

## **MIAMISBURG PLANNING COMMISSION MEETING MINUTES – VIRTUAL MEETING**

**February 22, 2021**

The virtual meeting was called to order by Mr. DeYoung at 6:00 PM on Monday, February 22, 2021.

Mr. DeYoung asked for the roll call.

The following commissioners were present: Mike McCabe, Steve Beachler, Mel Rutherford, Ron Mahan, Vanessa Glotfelter, Jim DeYoung.

Mr. DeYoung asked for a motion to excuse Mr. Finney. Ms. Glotfelter motioned. Mr. Mahan seconded. All in favor. Motion carried.

VOTE:      Mr. McCabe, yea; Mr. Beachler, yea; Mr. Mahan, yea;  
                Mr. Rutherford, yea; Ms. Glotfelter, yea; Mr. DeYoung, yea;

Mr. DeYoung asked for a motion to appoint Mr. Fine as the acting secretary. Mr. McCabe motioned. Mr. Rutherford seconded the motion. All in favor. Motion carried.

VOTE:      Mr. McCabe, yea; Mr. Beachler, yea; Mr. Mahan, yea;  
                Mr. Rutherford, yea; Ms. Glotfelter, yea; Mr. DeYoung, yea;

Mr. DeYoung asked if any comments were received for the Citizen's Forum. Mr. Homsi stated that there were no comments on the first item of the evening but he had received comments for the second item and will discuss those later in the agenda.

Ryan Homsi, City Planner, was present as the advisor.

Mr. DeYoung introduced the first item on the agenda.

### **NEW BUSINESS**

SP-02-2021: Site plan review and approval of a 46,500 square foot addition onto the north side of the existing Think Patented building at 2490 Crosspointe Drive.

Mr. Homsi indicated that Think Patented has submitted plans to add an addition to their existing facility on Crosspoint Drive. He displayed and aerial photo of the site and described the general site layout.

Mr. Homsi thoroughly presented the staff report to the Commission discussing the following aspects of the plan.

- Site Review and Existing Conditions – the general site description, location, and surrounding uses; and
- The Proposed Site Plan – proposed location of the building addition, the parking areas, new access points, and zoning standards for setback; and
- Building Elevations – proposed building additions will match existing building.

Mr. Homsi indicated that the proposal meets or exceeds the minimum zoning requirements for the I-1 zoning district in which it's located. He discussed each requirement individually.

Mr. Homsi indicated the applicant still needs to submit a landscaping plan and general lighting details, but doesn't believe the applicant will have any issues meeting the requirements for these items as required by code.

Mr. Homsi presented the staff recommendation as follows:

Provided that the applicable departments (Engineering, Public Works, Fire, etc...) review and approve the plans, staff has no concerns with recommending that the Planning Commission approve case # SP-02-2021 for building addition and parking lot modifications at the Think Patented property at 2490 Crosspointe Drive, Miamisburg, OH 45342 with the following conditions:

1. The applicant agrees to coordinate with and adhere to any modification recommended by the City Engineer, Public Works Director, and/or Fire Marshal related to public grading, utilities, sight distance, storm water management, and emergency access to this site.
2. The applicant agrees to submit the light fixture details for review and approval.
3. The applicant agrees to submit a landscaping plan for review and approval by staff prior to the issuance of any certificates of occupancy for the building.

Mr. DeYoung asked for questions from the Commission. There were none.

Mr. Brian Filburn, representing the applicant, spoke to address the new parking areas. Mr. Filburn indicated that Think Patented plans to build the "future parking" area now rather than later.

Mr. Homsi indicated this additional parking area will meet the zoning requirements.

Mr. Beachler asked about the number of required parking spaces vs. the spaces proposed.

Mr. Homsi indicated that the proposal expansion will exceed the minimum number of parking spaces when completed.

Mr. DeYoung stated he was happy to see Think Patented is doing so well that they need to expand.

Mr. DeYoung asked for a motion on this case.

Ms. Glotfelter motioned to approved case SP-02-2021 with the following conditions:

1. The applicant agrees to coordinate with and adhere to any modification recommended by the City Engineer, Public Works Director, and/or Fire Marshal related to public grading, utilities, sight distance, storm water management, and emergency access to this site.
2. The applicant agrees to submit the light fixture details for review and approval.
3. The applicant agrees to submit a landscaping plan for review and approval by staff prior to the issuance of any certificates of occupancy for the building.
4. The construction of the “future parking” area is also approved as part of this submittal.

Mr. Rutherford seconded.

VOTE:      Mr. McCabe, yea; Mr. Beachler, yea; Mr. Mahan, yea;  
                Mr. Rutherford, yea; Ms. Glotfelter, yea; Mr. DeYoung, yea;

Mr. DeYoung introduced the next item. A public hearing.

SU-04-2020: Review of a proposed daycare/childcare use (Creative Children of Promise) at 1216 Richard Street, Miamisburg, OH 45342.

Mr. DeYoung indicated the Commission received a traffic study before the meeting related to this case. The traffic study was prepared by Oakes Engineering.

Mr. DeYoung motioned to make the traffic report part of the public record for the hearing.

Ms. Glotfelter seconded.

VOTE:      Mr. McCabe, yea; Mr. Beachler, yea; Mr. Mahan, yea;  
                Mr. Rutherford, yea; Ms. Glotfelter, yea; Mr. DeYoung, yea;

Mr. Homsi indicated that Creative Children of Promise has submitted an application to open a Child Care Center within the church located at 1216 Richard Street. He displayed and aerial photo of the site and described the general site layout.

Mr. Homsi indicated that he has spoken to several area neighbors regarding the application and he will discuss those comments during the presentation.

Mr. Homsi thoroughly presented the staff report to the Commission discussing the following aspects of the plan.

- Site Review and Existing Conditions – the general site description, location, and surrounding uses including several photographs looking into and out of the subject property; and

- The Proposed Use – the applicant wishes to open a child care center within an existing church. The proposed daycare would serve up to 90 children. Such uses are Special Uses under Miamisburg's zoning ordinance and therefore require a public hearing review by the Planning Commission; and
- Background on Daycares in the City – a review of the size and location of similar uses within the City over the past 2 years.
- Proposed Site Plan – the location and size of the proposed play areas required for child care centers. Nearly 7,000 sq. ft. of play area. No other substantial modification of the site. No expansion of the parking lot. The site meets the minimum parking requirements.
- Traffic and Access – Richard Street currently carries 1,400-1,500 cars today. The proposed use will add 71 AM trips and 72 PM trips to the roadway. Accident records do not show significant accident history in the area.
- Landscaping and Screening – no additional landscaping and screening is proposed. Mr. Homsi indicated a condition that requires the applicant to work with staff in the future if the need arises to install screening along the edges of the parking lot adjacent to residential uses.

Mr. Homsi outlined the concerns and comments he received from area neighbors. A vast majority of those concerns deal with traffic related items. He referenced a letter that was attached to the staff report from an adjacent property owner.

Mr. Homsi reviewed the Special Use Standards relative to the proposed use. He indicated that with proper screening should issues arise, the proposal does appear to meet or exceed the standards required for such special uses.

Mr. Homsi then reviewed the specific design standards for day care facilities and how they apply to the proposed use. He indicated that the proposed use meets the required design standards.

Mr. Homsi presented the staff recommendation to approve the requested Special Use with the following conditions:

1. If any lighting is to be added to the parking area, the fixtures shall be no more than 16' above the parking lot surface and shall be shielded from adjoining residential uses.
2. The maximum potential enrollment within the subject daycare/childcare use must not exceed 90 enrollees.
3. The fences around the outdoor play areas be at least 4' in height.
4. The applicant and/or property owner agrees to work with staff on installing screening along the parking areas and/or play areas of the site in the future should issues arise.
5. If the church operation on the property ceases for any reason, any daycare/childcare uses on the property must also cease.
6. The applicant, developer, and/or property owner agrees to coordinate with and adhere to any modification recommended by the City Engineer, Chief Building Official, Public Works Director, and/or Fire Marshal related to public utilities,

building code items, storm water management, building code items, roadways/public rights-of-way, emergency access to the site, and other applicable items.

Mr. Homsi indicated that one neighbor that he talked to requested that this item be tabled until meetings can be held in person. Staff is not requesting any additional information from the applicant and therefore is not recommending tabling this item, but it is an option should the Planning Commission decide that tabling the case is warranted.

Mr. DeYoung opened the public hearing and asked for speakers from the audience.

Ms. Fox, the applicant, spoke. She described her business, its history, its mission, and their desire to be good neighbors. She believes there is a need for this service in this area. She indicated that others in the audience were there for support of her business.

There were no other speakers.

Mr. DeYoung closed the public hearing and asked the Planning Commissioners for question or comments.

Ms. Glotfelter indicated that she didn't have any issues with the 90-student capacity

Mr. Beachler had no issues. He indicated the traffic study answered many of his questions. He has no issues with the proposed 90 students.

Mr. Homsi explained the background of the previous request for a daycare on this site.

Mr. McCabe stated that he felt the state regulations for daycares should help alleviate many concerns. He feels this could become an asset to the community.

Mr. Beachler expressed his support for the condition regarding additional screening should it be needed.

Mr. Mahan motioned to approve the requested Special Use, being case number SU-04-2020 with the following conditions:

1. If any lighting is to be added to the parking area, the fixtures shall be no more than 16' above the parking lot surface and shall be shielded from adjoining residential uses.
2. The maximum potential enrollment within the subject daycare/childcare use must not exceed 90 enrollees.
3. The fences around the outdoor play areas be at least 4' in height.
4. The applicant and/or property owner agrees to work with staff on installing screening along the parking areas and/or play areas of the site in the future should issues arise.

5. If the church operation on the property ceases for any reason, any daycare/childcare uses on the property must also cease.
6. The applicant, developer, and/or property owner agrees to coordinate with and adhere to any modification recommended by the City Engineer, Chief Building Official, Public Works Director, and/or Fire Marshal related to public utilities, building code items, storm water management, building code items, roadways/public rights-of-way, emergency access to the site, and other applicable items.

Mr. Rutherford seconded

VOTE:      Mr. McCabe, yea; Mr. Beachler, yea; Mr. Mahan, yea;  
                Mr. Rutherford, yea; Ms. Glotfelter, yea; Mr. DeYoung, yea;

Mr. DeYoung introduced the study session item: a proposal by Kroger for a new Kroger Marketplace store.

### **OTHER BUSINESS**

Mr. Homsi gave a general overview of the project and walked the Planning Commission through a series of slides explaining the project in detail. He indicated that the project will require a rezoning and will likely come back to the Planning Commission for official consideration later this year. His presentation outlined some preliminary concerns regarding the proposed plan and its impact on surrounding properties

Ms. Ann McBride spoke on behalf of the proposal. She indicated they will be seeking to rezone the property to allow for the construction of a new 123,000+ square foot Kroger store. She spoke to many of the concerns that Mr. Homsi outlined. Those included:

- The location of the pickup parking spaces
- The landscaping and screening proposed at various locations on the site
- The location of the new access point on Heinke Rd.
- The requested extension of the proposed wall
- Proposed landscaping in the parking lot
- The proposed signage
- The job creation anticipated

Mr. DeYoung asked the Planning Commission for questions.

Ms. Glotfelter her excitement about the project. She asked about potential traffic conflicts with the pickup spaces and the cars using the new proposed access on Heinke Rd.

Ms. McBride discussed the traffic patterns for that portion of the site.

Ms. Glotfelter asked Kroger to consider some kind of separation for traffic and pick up spaces

There was discussion about pedestrian traffic into the site from Central Ave.

The building materials for the gas station and the design of the elevation of the east elevation were discussed along with the timing of the project.

Mr. Homsi reiterated some the staff concerns, emphasizing the need for the plan to meet the intent of the City's Land Use Plan and why buffers and screens are important to this project.

Mr. DeYoung asked if there were any other items from the Commissioners. Being none, Mr. DeYoung asked for a motion to adjourn.

Ms. Glotfelter motioned to adjourn; Mr. Beachler seconded. Mr. DeYoung declared the meeting adjourned.

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James DeYoung, Chairman

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Chris Fine, Acting Secretary