January 4, 2016

*** MEETING NOTICE ***

Please be advised that the City of Piqua Planning Commission will conduct a Planning Commission meeting at the time and location stated below.

**TIME:** 6:00PM  
**DATE:** TUESDAY, January 12, 2016  
**LOCATION:** Commission Chambers – 2nd Floor  
Municipal Government Complex  
201 W. Water Street

To view the Planning Commission packet in its entirety, visit [http://www.piquaoh.org/agenda_plan_comm.htm](http://www.piquaoh.org/agenda_plan_comm.htm) or by visiting the Development Office.

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

Christopher W. Schmiesing  
City Planner
CALL TO ORDER
1. Chair Comments Opening Remarks
2. Roll Call Clerk Calls the Roll

OLD BUSINESS
3. Meeting Minutes Minutes of December 8, 2015

NEW BUSINESS
4. Resolution PC 1-16 A Resolution nominating and electing the Planning Commission Chairperson and the Vice Chairperson for the 2016 calendar year
5. Resolution PC 2-16 A Resolution recommending the Planning Commission appointment to the Board of Zoning Appeals for the 2016 calendar year
6. Resolution PC 3-16 A Resolution recommending the Planning Commission Appointment to the Housing Council for the 2016 calendar year
7. Resolution PC 4-16 A Resolution authorizing a Special Use in an B General Business Zoning District for an Auto Repair Service
8. Resolution PC 5-16 A Resolution recommending a change in the zoning designation of parcel N44-011730 located at 530 W. High in the B General Business District to R-1 One Family Residential designation
9. Resolution PC 6-16 A Resolution to consider the Vacation of a portion of Public Right of Way known as the alley that runs between Ford Drive and Linden Avenue

ADJOURNMENT
PLANNING COMMISSION MINUTES
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, DECEMBER 8, 2015
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET

CALL TO ORDER
1. Chair Comments Opening Remarks
   Chairman Oda outlined the meeting procedures that will be followed by the Planning Commission.

2. Roll Call Clerk Calls the Roll
   Present: Mr. Oda, Mr. Koenig, Mr. Shear, Mrs. Pearson
   Absent: Mr. Spoltman
   Motion to excuse Mr. Spoltman from the December 8, 2015 meeting.
   Motion: Mrs. Pearson
   Second: Mr. Shear
   Voice vote: 4-0

OLD BUSINESS
3. Meeting Minutes November 10, 2015 Meeting Minutes
   Motion to approve minutes as stated.
   Motion: Mr. Shear
   Second: Mrs. Pearson
   Voice Vote: 4-0
   The minutes were approved.

NEW BUSINESS
4. Resolution PC 12-15 A Resolution to approve a Special Use of a Fast Food Restaurant in a B General Business District located at 995 E. Ash Street
Staff Comments:

Mr. Schmiesing provided an overview of the request for the Special Use for a Fast Food Restaurant (McDonald’s) located at 995 E. Ash Street.

Mr. Schmiesing stated the project scope includes rebuilding the existing McDonald’s Restaurant to update the kitchen and dining space and bring a modernized concept to the City of Piqua. The site will be updated with parking stalls, landscaping, and a double drive-thru to assist with vehicle stacking and traffic flow. The exterior of the building will consist mainly of brick with tile arcades and yellow canopies. The dining space will provide a comfortable atmosphere for customers and will include a family zone with interactive table top play areas for children. There will also be an exterior patio for outdoor seating. The new facility will be located in the Centre Court and will be accessible from the Bike Path.

Lynsey Jordon, of Permit Solutions, agent for the Owners came forward and provided a brief presentation of the complete project.

Board members asked several questions regarding the reason for the special use, length of time to complete, and new signage.

Benny Scott, Owner, came forward stating this McDonald’s was built in 1995 and is way overdue for refurbishing. Mr. Scott also provided a brief overview of the new look of the building and the new 2 lane drive thru. We will be able to serve customers more efficiently with the new drive thru, stated Mr. Scott.

Mr. Schmiesing stated the new drive thru will be a vast improvement, further stating there are a lot of good things happening in Piqua and this is just one of them.

Motion: Mrs. Pearson
Second: Mr. Shear
Roll Call Vote: 4-0

Aye - Oda, Pearson, Shear, and Koenig

A motion to recommend the adoption of PC-12 was approved by a 4-0 unanimous vote.
OTHER BUSINESS

Mr. Schmiesing provided additional information on the new signage that McDonald’s will be requesting that will be coming before the Planning Commission in the near future. Our Sign Code will need to be amended due to a Supreme Court Decision that occurred in 2015 regarding reference to content on commercial or non-commercial signage, stated Mr. Schmiesing.

Mr. Schmiesing stated several board members attended the Miami Valley Planning and Zoning Conference held on December 2, at Sinclair Community College. This was a worth-while experience and a lot of information was provided.

Mr. Koenig stated the conference was very informative with a lot of positive and informative information, further stating Chris’s presentation was excellent.

Mrs. Pearson stated she enjoyed the conference very much, and believes the city should think about offering bicycle tours in the future around our great community.

ADJOURNMENT

The meeting was adjourned at 6:30 P.M.
RESOLUTION No. PC 01-16

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.

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PROCEDURES FOR APPOINTING A CHAIR AND VICE-CHAIR

Step One - Determination of interest in being nominated.

The chair will ask the secretary to call the role. When your name is called and you are asked if you are interested in serving in the chair or vice-chair position during the upcoming calendar year, respond by stating YES if you are interested, NO if you are not interested. The secretary will first ask if you are interested in serving as chairperson, you will respond, then the secretary will ask if you are interested in the serving as vice-chairperson, and you will respond again.

Declaration of candidacy.

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<tr>
<th>Board Member</th>
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Step Two - Nomination of Chair and Vice-Chair.

The chair will open the floor for nominations. Board members interested in making a nomination will choose from the eligible candidates identified in the previous step and nominate the individual for each position that they feel is best suited to serve in that capacity. The chair will close the floor only after each board member interested in nominating a chair and vice-chair has had an opportunity to do so.

Chairperson

Vice-Chairperson

Step Three - Motion to accept nominated persons.

The chair will accept a motion to appoint a chair and vice-chair. Said nominees to be appointed are to be identified in the motion, and upon the motion receiving a second the chair will ask the secretary to call the role. Motions without a second will die. Seconded motions that fail to secure a majority vote (at least 3 supportive votes) will be considered defeated. The chair will accept a new motion and repeat the process until a majority vote is cast in support of a motion.
RESOLUTION No. PC 02-16

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 2016 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.

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RESOLUTION No. PC 03-16

The Planning Commission is to provide a recommendation concerning the Planning Commission representative to be appointed to the Housing Council to serve for the 2016 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.

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RESOLUTION No. PC 04-16

WHEREAS, Anita Irvin, owner of the subject property located at 8822 N. Co., Rd. 25-A, in the City of Piqua, Ohio, has submitted a request for a Special Use to allow an Auto Repair Service as a principal permitted use in an R General Business zoning district; and

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate the proposed zoning designation:

☐ Will be compatible with the intended use of the real property.

☐ 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 included herewith, and the motion is seconded by board member _________. and the voting record on this motion is hereby recorded as follows.

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CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name: Anita Irvin Phone: 937-418-2999
   Applicant's Address: 542 Shawsbury Rd Troy, Ohio 45373

2. Owner's Name: Anita Irvin Phone: 
   Owner's Address: 

3. Type of legal interest held by applicant: Owner

4. Location of Special Use Permit request:
   A. Legal description (lot No. or attach legal description): 
   B. Address: 8822 Co. Rd. 25 A Piqua, Ohio 45356

5. Existing zoning: B

6. Existing usage: Auto Repair

7. Proposed usage: 

8. Proposed special usage: 

9. No. of plot plans submitted (15 required UNLESS waived) 

10. Describe the reason for the requested special use:
    Zoning special use in B District

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: ___________________________ Date: 11-16-15
Signature of Owner: ___________________________ Date: 11-16-15

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: 11-16-15
Receipt No.: ___________________________ P.C. Res. No.: ___________________________
RESOLUTION No. FC 05-16

WHEREAS, Frank & Cathy Townsend, owners of the subject property located at 530 W. High, in the City of Piqua, Ohio, has submitted a request to change the zoning designation of parcel N46-011730 from B General Business to R-1 One Family Residential; and

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established findings that indicate the proposed zoning designation:

- Will be compatible with the intended use of the real property.
- 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 included herewith, and the motion is seconded by board member ____________, and the voting record on this motion is hereby recorded as follows.

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CITY OF PIQUA, OHIO

Application for Zoning Change

1. Applicant's Name: Perry Townsend    Phone: 937-638-4189
   Applicant's Address: 654 S. Wayne St.

2. Owner's Name: Frank Townsend     Phone: 937-541-1506
   Owner's Address: 530 W. High St.

3. Type of legal interest held by applicant: Owner

4. Location of rezoning request
   A. Legal description (lot No. or legal description): N44-011730
   B. Address: 530 W. High St.

5. Existing zoning: B - General

6. Existing usage: Residential

7. Proposed zoning: R1, Single Family

8. Proposed usage: Residential

9. Is this "Request for Zoning" contingent upon annexation? Y ____ N $$

10. Describe the reason for the requested rezoning: Business would like it to be Residential

11. Has a Rezoning Request for this location been made before? Y ____ N $$
    If yes, give date of previous application: 

12. No. of site plans submitted (16 required UNLESS waived): 

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: Perry Townsend    Date: 12/10/2015
Signature of Owner: Frank Townsend     Date: 12/10/2015

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 12-11-15
Receipt no. P.C. Res. no.
RESOLUTION No. PC 6-16

WHEREAS, William E Didier, Virginia Joetta Didier, owners of the adjacent parcel located in the City of Piqua, has submitted a request to vacate a portion of platted public right of way, known as the alley located between Ford Drive and Linden Avenue, as shown in the attached information, 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 way 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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APPLICATION FOR VACATION OF PUBLIC RIGHT-OF-WAY

William E. Didier, Virginia Joetta Didier

1. Applicant's Name: c/o George H. Lovett, Esq. Phone: (937) 667-8805
   Applicant's Address: 208 Ford Drive, Piqua, Ohio 45356

2. Owner's Name: William E. Didier & Virginia Joetta Didier Phone: (937) 667-8805

3. Type of legal interest held by applicant: fee simple

4. Location of Public Right-of-Way Vacation Request: Alley that runs between Ford and Linden Avenues that abuts the property owned by the Didiers at 208 Ford Drive. The portion of the alley for which vacation is sought is the far eastern edge of 921 Young Street, which is Parcel N44-014430 East along the alley to its point of termination on Ford Drive.

5. Describe the reason for the requested Vacation of Public Right-of-Way: The Didiers have owned the property abutting the unused portion of the alley since before 1988. They have mowed and taken care of it the whole time. Large trees are in it and an electrical box near Ford Drive. Last year some folks were going across the alley and into the Didiers' yard, sometimes while they were loud and rowdy. The Didiers would like to have ownership of their half of the unused alley so they can control these incursions onto their property.

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

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<th>NAME</th>
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<tr>
<td>Sharon J. Hohenstein</td>
<td>919 Young Street, Piqua, Ohio 45356</td>
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<td>Katherine M. Lewis</td>
<td>917 Young Street, Piqua, Ohio 45356</td>
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<td>Robert Solomon</td>
<td>911 Young Street, Piqua, Ohio 45356</td>
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<td>Rebecca S. Solomon</td>
<td>911 Young Street, Piqua, Ohio 45356</td>
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<td>William E. Didier</td>
<td>208 Ford Drive, Piqua, Ohio 45356</td>
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<td>Virginia Joetta Didier</td>
<td>208 Ford Drive, Piqua, Ohio 45356</td>
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Signature of Applicant: ___________________________ Date: 11/02/2015

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

$100.00 Fee Paid: 100.00 Date Fee Paid: 11-4-15

Receipt No.: 215923 Res. No.: ___________________
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Sewanee Addition to City of Piqua

John W. Comic and Ada Lee Comic's Addition to the City of Piqua, Miami County, Ohio, comprised of 40 lots numbered from 1 to 40 inclusive. It is laid out in Section 36, Township 6, Range 6, Washington Township. The bearing of the streets and lots lines are shown on the plan.

Scale 100 ft to an inch

Piqua August 5th 1854

A. J. Gower

Surveyor
RESOLUTION NO. R-151-15

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 a portion of platted public right of way known as an alley located west of Ford Drive and south of Young Street, 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 located west of Ford Drive and south of Young Street, 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. FESSION, MAYOR

PASSED: November 17, 2015

ATTEST: Rebecca J. Cool
CLERK OF COMMISSION