CALL TO ORDER
1. Chair Comments
2. Roll Call

OLD BUSINESS
3. Meeting Minutes

NEW BUSINESS
4. Resolution PC-9-14

OTHER BUSINESS

ADJOURNMENT
WHEREAS, the City Commission has submitted a request to amend the zoning code to make more efficient the zoning designation change process; and,

WHEREAS, sections 154.141 of the City of Piqua Code of Ordinances provides the procedure for determining or changing the zoning designation of a property or considering an amendment, supplement, change, or repeal 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.

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<th>Member</th>
<th>AYE</th>
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<th>ABSTAIN</th>
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<tbody>
<tr>
<td>Mr. Jim Oda</td>
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<td>Mr. Gary Koenig</td>
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<td>Mr. Mike Taylor</td>
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<td>Mrs. Cindy Pearson</td>
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<td>Mr. Mark Spoltman</td>
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CALL TO ORDER

1. Chair Comments  Opening Remarks

Chairman Koenig outlined the meeting procedures that will be followed by the Planning Commission.

2. Roll Call  Clerk Calls the Roll

Present: Mr. Oda, Mr. Spoltman, Mr. Koenig, Mr. Taylor, Ms. Pearson
Absent: None

3. Meeting Minutes  March 11, 2014 Meeting Minutes

The minutes were approved by a unanimous vote.

Motion: Ms. Pearson
Second: Mr. Taylor
Voice Vote: 5-0

NEW BUSINESS

4. Resolution PC 6-14  A Resolution to consider the vacation of a portion of Public Right of Way known as the alley behind 807 Nicklin Avenue

Mr. Schmiesing provided a brief overview of the request to vacate a portion of Public Right of Way known as the alley behind 807 Nicklin Avenue.

Curt South Construction Project Manager for Piqua City Schools came forward and provided additional information on the reason for the vacation of the right of way.

There was discussion on the location and use of the current alley, how it will affect the neighbors living on the alley, will it be a public alley, paved or blacktop, and who owns the alley area the city or the Board of Education.

Mr. South answered all questions. Mr. Schmiesing stated the vacation will allow for site improvements to the area.
Public Comment

Ron Brandyberry 605 Ann Street came forward and voiced his concern over traffic going the wrong way on Ann Street when coming out of the alley. Mr. Schmiesing stated he would see that signage is installed indicating the one-way direction.

Board Comments

A question was raised if there would be access from the alley into the parking lot. Mr. South stated no, there will be curb, sidewalk, and parking blocks will define the parking area from the alley.

There was discussion of adding additional language to the Resolution for indicating the relocation of the alley.

The amendment to PC-6-14, under the 4th WHEREAS reads as: 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 modification, vacation, or plating.

A motion to approve the vacation of a portion of Public Right of Way known as the alley behind 807 Nicklin Avenue as presented was approved, as amended.

Motion: Mr. Spoltman
Second: Mr. Oda
Roll Call Vote: 5-0

Aye - Oda, Koenig, Taylor, Pearson, and Spoltman

Nay: None

5. Resolution PC 7-14  A Resolution to consider the Vacation of a portion of Public Right of Way known as the alley behind 301 W. Water Street between Campbell Street and S. Downing Street

Mr. Schmiesing provided a staff report of the request to vacate a portion of Public Right of Way known as the alley behind 301 W. Water Street between Campbell Street and S. Downing Street
Gary Felver, Officer of the American Legion Post came forward and provided information regarding the reason for the request. Safety in the parking area is the foremost reason for the request at this time. The American Legion plans on purchasing the adjoining properties in the future and will expand the parking lot. Mr. Schmiesing stated the American Legion owns everything east of Campbell Street including the small garage left on the lot closest to Campbell Street.

There were several questions raised about the public utilities in the area, and the use of the entire area as a parking lot. All questions were answered. Mr. Oda stated when the alley is completed he would like a few of the old bricks to remain in the alley.

A motion to approve the vacation of a portion of Public Right of Way known as the alley behind 301 W. Water Street between Campbell Street and S. Downing Street was approved by a unanimous vote.

Motion: Ms. Pearson
Second: Mr. Spoltman
Roll Call Vote: 5-0

Aye - Oda, Koenig, Taylor, Pearson, Spoltman

6. Resolution PC 8-14  A Resolution recommending a change in the Zoning Designation of Parcel N44-075900 a portion of the real property located at 220 Fox Drive

Mr. Schmiesing provided the staff report recommending a change in the Zoning Designation of Parcel N44-075900 a portion of the real property located at 220 Fox Drive

Anthony Scott, Keystone Homes came forward and provided information regarding the request to change the Zoning Designation of Parcel N44-075900 a portion of the real property located at 220 Fox Drive.

Board Comments

Several questions were asked including if the home to be built would be a single family residence, where the residence would be located on the lot, where the access to and from the residence would be located. Mr. Scott provided a drawing of the area. Mr. Oda received a drawing of the residence in the general configuration. All questions were
answered.

The recommendation of the change in Zoning Designation for Parcel N44-075900 a portion of real property located at 220 Fox Drive was approved by a unanimous vote.

Motion: Mr. Oda
Second: Mr. Taylor
Roll Call Vote: 5-0

Aye - Oda, Koenig, Taylor, Pearson, Spoltman

ADJOURNMENT

The meeting was adjourned at 6:50 p.m.
§ 154.141 AMENDMENTS.

(A) Zoning upon annexation. Whenever any area is annexed to the city the following conditions shall apply.

(1) Any person who is the owner of real estate situated within territory included in any proposed annexation may, at any time prior to the filing of annexation proceedings with the Clerk of the City Commission, file a petition with the Planning Commission requesting the Planning Commissioner to recommend a specific type zoning or to determine the recommended zoning designation district or districts for the petitioner’s real estate.

(2) After annexation proceedings have been filed with the Clerk of the City Commission and prior to the first reading of the annexation ordinance, and following the receipt of a recommendation by the Planning Commission, the City Commission shall adopt by resolution and file with the Clerk of the City Commission its recommended zoning designation.

(3) When a petitioner for annexation has obtained a determination for zoning of a parcel of real estate as provided in this section, then, after annexation proceedings have been completed by the City Commission, the petitioner’s real estate shall be annexed to the city in the same zoning category as was determined by the City Commission. In the absence of event that the City Commission shall fail to make a determination as to the zoning of the petitioner’s real estate, then it shall be annexed to the city in the same or most nearly the same zoning category that the petitioner’s real estate carried under county zoning prior to annexation.

(B) Amendment; right of petition; referral to Planning Commission.

(1) A proposed amendment, supplement, change, or repeal of any provision of this chapter may be originated by the City Commission, the Planning Commission, or the owner of the affected property. All proposals except those originating with the Planning Commission shall be referred to the Planning Commission for a recommendation thereon. The City Commission shall take no final action on any amendment, supplement, change, or repeal until it has received and studied the recommendation of the Planning Commission.

(2) The Planning Commission shall study the proposed amendment, supplement, change, or repeal. If the Planning Commission decides the proposal has merit, it may hold at least one public hearing. For matters pertaining to a change to the zoning designation of an individual lot or group of lot(s) the Planning Commission shall determine the appropriate zoning designation in accordance with the guidance provided by the adopted comprehensive plan and other planning documents informing the decision. The determination of the Planning Commission on such zoning designation matters shall be final and require no further action by the City Commission. For all other matters the At least ten days’ notice of the time and place of the hearing shall be sent by first class mail to the petitioner, and all property owners within 200 feet of the property included in any petitions for rezoning. The Planning Commission shall make a report of its findings and a recommendation to the City Commission.

(3) At least ten days’ notice of the time and place of the hearing shall be sent by first class mail to the petitioner, and all property owners within 200 feet of any individual lot or group of lot(s) included in any petitions for a change in the zoning designation of the subject property. In those instances when a comprehensive update of the city’s zoning code is undertaken, resulting
in the revision, change, or repeal of provisions of the code in effect, with the effect of eliminating
or modifying the zoning designation of all properties included within a particular zoning district
district designations, the requirement that the petitioner and all property owners within 200 feet
of property to be rezoned be notified any individual lot or group of lot(s) included in any
petitions for a change in the zoning designation of the subject property shall not apply.

(C) \textit{Recommendation of Planning Commission}. When the City Commission receives a
recommendation from the Planning Commission on a proposed zoning amendment, the City
Commission shall take action on the matter at its next regularly scheduled meeting in the form of
a first reading of an ordinance.

(D) \textit{Amendment limitation}. Petitions for zoning amendment, special use permits, or variances
of the same type concerning any parcel of property, portion thereof, or use thereon shall not be
accepted for consideration more than once during any consecutive 12-month period commencing
from the date of filing the application.

\textquote{97 Code, § 150.202} (Ord. 42-96, passed 9-17-96; Am. Ord. 6-07, passed 3-19-07)
§ 154.141 AMENDMENTS.

(A) Zoning upon annexation. Whenever any area is annexed to the city the following conditions shall apply.

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(2) After annexation proceedings have been filed with the Clerk of the City Commission and prior to the first reading of the annexation ordinance, and following the receipt of a recommendation by the Planning Commission, the City Commission shall adopt by resolution and file with the Clerk of the City Commission its recommended zoning designation.

(3) When a petitioner for annexation has obtained a determination for zoning of a parcel of real estate as provided in this section, then, after annexation proceedings have been completed by the City Commission, the petitioner’s real estate shall be annexed to the city in the same zoning category as was determined by the City Commission. In the absence of event that the City Commission shall fail to make a determination as to the zoning of the petitioner’s real estate, then it shall be annexed to the city in the same or most nearly the same zoning category that the petitioner’s real estate carried under county zoning prior to annexation.

(B) Amendment; right of petition; referral to Planning Commission.

(1) A proposed amendment, supplement, change, or repeal of any provision of this chapter may be originated by the City Commission, the Planning Commission, or the owner of the affected property. All proposals except those originating with the Planning Commission shall be referred to the Planning Commission for a recommendation thereon. The City Commission shall take no final action on any amendment, supplement, change, or repeal until it has received and studied the recommendation of the Planning Commission.

(2) The Planning Commission shall study the proposed amendment, supplement, change, or repeal. If the Planning Commission decides the proposal has merit, it may hold at least one public hearing. For matters pertaining to a change in the zoning designation of an individual lot or group of lot(s) the Planning Commission shall recommend the appropriate zoning designation in accordance with the guidance provided by the adopted comprehensive plan and other planning documents informing the decision. For all matters the at least ten-days’ notice of the time and place of the hearing shall be sent by first class mail to the petitioner, and all property owners within 200 feet of the property included in any petition is for rezoning. The Planning Commission recommendation shall make a report of its findings and a recommendation be forwarded to the City Commission for final action.

(3) At least ten days’ notice of the time and place of the hearing shall be sent by first class mail to the petitioner, and all property owners within 200 feet of any individual lot or group of lot(s) included in any petitions for a change in the zoning designation of the subject property. In those instances when a comprehensive update of the city’s zoning code is undertaken, resulting in the revision, change, or repeal of provisions of the code in effect, with the effect of eliminating
City Commission Approves Zoning Designation Change by Resolution

or modifying the zoning designation of all properties included within a particular zoning district
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of property to be rezoned be notified any individual lot or group of lot(s) included in any
petitions for a change in the zoning designation of the subject property shall not apply.

(C) Recommendation of Planning Commission. When the City Commission receives a
recommendation from the Planning Commission on a proposed zoning amendment, supplement,
change, or repeal, the City Commission shall take action on the matter at its next regularly
scheduled meeting in the form of a first reading of an ordinance. When the City Commission
receives a recommendation from the Planning Commission on a change to the zoning
designation of an individual lot or group of lot(s), the City Commission shall take action on the
matter at its next regularly scheduled meeting in the form of a resolution.

(D) Amendment limitation. Petitions for zoning amendment, special use permits, or variances
of the same type concerning any parcel of property, portion thereof, or use thereon shall not be
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