

PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, FEBRUARY 14, 2012
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET

CALL TO ORDER

- | | |
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| 1. Chair Comments | Opening Remarks |
| 2. Roll Call | Clerk Calls the Roll |

OLD BUSINESS

- | | |
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| 3. Meeting Minutes | January 10, 2012 Meeting Minutes |
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NEW BUSINESS

- | | |
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| 4. Resolution PC 5-12 | A Resolution requesting authorization of a animal grooming special use at 423 N. Main Street |
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| 5. Resolution PC-6-12 | A Resolution requesting authorization of a vehicle sales and service special use at 1990 Covington Avenue |
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| 6. Resolution PC-7-12 | A Resolution requesting authorization of a vehicle sales and service special use at 1830 W. High Street |
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- | | |
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| 7. Resolution PC-8-12 | A Resolution to consider the renaming of White Tail Drive to White Tail Lane in the Deerfield Subdivision |
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OTHER BUSINESS

- 8. Planning Commission Procedures, Rules and Regulations
- 9. Canal Walk Improvement
- 10. Monthly Reports

ADJOURNMENT

- | | |
|-----------------|-------------------------|
| 11. Adjournment | Adjourn Regular Session |
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CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

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, Jean Franz, Mike Taylor, and Brad Bulp
Members Absent: None
Staff Members: Chris Schmiesing, Becky Cool, and Amy Havenar
Attendees: Greg Brookhart, Larry Kinnison, Mike Hemm,

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the meeting minutes included in the agenda packet. Mr. Oda made a motion to approve the December 13, 2011 meeting minutes as submitted. Mr. Bulp seconded the motion. Mr. Oda, Aye: Mr. Bulp, Aye: Mrs. Franz, Aye: Mr. Taylor, Aye, and Mr. Spoltman, Aye. A roll call vote resulted in a 5 -0 vote in supporting the motion to approve the meeting minutes as submitted.

NEW BUSINESS

1. PC-1-12

A Resolution nominating and electing the Planning Commission Chairperson and Vice Chairperson for the 2012 calendar year

Chairman Spoltman asked the Clerk to call a roll call of the Board Members, and asked that they state yes or no to declare their interest in being nominated for Chairman or Vice Chairman of the Planning Commission for the year 2012.

Mrs. Franz nominated Mark Spoltman as Chairman, and Mr. Spoltman nominated Jim Oda as Vice Chairman. Moved by Mr. Oda, seconded by Mr. Bulp to close the nominations. Nominations were closed.

Motion was made by Mrs. Franz, seconded by Mr. Bulp, to approve the nominations of Mark Spoltman as Chairman and Jim Oda as Vice Chairman of the Piqua Planning Commission for the year 2012. Roll Call Vote, Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay: None. A roll call vote resulted in a 5-0 vote to approve the nominations.

2. PC-02-12

A Resolution recommending the Planning Commission appointment to the Board of Zoning Appeals for the 2012 calendar year.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

Chairman Spoltman asked the Clerk to call a roll call of the Board Members, and asked that they state yes or no to declare their interest in being nominated as the Planning Commission representative to the Board of Zoning Appeals for the year 2012.

Mr. Oda nominated Mr. Taylor as the Planning Commission representative to the Board of Zoning Appeals for the year 2012. Mrs. Franz seconded the nomination. Nominations were closed.

Motion was made by Mr. Oda to insert the name of Mike Taylor in the blank to serve as the representative on the Board of Zoning Appeals and to adopt the resolution, seconded by Mrs. Franz. Roll Call Vote, Mr. Oda, Aye; Mr. Bubb, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the nomination of Mr. Taylor to serve as representative on the Board of Zoning Appeals, and to approve the resolution.

3. PC-03-12

A Resolution recommending the Planning Commission appointment to the Housing Council for the 2012 calendar year

Mrs. Franz stated she would be happy to continue as the representative for the Planning Commission on the Housing Council. Mr. Bubb nominated Jean Franz as the Planning Commission representative to the Housing Council for the year 2012. Mr. Oda seconded the nomination. Nominations were closed.

Motion was made by Mr. Bubb to insert the name of Jean Franz in the blank to serve as the representative on the Housing Council and to adopt the resolution, seconded by Mr. Oda. Roll Call Vote, Mr. Oda, Aye; Mr. Bubb, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the nomination of Jean Franz to serve as representative on the Housing Council, and to approve the resolution.

4. PC-4-12

A Resolution acting on a request to vacate portions of Bassett Avenue and Statler Avenue

Mr. Schmiesing stated this is a request to vacate a portion of platted right-of-way showing several views of the different properties involved. The property owners adjacent to the affected right-of-way have indicated they would prefer the subject right-of-way be vacated. The petitioners propose to maintain access to and from the affected properties from public right-of-way and or establish any ingress/egress easement as necessary. The Statler Avenue portion of the right of way is unimproved and the existing pavement improvements in the Bassett Avenue right of way are in poor condition. The primary land use in this area is light industrial. The subject right-of-way currently serves as an access to and from the adjacent properties and serves no other public transportation interest.

K B Machine & Tool would like to purchase the property to the south, which is not part of the right of way and is owned by the City at this time. There is a Resolution on the next City Commission agenda authorizing the sale of the piece of property to KB Machine and Tool, stated Mr. Schmiesing.

There was discussion on the need for the 20' utility easement over the existing water main and the 50' wide ingress and egress that is recommended on Bassett Avenue for use by the adjoining property owners to access their properties. If this is approved the Planning

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

Commission will forward their recommendation to the City Commission for the approval of the vacation of the right of way.

Mr. Oda stated he believes this will end all of Bassett Avenue now.

Greg Brookhart, representing the applicants Mr. Kinnison and Mr. Gaston, came forward stating in 1984 Bassett Avenue north of Statler was all vacated.

Mr. Brookhart further stated for the record about three months ago he met with Mr. Schmiesing, Mr. Gaston, Mr. Kinnison, Mr. Bricker, and Mike Hemm at the site. They also met with the City Water Department concerning the water lines; some of the easement area will fall outside of the right of way. Mr. Gaston has no objection to granting a 10' easement on his side of the water line if necessary, stated Mr. Brookhart. Mr. Gaston and Mr. Kinnison have agreed to clean up all of area lots by replating the lots if the Right of Way is approved. This would be a win-win situation for both the property owners and the City of Piqua, stated Mr. Brookhart

Mr. Oda stated before we recommend the approval of the vacation, he would like to state for the record: *Bassett Avenue was an African American Community in our town, and was a very poor area. One of the reasons for this was that the sewer lines were not extended out there until well into the late part of the 20th Century. There were quite a number of African American homes on Bassett Avenue along with several African American Churches that were started there. This is part of the African American Heritage in the City of Piqua,* stated Mr. Oda.

It was recommended to amend PC 04-12 to add the new verbage after "approve the request" to insert the amendments as follows: *A 20' wide utility easement be maintained over the top of the existing water main that runs through this area; To maintain A 50'width of the right away on Bassett Avenue as an ingress/egress easement for the adjoining property owners as described by this resolution.*

Mr. Oda made a motion to amend PC 04-12, Mrs. Franz seconded the motion to amend PC 04-12 to add the verbage after "approve the request" to insert the amendment "with the amendments as follows: *A 20' wide utility easement be maintained over the top of the existing water main that runs through this area. To maintain a 50'width of the right away on Bassett Avenue as an ingress/egress easement for the adjoining property owners as described by this*". Voice vote, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. Motion carried on a 5-0-voice vote to amend PC 04-12 as previously stated.

Mr. Oda made a motion to approve the request, as amended. Mr. Taylor seconded the motion. Roll call vote, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman. Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve PC 04-12 as amended.

Mr. Oda asked that Mr. Schmiesing note the information regarding the African American Heritage when presenting the information to the City Commission for approval.

OTHER BUSINESS

Capital Improvements Program – City Engineer Amy Havenar

Ms. Havenar stated she and City Planner Chris Schmiesing have been talking quite a bit about the Capital Improvement Plan and all of the projects they have been done in the past along with some of the upcoming projects, and asked her to share this information with the Planning Commission.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

Ms. Havenar shared information regarding:

- **2011 Street Resurfacing Program** which included County Rd. 25-A south and Fox Drive, and is about 0.92 miles at a total cost of \$221,500. This project was completed with Street Department Operating Funds and dedicated 1/4% Income Tax Funds.
- **State Route 185 Rerouting** from: Ash Street to Broadway to Park Avenue, to: Sunset (beginning at Covington Avenue) to Park Avenue and became effective September 1, 2011. A Public Meeting was held in June 2011 for input on the project and worked with ODOT to complete the process. This project was reenergized as a result of the Plan It Piqua 2007 Comprehensive Plan.
- **State Route 185/US 36 Resurfacing – ODOT** which included resurfacing of “old” SR 185 from Spring St. to Washington Ave, and US Rt 36 (Water St.) from Spring St to Downing St for a total cost of \$516,000 with the City of Piqua’s share \$103,182 (80/20 split) and completed with funds generated by the dedicated 1/2% Income Tax.
- **ADA Handicap Ramp Installation** ADA compliant handicap ramps were installed at all intersections within the paving limits with a total of 68 ramps being installed at a total cost of \$70,000 and completed with funds generated by the dedicated 1/2% Income Tax Funds.
- **Water Street Streetscape** improvements made on Water Street, between Main Street and Wayne Street and included 4 rain gardens (bio-retention areas) for a total cost of \$258,000 and completed with \$95,000 CDBG Formula Allocation Grant Funds and the remainder from the dedicated 1/4% Income Tax Funds.
- **High Street Brick Crosswalk Replacement Project** that replaced the broken down brick crosswalk on High Street west of Main Street with stamped concrete at a total cost of \$14,600 with the project being funded from the Street Department O & M Budget.
- **Echo Hills Golf Course Stream Restoration, which included restoration of 1,050 L.F. of stream through the Echo Hills Golf Course for a total cost of \$100,200 with the project being, funded 100% from the Ohio EPA Surface Water Improvement Fund Grant.**
- **North Cemetery Bridge Replacement in Forest Hill Cemetery** where the North Bridge was replaced over the Hydraulic Canal with a 20’ x 9’ concrete box culvert for a total cost of \$133,000 and was completed with funds generated by the dedicated 1/4% Income Tax. Mr. Oda stated for the record the old bridge that was taken down was a WPA (Works Project Administration) and was built in 1925.
- **I-75/US 36 Interchange Landscape** which included landscaping of the infields at the four quadrants of the I-75/US 36 Interchange and installed the PIQUA lettering on the retaining wall and planting 33 trees, 344 shrubs, 649 grasses and 2,336 perennials at a total cost of \$250,000 which the city received \$200,00 (80%) in Transportation Enhancement Funds from ODOT.

Mr. Schmiesing added the Electric Distribution has the lighting but did not receive it until after the weather conditions changed. The ground was getting soft and they did not want to tear up the new landscape. The lighting will be installed as soon as the ground is frozen enough to install it, said Mr. Schmiesing.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

Mrs. Franz stated she has heard from several people from surrounding cities on how nice the area looks and stated, "our City Engineer is really sharp and she is able to get things done". Ms. Havenar stated we are very proud of this and have received numerous compliments on the area and can't wait to see it all in bloom in the spring.

Mr. Oda stated if anyone has any concept of Piqua they see it going up and down I-75 and we were pretty invisible and is sure this will have a great impact on Piqua.

• **Upcoming Projects include:**

Wayne Street Streetscape between Water Street & Ash Street

Intersection Improvements including installation of curb bump outs at Wayne Street & High Street.

College Street Corridor Traffic Signal Project (Design) that includes College & Covington, College & Water, and College and High. Piqua received a \$469,000 federal grant towards the total cost of the \$672,000 project. Mr. Oda asked if they have talked about how they have leveraged the ¼% Income Tax money, and suggested they need to include this in future updates as it is important information. Ms. Havenar explained how they have provided the information in various other reports.

E. Ash Street Reconstruction which was awarded to Double Jay Construction for \$2.2 million with reconstruction between the River Bridge and Spring Street with construction to begin in the spring of 2012.

County Road 25-A Phase II - ROW Acquisition with the County Road 25-A reconstruction from County Club Road to Looney Road.

2012 Street Resurfacing Program.

Commercial Street Corridor Bike Route Neighborhood Connector (Design)

Mr. Oda inquired about having small asphalt barriers installed in areas where there is various types of traffic such as walking and biking to help separate the two areas? Ms. Havenar stated if we are using any state or federal funds we have to comply with ODOT guidelines and explained

US 36 Corridor Beautification (Design) improvements to be made from the railroad bridge to Looney Road.

County Road 25-A Phase III (Design) improvements from Looney Road to Indian Ridge Drive and will include sidewalk all the way.

Mr. Spoltman asked where the bicycle path maintenance money comes from? Ms. Havenar stated the money comes out of the Parks Department budget.

Mr. Oda inquired if there are any improvements planned for the area around Piqua Milling at this time? Mr. Schmiesing stated the City just received a \$50,000 grant from the State of Ohio to assess the existing conditions and develop a plan strategy for that area.

Mr. Spoltman thanked Ms. Havenar for her presentation.

Mr. Schmiesing also thanked Ms. Havenar for taking the time to come and make the presentation. Mr. Schmiesing further stated they have worked together on the Comprehensive Plan ideas and make sure the ideas and projects come to the Planning Commission for their input. It is helpful that Ms. Havenar is very willing and cooperative

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY,
JANUARY 10, 2012 6:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

when it comes to engaging the Planning Commission in these types of discussions, as it does not happen very often in other communities, stated Mr. Schmiesing.

Planning Commission Procedures, Rules and Regulations – City Planner Chris Schmiesing

Mr. Oda made a motion, seconded by Mr. Bulp to table the Planning Commission Procedures, Rules and Regulations presentation until the next Planning Commission meeting to be held on February 14, 2012. Voice vote, Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye; Mr. Franz, Aye; and Mr. Spoltman, Aye. Nay, None.

Monthly Reports

Mr. Schmiesing stated monthly reports are in the Planning Commission packets for review.

Mr. Schmiesing stated the Going Places item went to the City Commission and they felt the same as the Planning Commission and that they would like indicate our concerns and to weigh in with support at this time.

Miami Valley Regional Planning Commission adopted a Complete Streets Policy and will provide more information in the future, and also the Multi Mode Transportation Plan stated Mr. Schmiesing.

The City is preparing an application for the Safe Routes to School funding at this time, identified \$450,000 in funds for needs, and our application should be pretty well received. Mr. Bulp asked if this was being incorporated or tied into the new schools design? Mr. Schmiesing stated it is, and gave a brief update on the use of the funds if approved.

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 7:13 P.M.

RESOLUTION No. PC 05-12

WHEREAS, Gwen Bowsher, on behalf of the owner, Chrissy & Scott Latham owner of the subject location in the city of Piqua, Ohio, being in a district zoned CBD (Central Business District), has submitted a request to authorize a animal grooming salon special use to be located at 423 N. Main Street; and,

WHEREAS, an animal grooming salon is a special use in the CBD Central Business District zoning designation in which the property is located; and

WHEREAS, section 154.026 of the City of Piqua Code of Ordinances provides the procedure for authorizing the approval of a special use request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that 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 _____ 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.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name Gwen Brusher Phone 937-665-0981
Applicant's Address 2785 E. Snodgrass
- 2. Owner's Name Chrissy + Scott Latham Phone _____
Owner's Address 423 N. Main St.
- 3. Type of legal interest held by applicant renting building
- 4. Location of Special Use Permit request
A. Legal description (Inlot No. or attach legal description) N 44 000810
B. Address 423 N. Main St. Piqua, Ohio 45356
- 5. Existing zoning CBD
- 6. Existing usage nail + massage salon
- 7. Proposed usage Dog Grooming
- 8. Proposed special usage Dog Grooming
- 9. No. of plot plans submitted (16 required UNLESS waived) _____

10. Describe the reason for the requested special use:

previously zoned for nail salon - now
want to do pet grooming

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 Gwen Brusher Date 1/5/12

Signature of Owner _____ Date _____

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 # 2357 | Date Fee Paid 1-5-12

Receipt No. 201122 P.C. Res. No. 05-12



N44000810 06/17/2007

ORDINANCE NO. 1-12

AN ORDINANCE AMENDING SECTIONS 154.026 OF THE CITY OF PIQUA CODE OF ORDINANCES TO INCLUDE ANIMAL GROOMING AS SPECIAL USE IN THE CENTRAL BUSINESS DISTRICT

WHEREAS, the City of Piqua Charter Section 154.141 directs the Commission to take action on zoning amendment recommendations received from the Planning Commission at their next regularly scheduled meeting; and

WHEREAS, the Planning Commission has studied a proposed amendment to the zoning code amending section 154.026 of the City of Piqua Code of Ordinances to include Animal Grooming as a special use; and

WHEREAS, the Planning Commission has conducted a public hearing and made a report of its findings; and

WHEREAS, the Planning Commission has submitted a recommendation to the City Commission;

NOW THEREFORE, BE IT ORDAINED BY the Piqua City Commission, a majority of its members concurring that:

SECTION 1. That the City of Piqua hereby amends sections 154.026 of the City of Piqua Code of Ordinances as set forth below (deleted text lined through and proposed text bold and underlined):

§ 154.026 CBD CENTRAL BUSINESS DISTRICT.

(A) Intent. This district is intended to provide a large variety of retail stores and related activities and for office buildings and service establishments serving the entire city as well as areas outside the corporate limits. The Central Business District is intended to be the dominant multi-use district within the city and the key focus of business, social, and cultural activity within the urban area. It is intended that relationships between permitted functions will be carefully developed, and the need for access, circulation, and amenities will be given special attention.

('97 Code, § 150.371)

(B) Principal permitted uses.

(1) Institutional and public recreation uses.

(a) Places of worship.

(b) Public offices and buildings.

- (c) Public recreation facilities.
 - (d) Private clubs.
 - (e) Libraries.
- (2) Business and professional office uses.
- (a) Business, professional and administrative offices.
 - (b) Offices of business and professional associations.
 - (c) Medical offices and clinics.
- (3) Retail commercial and service uses.
- (a) Specialty retail commercial establishments and boutiques.
 - (b) Specialty food stores.
 - (c) Home furnishings, home improvements and miscellaneous materials and equipment stores.
 - (d) General merchandise stores and supermarkets.
 - (e) Personal services.
 - (f) Financial establishments.
 - (g) Restaurants, standard.
 - (h) Pet shops.
- (4) Road service and commercial entertainment uses.
- (a) Fraternal and social association facility.
 - (b) Motels and hotels.
 - (c) Commercial recreation facilities, indoor.
 - (d) Printing, publishing, lithographing and binding establishments, provided the gross floor area does not exceed 5,000 square feet.

(5) Other uses. Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted. The Planning Commission may also consider essentially custom manufacturing activities which in their opinion shall have the following characteristics.

(a) Benefit from a central location and are appropriate in the CBD Central Business District.

(b) Do not create any significant objectionable influences.

(c) Involve products characterized by a high ratio of value to bulk, so that truck traffic is kept to a minimum.

('97 Code, § 150.372)

(C) Accessory permitted uses.

(1) Accessory structures.

(2) Essential services.

('97 Code, § 150.373)

(D) Special uses. A building or premises may be used for the following purposes in the CBD Central Business District if a special use permit for the use has been obtained in conformance with the provisions of § 154.140.

(1) Parking lots.

(2) Residential uses.

(a) Dwellings.

(b) Residential planned unit developments.

(c) Elderly housing facilities.

(3) Retail commercial and service uses.

(a) Commercial planned unit developments

(b) Animal Grooming

(4) Road service and commercial entertainment uses.

(a) Carry-outs, mini-markets and drive through and drive-in stores.

(b) Restaurants, fast food.

(c) Bars, taverns, and nightclubs.

(d) Automobile service stations.

(e) Vehicle sales, rental and service, provided service access be available from a side street or alley.

(f) Convenience stores,

('97 Code, § 150.374)

(5) Planned Unit Developments. Planned Unit Development overlay subject to the provisions of §§ 154.040 through 154.047.

(E) Parking regulations. Except for those permitted residential uses, parking requirements for the CBD Central Business District are waived.

('97 Code, § 150.375)

(F) Sign regulations. Signs within the CBD Central Business District shall be regulated in conformance with the provisions of §§ 154.095 through 154.107.

('97 Code, § 150.376)

(G) Height and area regulations. The maximum height and minimum lot requirements within the CBD Central Business District shall be as set forth below.

(1) General requirements for all permitted uses.

Minimum lot area	None
Minimum lot frontage	None
Minimum front yard setback	None (see division (G)(2) of this section)
Minimum side yard setback	None or 10 feet if abutting a residential district
Minimum rear yard setback	Less of 30 feet or 20% of lot depth if abutting a residential district

Maximum height	35 feet
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(2) Frontage. When the frontage on one side of a block is divided between the CBD Central Business District and a Residential District, the front yard requirement of that Residential District shall apply to the affected frontage of the CBD Central Business District.

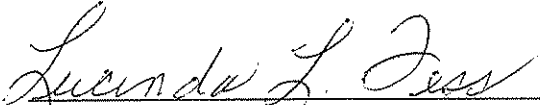
(3) Screening. Where the rear lot line of a lot in the CBD Central Business District abuts a Residential District and there is no intervening alley, in addition to the required rear yard there shall be placed appropriate screening not less than six feet in height along the rear lot line of the lot abutting a Residential District.

(4) Accessory buildings. Accessory buildings within the CBD Central Business District shall be regulated in conformance with the provisions of §§ 154.121 and 154.122.

('97 Code, § 150.377) (Ord. 42-96, passed 9-17-96; Am. Ord. 5-06, passed 3-20-06; Am. Ord. 17-08, passed 7-21-08) Penalty, see § 154.999

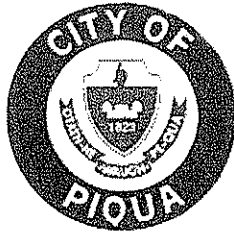
SECTION 2. All other sections of Chapter 154 of the City of Piqua Code of Ordinances not amended herein shall remain in effect as is.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.


LUCINDA L. FESS, MAYOR

PASSED: January 3, 2012

ATTEST: Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	5/3/2012		
REPORT TITLE	Central Business District - Animal Grooming; Zoning Amendment		
SUBMITTED BY	Name & Title: Chris Schmiesing, City Planner		
	Department: Development Department		
MEETING TYPE	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Work Session	<input type="checkbox"/> Special <input type="checkbox"/> Retreat
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
ORDINANCE/RESOLUTION	<input checked="" type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> 3 rd Reading
	Ordinance #: 1-12		Resolution #:
APPROVALS/REVIEWS	<input type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input checked="" type="checkbox"/> Other: Planning Commission
BACKGROUND (Includes description, background, and justification)	<p>If adopted this amendment will allow Animal Grooming to be considered as a special use within the Central Business District (CBD) zoning designation. The proposed amendment stems from a request from an individual who would like to occupy 423 N. Main Street with an Animal Grooming use. The Animal Grooming use type is defined by the zoning code, as is Animal Hospital and Kennel. Thus, a distinction is made between characteristics of Animal Grooming, Animal Hospital, and Kennel use types. Upon considering this item the Planning Commission noted that the Animal Hospital and Kennel use types are separate and distinct use activities and not included in the proposed amendment to the list of Special Uses that may be considered in the CBD. The Planning Commission also found that the characteristics and intensity of the Animal Grooming use is not all that different from other service use types currently permitted in the CBD, and unanimously recommended approval of this amendment. Mainstreet Piqua also supports the proposed amendment.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	0	
	Expenditure \$:	0	
	Source of Funds:	0	
	Narrative:	The adopted fee schedule included in the zoning code sets the fee for Planning Commission consideration of a Special Use application at \$100.	

OPTIONS (Include <i>Deny Approval</i> Option)	1.	Approve the Ordinance and allow this use type to be considered as a Special Use in the CBD
	2.	Approve the Ordinance with amendments and allow this use type to be considered as a Special Use in the CBD
	3.	Defeat the Ordinance and deny the opportunity to allow this use type in the CBD.
	4.	
PROJECT TIMELINE	Dec 14 2011 - Planning Commission public hearing Jan 3, 2012 - City Commission 1 st reading of Ordinance Jan 17, 2012 - City Commission 2 nd reading of Ordinance Feb 7, 2012 - City Commission 3 rd reading of Ordinance	
STAFF RECOMMENDATION	Staff recommends adoption of the proposed zoning amendment.	

RESOLUTION No. PC 06-12

WHEREAS, Jihad Faraj, on behalf of the owner, Drapp Investments, LTD owner of the subject location in the city of Piqua, Ohio, being in a district zoned B (Business District), has submitted a request to authorize a vehicle sales special use to be located at 1990 Covington Avenue and,

WHEREAS, an vehicle sales is a special use in the B Business District zoning designation in which the property is located; and

WHEREAS, section 154.025 of the City of Piqua Code of Ordinances provides the procedure for authorizing the approval of a special use request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that 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 _____ 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.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name JIHAD FARAS Phone 469-328-3288
Applicant's Address 2016 N. Main Ave Sidney OH 45365
- 2. Owner's Name JIHAD FARAS Phone 469-328-3288
Owner's Address 2016 N. Main Ave Sidney OH 45365
- 3. Type of legal interest held by applicant N/A
- 4. Location of Special Use Permit request
A. Legal description (Inlot No. or attach legal description) _____
B. Address 1990 COVINGTON AVE Piqua OH 45366
- 5. Existing zoning B
- 6. Existing usage Automobil Repair
- 7. Proposed usage _____
- 8. Proposed special usage Used Vehicle Sales - Add
- 9. No. of plot plans submitted (16 required UNLESS waived) _____
- 10. Describe the reason for the requested special use:
Vehicle Sales

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 1-25-12

Signature of Owner [Signature] Date _____

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 Cash | Date Fee Paid 1-25-12

Receipt No. 201130 P.C. Res. No. 06-12





N44078136 07/10/2007

RESOLUTION No. PC 07-12

WHEREAS, Bill Jaqua Jr., DBA Construction Equipment Exchange Inc. on behalf of the owner, Charles & Sandra Hemm owners of the subject location in the city of Piqua, Ohio, being in a district zoned B (Business District), has submitted a request to authorize a vehicle sales special use to be located at 1830 W. High Street and,

WHEREAS, an vehicle sales is a special use in the B Business District zoning designation in which the property is located; and

WHEREAS, section 154.025 of the City of Piqua Code of Ordinances provides the procedure for authorizing the approval of a special use request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that 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 _____ 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.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name Construction Equipment Exchange, Inc Phone 937-570-7230
Applicant's Address 242 E. Odgen Ave. Hinsdale, IL 60521
- 2. Owner's Name Bill Jaque, Jr. Phone 937-570-7230
Owner's Address 1830 W. High St. Piqua, Ohio 45356
- 3. Type of legal interest held by applicant lease with option to purchase
- 4. Location of Special Use Permit request
 - A. Legal description (Tract No. or attach legal description) Lot 7392
 - B. Address 1830 W. High St. Piqua, Ohio 45356
- 5. Existing zoning B-1
- 6. Existing usage Office
- 7. Proposed usage Used vehicles lot cars
- 8. Proposed special usage Used vehicles lot
- 9. No. of plot plans submitted (16 required UNLESS waived) _____

10. Describe the reason for the requested special use:

Need to maintain Wholesale permit for vehicles for existing business. Having a lot is required to hold permit

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 William A. Jaque, Jr. Date 1/23/12

Signature of Owner [Signature] Date 1/24/12

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

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

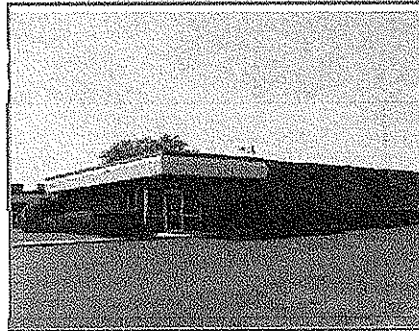
\$100.00 Fee Paid 100.00 ck, Date Fee Paid 1-26-12

Receipt No. 201131 P.C. Rec. No. P-7-12

Property Type: Industrial/Commercial
 Status: Sold
 Price: \$249,900
 Address: 1830 W HIGH
 City: FIQUA
 Subdivision: 1L 7392
 PAD/Unit#:
 County: Miami County
 Parcel ID: N44073575
 Semi-Annual Taxes: \$1,774
 Additional Tax Info:
 Acres: 1.260

Area: 703
 MLS: 301215
 Zip: 48356
 Business Only: N
 Township: WASHINGTON
 Tax Year: 2008
 Lot Size: 126 ROAD FRONTAGE

W.R.I.S.T.



Land Info:

Directions: I75 TO EXIT 83 (US36) W ON ASH, S ON MAIN, W ON HIGH

Year Built: 1972	Approx. SqFt: 4,400	Building Style: 1 STORY
Current Use: OFFICE	Rail Access: N	
Interstate Access: N	Frontage: 120 FT	Prkng Spaces: 50
Road Type: PAVED	Total Expenses: \$0	Net Income: \$0
Annual: Gross Income: \$0	Occupancy: At Closing	
Zoning: Business Zoning	Lease Price:	
Lease Information: SAL	Rent/Fee Includes:	
Possible Use: Office, Professional, Retail, Warehouse, Manufacture		
Exterior: Brick		
Utilities: Supplied Water, Sanitary Sewer, Natural Gas		
Heating: Gas Heating, Forced Air Heating		
Cooling: Central Cooling		
Inside Features: Security		
Outside Features: Storage Shed, Security Lighting		
Special Features: Restroom, Reception, Conference, Open Space, Storage		
Parking: Private Parking, Lot Parking, On Site Parking, Hard Surface Parking		
New Financing: Cash, Conventional		

Virtual Tour Link:

REMARKS: APPROXIMATELY 4400 SQUARE FEET OF FINISHED OFFICE SPACE ZONED B FOR GENERAL BUSINESS. SPACE CURRENTLY FEATURES 10 OFFICES, 2 LARGE CONFERENCE TYPE ROOMS, BATHROOMS, KITCHENETTE AREA, RECEPTION AREA. EXPANSIVE PAVED PARKING LOT. MANY POSSIBILITIES.

Confidential Broker Remarks: DISCLOSURE CAN BE FOUND UNDER ATTACHMENTS.

Office: McVety Realty (937-773-8215)
 Office Fax: 937-773-7044

Agent: JEANIE BATES (937-778-1931)
 E-Mail: JeanieBates@mcvetyrealty.com

Variable Rate: N Supp. Info: N Type of Contract: ER Listing Conditions: N Buyer/Broker: % 3 Sub-Agent: % 0
 Listing Agent's Web Site: www.mcvetyrealty.com

Sold Price: \$1,176 Date: 06/22/10 Terms: N DOM: 658 CDOM: 658
 Selling Office: McVety Realty
 Selling Agent: BATESJEA108

Data Subject to Errors, Omissions, Revisions - Not Warranted.

01/26/12 12:53 PM

GREEN SPACE
Back lawn

BUILDING

40 x 100

(1830
WEST
HIGH
STREET)

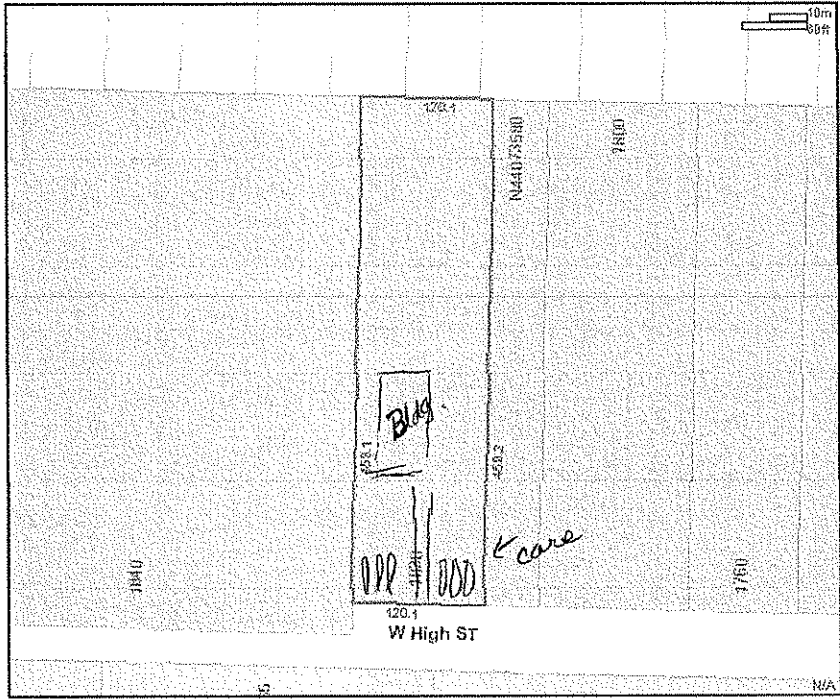
Front
Lawn

Asphalt
Parking
Lot

HIGH STREET

Parcel Map

Property Address: 1830 W HIGH



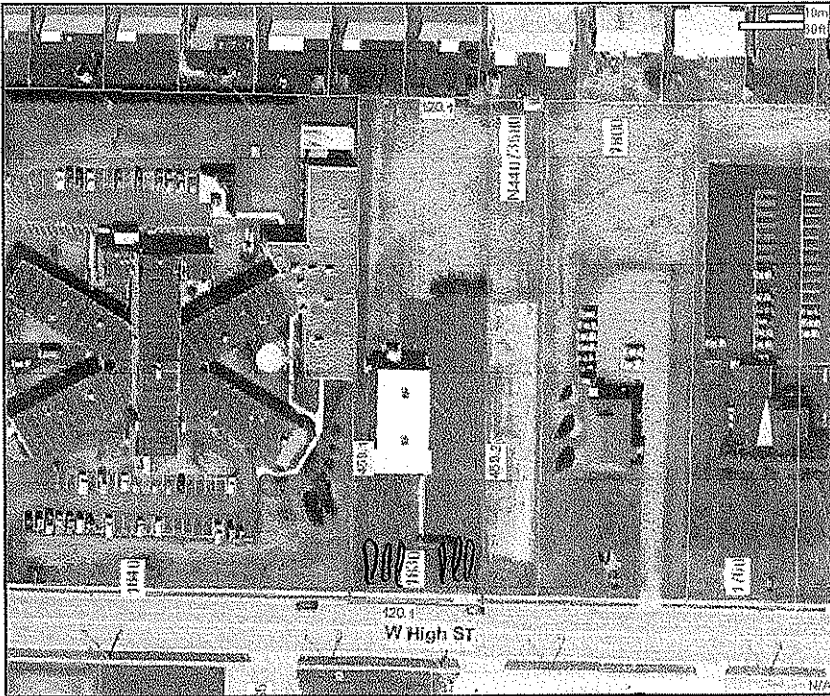
Parcel Color Legend			
	Agricultural		Exempt Property
	Industrial		Public Utility
	Commercial		Residential

Data Subject to Errors, Omissions, Revisions - Not Warranted.
(1/26/2012)

Copyright © GeoJet Information Solutions Inc.
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Aerial Photography

Property Address: **1830 W HIGH**



Data Subject to Errors, Omissions, Revisions - Not Warranted.
(1/26/2012)

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RESOLUTION No. PC 08-12

WHEREAS, section 32.001 (C) of the City of Piqua Code of Ordinances states the members of the Planning Commission shall be vested with the powers as provided in section 94 of the Piqua Charter; and,

WHEREAS, section 94 of the City of Piqua Charter states the Planning Commission shall have powers "...concerning the plan, design, location, removal, relocation, and alteration of any buildings or structures belonging to the city or location in public streets or public property; the location, widening, extension, and vacation of streets, parks, parkways, playgrounds, and other public places; the approval of plats for the subdivision of land; location of railroads and street railways; the zoning of the city..."; and,

WHEREAS, the Planning Commission has studied the proposal to change the street name of White Tail Drive located within the City of Piqua Corporation Limits in the Deerfield Subdivision, and,

WHEREAS, the Planning Commission recognizes that White Tail Lane is the street referenced address assignments to the structures located along the aforementioned portions of roadway, and,

Whereas, Planning Commission has studied the proposal presented and recommends the following;

NOW THEREFORE BE IT RESOLVED, board member _____ hereby moves to recommend _____ of 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.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date: _____

January 14, 2012

Chris Schmiesing
Office of Development
City of Piqua
201 W. Water St
Piqua, Ohio 45356

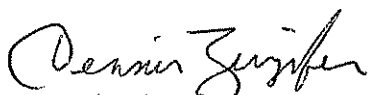
Dear Mr. Schmiesing

It recently came to my attention that the street sign on the street I live on was changed from White Tail Ln to White Tail Dr. This prompted me to check the address listed on the legal documents for my house and they do indeed say White Tail Lane. I have checked with all the residents of my street (see attached signed Petition) and their legal documents also specify White Tail Lane. In addition, for what it's worth, I checked Mapquest and Google Maps and both show our street as White Tail Lane.

To eliminate any potential problems to the residents on our street with our mortgages, tax returns, banks, etc. we would like to petition the City of Piqua to rename our street from White Tail Drive to White Tail Lane.

Your attention and support of this effort are greatly appreciated. Please do not hesitate to contact me if you require further information.

With Regards,



Dennis Zimpfer
2321 White Tail Lane
(937) 214-7236

RECEIVED

19

CITY OF PIQUA
DEVELOPMENT OFFICE

PETITION TO
RENAME WHITE TAIL DRIVE
TO WHITE TAIL LANE

We the under signed are in support of this petition

<u>Name</u>	<u>Address</u>	<u>Signature</u>	<u>Date</u>
1. Dennis Zimper	2321 White Tail Ln	Dennis Zimper	1/8/12
2. Mark Holowucky	2308 WHITE TAIL LN.	Mark Holowucky	1/14/12
3. Mike Lumpkin	2304 WHITE TAIL LN	Mike Lumpkin	1/14/12
4. Frank Pergaville	2305 White Tail Lane	Frank Pergaville	1/14/12
5. Rick Snyder	2309 WHITE TAIL LN	Rick J. Snyder	1/14/12
6.			

PLANNING COMMISSION
 JANUARY 10, 2012
 MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
MEETING NOTICE AND AGENDA TO:			
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLETIN BOARD		
PC-05-12	GWEN BOWSHER	423 N. MAIN STREET	PIQUA, OHIO 45356
PC-05-12	CHRISSY & SCOTT LATHAM	420 N. MAIN STREET	PIQUA, OHIO 45356
PC-05-12	CHARMAINE STARRETT	421 N. MAIN STREET	PIQUA, OHIO 45356
PC-05-12	JOHN DZIECH	419 N. MAIN STREET	PIQUA, OHIO 45356
PC-05-12	FOUR B S REAL ESTATE	430 N. MAIN STREET	PIQUA, OHIO 45356
PC-05-12	GATHERING PLACE	105 E. GREENE STREET	PIQUA, OHIO 45356
PC-06-12	JIHAD FARAJ	2016 N. MAIN AVENUE	SIDNEY, OHIO 45365
PC-06-12	DRAPP INVESTMENTS LTD	5 EAGLES WAY	PIQUA, OHIO 45356
PC-06-12	BARNES PUMPS	1950 COVINGTON AVENUE	PIQUA, OHIO 45356
PC-06-12	JEB LTD	3821 DARBYSHIRE DR.	HILLARD, OHIO 43026
PC-06-12	CITY OF PIQUA	201 W. WATER STREET	PIQUA, OHIO 45356
PC-06-12	HINSCH FARMS INC.	2500 N. KUTHER RD. APT 324	SIDNEY, OHIO 45365
PC-07-12	BILL JAQUA, JR.	1830 W. HIGH STREET	PIQUA, OHIO 45356
PC-07-12	CHARLES & SANDRA HEMM	514 S. MAIN STREET	PIQUA, OHIO 45356
PC-07-12	DANNY & DARLENE LAVY	315 SUNSET DRIVE	PIQUA, OHIO 45356
PC-07-12	GERALD BLANKENSHIP TRS	P.O. BOX 741	PIQUA, OHIO 45356
PC-07-12	PROTO MOLD PRODUCTS CO	1801 W. HIGH STREET	PIQUA, OHIO 45356
PC-07-12	DANIEL HARRIS	1800 W. HIGH STREET	PIQUA, OHIO 45356
PC-07-12	HCF REALTY OF PIQUA INC.	1840 W. HIGH STREET	PIQUA, OHIO 45356
PC-07-12	US BANK NA - TRUSTEE	1829 W. PARKWAY DRIVE	PIQUA, OHIO 45356
PC-07-12	DONALD JORDAN	1841 W. PARKWAY DRIVE	PIQUA, OHIO 45356
PC-07-12	MYRNA CANTRELL (TOD)	1833 W. PARKWAY DRIVE	PIQUA, OHIO 45356
PC-07-12	RONALD ALLEN	1837 W. PARKWAY DRIVE	PIQUA, OHIO 45356
PC-08-12	DENNIS ZIMPHER	2321 WHITE TAIL LANE	PIQUA, OHIO 45356
PC-08-12	MARK HOLOWECKY	2308 WHITE TAIL LANE	PIQUA, OHIO 45356
PC-08-12	MIKE LUMPKIN	2304 WHITE TAIL LANE	PIQUA, OHIO 45356
PC-08-12	FRANK PERCIAVALLE	2305 WHITE TAIL LANE	PIQUA, OHIO 45356
PC-08-12	RICK SNYDER	2309 WHITE TAIL LANE	PIQUA, OHIO 45356
ENTIRE PACKET TO:			
	GARY HUFF	INTER-OFFICE MAIL	
	CHRIS SCHMIESING	INTER-OFFICE MAIL	
	PLANNING COMMISSION	REGULAR MAIL	
E-MEETING NOTICE TO:			
	AMY WELKER	EMAIL	
	CHRIS BOEKE	EMAIL	
	CITY COMMISSION	EMAIL	
	DEAN BURCH	EMAIL	
	DEBBIE STEIN	EMAIL	
	GARY HUFF	EMAIL	
	BILL MURPHY	EMAIL	
	LORNA SWISHER	EMAIL	
	MARTIN KIM	EMAIL	
	STACY WALL	EMAIL	
	AMY HAVENAR	EMAIL	
	BRUCE JAMISON	EMAIL	
	PIQUA DAILY CALL	EMAIL	
	DAYTON DAILY NEWS	EMAIL	
	WPTW	EMAIL	
	PIQUA CHANNEL 5	EMAIL	
	MIAMI COUNTY HOME BUILDERS ASSOCIAT	EMAIL	

PLANNING COMMISSION
Procedures, Rules, and Regulations
Adopted February 5, 2002

A. GENERAL GOVERNING RULE

- A. City of Piqua Charter
This commission shall follow the provisions of the City of Piqua Charter: Improvements And Assessments: Section 94: Planning Commission, and amendments thereto.
- B. City of Piqua Codified Ordinances Chapter 154 – Zoning
This commission shall follow the provisions of the of the Piqua, Ohio Code of Ordinances, Title XV: Land Usage Chapter 154: Zoning, and amendments thereto.

All Planning Commission members shall thoroughly familiarize themselves with the above referenced section of the City of Piqua Charter and the aforementioned chapter of the Code of Ordinances.

The guidelines set forth in this document are to promote consistency in the processing of materials for, and administration of this commission. Failure of the Commission or Secretary to comply with any of the deadlines, or policy contained herein shall not compel the approval or disapproval of any matter before the commission.

B. OFFICERS AND DUTIES

- 1. Selection
 - 1.1. Chairman. The Chairman and Vice-Chairman shall be elected annually, in the month of ~~January~~ June, or at the first regularly scheduled meeting held during any given calendar year in the event the ~~January~~ July meeting is ~~cancelled due to lack of business~~ not conducted, by a majority vote of the Planning Commission and shall serve ~~for the~~ until July of the following calendar year.
 - 1.2. Secretary. The secretary shall be an employee of the City of Piqua, Ohio as determined by the ~~Public Works Director~~ City Planner.
- 2. Duties
 - 2.1. Duties of Chairman.
 - 2.1.1. The chairman, or in his absence, the Vice-Chairman shall preside at all meetings. The chairman, subject to this policy, shall decide all points of procedure unless otherwise directed by a majority of the Commission in session at the time, and shall perform all other duties required by this policy.
 - 2.2. Duties of the Secretary.
 - 2.2.1. The Secretary, subject to direction of this Commission, shall conduct all correspondence of the Commission, shall keep all records; shall send all notices required by law, the Charter, the Codified Ordinance, the Planning Commission Procedure, Rules, and Regulations, or as requested by the Commission. The Secretary shall notify each

PLANNING COMMISSION
Procedures, Rules, and Regulations
Adopted February 5, 2002

Commission member either by letter or telephone call within a reasonable time of all meetings.

- 2.2.2. The Secretary shall accept and review for completeness all applications required by this Commission; initiate the necessary administrative steps to be taken for setting and holding a public hearing; forward Planning Commission recommendations to the City Commission when required.
- 2.2.3. Upon receipt of a completed application, the Secretary shall set the earliest regular meeting of this Commission as is practicable, as the date of hearing for such application, but such hearing in no case shall be set prior to the preliminary steps being taken as required by the Planning Commission Regulations of Piqua, Ohio.
- 2.2.4. Upon receipt of such application and the setting of the date for hearing thereon, the Secretary shall cause notice to be given of such hearing in accordance with section C "Meetings".

C. MEETINGS

1. Time of Meetings

- 1.1. The regular meetings of this Commission shall be held at 6:00 p.m. on the ~~first second~~ Tuesday of March, June, September, and December each month at the Municipal Government Complex Commission Chambers Piqua, Ohio. Regular Meetings falling on legal holiday or the evening before a legal holiday shall be held instead on the first weeknight following the holiday, or at such other time as may be determined by the Chairman.
- 1.2. The Chairman and in his or her absence the vice chairman, may call special meetings when deemed necessary, for which the Secretary shall give notice in accordance with section C-2 "Notice of Meetings". When scheduled, special meetings shall be held at 6:00 p.m. on the second Tuesday of each month at the Municipal Government Complex Commission Chambers Piqua, Ohio.

2. Notice of Meetings

- 2.1. Notice to Commission Members.
 - 2.1.1. Written notice of regular and special meetings, as specified under section B-2.2 "Duties of Secretary", shall be given at least five (5) days prior to such meeting and such notice shall include a proposed agenda for such meetings, together with any information that may be determined by the Secretary or Chairman as necessary.
- 2.2. Notice of Affected Parties
 - 2.2.1. Within five (5) business days from the date of submittal the Secretary shall complete a review of the applicant's submittal to make sure it is complete and that all necessary information is included. Upon completion of such review the Secretary shall notify the applicant by

PLANNING COMMISSION

Procedures, Rules, and Regulations

Adopted February 5, 2002

~~telephone to advise him of the time and date the item will be considered by the Commission.~~

2.2.2. When the ~~Commission~~ Secretary considers an item to have merit and a public hearing is set, the applicant and the property owners adjacent to the affected property shall be notified in writing ~~approximately no less than ten~~ (10) days prior to the meeting time and date the item is to be considered by the Commission, or as prescribed by the Code of Ordinances for certain types of applications, whichever notice is greater.

2.3. Notice of News Media and Others

2.3.1. The Secretary of this Commission shall furnish to any persons or organizations requesting such information the date, time, place and proposed agenda of all regular and special meetings. In addition to providing such information in person or by telephone, the Secretary shall cause the date, time, place, and proposed agenda to be posted in a public location, and on the City of Piqua internet web site.

2.3.2. When the ~~Commission~~ Secretary considers an item to have merit and a public hearing is set, the meeting time, date, place and agenda item shall be advertised ~~as a legal notice in forwarded to the local newspaper(s), local radio and television station(s), and any other local media outlet(s).~~

3. Conduct of Hearings

3.1. Meetings Shall Be Open to Public: All meetings held by the Commission shall be open to the public. An attendee log sheet will be located near the entrance for all persons in attendance to sign in.

3.2. Attendance: All Commissioners shall make an effort to attend. Upon action by the City Commission a Commissioner missing more than four (4) meetings per calendar year may be dismissed.

3.3. Quorum: Three (3) members of this Commission shall constitute a quorum.

3.4. Order of Business: The order of business at regularly scheduled meetings shall be substantially as follows:

- (1) Call to Order
- (2) Roll Call
- ~~(3) Remind Guest To Sign Attendee Log Sheet~~
- ~~(4) Conduct of Hearings/Order of Business~~
- ~~(5)(3) Review of Minutes of Previous Meetings~~
- ~~(6)(4) Old Unfinished Business~~
- (5) New Business
- ~~(7)(6) Reports/Presentations of Committees~~
- ~~(8) Hearing of Application~~
- ~~(9)(7) Other New Business~~
- (10)(8) Adjournment

PLANNING COMMISSION
Procedures, Rules, and Regulations
Adopted February 5, 2002

- 3.5. Voting: On any question put to a vote, each member including the chairman shall cast a vote, either for or against the issue, or abstaining from the vote. A member aware of a conflict of interest or conflict of office shall withdraw from all deliberation and decisions. When the case is introduced the member shall address the Chairperson, declare that a conflict exists, and withdraw from participation. All actions of the Commission shall have the concurrence of the majority of the board members. A tie vote or a vote with only two (2) ayes to one (1) nay will result in the defeat of the item due to a lack of the majority of the board.
- 3.6. Applications: Upon receiving an item filed for consideration, if this Commission through the ~~secretary~~ Secretary decides the proposal has merit and that the detail and clarity of the submittal is sufficient for commission consideration, the secretary shall include the item on the next regularly scheduled agenda and the commission may hold at least one public hearing and act upon the request within a reasonable amount of time, in no instance holding more hearings than what would exceed the specified amount of time for which any particular type of application must be acted upon as stated in the City of Piqua Charter or Code of Ordinances.
- 3.7. Minutes: The Secretary shall keep minutes of the proceedings of this Commission, showing the vote upon each motion or if a member is absent or abstaining or failing to vote, indicating such fact, and shall keep records of its official actions, all of which shall be public record and filed in the custody of the Secretary of this Commission.

D. APPLICATIONS.

1. General Requirements: All applications shall be legible and verified by the applicant attesting to the truth and correctness of all of the facts and information presented with such application. Such application shall be submitted and made on forms furnished by the Secretary of this Commission.
2. Specific Requirements: Such applications filed with this Commission shall follow the specific requirements of the City of Piqua Charter and Code of Ordinances.
3. Notice: Notice shall be given in accordance with section C-2 "Notice of Meetings", above.
4. Conduct of Hearings
 - 4.1. Appearance. Any person may appear in person or by agent, or attorney, at the time of this Commissions consideration of the application.
 - 4.2. Order of Business. At such hearing in consideration of an application, the order of business shall be a Modified Roberts Rules of Order substantially as follows:
 - (1) Statement of the case by the Clerk of the Commission, by reading the agenda item.
 - (2) Statement of staff comments ~~by Staff~~ by the Secretary.
 - (3) ~~Statement of board comments by the Commission.~~

PLANNING COMMISSION

Procedures, Rules, and Regulations

Adopted February 5, 2002

- ~~(4)(3)~~ Statement of applicant comments by the Applicant or their agent, or attorney if so desired.
- (4) Statement of comments by other affected parties if present, and if so desired.
- (5) Deliberation among the Commission members.
- (6) Act upon the application, approving, denying, or tabling the appropriate motion in accordance with section C-3.5 "Voting" and C-3.6 "Applications", above.

E. DETERMINATION

- 1. Notice of Decision. A letter stating this Commissions decision or recommendation shall be mailed to the applicant within five (5) business days from the date the application is acted upon. Copy of the acted upon resolution shall be maintained in the custody of the Secretary, certified copies of which shall be available to the public upon request.

F. RECORDS.

- 1. Required Records. The ~~Commission Secretary~~ shall keep the minutes of the proceedings showing the vote of the members on each question, or, if absent or if failing to vote indicating such fact, and shall keep records of its official actions, all of which shall be of public record. In addition, the meetings shall be recorded with an audio recording device and maintained for 12 months from the date of the meeting. ~~A copy of said audio recording shall be available upon request with reasonable time allowed for the creation of a copy of the recorded audio in accordance with the City of Piqua Records Retention Policy.~~
- 2. Maintenance of Records. The Secretary shall be the custodian of this Commission's records and shall file such in the office of the City of Piqua, Ohio ~~Engineering-Development~~ Department.
- 3. Maintenance of Preliminary Plans. The Secretary shall be the custodian of a file the same as hereinabove provided in section F-2 "Maintenance of Records", including copies of preliminary plans and other documents necessary for exercising the continuing jurisdiction of this Commission.

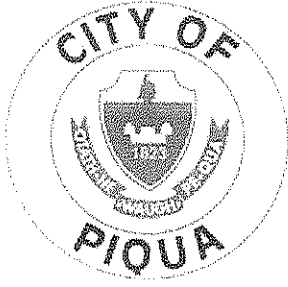
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Revised August 5, 2003

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PLANNING COMMISSION
Procedures, Rules, and Regulations
Adopted February 5, 2002

March 1, 2005	Section 3.6—Determination of an item's merit
<u>December 12, 2011</u>	



DEVELOPMENT OFFICE

Christopher W. Schmiesing -- City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org

JANUARY 27, 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, February 14, 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.piquaoh.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