Vacation of Public Right-Of-Way
THESE PORTIONS OF STATLER AND BASSETT AVENUES ARE NO LONGER REQUIRED FOR PUBLIC ACCESS AND VACATION WOULD BE IN BEST INTEREST OF BOTH THE CITY AND ABUTTING OWNERS.
6. Property owners adjacent to Right-Of-Way to be vacated.

NAME	ADDRESS	SIGNATURE
<u>LARRY & SUE KINNISON</u>	<u>2 KESTREL CT. (HOME)</u>	<u>Larry Kinnison</u>
<u>JOHN & CAROL GASTON</u>	<u>8075 GRANDVIEW</u> <u>COLUMBIA, OH</u>	<u>John Gaston</u>
<u>CITY OF PIQUA</u>		<u>Carol Gaston</u>

Signature of Applicant _____ Date _____

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

\$100.00 Fee Paid CWS Date Fee Paid 10-21-2011
Receipt No. _____ Res. No. _____

PLANNING COMMISSION
 JANUARY 10, 2012
 MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
MEETING NOTICE AND AGENDA TO:			
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLETIN BOARD		
PC-04-12	LARRY & SUE KINNISON	2 KESTREL CT.	PIQUA, OHIO 45356
PC-04-12	KENNETH BRICKER	350 W. STATLER RD.	PIQUA, OHIO 45356
PC-04-12	JOHN D. GASTON	8075 GRANDVIEW DRIVE	CELINA, OHIO 45822
PC-04-12	PEGGY JO HEMM	2020 W. HEMM ROAD	PIQUA, OHIO 45356
PC-04-12	CITY OF PIQUA	201 W. WATER STREET	PIQUA, OHIO 45356
ENTIRE PACKET TO:			
	GARY HUFF	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	
	GARY HUFF	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	