

CITY OF PIQUA, OHIO  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, SEPTEMBER 2, 2008 - 5:00 P.M.  
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

**CALL TO ORDER**

5:00 P.M. – Acting Chairman Oda called the meeting to order. Mr. Oda 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

Mr. Taylor moved to excuse Chairman Spoltman and Mr. Bupb from the Planning Commission Meeting of September 2, 2008. Mrs. Franz seconded the motion. Mrs. Franz, Aye: Mr. Taylor, Aye: and Mr. Oda, Aye. Nay, None. A voice vote resulted in a 3-0 vote to excuse Chairman Spoltman and Mr. Bupb from the September 2, 2008 Planning Commission Meeting.

Acting Chairman Oda stated for the record due to the two absent members, all three members must vote in affirmation on any action taken at this meeting.

**ROLL CALL**

Members Present: Mike Taylor, Jim Oda, and Jean Franz  
Members Absent: Chairman Spoltman and Brad Bupb (Mr. Bupb arrived at 5:30 P.M.)  
Staff Members: Chris Schmiesing, Becky Cool  
Attendees: Ed Liette, John Bright

**MEETING MINUTES**

Acting Chairman Oda asked if there were additions, deletions or corrections to be made to the July 1, 2008 meeting minutes included in the agenda packet. Mrs. Franz made a motion to approve the July 1, 2008 meeting minutes as submitted and Mr. Taylor seconded the motion. Mrs. Franz, Aye; Mr. Oda, Aye: and Mr. Taylor, Aye. A roll call vote resulted in a 3 -0 vote in supporting the motion to approve the meeting minutes as submitted.

**OLD BUSINESS**

Mrs. Franz motioned to bring Resolution PC-35-08 back to the table for consideration. Mr. Taylor seconded the motion. Mrs. Franz, Aye: Mr. Taylor, Aye: and Mr. Oda, Aye. A voice vote resulted in a 3-0 vote in support of bringing Resolution PC-35-08 back to the table.

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**1. PC-35-08**

A request to permit a multi-family dwelling unit special use of an existing structure with nonstandard use conditions (lot area, setbacks, and screening), said structure located at 8470 N. County Road 25-A

Mr. Schmiesing stated the request is to permit the conversion of the former motel use to individual efficiency and one-bedroom apartments, catering to senior citizens, and to enlarge the existing nonstandard asphalt parking area. Mr. Liette submitted a landscaping plan on August 21, 2008, as was previously requested by the Planning Commission. Mr. Schmiesing explained the two small circles shown on the plan indicate two trees that were added after the drawing was submitted. And noted the parking area had been modified to include twenty-nine parking spaces. Mr. Oda asked if there have been any changes to the staff recommendations, and Mr. Schmiesing indicated the staff report stands as previously submitted.

Ed Liette, petitioner approached the podium and gave a brief overview of the plans for improvements, which include thermal pane windows for the front of the building and vinyl siding above the brick on the front and on both ends and back of the building. Mr. Liette further stated he plans to plant nine trees along the Hetzler Road side. Mrs. Franz asked if he was planning on installing concrete benches for sitting. Mr. Liette stated his plan included a 20' x 20' patio in the rear of the building to sit on. Mr. Schmiesing pointed out the plans do not describe what type of materials are to be used for the 20'x 20' patio in the rear nor is there any indication as to what size of trees will be planted. Mr. Liette stated he was not sure what size the trees are because he had left it up to the landscaper, but there are nine small trees and two others that will be large enough for shade. Mrs. Franz recommended that nursery stock trees be used, and further stated she likes the look of the project and the parking lot area.

Mr. Bupb arrived at 5:30 P.M.

No other persons came forward to speak for or against the Resolution.

Mrs. Franz moved to recommend approval of the request with the conditional approvals as previously stated, and to grant the Special Use, as it has met all the criteria as presented by staff. Mr. Taylor seconded the motion. Mr. Oda, Aye; Mr. Bupb, Aye; Mr. Taylor, Aye, and Mrs. Franz, Aye. Nay, None. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the request with the conditions previously stated for the Special Use Permit.

**NEW BUSINESS**

**1. PC 37-08**

A request to permit a carry out (vending cart) special use of a portion of public right of way located in the Central Business District at the intersection of Main Street and High Street, and also at the intersection of Wayne Street and High Street

Mr. Schmiesing stated the proposed street vendor use provides an amenity currently missing from the downtown and will introduce an added element of interest to the Main Street experience. Mr. Schmiesing also noted that the numerous regulations and requirements governing this use will ensure the public health, safety, and welfare is protected.

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Mr. Schmiesing suggested the Planning Commission include the following conditions with the approval of this request;

1. With reasonable notice provided to the proprietor, the MainStreet board of trustees may prohibit or limit the hours of operation of this use during the times and dates of special events to be held in the downtown area when said events have been authorized by the City of Piqua.
2. With reasonable notice provided to the proprietor, the City of Piqua City Manager may prohibit or limit the hours of operation of this use for any reason deemed appropriate and necessary to protect and promote the best interest of the community.

Mrs. Franz asked what the hours of operation would be and what the MainStreet Piqua comments were on this type of operation in the downtown. Mr. Schmiesing stated the hours of operation would be normal business hours and noted that MainStreet Piqua is supportive of this request.

No one came forward to speak for or against the Resolution.

Mr. Schmiesing stated for the record the applicant was told there would be a number of meetings required for the approval of this request, and that the Planning Commission should not be offended that the applicant is not present at this meeting as he was advised he need not attend them all.

Mr. Taylor asked if the cart would be moving to several different locations downtown or be stationary. Mr. Schmiesing explained the cart would be located in several different locations on the mall strip. Mr. Oda stated when this request came before the Downtown Design Review Board the comment was made that food vendor carts were present in the late nineteenth and early twentieth century in downtown Piqua.

Mr. Taylor moved to approve the request with stipulations outlined in the staff report and to grant the Special Use, as it has met all the criteria as presented by staff. Mr. Bulp seconded the motion. Mr. Oda, Aye; Mr. Bulp, 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 request for the Special Use Permit with the stipulations in the staff report.

## **2. PC 38-08**

A request to permit a neighborhood business (Salon) special use of a portion of a dwelling unit located at 1011 Broadway

Mr. Schmiesing stated the proposed use, if permitted, would establish a business use within a residential district. The number of proposed off-street parking spaces will establish a parking lot use. Mr. Schmiesing noted the parking lot layout shown fails to provide the minimum maneuvering and ingress/egress features required for a parking facility. In addition, the surface material and stall dimensions are not indicated on the drawing provided and it is unclear whether these two elements of the parking facility will be in compliance or not. The availability of adequate off-street parking and the possible future use of this space for another type of Retail Commercial and Service Use raise legitimate concerns regarding the impact the proposed use will have on this neighborhood.

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Mr. Oda asked if a business has been previously located in this location. Mr. Schmiesing stated there is evidence of a half address having previously existed at this location.

John Bright, 225 Nottingham Rd., Dayton, Ohio, representing the applicant Jeffrey Young, came forward and explained the previous use of this location was a salon about ten years ago. Mr. Bright stated Mr. Young would like to relocate his business from 420 W. High Street to this location and keep it in Piqua. Mr. Bright further stated the traffic flow would not be disruptive to the area with the low volume of customers daily.

There was discussion about the parking area in the rear, the use of the garage, and who would be utilizing the parking area on a daily basis and the type of material to be used in the parking area was also discussed.

No other persons came forward to speak for or against the Resolution.

Mr. Schmiesing voiced his concern about the use of gravel for what will in essence be a commercial parking area in a residential district.

After a brief discussion concerning the parking area Mrs. Franz moved to approve the request with the stipulation to require the installation of landscape timbers around the perimeter of the gravel parking facility. Mr. Bulp seconded the motion. Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye. Nay, None. A roll call vote resulted in a 4-0 vote to approve the request with the conditions noted.

## **OTHER BUSINESS**

### **12. Monthly Report**

Mr. Schmiesing stated the Monthly Report was not available in time for the meeting and it will be provided at the next meeting.

## **ADJOURNMENT**

With no further business to conduct it was moved and seconded that the meeting be adjourned. With all those present in favor the meeting adjourned at 6:10 p.m.