

PLANNING COMMISSION MINUTES
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, MARCH 12, 2019
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET

CALL TO ORDER

At 6:00pm Chairman Oda called the meeting to order and welcomed Bethany Harp in her role as Clerk of the Planning Commission and Joe Wilson as a newly appointed member of the Planning Commission. Mr. Oda outlined for those in attendance the order of business and procedures that will be followed by the Planning Commission.

ROLL CALL

Members Present: Gary Koenig, Joe Wilson, Jim Oda, Cindy Pearson, Stu Shear

MEETING MINUTES

The minutes of November 13, 2018 Planning Commission Meeting were approved 4-0 by voice vote with Mr. Joe Wilson abstaining.

NEW BUSINESS

Resolution PC 1-19

A Resolution nominating and electing the Planning Commission Chairperson and the Vice Chairperson for the 2019 calendar year.

Chris Schmiesing explained the nomination process and asked the board members to express their interest in serving as the chair or vice chair during the upcoming calendar year. Mr. Oda indicated interest in serving as chair, Mr. Koenig and Mr. Shear both indicate interest in serving as vice-chair.

The chair was then open for nominations. Mr. Koenig deferred to Mr. Stu Shear's interest and withdrew his name for consideration as vice-chair.

The board unanimously approved the nomination of Mr. Jim Oda as the chairman and Mr. Stu Shear as the vice-chairman by 5-0 voice vote. Mrs. Pearson motioned to insert the names of the nominees and approve Resolution PC 1-19. Mr. Koenig seconded the motion and the item was approved by a 5-0 voice vote.

Resolution PC 2-19

A Resolution recommending the Planning Commission appointment to the Board of Zoning Appeals for the 2019 calendar year.

Mr. Schmiesing provided an explanation of the Board of Zoning Appeals duties and responsibilities, its member structure, and meeting schedule.

Board member Cindy Pearson volunteered to serve as Planning Commission appointment to the Board of Zoning Appeals for the 2019 calendar year.

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Mr. Shear motioned to approve the appointment of Cindy Pearson to the BZA and Mr. Koenig seconded the motion. Resolution PC 2-19 was approved by a 5-0 voice vote.

Resolution PC 3-19

A Resolution recommending the Planning Commission Appointment to the Housing Council for the 2019 calendar year.

Mr. Schmiesing provided an explanation of the Housing Council duties and responsibilities, its member structure, and meeting schedule.

Mr. Koenig volunteered to serve as the Planning commission appointment to the Housing Council. Mrs. Pearson motioned to approve the appointment of Mr. Koenig to the housing council and Mr. Wilson seconded the motion. Resolution PC 3-19 was approved by a 5-0 voice vote.

Resolution PC 4-19

A Resolution to consider a request to authorize an auto service station special use of parcels N44-000380, N44-000350, N44-003360, N44-003370 and N44-000390.

Mr. Schmiesing noted a wording error in the original resolution, which referenced the use as being auto repair service as opposed to the request of auto service station, and noted for the record that a corrected resolution had been provided to each Planning Commission member. Mr. Schmiesing referenced a written statement forwarded by Mr. Dunson, one of the applicants for the subject request, and provided a copy of the statement for the record. Mr. Schmiesing The applicant is requesting a special use permit for an auto service station to be situated on the corner of Spring Street and Ash Street in a CBD Central Business District zoning district. Mr. Schmiesing presented staff comments on the item. A slide presentation included a map highlighting the zoning of the downtown area, information from the Plan It Piqua Comprehensive Plan and Historic East Piqua Revitalization Plan, and a map showing the location of 11 existing fuel stations/convenience stores and the proximity of each to the one another and the surrounding neighborhoods. Mr. Schmiesing outlined items to consider with regards to the proposed use type and the potential impact it could have on the site and the surrounding properties. Mr. Schmiesing commented on there being the potential for issues pertaining to air quality, ground water and or soil contamination, light pollution, increased noise and traffic volumes, and noted that these are the types of factors that can adversely

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affecting surrounding property values and further distress adjacent residential neighborhoods.

The Planning Commission discussed that the auto service station building product does not align with the historic qualities of the downtown and surrounding neighborhoods and the use would have a negative effect on the walkability of the area.

Mr. Oda asked the commission if there were questions or comments.

Mr. Joe Wilson asked for clarification regarding if all of the items relating to the public health, safety, and general welfare need to be satisfied. Mr. Schmiesing noted that the four criteria for determining if the authorization of a special use is warranted are defined by the zoning code and listed in the resolution and that the Planning Commission must find each item is able to be satisfied when acting to authorize a special use.

Mr. Koenig brought attention to the Historic East Piqua Plan and the development pattern and type it proposes for this area. Mr. Koenig noted that the Plan mentions small retail space with ground floor level businesses, encouraging pedestrian movement and providing a balanced transition in the building types between downtown and Historic East Piqua.

Dave McMillan, 800 N. Downing Street, one of the two applicants for this item, came forward and identified himself as speaking on behalf of the McMillian family interest in this matter. Mr. McMillian spoke in favor of the item and offered his opinion that the proposed auto service station would be a positive attribute for Piqua.

Ben Redick, 214 S. Ridge, Troy, Ohio, the applicant's Realtor came forward and provided his opinion that the proposed use represents the highest and best use for the area. He referenced the CBD Central Business District zoning of the area and noted that a B General Business permits an auto service station as a primary by right use. Mr. Reddick noted the prospective end user would invest approximately \$3 million, create jobs, higher property taxes and additional sales tax.

Joe Wilson asked how long the property has been for sale and Mr. Redick responded that it has been for sale a total of 3 years with only one other reasonable offer.

Gary Koenig asked for reference of the plan and the access to the tanks shown on the map. It is determined that there are 6 pumps, double stacked and the access to the tanks and pumps is via existing curb cuts.

Brandon Virgallito, 309 Spring Street, came forward and stated that he owns properties adjacent to the proposed location of the auto service station. Mr. Virgallito voiced his concerns about noise, traffic and

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proximity of the use to his property. Mr. Virgallito expressed his opinion that the use would negatively affect the resale value of his property that the area would be negatively impacted by the auto service station.

No other person came forward to speak on this request. The Planning Commission deliberated on the request noting the applicant had not satisfactorily addressed concerns about noise, traffic and other potential negative effects the use may have on surrounding properties, and noted that the request seemed to give no consideration to the community planning documents and the direction provided therein. The Planning Commission reviewed the criteria for determining the merit of a request and established that the proposed use would not be compatible with the stated intent of the zoning district, may threaten the general health, safety, and welfare of the surrounding properties, the adjacent property values may be negatively affected, the proposed use is not compatible with the general economic development policies of the community, and the proposed use does not conform with all the applicable codes and regulations. Mr. Oda commented the information provided is insufficient to support the proposed special use. Mr. Wilson motioned to approve Resolution PC 4-19 and Mr. Shear seconded the motion. The motion was defeated by a 5-0 roll call vote with all members voting in opposition to approving the resolution.

Resolution PC 5-19

A Resolution to consider a request to change the zoning designation of parcels N44-078782 and N44-078780 from R-PUD Residential Planned Unit Development to OS Open Space.

Mr. Schmiesing provided background information explaining that Gregory Stephens, owner of the subject property located at parcels N44-078782 and N44-078780, in the City of Piqua, Ohio, has submitted a request to change the zoning designation from Residential Planned Unit Development to Open Space. Mr. Schmiesing commented that the prior interest in developing the land no longer exist and the current owner is not interested in developing the property at this time. Mr. Schmiesing noted that changing the zoning to OS Open space would better reflect the wooded and agricultural character of the land and be consistent with Plan It Piqua Comprehensive Plan Conservation and Development Map which indicates the characteristics of this land and its adjacency to Swift Run Lake make it a desirable conservation area. Mr. Schmiesing also noted that the OS Open Space zoning designation would allow the property owner to seek approval to be allowed to hunt on the land.

Mr. T.J. Lange, 9586 N. SR 66, came forward and stated that he owns property to the south and east of the subject property. He spoke in

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favor of the request and indicated he is confident that the current owner would be a good steward of the wooded areas and the fields.

Greg Stephens, 4008 Demming Road, applicant, came forward and stated that he has contracts out for the fields to be farmed. Mr. Stephens noted that his interest in opening this space to hunting would be in a very controlled manner and it would not just be open to anyone. He also commented that the hunting may help with reducing the deer population.

No other person came forward to speak on this item. The Planning Commission deliberated on the item and recognized that enabling conservation of the natural characteristics of the land would be consistent the recommendations of the Comprehensive Plan. Mr. Shear motioned to approve Resolution PC 5-19 and Mrs. Pearson seconded the motion. The motion was approved by a 5-0 roll call vote with all members voting in support of approving the resolution.

Resolution PC 6-19

A Resolution to consider a request to declare the street name for public right of way located in the Peters subdivision and Sunset Acres subdivision.

Mr. Schmiesing provided background information noting that 911 Communications Center brought this concern to his attention. Mr. Schmiesing commented that the source of the concern is a discrepancy in the street name for Jean Street as it is shown "Jean Street" on the Peters Subdivision Plat and shown as "Jean Drive" on the Sunset Acres Subdivision Plat. Mr. Schmiesing noted the majority of the subject street was built with the completion of the Peters Subdivision improvements and that only a short length of the subject street were constructed as part of the Sunset Acres Subdivision improvements. Mr. Schmiesing pointed out the street signs posted reflect "Jean Street" and indicated it was his opinion that "Jean Drive" reference on the later Plat was a scrivener's error.

Joseph Staley, 212 Sharon, came forward and commented on how the developer named the streets after his daughters. He stated that the posted street sign states "Street".

No other person came forward to speak on this item. The Planning Commission deliberated on the item and agreed the discrepancy on the maps concerning the street name was in all likelihood a scrivener's error. Mr. Pearson motioned to approve Resolution PC 6-19 and Mr. Shear seconded the motion. The motion was approved by a 5-0 roll call vote with all members voting in support of approving the resolution.

OTHER BUSINESS

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Code Piqua

Mr. Schmiesing shared with the Planning Commission that the mobility framework map and diagnostics report were complete and available for review on the www.codepiqua.com website. Mr. Schmiesing noted there was a pause in progress on the CodePIQUA project as a result of recent vacancies in Development Department staff positions, and indicated that the vacant positions have been filled and progress on the project should now start to pick back up.

Mr. Schmiesing shared with the Planning Commission that a new hire for City Planner position had been identified that and an offer had been extended and accepted by the preferred candidate. Mr. Schmiesing noted the person filling the position is scheduled to begin employment in early May and will ultimately be assuming the staff role in supporting the Planning Commission.

Mr. Schmiesing shared with the Planning Commission that there will be a Resolution of Appreciation on the March 19, 2019 City Commission agenda to recognize Mark Spoltman for his many years of service to the Planning Commission and invited members to attend the meeting.

ADJOURNMENT

With no other business before the Planning Commission, a motion was made and seconded to adjourn the meeting. With all those present in support of the motion the meeting was adjourned at 7:32 P.M.