CALL TO ORDER
1. Chair Comments
2. Roll Call

OLD BUSINESS
3. Meeting Minutes
4. Resolution PC 22-12
   November 13, 2012 Meeting Minutes
   A resolution to authorize a bed and
   breakfast special use at 1220 Park
   Avenue.

NEW BUSINESS
5. Resolution PC 23-12
   A resolution to consider the vacation
   of a portion of public right of way
   known as S. Downing Street.

OTHER BUSINESS
6. Monthly Reports
7. Complete Streets
   Policy
   Projects
   A public hearing to present information
   and solicit public comment concerning
   the proposed City of Piqua Complete
   Streets Policy

ADJOURNMENT
8. 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, Mark Spoltman, Mike Taylor
Members Absent: Jean Franz, Brad Bubp
Staff Members: Chris Schmiesing, Becky Cool,
Attendees: Jean & Bill Cline, John & Sharon Newsom, Chuck Starrett, Lonnie Starrett, Jim Gover, Jr., Charles & Shirley Sanders, Nancy Ulbrich, Russ Fashner, Kelli Cline, Jamie Rowley

Moved by Mr. Oda, seconded by Mr. Taylor to excuse Mrs. Franz and Mr. Bubp from the November 13, 2012 Piqua Planning Commission Meeting. Voice vote, Mr. Taylor, Aye: Mr. Oda, Aye: Mr. Spoltman, Aye. Nay: None.

MEETING MINUTES

Chairman Spoltman asked if there were any additions, deletions or corrections to the meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the September 11, 2012 and the October 9, 2012 meeting minutes as submitted, Mr. Taylor seconded the motion. Voice vote, Mr. Oda, Aye: Mr. Taylor, Aye: Mr. Spoltman, Aye. Nay: None. A roll call vote resulted in a 3-0 vote supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

PC-21-12

A Resolution to authorize a change to the current nonconforming use to allow a dwelling unit use at 827 W. North Street

City Planner Chris Schmiesing explained the property in question is located at 827 W. North Street when originally built was a neighborhood use with a residential use on the upper floor which continues today. Until recently the first floor was occupied by various retail use, most recently a beauty salon. The applicant is requesting a two-family zoning designation at this time to conform to the zoning of the rest of neighborhood.

Jamie Rowley, Piqua Troy Rd. applicant came forward and gave a brief overview of his plans for the property located at 827 W. North Street. Mr. Rowley would like to use it as a two-family
residence instead of having retail on the first floor. He feels that the two-family use is a good fit for the neighborhood, further stating there are about ten other two family residences currently in the neighborhood.

Mr. Spoltman inquired as to what type of changes would have to be made to make it a two family residence.

Mr. Rowley explained he would have to add a shower and tub, add a few additional walls, add a couple of windows on the Virginia Street side to let in natural light, and replace the two front plate glass windows with sliding windows large enough for egress if necessary.

Mr. Oda stated this property started out as a neighborhood grocery originally but feels this is a valid and positive use of the property, and that it would fit very well in the neighborhood.

Mr. Spoltman stated he feels this is a good fit for the neighborhood and the community.

Public Comment
No one came forward to speak for or against PC-21-12.

Motion was made by Mr. Oda, seconded by Mr. Taylor to approve PC 21-12. Roll Call Vote: Mr. Oda, Aye, Mr. Taylor, Aye: and Mr. Spoltman, Aye. Nay, None.

PC-22-12
A Resolution to authorize a bed and breakfast special use at 1220 Park Avenue

City Planner Chris Schmiesing gave a brief overview of the request by Dr. & Georgia Armstrong to have a bed and breakfast in their home located at 1220 Park Avenue. Dr. & Mrs. Armstrong were unable to attend the meeting but provided a letter and pictures of their home. Mr. Schmiesing presented a timeline of the various steps that have been taken and of the meetings that have taken place in the past regarding this property. Mr. Schmiesing explained the difference between a Zoning Change and a Special Use designation. There was discussion on how and when the neighboring property owners are notified, the policy and procedures of the City Commission and the Planning Commission on notifying the neighbors. Mr. Schmiesing went over each of the requirements regarding the Special Use zoning in the R-1AA, and the definition of a Bed and Breakfast along with the requirements that must be met. A Zoning Permit would be required, and Mr. Schmiesing explained that the Special Use designation goes with the property not the property owner.

There was discussion regarding the number of guests allowed to be there at one time, the parking area, on-site meals and preparation, and if the residents had to be on the premise at all times when guests are present. There was concern about the status of the property if the applicant should choose not to continue the bed and breakfast after a period of time. Mr. Schmiesing was asked to explain what would happen if the structure were not to be used as a bed and breakfast for a period of time. Mr. Schmiesing explained.
John Newsom and his wife Sharon, 1220 Park Avenue came forward stating they live on the referenced property and are in favor of the Armstrong’s providing a bed and breakfast. The Newsom’s stated they feel there would be very little traffic as there is quite a bit of off street parking. With the limited number of guests being there at one time as they are only using three bedrooms, the guests should not present any problems. The Newsom’s further stated they felt people should be encouraged to walk around the beautiful area, and see all the wonderful things Piqua has to offer while staying at the bed and breakfast. Lonnie Starrett, 1222 Park Avenue (which is located on the same property and shares a right of way with the Armstrong’s) came forward and voiced his concern about his property and the liability he might have if one of the guests should come on his property. Mr. Starrett also voiced his opinion about not receiving a letter concerning the procedure of notifying the adjacent neighbors. Chairman Spoltman stated this is a new resolution, and this is the first reading on this particular item for the Planning Commission.

Mr. Schmiesing explained what Mr. Starrett was referring to was an amendment to the Zoning Code that was presented to the City Commission, and the procedures were followed as directed in the Zoning Code and explained the procedure the City Commission follows. This is first time the bed and breakfast item has come before the Planning Commission, thus the reason for the letters being sent out to the adjacent property owners. Mr. Starrett also voiced his concern if the property were to be sold what the property could possibly be used as. Mr. Schmiesing explained the procedure if the property were to be sold and wanting to be used for another use. Other than the bed and breakfast.

Charles Sanders, 103 Lakewood Place came forward and voiced his concern about not being able to address the applicants since they were not in attendance. Mr. Schmiesing explained the procedure of asking questions and concerns, stating they should be voiced to the Chairman and the Planning Commission considers the concern and if they feel there is a need for additional discovery they would pursue that. Mr. Schmiesing further stated, due to the history of this item he has made sure he is well informed on the intent of the applicant, and feels he can offer some insight on some of the questions. Mr. Sanders asked if the bed and breakfast would have employees, would the bed and breakfast be closed if the residents were out of town, is this just a tax write off for the residents, further stating he feels this is a "back door" way of doing things. Mr. Schmiesing was able to answer most of the concerns and questions. Chairman Spoltman stated this is a public meeting and there is nothing being done "back door". Mr. Sanders further stated he is not against the bed and breakfast just against the rezoning of the property.

William Cline, 1229 Park Avenue voiced his opinion about having the bed and breakfast across the street from his home, stating if the Zoning was going to be changed the neighbors should have been notified. Mr. Cline believes this will increase traffic in the neighborhood, that it will affect the value of Mr. Starrett’s property, and feels it is a means for the Armstrong’s to try and sell the property. Mr. Cline further stated he does not feel the Armstrong’s advantages should be at the disadvantage of the rest of the neighbors, further stating it appears this was all done behind everyone’s back. Chairman Spoltman stated he took offense to the comment that “this was done behind everyone’s back” this was very public. Mr. Cline voiced his concern over how and when he was notified and what is considered public notification.

Lonnie Starrett, 1222 Park Avenue came forward and asked if this were to be passed tonight it would still have to go to the City Commission for three readings right? Chairman Spoltman stated no, if it passes tonight this is it. Mr. Starret continued to voice his concern about the public hearings and the lack of notification of the neighbors. Chairman Spoltman stated the
Planning Commission has had hearings on the zoning designation, but not on this particular issue.

Mr. Oda asked Mr. Starrett what he specifically wanted clarified. Mr. Starrett stated he feels everyone in the neighborhood should have a chance to come forward and voice his or her opinion, further stating he is concerned about his property value and is upset that he has no control over the situation. Mr. Oda explained what would happen if the property is sold.

Jean Cline, 1229 Park Avenue came forward and voiced her concern over the possibility of increased traffic and people driving through the property to look at the bed and breakfast, and what else the property could possibly be used for other than the bed and breakfast.

Mr. Oda explained there are only three bedrooms available for use, and this is still considered a private residence. Because it is a bed and breakfast it does not mean it is open to the public, it is still a private site and is to be viewed as that.

Russ Fashner, 801 Forrest Avenue inquired as to the number of bed and breakfast facilities in the City of Piqua, and if there have been any problems or challenges with them. Mr. Fashner asked that the Commission table this item at this time. Mr. Schmiesing provided information regarding the current bed and breakfast in town located on Caldwell Street. They have more than three rooms, and have very little parking. The neighbor's comments have all been very favorable, and there have not been any issues or concerns with the bed and breakfast.

Mr. Oda stated he lives down the street from the bed and breakfast on Caldwell Street. They had several gatherings there and have not had any issues with the bed and breakfast. Mr. Schmiesing stated the Planning Commission receives their packet the same time it goes out to the public, and they would have received them the same time the neighbors received their letters.

Kelly Cline, Boone Street came forward and read information from a letter from the Armstrong's stating "If you feel there are too many conflicts presented at this meeting, we are requesting that you table the agenda and wait until we return to Piqua." Ms. Cline asked if that would be possible? Chairman Spoltman stated they have not gotten to that step of the meeting yet, that would be the next step. Mr. Schmiesing explained the misunderstanding in the meeting agenda, and stated tabling the item would not make a difference on the Armstrong's presence.

Mr. Starrett voiced his opinion on having the Armstrong's present to answer questions and concerns from the neighbors.

All Board Members present stated they had no problem with tabling the resolution at this time. Moved by Mr. Oda, seconded by Mr. Taylor, to table PC 22-12 until the applicant or his agent can be present at the next regularly scheduled Planning Commission Meeting to be held on December 11, 2012. Roll call vote, Mr. Oda, Aye: Mr. Taylor, Aye: Mr. Spoltman, Aye. Motion carried on a 3-0 vote.

Monthly Reports - Projects
City Planner Chris Schmiesing stated the board members received an email with the monthly permit activity report, and asked if there were any questions regarding the report at this time.

Complete Streets Policy
A public hearing to present information and solicit public comment concerning the proposed City of Piqua Complete Streets Policy.
Mr. Schmiesing passed out a draft copy of the Complete Streets Policy to the Board Members and provided additional information regarding the new policy and procedures.

Mr. Oda stated for the record, Mr. Schmiesing indicated the committee has worked on this but Mr. Schmiesing has done the marathon work on this project and is to be commended for this. Mr. Spoltman stated he seconded that comment. Mr. Schmiesing stated he appreciates that, and he did do the heavy lifting but wants it to be clear that the Bike-Run-Ped committee members, some 20 members, are the ones who reviewed, agreed upon, and approved the content of this policy.

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 7:10 P.M.
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Mr. Starrett voiced his opinion on having the Armstrong’s present to answer questions and concerns from the neighbors.

All Board Members present stated they had no problem with tabling the resolution at this time. Moved by Mr. Oda, seconded by Mr. Taylor, to table PC 22-12 until the applicant or his agent can be present at the next regularly scheduled Planning Commission Meeting to be held on December 11, 2012. Roll call vote, Mr. Oda, Aye: Mr. Taylor, Aye: Mr. Spoltman, Aye. Motion carried on a 3-0 vote.

**Monthly Reports - Projects**

City Planner Chris Schmiesing stated the board members received an email with the monthly permit activity report, and asked if there were any questions regarding the report at this time.
Complete Streets Policy

A public hearing to present information and solicit public comment concerning the proposed City of Piqua Complete Streets Policy

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Adjournment

With no further business to conduct it was moved and seconded that the regular meeting be adjourned. With all those present in favor the regular meeting was adjourned at 7:10 P.M.
RESOLUTION No. PC 22-12

WHEREAS, Dr. Norman Armstrong and Georgia Armstrong, owners of 1220 Park Avenue, in the City of Piqua, Ohio, has submitted a request to authorize a special bed and breakfast use of the subject property located at 1220 Park Avenue; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate 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 recommend (approval or denial) of the request made, as described by this resolution, the testimony provided, and the documents attached hereto, and the motion is seconded by board member __________, and the voting record on this motion is hereby recorded as follows.

Tabled at the November 13, 2012

TO TABLE UNTIL NEXT REGULARLY SCHEDULED MEETING DECEMBER 11, 2012

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CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name: Dr. Norman Armstrong
   Phone: 937-216-8012
   Address: 1220 Park Avenue, Piqua, OH 45356

2. Owner's Name: Dr. Norman and Georgia Armstrong
   Phone: 937-216-8012
   Address: 1220 Park Avenue, Piqua, OH 45356

3. Type of legal interest held by applicant: owner

4. Location of Special Use Permit request:
   A. Legal description (Inlot No. or attach legal description)
   B. Address: 1220 Park Avenue, Piqua, OH 45356

5. Existing zoning: R1AA

6. Existing usage: One family residential

7. Proposed usage: Bed and Breakfast

8. Proposed special usage: Bed and Breakfast

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

10. Describe the reason for the requested special use:
    See attached letter

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: [Date]

Signature of Owner: [Signature]
Date: 10-29-12

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: 10-29-12

Receipt No.: 206676
P.C. Res. No.: 22-12
October 29, 2012

To: City of Piqua Planning Commission

Subject: Bed and Breakfast Proposal

To Whom It May Concern:

We are writing this letter to request being placed on the agenda for your December Planning Commission meeting. We are requesting that our lovely, historical home on 1220 Park Avenue located in Piqua be allowed to operate as a Bed and Breakfast. We are enclosing pictures of the house and property. Also, enclosed is a drawing from the Miami County Engineering Department outlining the boundaries of the 6.25 acres encompassing the estate.

We will not be able to attend the December meeting because we will be in Florida for a short time. If you have any questions for us concerning our desires and plans for the property, please feel free to contact us at 937-216-8012. If you feel there are too many conflicts presented at this meeting, we are requesting that you table the agenda and wait until we return to Piqua.

Thank you for allowing us to request a Bed and Breakfast proposal. We know this will be a positive agenda for the city of Piqua.

Respectfully submitted,

Dr. Norman Armstrong

Mrs. Georgia Armstrong

Mrs. Georgia Armstrong
RESOLUTION No. PC 23-12

WHEREAS, Hartzell Fan Inc, owner of the adjacent parcels located in the City of Piqua, being in a district zoned I-2 (Heavy Industrial District), has submitted a request to vacate a portion of S. Downing Street 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 hereby recorded as follows.

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<td>Mr. Mark Spoltman</td>
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CITY OF PIQUA, OHIO

APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

1. Applicant's Name: Hartzell Fan, Inc.  Phone #: 937-615-3624
   Applicant's Address: 910 South Downing St., Piqua, OH 45356

2. Owner's Name: Hartzell Fan, Inc.  Phone #: 937-615-3624

3. Type of legal interest held by applicant: Own, all property adjacent

4. Location of Public Right-Of-Way Vacation request: Short stub of half
   the right-of-way of Downing Street South
   of Meteor Road.

5. Describe the reason for the requested Vacation of Public Right-Of-Way:
   No longer serves any purpose and would not
   be feasible to extend to connect with another street.

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

   NAME  ADDRESS  SIGNATURE
   __________________________________________________________
   __________________________________________________________
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   __________________________________________________________

   Signature of Applicant: ___________________________  Date: 8/10/2012

******************************************************************************

$100.00 Fee Paid  100.00  Date Fee Paid  11-5-12
Receipt No. 206679  Res. No. PC-23-12
HARTZELL REPLAT

PT. LOT 54, SE 332 & 323
6400, 6401 & PT. 7444
PIQUA
MOHICAN
CITY
COUNTY

PLAT AUTHORIZATION AND DEDICATION

Hartzell, Inc., the owner of the land described within this plat map, have caused the same located in the City of Piqua, Ohio, to be surveyed, platted, and known as Hartzell Replat. Furthermore, Hartzell, Inc., delineates the right-of-way for Copies Road as shown on this plat to the public use forever.

By:

[Signature]

[Print Name]

State of Ohio
County of

The foregoing plat was acknowledged before me the day of 20, by [Signature], President, of Hartzell, Inc., on behalf of Hartzell, Inc.,

Notary Public

My commission expires

CITY OF PIQUA PLANNING COMMISSION

This plat was inspected and approved by us this day of 20.

[Signature]

CHAPMAN

PIQUA CITY COMMISSION

This plat was reviewed and approved, and right of way dedicated as shown hereto accepted by us this day of 20.

[Signature]

CLERK

[Signature]

MAYOR

DESCRIPTION:

This plat is a replat of portions of plat no. 6400, 6401 and 7444, also Indiana Road, Section, part of E. Side of 6400 and 7444, vacated portions of Pomona Street in the City of Piqua, owned by Hartzell, Inc., as recorded in deed book 516, page 526.

DATE: 11-09-2003

[Stamp]

[Name]

[Title]
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<td>PC 22-12</td>
<td>DR. &amp; GEORGIA ARMSTRONG</td>
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<td>PC-22-12</td>
<td>JANICE BUECKER</td>
<td>1000 ECHO LAKE DRIVE</td>
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<td>JOHN &amp; DONNA DAVIS TRUSTEE</td>
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<td>WILLIAM &amp; NANCY ULBIRCH</td>
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November 30, 2012

*** 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, December 11, 2012
LOCATION: Commission Chambers – 2nd Floor
Municipal Government Complex
201 W. Water Street

To view the Planning Commission packet in its entirety, visit http://www.piquoh.org/agenda_plan_comm.htm, or stop by the Development Office.

Please contact me if you have any questions pertaining to this notice.

Chris Schmiesing
Christopher W. Schmiesing
City Planner
November 26, 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 right of way known as S. Downing Street, 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, December 11, 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: Monday, November 26, 2012