PLANNING COMMISSION MEETING

Thursday, April 20, 2023, 7:30 PM

CITY HALL

301 SYCAMORE STREET, BROOKVILLE, OHIO 45309

www.brookvilleohio.com

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Meeting number: 2633 029 3681 Password: 2rRbNJRPd53

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Agenda

I. Opening

a. Call to Order

b. Pledge of Allegiance

c. Roll Call

II. Adoption of Agenda

III. Approval of Minutes

a. Approval of March 16, 2022 Meeting Minutes

IV. Special Use Permit- Calioh Eats, LLC

V. Reports

a. Law Director

VI. Old Business

VII. New Business

VIII. Adjournment

Chairperson Ryan Henderson • Mayor Chuck Letner
Members: • Ken Claggett • Ronda Dittrick • Damian Kristof • Curt Schreier

Brookville Planning Commission
Regular Meeting
March 16, 2023

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on March 16, 2023. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Dittrick, Kristof, Schreier; Law Director Stephan, Manager Keaton and Clerk Duncan were present.

Roll call by Chairperson Henderson.

Motion by Claggett, second by Dittrick to adopt the Agenda as presented. All yeas, motion carried.

Motion by Dittrick, second by Kristof to approve the minutes of the February 16, 2023 Planning Commission Meeting. All yeas, motion carried.

Law Director Stephan advised under Section 4.11 of the Charter, Planning Commission is required to make a final recommendation on Ordinance No. 2023-05, which provides zoning classifications for the newly annexed property on Upper Lewisburg-Salem Road and Brookville Phillipsburg Road. Public comments were received in the Public Hearing on March 7, 2023. The proposed zoning would provide approximately 23.4 acres of General Business District (GB) and approximately 35.5 acres of R-1B Urban Residential District. Law Director Stephan requested Planning Commission make a final recommendation to City Council to adopt proposed Ordinance No. 2023-05.

Member Claggett asked if any negative feedback was received at the Public Hearing?

Law Director Stephan replied there were some questions from residents in the area, but no negative feedback.

Chairperson Henderson advised the two major comments were from adjacent property owners who were concerned about what will be constructed there, what the layout will look like, and whether lights will shine into their homes. Comments were also made stating they would like to see the property zoned differently for a broader distribution of homes. Chairperson Henderson stated there were no concerns that a new developer could not accommodate.

Member Schreier commented the township residents had a positive attitude about it when they learned there would not be any type of warehouse across the street from them.

Motion by Dittrick, second by Kristof to recommend Council adopt proposed Ordinance No. 2023-05 to establish the zoning classification of Lots 2749, 2750 and 2751 of the City of Brookville, Ohio. All yeas, motion carried.

Law Director Stephan reported Atlas Restoration & Remodeling, Inc. has filed a Special Use Application to place a portable on-demand storage unit at 706 Terri Drive. This property has suffered extensive water damage. The storage unit will be used to store furnishings and other household items while remodeling the house. It is anticipated that the restoration work will take several months to complete. Law Director Stephan advised under Section 1157.09, the Zoning Officer may approve a temporary permit for thirty (30) days for the portable on-demand storage unit. Planning Commission would approve an extension of the permit to June 15, 2023. This additional time is needed because of the extensive repairs required, and the uncertainty of when certain materials will be delivered for the project.

Member Schreier asked if we had to provide notice to the homeowners?

Law Director Stephan replied specific notice is not required.

Motion by Schreier, second by Claggett to approve an extension of the Special Use Application for a portable on-demand storage unit for 706 Terri Drive until June 15, 2023. All yeas, motion carried.

Law Director Stephan reported What's The Scoop, at 230 Market Street, and Calioh Eats, LLC, a pizza mobile food truck, have filed a Special Use Permit Application to have the pizza mobile food truck located in front of What's The Scoop once a month from 10:00 p.m. until 12:30 a.m. What's The Scoop would be open during this once-a-month special event. The pizza truck would be located in public parking near the What's The Scoop. Because the event would start at 10:00 p.m., most of the other businesses in that area of Market Street would be closed during the event. Law Director Stephan advised under Section 1163.03(b)(26), Planning Commission may approve a mobile food vendor located on public parking owned by the City of Brookville. Law Director Stephan requested Planning Commission approve this Special Use Permit for the Calioh Eats, LLC mobile food truck to operate once-a-month for special events to be held in partnership with What's The Scoop.

Tracy Brown, of What's The Scoop, stated they are trying to give kids something fun to do after hours in a safe environment.

Mayor Letner asked Ms. Brown if she has spoken to Sarah's Pizza about the event?

Ms. Brown replied she has not spoken to them but she will.

Member Kristof stated the library had to stop their after-hours programs because of the curfew in Brookville and asked if this would violate the curfew for teens in Brookville?

Ms. Brown stated she thinks the curfew is 1:00 a.m.

Motion by Dittrick, second by Kristof to approve the Special Use Permit for What's The Scoop and Calioh Eats to have a mobile food truck in front of 230 Market Street once a month from 10:00 p.m. until 12:30 a.m. All yeas, motion carried.

Law Director Stephan reported a record plan entitled the Duncan Plat is before Planning Commission for approval as a minor subdivision. The record plan will combine Lot 502, Pt. Lot 503, Part Lot 563 and part of a vacated alley into a single new lot. By replatting this property into a single lot, the primary residence, garage and storage shed will now all be located on a single city lot. Law Director Stephan stated this section of town has many lots with part lots and/or vacated alleys attached to them. Law Director Stephan requested that Planning Commission approve the Duncan Plat as presented.

Mayor Letner inquired whether these lots are different parcels for real estate tax purposes?

Law Director Stephan replied it is currently one real estate parcel for tax purposes.

Member Schreier inquired if the parcel id number will stay the same?

Law Director Stephan replied the Auditor's office will determine whether a new parcel id number is needed.

Motion by Dittrick, second by Schreier to approve the Duncan Plat record plan as presented. All yeas, motion carried.

Law Director Stephan reported the February Zoning Report shows we continue to see new family development in Hunter's Run and two new businesses on Market Street. One of the businesses is a change of ownership and the other is a Mexican restaurant.

Law Director Stephan reported the car wash on Market Street is being rehabbed, which will be a big improvement on Market Street.

Motion by Kristof, second by Dittrick to adjourn. All yeas, motion carried.

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Kimberly Duncan, Clerk Ryan Henderson, Chairperson

MEMORANDUM:
DATE: APRIL 17, 2023
TO: CITY OF BROOKVILLE PLANNING COMMISSION
FROM: RODNEY L. STEPHAN, LAW DIRECTOR
RE: AMENDMENT OF SPECIAL USE PERMIT CALIOH EATS, LLC

Planning Commission approved a special use permit for CALIOH EATS, LLC, a pizza mobile food truck, to locate at What's The Scoop on Market St. They have now requested approval for two other sites. One site would be the municipal parking lot off Arlington Rd., where the City of Brookville has permitted other mobile food trucks to locate. The other location would be at 60 W. Westbrook Rd. in front of the business, JR Fixit. The mobile food truck would be operating a few days per month at each site. Under 1163.03(b)(26), Planning Commission may approve a special use permit for a mobile food vendor at these locations.

It is requested that the special use permit for CALIOH EATS, LLC, be amended to include the municipal parking lot at Arlington Rd. and public parking at 60 W. Westbrook Rd. in front of the JR Fixit Shop.