CALL TO ORDER
1. Chair Comments
2. Roll Call

OLD BUSINESS
3. Meeting Minutes

NEW BUSINESS
4. Resolution PC 15-12
   A resolution to recommend an amendment to the zoning code to include a Commercial Recreation Facilities, Indoor use as a Special Use in the B General Business, I-1 Light Industrial, and I-2 Heavy Industrial zoning districts.

5. Resolution PC 16-12
   A resolution to consider a request to vacate a portion of the public alley right of way adjacent to Inlots 3084 3088.

OTHER BUSINESS
6. Monthly Reports

ADJOURNMENT
7. Adjournment
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, Jean Franz, Brad Bubp, and Mike Taylor
Members Absent: Mark Spoltman
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Paul Lee

Moved by Mrs. Franz, seconded by Mr. Taylor, to excuse Mr. Spoltman from the July 24, 2012 Piqua Planning Commission Meeting. Voice vote: Mr. Bubp, Aye; Mrs. Franz, Aye; Mr. Taylor, Aye; and Mr. Oda, Aye. Nay: None.

MEETING MINUTES
Vice Chairman Oda 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 May 8, 2012 meeting minutes as submitted. Mrs. Franz seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye: Mr. Taylor, Aye: Mrs. Franz, Aye. Nay: None. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

PC-13-12
A Resolution to authorize the specialty retail special use of 1410 Edge Street

City Planner Chris Schmiesing stated the business is located at 1410 Edge Street, in the alley off of Edge Street and was the former location of Smitty’s Bike Shop. Smitty’s has recently moved to a new location and vacated the building. The applicant, Paul Lee would like to operate a specialty retail shop in the former location of the bike shop. This is a comic book sales type business, and the use would be no more or no less restrictive than the use category that the former nonconforming use fell under. As an R-1 One-Family Residential Zoning designation the use that was there previously and this use would be a nonconforming use, therefore this is authorizing the continuation of the special use designation, explained Mr. Schmiesing.
Paul Lee, the applicant came forward and gave a brief overview of the plans he has for the use of the property at this time. Several questions were raised concerning the number of patrons at one time in the store, the mode of transportation they might use to get there, and hours of operation. Mr. Lee stated probably about four-six people would be in the store at one time, and being in a neighborhood area most of the traffic would be either bicycles or walking with some automobile traffic. The hours of operation would be Tuesday – Saturday from 1:00-7:00 and they are closed on Sunday and Monday. Mr. Lee further stated he has spoken with most of the neighbors and has gotten a very good response from them on the new business in the neighborhood.

Public Comment

No one came forward to speak for or against PC 13-12 at this time.

Motion was made by Mr. Bubp, seconded by Mr. Taylor, to approve PC 13-12. Roll Call Vote: Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; and Mrs. Franz, Aye. A roll call vote resulted in a 4-0 vote.

PC 14-12

A Resolution to consider a request to vacate a portion of the Fountain Blvd. and Lake Street public right-of-way

City Planner Chris Schmiesing explained the request relates to two properties. Don Rank, the petitioner, resides at 1202 Fountain Blvd., and the other property is adjacent to Mr. Rank’s property just around the corner at 1105 Lake Street. The piece of right of way property in question is a pie shaped piece of land at the intersection of Fountain Blvd. and Lake Street in the northwest corner of the intersection. Pavement improvements have been made in the area, and the large grassy area at the intersection has the right of way line physically located well beyond the pavement improvements. Mr. Rank is requesting the right of way be vacated up to a point that is closer to the actual improvements so that the area he maintains is his front lawn. The request has been reviewed and found there was no use for the right of way any longer. The item was then forwarded to the City Commission who declared their intent to consider the request on June 5th, 2012, and referred the item back to the Planning Commission for recommendation. If approved it will be referred back to the City Commission for action at their August 7, 2012 meeting in the form of an Ordinance and will have three readings before approval.

Public Comment

No one came forward to speak for or against PC 14-12 at this time.
Motion was made by Mr. Bubp, seconded by Mr. Taylor, to approve PC 14-12. Roll Call Vote: Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye. A roll call vote resulted in a 4-0 vote.

Monthly Reports

**Downtown Riverfront Redevelopment Area Bike-Run-Ped Advisory Council**

City Planner Chris Schmiesing explained the Downtown Riverfront Development Area. Mr. Schmiesing stated a second public meeting was held on July 19th, 2012. This relates to potential redevelopment of the Riverfront area at the south end of the downtown area along the riverfront from the East Main Street Bridge to the Lock 9 Park extending a block to the north and to the west of the area. A grant has been received from the Ohio Department of Development for this project. Three different scenarios were presented from the information that was gathered at the first meeting. The pros and cons were discussed and thoughts were collected. Improvements and treatments were presented with discussions on the various ideas to enhance the area. One item discussed was the bridge treatment for the bike path bridge over the river in light of the recent fire. Use of a different treatment instead of railroad ties was discussed, and the possibility of making it more of a landmark feature by adding some accent lighting. This was very well received, along with the possibility of adding a pedestrian/bicycle elevator to satisfy ADA requirements. Hopefully by September we will be able to come back to the Planning Commission for Public Hearing of the redevelopment plan for the Riverfront Area, said Mr. Schmiesing.

Mr. Oda noted that he had just received notification that the AmeriCorps Program through the Ohio Historical Society Ohio Preservation Office has approved Piqua for an Intern to do Ohio Historic Inventory and National Registry Districting.

City Planner Chris Schmiesing also gave a brief update on the Bike-Run-Ped Advisory Council. They have met and have networked with each other on various events taking place on the bike trails. Mr. Schmiesing stated this has been very well received, and he hopes to tap into their expertise and their insight about the bike trails to use with the Complete Street Policies and the development of a Bike-Ped Plan for the community. This body meets the fourth Thursday of each month at 4:00 P.M. at the Municipal Government Complex and is open to the public.

**US RT 36 Beautification Project**

Public Hearing to present information and solicit public comment concerning the design characteristics of the referenced project.
City Planner Chris Schmiesing stated this is a comprehensive vision for the City of Piqua and have the City has secured a $437,000 in grant money to complete the project. Mr. Schmiesing introduced John Edsall of Edsall and Associates who was chosen for the project. Mr. Schmiesing passed out a Project Schedule.

John Edsall gave a brief update on the MIA36-11.55, PID 88222 US 36 Beautification Project reviewing the proposed project showing all of the suggested enhancements and improvements. Mr. Edsall stated they took a close look at the Plan It Piqua document and were very impressed with the emphasis the community had put on such things as traffic counting, Complete Streets, and corridor enhancements. Mr. Edsall stated this is putting forth an image that states “you have arrived in Piqua, and we are very proud of our community”. Mr. Edsall also explained that this whole project cannot all be done within the current budget, but can be done in phases. Mr. Edsall went on to explain the various enhancements and improvements they have suggested for the Rt. 36 Corridor.

There was discussion on the various ideas presented, including pedestrian crossings at various locations, removal of chain link fencing, using “pinch points” of the traffic in various areas, installing new rain garden or retention medians, using raised curb/island pedestrian crossings, new plantings, and directional signage. Story boards were used to illustrate the various ideas and were left for review.

Mr. Schmiesing stated Mr. Edsall and his team has listened very carefully to what the community wants and asked for, and have presented the City with what they requested. Mr. Schmiesing further stated he is very impressed with the concept that was presented. Comment sheets were available for attendees to fill out with their comments on the various presentations.

Ruth Koon, Park Avenue, came forward asked several questions regarding the “pinched” areas around the Piqua Lumber area, inquired about accent lighting on the trees, the type of stone that would be used, and the small island coming off of the I-75 ramp onto Rt 36. Mr. Edsall answered all of Ms. Koon’s questions.

Mr. Schmiesing stated this was a very productive meeting with a lot of good ideas being presented and discussed. Mr. Schmiesing thanked Mr. Edsall for his very informative presentation, and invited attendees to stay around to look at the various boards with the proposed plans.

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 15-12

WHEREAS, the Planning Commission has submitted a request to amend the zoning code to list Commercial Recreation Facilities Indoor as a special use in the B General Business, I-1 Light Industrial, and I-2 Heavy Industrial zoning districts; and,

WHEREAS, sections 154.141 of the City of Piqua Code of Ordinances provides the procedure for considering an amendment to the zoning code; and,

WHEREAS, the Planning Commission has studied the request, included herein as exhibit 'A', and conducted a public hearing concerning this matter;

NOW THEREFORE BE IT RESOLVED, board member _______________ hereby moves to recommend (approval or denial) of the request made, as described by this resolution, the testimony provided, and the documents attached hereto as Exhibit 'A', and the motion is seconded by board member ______________, and the voting record on this motion is hereby recorded as follows.

<table>
<thead>
<tr>
<th></th>
<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
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</thead>
<tbody>
<tr>
<td>Mr. Jim Oda</td>
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<tr>
<td>Mr. Brad Bubp</td>
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<td>Mr. Mike Taylor</td>
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<td>Mrs. Jean Franz</td>
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<td>Mr. Mark Spoltman</td>
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</table>
§ 154.025 B GENERAL BUSINESS DISTRICT.

(A) Intent. This district is intended to provide an integrated collection of structures and uses designed to supply a majority of the daily needs of city residents.

('97 Code, § 150.361)

(B) Principal permitted uses.

(1) Institutional and public recreation uses.

(a) Places of worship.

(b) Public recreation facilities.

(c) Private clubs.

(d) Libraries.

(2) Business and professional office uses.

(a) Business, professional and administrative offices.

(b) Offices of business and professional associations.

(c) Medical offices and clinics.

(3) Retail commercial and service uses.

(a) Specialty retail commercial establishments and boutiques.

(b) Specialty food stores.

(c) Home furnishings, home improvements and miscellaneous materials and equipment stores.

(d) General merchandise stores and supermarkets.

(e) Personal services.

(f) Restaurants, standard.

(g) Financial establishments.

(h) Pet shops.

(4) Road service and commercial entertainment uses.
(a) Automobile service stations.

(b) Fraternal and social association facility.

(c) Convenience store.

(d) Automotive appearance and rust protection services.

(e) Motels and hotels.

(f) Printing, publishing, lithographing and binding establishments, provided the gross floor area does not exceed 5,000 square feet.

(g) Self-service storage facility.

(h) Fire station.

('97 Code, § 150.362)

(C) Accessory permitted uses.

(1) Accessory structures.

(2) Essential services.

('97 Code, § 150.363)

(D) Special uses. A building or premises may be used for the following purposes in the B General Business District if a special use permit for the use has been obtained in conformance with the provisions of § 154.140.

(1) Residential uses.

(a) Dwellings.

(b) Elderly housing facilities.

(c) Child day care center.

(2) Retail commercial and service uses.

(a) Nurseries and garden supply stores.

(b) Funeral homes.

(c) Animal hospitals, veterinary clinics and kennels, animal grooming.
EXHIBIT A

(3) *Road service and commercial entertainment uses.*

(a) Automobile repair, painting and body shops.

(b) Automobile washing facilities.

(c) Bars, taverns and nightclubs.

(d) Commercial entertainment, outdoor.

(e) Vehicle sales, rental and service.

(f) Carry-outs, mini-markets, drive-through and drive-in stores.

(g) Restaurants, fast food.

**(h) Commercial recreation facilities, indoor.**

(4) *Light industrial uses.*

(a) Farm implement sales.

(b) Construction trades and contractor offices.

(c) Tin and sheet metal shops.

(d) Building services and supplies.

(e) Plumbing and heating shops.

(f) Wholesale distributors.

(g) Commercial radio and television studios and transmitting equipment.

(h) Cellular/communication towers.

('97 Code, § 150.364)

(5) *Planned Unit Developments.* Planned Unit Development overlay subject to the provisions of §§ 154.040 through 154.047.

(E) *Parking regulations.* Parking in the B General Business District shall be regulated in conformance with the provisions of §§ 154.080 through 154.083.

('97 Code, § 150.365)
(F) Sign regulations. Signs within the B General Business District shall be regulated in conformance with the provisions of §§ 154.095 through 154.107.

(‘97 Code, § 150.366)

(G) Height and area regulations. The maximum height and minimum lot requirements within the B General Business District shall be as follows.

(1) General requirements for all permitted uses.

<table>
<thead>
<tr>
<th>Minimum lot area</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot frontage</td>
<td>None</td>
</tr>
<tr>
<td>Minimum front yard setback</td>
<td>None (See division (G)(2) of this section)</td>
</tr>
<tr>
<td>Minimum side yard setback</td>
<td>None or 10 feet if abutting a residential district</td>
</tr>
<tr>
<td>Minimum rear yard setback</td>
<td>Less of 30 feet or 20% of lot depth if abutting a residential district</td>
</tr>
<tr>
<td>Maximum height</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

(2) Frontage. When the frontage on one side of a block is divided between a B General Business District and a Residential District, or is across the street from a Residential District, the front yard requirement of that Residential District shall apply to the affected frontage of the B General Business District.

(3) Screening. When a side or rear yard abuts a Residential District, it shall be screened in conformance with the following provisions.

(a) A plot plan shall be submitted indicating the location and type of screening to be used.

(b) A finding shall be made that the proposed screening will do the following.

1. Provide a visual barrier of no less than six feet in height to partially or completely block out the view of unattractive structures or activities.

2. Provide an acoustic screen of no less than 15 feet in depth, of dense plantings or a solid masonry wall in combination with decorative plantings, to aid in absorbing and deflecting noise.

3. Provide for the containment of litter and debris.

(c) Screening may be one or more of the following or other similar materials.

1. A solid masonry wall.
2. A solidly constructed decorative fence.

3. Louvered fence.

4. Dense evergreen plantings.

5. Deciduous trees and shrubs.

(4) Accessory buildings. Accessory buildings within the B General Business District shall be regulated in conformance with the provisions of §§ 154.121 and 154.122.

(‘97 Code, § 150.367) (Ord. 42-96, passed 9-17-96; Am. Ord. 5-06, passed 3-20-06; Am. Ord. 17-08, passed 7-21-08) Penalty, see § 154.999

§ 154.027 I-1 LIGHT INDUSTRIAL DISTRICT.

(A) **Intent.** The purpose of this district is to provide for industrial uses with limited objectionable external effects in areas that are suitable for industrial development by reason of location, topography, soil conditions, and the availability of adequate utilities and transportation systems. The intent is to permit most manufacturing, wholesaling, and warehousing activities that can be operated in a clean and quiet manner, subject only to those regulations necessary to prohibit congestion and protect adjacent residential and business activities.

(‘97 Code, § 150.381)

(B) **Principal permitted uses.**

(1) **Light industrial uses.**

(a) Light manufacturing.

(b) Construction trades and contractor offices.

(c) Industrial craft shops.

(d) Lumberyards and building materials sale and storage.

(e) Laundries and dry cleaning plants.

(f) Printing, publishing, lithographing and binding plants.

(g) Warehouses and self-service storage facilities.

(h) Wholesaling and storage facilities.
EXHIBIT A

(2) Transportation and utilities uses.

(a) Heavy equipment rental, sales, service and storage.

(b) Transportation terminals.

(c) Public service yards and garages.

(d) Public utilities.

(3) Retail commercial and service uses.

(a) Nurseries and garden supply stores.

(b) Animal hospitals, veterinary clinics and kennels, animal grooming.

(c) Sexually oriented businesses

(4) Road service uses.

(a) Automobile service stations.

(b) Automobile repair, painting and body shops.

(c) Vehicle sales, rental and service.

(5) Other uses. Uses similar to the above uses and any other manufacturing or industrial enterprise, operation, or process whether making, assembling, repairing, buffing, finishing, plating, polishing, tempering, packing, shipping, or storing; provided that any resulting cinders, dust, flashing, fumes, gas, noise, odor, refuse matter, smoke, vapor, or vibration is no greater or more detrimental to the neighborhood than the specified uses, that no extra fire hazard is created, and the permitted use as determined by the Planning Commission is similar in character to one of the specific uses in this section.

('97 Code, § 150.382)

(C) Accessory permitted uses.

(1) Essential services.

(2) Accessory structures.

('97 Code, § 150.383)
(D) *Special uses.* A building or premises may be used for the following purposes in the I-1 Light Industrial District if a special use permit for the use has been obtained in conformance with the provisions of § 154.140.

(1) *Planned Unit Developments.* Planned Unit Development overlay subject to the provisions of §§ 154.040 through 154.047.

(2) Business, professional and administrative offices.

(3) Cellular/communication towers

(4) Child day care centers.

(5) **Commercial recreation facilities, indoor.**

(‘97 Code, § 150.384)

(E) *Parking regulations.* Parking within the I-1 Light Industrial District shall be regulated in conformance with the provisions of §§ 154.080 through 154.083.

(‘97 Code, § 150.385)

(F) *Sign regulations.* Signs with the I-1 Light Industrial District shall be regulated in conformance with the provisions of §§ 154.095 through 154.107.

(‘97 Code, § 150.386)

(G) *Height and area regulations.* The maximum height and minimum lot requirements within the I-1 Light Industrial District shall be as follows.

(1) General requirements within this District shall be as follows.

<table>
<thead>
<tr>
<th>Minimum lot area</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot frontage</td>
<td>None</td>
</tr>
<tr>
<td>Minimum front yard setback</td>
<td>25 feet</td>
</tr>
<tr>
<td>Minimum side yard setback</td>
<td>15 feet</td>
</tr>
<tr>
<td>Minimum rear yard setback</td>
<td>15 feet or 30 feet if abutting an alley.</td>
</tr>
<tr>
<td>Maximum height</td>
<td>40 feet</td>
</tr>
</tbody>
</table>

(2) Where an I-1 Industrial District abuts, or is across the street from, a residential district, the following minimum requirements shall apply.
EXHIBIT A

(a) The minimum front yard shall be 50 feet. If loading facilities are located in the front yard, the required front yard shall be 80 feet.

(b) The minimum side yard shall be 50 feet. For every two feet by which the building height exceeds 40 feet, the required side yard shall be increased by one foot.

(c) The minimum rear yard shall be 50 feet.

(3) If a side yard is greater than 15 feet, the additional area may be utilized for parking subject to the screening requirements in division (G)(4) below.

(4) When a side or rear yard abuts a residential district, it shall be screened in conformance with the following provisions.

(a) A plot plan shall be submitted indicating the location and type of screening to be used.

(b) A finding shall be made that the proposed screening will do the following.

1. Provide a visual barrier of no less than six feet in height to partially or completely block out the view of unattractive structures or activities.

2. Provide an acoustic screen, of no less than 15 feet in depth, of dense plantings or a solid masonry wall in combination with decorative plantings, to aid in absorbing and deflecting noise.

3. Provide for the containment of litter and debris.

(c) Screening may be one or more of the following or other similar materials.

1. A solid masonry wall.

2. A solidly constructed decorative fence.

3. Louvered fence.

4. Dense evergreen plantings.

5. Deciduous trees and shrubs.

('97 Code, § 150.387) (Ord. 42-96, passed 9-17-96; Am. Ord. 8-03, passed 6-2-03; Am. Ord. 5-06, passed 3-20-06) Penalty, see § 154.999

§ 154.028 I-2 HEAVY INDUSTRIAL DISTRICT.
(A) Intent. The purpose of this district is to provide for industrial and other uses that by virtue of their characteristics should be isolated from residential uses. These uses perform essential functions for the city, including employment, and should be provided for in areas that are best suited for industrial development by reasons of location, topography, soil conditions, and the availability of adequate utilities and transportation systems.

('97 Code, § 150.391)

(B) Principal permitted uses.

(1) Light industrial uses.

(a) Light manufacturing.

(b) Construction trades and contractor offices.

(c) Industrial craft shops.

(d) Lumberyards and building materials sale and storage.

(e) Laundries and dry cleaning plants.

(f) Printing, publishing, lithographing and binding plants.

(g) Warehouses and self-service storage facilities.

(h) Wholesaling and storage facilities.

(2) Retail commercial and service uses.

(a) Nurseries and garden supply stores.

(b) Animal hospitals, veterinary clinics and kennels, animal grooming.

(3) Road service uses.

(a) Automobile service stations.

(b) Automobile repair, painting and body shops.

(c) Vehicle sales, rental and service.

(4) Heavy industrial, transportation and utilities uses.

(a) Heavy industry.
(b) Heavy equipment rental, sales, service and storage.
(c) Transportation terminals.
(d) Public service yards and garages.
(e) Public utilities.

(‘97 Code, § 150.392)

(C) Accessory permitted uses.

(1) Essential services

(2) Accessory structures.

(‘97 Code, § 150.393)

(D) Special uses. A building or premises may be used for the following purposes in the I-2 Heavy Industrial District if a special use permit for the use has been obtained in conformance with the provisions of § 154.140.

(1) Planned Unit Developments. Planned Unit Development overlay subject to the provisions of §§ 154.040 through 154.047.

(2) Acetylene or oxygen manufacture.

(3) Acid manufacture including all corrosive acids and materials.

(4) Ammonia, chlorine, or bleaching powder manufacture.

(5) Animal black, lamp black, or graphite manufacture.

(6) Automotive wrecking, junk, or salvage yard, if in a completely enclosed building, or the premises on which the use is conducted is entirely enclosed within a solid fence or masonry wall not less than six feet in height.

(7) Celluloid or proxylene products, manufacture or storage.

(8) Cement, lime, gypsum, or plaster manufacture.

(9) Coke ovens.

(10) Crematoriums.

(11) Creosote manufacture or treatment.
(12) Distillation of coal, petroleum, refuse, grain, wood, or bones.

(13) Explosives manufacture.

(14) Fat rendering.

(15) Fertilizer, compost manufacture, or storage.

(16) Fish curing, smoking or packing.

(17) Fish oil manufacture or refining.

(18) Forging plants and drop hammers.

(19) Garbage, offal, dead animals, refuse, rancid fats incineration, reduction, or storage.

(20) Gelatin manufacture.

(21) Glue manufacture.

(22) Landfill or incinerator.

(23) Livestock feeding yards or market.

(24) Petroleum or inflammable liquids production, refining.

(25) Rock crushing.

(26) Slaughtering of animals.

(27) Smelting.

(28) Bulk storage of petroleum products.

(29) Business, professional and administrative offices.

(30) Cellular/Communication Towers.

(31) **Commercial recreation facilities, indoor.**

(‘97 Code, § 150.394)

(E) *Parking regulations.* Parking within the I-2 Heavy Industrial District shall be regulated in conformance with the provisions of §§ 154.080 through 154.083.

(‘97 Code, § 150.395)
EXHIBIT A

(F) *Sign regulations*. Signs with the I-2 Heavy Industrial District shall be regulated in conformance with the provisions of §§ 154.095 through 154.107.

(*'97 Code, § 150.396)

(G) *Height and area regulations*. The maximum height and minimum lot requirements within the I-2 Heavy Industrial District shall be as follows.

1) General requirements within this district shall be as follows.

<table>
<thead>
<tr>
<th>Minimum lot area</th>
<th>None</th>
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<tbody>
<tr>
<td>Minimum lot frontage</td>
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</tr>
<tr>
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<tr>
<td>Minimum rear yard setback</td>
<td>15 feet or 30 feet if abutting an alley.</td>
</tr>
<tr>
<td>Maximum height</td>
<td>40 feet</td>
</tr>
</tbody>
</table>

2) Where an I-2 Industrial District abuts, or is across the street from, a residential district, the following minimum requirements shall apply.

(a) The minimum front yard shall be 50 feet. If loading facilities are located in the front yard, the required front yard shall be 80 feet.

(b) The minimum side yard shall be 50 feet. For every two feet by which the building height exceeds 40 feet, the required side yard shall be increased by one foot.

(c) The minimum rear yard shall be 50 feet.

3) If a side yard is greater than 15 feet, the additional area may be utilized for parking subject to the screening requirements in division (G)(4) below.

4) When a side or rear yard abuts a Residential District, it shall be screened in conformance with the following provisions.

(a) A plot plan shall be submitted indicating the location and type of screening to be used.

(b) A finding shall be made that the proposed screening will do the following.

1. Provide a visual barrier of no less than six feet in height to partially or completely block out the view of unattractive structures or activities.

2. Provide an acoustic screen, of no less than 15 feet in depth, of dense plantings or a solid masonry wall in combination with decorative plantings, to aid in absorbing and deflecting noise.
EXHIBIT A

3. Provide for the containment of litter and debris.

(c) Screening may be one or more of the following or other similar materials.

1. A solid masonry wall.

2. A solidly constructed decorative fence.

3. Louvered fence.

4. Dense evergreen plantings.

5. Deciduous trees and shrubs.

(H) Sexually oriented business development regulations.

(1) No sexually oriented business shall be established within 500 feet of any area zoned as a residential district or within 500 feet of any residential use.

(2) No sexually oriented business shall be established within a radius of 500 feet of any child day care center, elementary school, junior high school, high school, or library, whether public or private, governmental, religious or commercial, which child day care center, elementary school, junior high school, high school, or library is attended by persons under 18 years of age.

(3) No sexually oriented business shall be established within a 500 feet of any public park.

(4) No sexually oriented business shall be established within 500 feet of any place of worship.

(5) No sexually oriented business shall be located within 500 feet of the right-of-way of any divided, limited access highway including but not limited to applicable portions of Interstate 75.

(6) Advertisements, displays or other promotional materials posted or displayed at a sexually oriented business shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from any other public area.

(7) All building openings, entries, doorways, windows, and the like, at any sexually oriented business shall be located, covered, or screened in such a manner as to prevent any view into the interior of any such sexually oriented business from the exterior of the structure or any public area.

(8) No screens, loudspeakers or sound equipment shall be used by a sexually oriented business that can be seen or discerned by the public from any public area.

(9) Whether the location of a sexually oriented business satisfies the criteria of this section shall be determined by measuring the straight-line distance, without regard for intervening structures,
EXHIBIT A

from the closest exterior structural wall or section of wall enclosing the sexually oriented business to the nearest property line of the other use in question.

('97 Code, § 150.397) (Ord. 42-96, passed 9-17-96; Am. Ord. 8-03, passed 6-2-03; Am. Ord. 5-06, passed 3-20-06) Penalty, see § 154.999
Chris,

Thank you for your time yesterday in discussing the possibility of placing my clients gymnastics gym in the space on Country Club Dr. If you could please start the process of adding "Commercial Recreation Facility" to the Heavy Industrial Zoning permitted uses it would be greatly appreciated. I will keep you posted of our progress on the contractual end of this venture. Please feel free to contact me with any questions you or the zoning board may have regarding this addition.

Thank you,

Scott Kaster
RE/MAX Professionals
WHEREAS, Debra Kenworthy, owner of an adjacent parcel located in the City of Piqua, has submitted a request to vacate a portion of public alley right of way adjacent to Inlots 3084 - 3088, as shown on exhibit ‘A’ included herewith; 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 hereby recorded as follows.

<table>
<thead>
<tr>
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<th>AYE</th>
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<tbody>
<tr>
<td>Mr. Jim Oda</td>
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<td>Mr. Mark Spoltman</td>
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</table>
CITY OF PIQUA, OHIO

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

cell: 214-622-7777

1. Applicant's Name: Debra J. Kenworthy
   Applicant's Address: 620 Brice Ave.
   Phone #: 937-773-0401

2. Owner's Name: Debra J. Kenworthy
   Phone #: 937-773-0401

3. Type of legal interest held by applicant: Owner of lot(s): 3084-3085

4. Location of Public Right-Of-Way Vacation request: Alley between lots:
   3084 - 3088 Brice Ave.
   Lot 2 pg 103

5. Describe the reason for the requested Vacation of Public Right-Of-Way
   Resolve right-of-way issues: usage, maintenance and safety concerns.

6. Property owners adjacent to Right-Of-Way to be vacated:

   NAME            ADDRESS            SIGNATURE
   Viola Ault      1014 Hancock Ave.   Signed
   Brett & Charles Victor
   Gerald & Connie Wagner
   Debra J. Kenworthy

Signature of Applicant: Debra J. Kenworthy
Date: 5-21-12

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

$100.00 Fee Paid
Date Fee Paid
Receipt No.
Res. No.
RESOLUTION NO. R-103-12

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 an alley adjacent to Inlots 3084, 3085, 3086, 3087, and 3088, as shown 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 an alley adjacent to Inlots 3084, 3085, 3086, 3087, and 3088, as shown on 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
LUCINDA L. FESS, MAYOR

PASSED: January 17, 2012

ATTEST: Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION
EXHIBIT 'A'

ALLEY VACATION
ALLEY BETWEEN INLOTS 3084, 3085
AND INLOTS 3086, 3087, & 3088

PLAT BOOK PAGE
MCHI COUNTY RECORDED'S RECORD OF PLATS - RECEIVED FOR RECORDING
FILE NO. PAGE

JOHN ALEXANDER
MCHI COUNTY RECORDER

LEGEND

□ STONE
□ PIN, MARK
□ RAILROAD SPICE
□ REBAR OR PIN

SURVEY REFERENCES
Miami County Engineer's Record of Lot Surveys
Survey Volume 7 Page 90
Survey Volume 8 Page 15
Survey Volume 9 Page 6
Miami County Engineer's Record of Land Surveys
Survey Volume 53 Page 3
Miami County Recorder's Record Plat Book,
Plat Book 2 Page 93
Plat Book 3 Page 102
Plat Book 4 Page 103

This alley vacation plat was created from the above survey and deeds and is NOT intended to represent a field survey.

Larry J. Bill
Professional Surveyor
9260 New Harmony-Bradford Road
Bradford, Ohio 43916
Phone: (937) 446-8220
Fax: (937) 446-8352
July 31, 2012

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 platted public alley right of way adjacent to Inlots 3084 – 3088, 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, August 14, 2012 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: Immediately
<table>
<thead>
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<tr>
<td>PC 16-12</td>
<td>SCOTT KASTER</td>
<td>2260 S COUNTY RD 25-A</td>
<td>TROY, OH 45373</td>
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<tr>
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<td>KENWORTHY DEBRA J</td>
<td>620 BRICE AVE</td>
<td>Piqua, OH 45356</td>
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<td>PC 16-12</td>
<td>PETTY DEBORAH K</td>
<td>623 LINDEN AVE</td>
<td>Piqua, OH 45356</td>
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<td>VICTOR BRETT A</td>
<td>1010 HANCOCK ST</td>
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<td>PC 16-12</td>
<td>HARTZELL PEGGY ANN</td>
<td>1016 HANCOCK ST</td>
<td>Piqua, OH 45356</td>
</tr>
</tbody>
</table>

**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 COMISSION  
  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
August 3, 2012

*** MEETING NOTICE ***

Please be advised that the City of Piqua Planning Commission will hold a meeting at the time and location stated below. It has been determined by this office that you may have an interest in an item on this meeting agenda (see enclosed meeting agenda). To view the Planning Commission packet in its entirety, visit http://www.piquaoh.org/agendaplancomm.htm or by visiting the Development Office.

TIME: 6:00 P.M.
DATE: Tuesday, August 14, 2012
LOCATION: Commission Chambers, Municipal Government Complex
201 W. Water Street

This is your opportunity to speak in favor of, or object to, the referenced item. If you desire to state your opinion concerning this matter and are 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 matter.

Christopher W. Schmiesing
City Planner

Enc.