

Brookville Planning Commission
Regular Meeting
August 18, 2022

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on August 18, 2022. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner; Members Claggett, Cordes, Dittrick and Schreier; Law Director Stephan and Clerk Duncan were present. Manager Keaton was absent.

Roll call by Clerk Duncan.

Chairperson Henderson advised that BH Devco, LLC should be removed from the Agenda.

Motion by Schreier, second by Cordes to adopt the Agenda with an amendment. All yeas, motion carried.

Motion by Claggett, second by Dittrick to approve the minutes of the July 21, 2022 Planning Commission Meeting. All yeas, motion carried.

Law Director Stephan reported Arbor Homes has filed an application for Final Subdivision and Development Plan approval for the Harper Creek Subdivision. The plan is consistent with the Preliminary Plan approved by Planning Commission. The subdivision will establish 43 lots for single family housing under R-1B zoning. Approval of this Final Plan would be subject to approval by City Council.

Member Schreier inquired if the covenants are written up after the Final Plan is submitted?

Law Director Stephan replied we have received a draft of the covenants that would be included in the development agreement.

Member Claggett asked if there will be any type of wall or barrier on the Albert Road side?

Law Director Stephan replied there will be a landscape buffer along Albert Road and the sidewalk.

Member Claggett inquired whether the Fire Department has reviewed the Final Plan?

Law Director Stephan indicated the Fire Chief has reviewed and approved the plan.

Member Cordes inquired whether the green space requirement has been met?

Member Schreier commented there is no green space requirement under the current zoning.

Mayor Letner stated the Final Plan meets the zoning requirements. Mayor Letner stated this project has come a long way and he feels it fits our needs.

Motion by Dittrick, second by Schreier to approve and recommend to Council the Harper Creek Final Subdivision Plan and Final Development Plan, subject to final approval of City Staff, City Engineer, and execution of the Final Development Agreement. All yeas, motion carried.

Law Director Stephan advised One Minute Stop, the owner of gas station and convenience store at 237 Market St., has filed a Special Use application to establish a drive-thru window for their convenience store. The property is located in the Community Center District, and drive-thru facilities are a Special Use in the district. The applicant would be removing the existing obstructions in the drive-thru area and installing a drive-thru window. There is approximately 16 feet of width for the drive-thru drive on the west side of the building. The owner is requesting this drive-thru to decrease traffic congestion at the gas pumps during peak hours of operation and improve customer service. Law Director Stephan advised Balvinder Kaur, owner of One Minute Stop, is present to answer any questions.

Member Schreier stated it looks like there is plenty of room for ingress coming around the side of the building.

Law Director Stephan agreed, stating the Municipal parking lot is against their property. There is a lot of space for cars to move once you pass the concrete barrier the near the Post Office parking lot.

Member Claggett inquired about the alley?

Law Director Stephan replied there is an alley from Mulberry Street to the vacated street area near the bikeway, which is indicated on the Waco Street Plat.

Member Claggett stated he is trying to figure out how safe the traffic will be with the sidewalk on Market Street, especially with all of the people at the ice cream shop.

Chairperson Henderson replied he does not think it is going to be any different than the people pumping gas and pulling out right there.

Mayor Letner asked if there will be any striping or signage?

Mr. Kaur indicated there will be striping and signage for pedestrians.

Mayor Letner asked if they are just cutting out a drive-thru window or are they adding on to the building?

Mr. Kaur replied they are adding a window to the existing building. They will also relocate the HVAC so there will be plenty of space.

Member Schreier asked if there is a potential concern about people coming out of the drive-thru and leaving the gas pump at the same time?

Chairperson Henderson advised Hip-Stirs Coffee Shop had to extend the curb to allow pedestrians to come out safely. Chairperson Henderson replied he does not think a curb will be added in this instance, but there will not be people walking across to a parking lot like there is at Hip Stirs. The lane could be striped to indicate the drive aisle. Chairperson Henderson stated in general, he does not have any issues with what is being proposed.

Mr. Kaur stated the drive-thru lane will be striped.

Mayor Letner inquired if there is any difference in the liquor licensing for a drive-thru than a carry out?

Law Director Stephan replied it is the same type of license.

Motion by Dittrick, second by Claggett to approve the Special Use Permit for One Minute Stop to add a drive-thru to the existing building at 237 Market Street. All yeas, motion carried.

Law Director Stephan reported he has been working with our new Zoning Enforcement Officer, Ava Evans, and they have been busy with code enforcement and issuing new permits. Ms. Evans has a degree in Urban Planning from Ohio University.

Law Director Stephan reported he would like to work on a text amendment in our General Business zoning district to add residential use as a Special Use, either in combination with a business or in adjoining properties in the GB district. We currently have that Special Use in our CC districts. For example, on Market Street, we have residential use as a Special Use. There are buildings where you have the business at the bottom and residential upstairs. We have a couple situations in other GB existing districts where we have property owners and prospective buyers that would like to use the buildings for both business in the lower level and residential at the higher level. Law Director Stephan stated looking forward, we have GB zoning on the Market Street extension right now and he would like to have that option for any potential development there. We were also looking at some other areas where we may apply GB zoning in the future. It would be a Special Use so Planning Commission could say yay or nay on a particular project but it would give us the ability to have mixed use so we would have business and residential in close proximity. Law Director Stephan stated he would like to prepare an Ordinance and that would be followed by a public hearing. Planning Commission could make a final decision after that public hearing.

Member Schreier stated this addition would be looked at in existing and future developments.

Law Director Stephan replied that is correct. We need this option going forward as it will give us more flexibility for future developments and for property owners in existing GB buildings. We currently have that in the existing Community Center (CC) zoning districts, which is Market Street. In section 1141.03(b) we have residential dwellings as a Special Use and we could add residential dwellings in combination with a business use.

Member Schreier inquired whether this re-zoning would have an impact on a standard Special Use running a business out of their home?

Law Director Stephan replied that would still be a totally separate issue.

Law Director Stephan reported we did have enough signatures to get the liquor issue on the ballot for the proposed Mexican Restaurant. We had a lot of help from citizens in terms of getting this circulated.

Member Cordes commented there is an issue with skunks in his neighborhood. Extermination will cost \$300-\$400. Member Cordes stated his neighbors will benefit if he pays for the extermination. Member Cordes asked if there is anything the city can do about skunks?

Member Schreier stated the feral cat ordinance was passed in order to discourage leaving food out that other animals, such as skunks and raccoons, feed on.

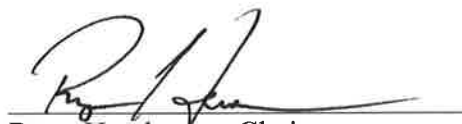
Law Director Stephan stated the current policy is that it is the homeowners' responsibility. He will review it with the City Manager as he has received several complaints recently.

Member Claggett inquired about the business going into the old firehouse?

Mayor Letner stated he recently toured the building and they have done a lot of work. They need to install a fire suppression system, which hinges on the city replacing the water line on Main Street. They are also experiencing supply chain issues, just like everyone else.

Motion by Claggett, second by Cordes to adjourn. All yeas, motion carried.



Kimberly Duncan, Clerk

Ryan Henderson, Chairperson