

Brookville Planning Commission
Regular Meeting
February 15, 2024

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on February 15, 2024. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Ezerski, Kristof, and Wright; Law Director Stephan, Manager Kuntz and Clerk Duncan were present. Member Schreier was absent.

Roll call by Clerk Duncan.

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

Motion by Letner, second by Ezerski to approve the minutes of the January 18, 2024 Planning Commission Meeting. Ezerski yea, Claggett yea, Letner yea, Wright yea, Kristof abstained, Henderson yea. Motion carried with five yeas and one abstention.

Law Director Stephan reported B & B Rentals, LTD has submitted a Final Subdivision Application for Meadow Glen Subdivision-B Record Plan and Meadow Glen Subdivision-C Record Plan. Both Subdivision Record Plans are consistent with the Preliminary Subdivision Plan approved by Planning Commission at the January 2024 meeting. The Meadow Glen Subdivision-B Plan will establish new public street right of way for Fledgling Way and Bruns Drive. Bruns Drive is currently a private street without public sidewalks. The Meadow Glen Subdivision-C will replat the existing Bruns Drive to establish it as a public street. This will allow public sidewalks to be installed along Bruns Drive and Fledgling Way. The developer will be required to submit a performance bond for the estimated costs of the public improvements for this project to insure completion of the public improvements. It is requested the Planning Commission approve Meadow Glen Subdivision-B Record Plan and Meadow Glen Subdivision-C Record Plan subject to final approval of the construction plans for the subdivision by the City Manager and City Engineer, and deposit of a performance bond to insure completion of the public improvements.

Member Wright inquired whether there is a difference between what was discussed in the last meeting and this meeting?

Law Director Stephan stated this is completely consistent with what was discussed at the last meeting. We have a process in our subdivision approvals where an applicant can come in and ask for a Preliminary Plat approval and then come in for a Final Subdivision Plat approval, which would then be filed with Montgomery County. The Final Subdivision Plat approval creates new lots and plats the new streets.

Member Wright commented that the public sidewalks were specifically referred to in the Law Director Stephan's report.

Law Director Stephan noted that sidewalks are an important part of this project because currently there are no sidewalks. Staff asked the developer to install sidewalks, which is why Bruns Drive is being replatted as a public street.

Mayor Letner asked what the buildout timeline is for this project?

Law Director Stephan replied the street should be completed this year, along with possibly one of the buildings. It will be multiple years before the project is completed.

Motion by Claggett, second by Kristof to approve Meadow Glen Subdivision-B Record Plan and Meadow Glen Subdivision C Record Plan, subject to final approval of the construction plans for the subdivision and deposit of performance bond to ensure completion of the public improvements. Claggett yea, Letner yea, Wright abstained, Kristof yea, Ezerski nay, Henderson yea. Motion carried with four yeas, one nay and one abstention.

Law Director Stephan reported John Ritter has submitted a Special Use Application for an Old German Baptist Brethren church meeting center to be known as "The Homestead Gathering Place". This project will be located at 201 Heckathorn Road and is part of the 113.562 acres annexed from Perry Township to the City of Brookville in 2023. The property is zoned R-1A. Churches and other buildings for the purpose of religious worship are a special use set forth in Section 1121.02 (b)(3) of the R-1A zoning district. A copy of the Special Use Application and Site Plan are attached. The Site Plan includes an 18,327 square foot building that will include meeting rooms and a recreation area. The project will be located on 5.96 acres to be subdivided from the 113.562-acre tract annexed to the City of Brookville. A Final Subdivision Record Plan, entitled the JLR Leasing Plat, is submitted to Planning Commission for final approval. The plat will establish a new lot for the church meeting center to be located. Law Director Stephan requested that Planning Commission approve the Special Use Application and Site Plan for "The Homestead Gathering Place." It is also requested that Planning Commission approve the Final Subdivision Record Plan entitled JLR Leasing Plat for this project.

Member Wright asked when this property was annexed?

Law Director Stephan replied the property was annexed in the fall of 2023.

Mayor Letner asked what the timeline will be for this project?

Daryl Deaton, of 1691 Antioch Road, Eaton, Ohio replied they hope to start construction this spring and finish in 2025.

Mayor Letner stated he has no issues with this project. The Ritters have been a great asset to our community. His only concern is the impact on our neighbors in the Meadows of Brookville and to the north. He would like to keep this impact to a minimum.

Member Claggett asked if this project will be similar to the building on Wolf Creek Pike at Heckathorn Road?

Mr. Deaton replied that building is a church. This building is a gathering center for their youth and members of their congregation.

Chairperson Henderson asked about the size of the building and how many people it will hold?

Mr., Deaton replied he does not have those figures readily available.

Law Director Stephan commented the plans show 115 parking spaces, with five ADA spaces.

Chairperson Henderson inquired whether the Fire Chief has approved these plans?

Law Director Stephan replied the Fire Chief has reviewed the plans and requested a fire hydrant be placed in the vicinity of the building. City water and sewer will be run under the bikeway to this project.

Motion by Kristof, second by Wright to approve the Special Use Application and Site Plan for the Homestead Gathering Place, and the Final Subdivision Record Plan for JLR Leasing as presented. All yeas, motion carried.

Law Director Stephan reported Louisiana Grill has submitted a Special Use Application to locate their mobile food truck in the parking lot at McMakens. A letter of support authorizing this location for Louisiana Grill has been received from McMakens. Mobile Food Vendors are a special use authorized in Section 1163.03(b)(26) that Planning Commission may approve in the General Business Zoning District in which McMakens is located. Louisiana Grill has previously been approved by Planning Commission to locate at McMakens, and there have been no issues with the operation of this mobile food vendor at McMakens. This special use approval is for a period of one year. It is requested that the Special Use Application of Louisiana Grill be approved by Planning Commission. Law Director Stephan commented that McMakens sells Louisiana Grill barbeque sauce in their store, so there is a dual marketing between the two entities.

Member Wright asked if this is a one-year permit and if the Louisiana Grill has been in this same location in the past?

Law Director Stephan replied a Special Use Permit for a mobile food vendor is issued for one year. Louisiana Grill has been located in the McMakens lot for three or four years in a row and sets up about four times per year.

Motion by Claggett, second by Ezerski to approve the Special Use Application for a mobile food truck in the parking of McMakens IGA at 1 Country Lane. All yeas, motion carried.

Law Director Stephan reported Brooke Hemmerich has filed a Special Use Application to operate her mobile boutique in the City of Brookville. She would like to operate from two locations. One location is the municipal parking lot on Arlington Road adjacent to the bikeway where we have located other mobile vendors. The other proposed location is in the municipal parking lot on the corner of Market Street and Walnut Street. This mobile vendor use is similar to the mobile food vendor special use in 1163.03(b){26}. The proposed locations for operation are in business districts

which permit mobile food and mobile produce vendors as a special use. The general standards for approval of a special use set forth in 1163 .03(a) should be considered by Planning Commission in determining whether to approve a Special Use approval for this type of mobile vendor. Law Director Stephan stated Planning Commission is looking at potentially approving the Arlington Road site. Law Director Stephan advised he and Manager Kuntz are still reviewing the Market and Walnut Street site.

Member Wright inquired whether the vendors who set up at the Arlington Road site are charged rent.

Law Director Stephen replied they are not charged rent, just the Special Use Application fee.

Chairperson Henderson inquired how this schedule compares to the other vendors who have set up at the Arlington Road site in the past?

Law Director Stephan stated this is probably more weekends than some of the other vendors have set up. The burger vendor was there nearly every day last summer and the Mexican food vendor was there a few times per week.

Member Kristof asked if all of the merchandise would be contained in the truck or would it be outside the truck on racks as well?

Member Wright commented Blue Finery sells similar merchandise, and another similar merchant is opening a store front on Market Street. Member Wright asked if these businesses have been considered?

Law Director Stephan stated this is something that Planning Commission needs to consider, as this vendor would be competing against those businesses. Planning Commission could consider whether approving the mobile boutique at the Arlington Road site would limit the direct competition with the other boutiques on Market Street. There are two sides to mobile vendors, they compete with businesses that are in a building, yet they do offer our residents multiple choices.

Member Claggett inquired what the size is of the mobile boutique?

Law Director Stephan replied his understanding is the mobile boutique is similar to the mobile food vendor trucks.

Chairperson Henderson inquired whether there will be a tent set up in addition to the trailer?

Mayor Letner suggested this vendor appear before Planning Commission at the next meeting so these questions can be answered. Planning Members can then get a first-hand look at what their business approach is going to be.

Member Wright commented he has much less of an issue with the mobile boutique at the Arlington Road location versus the Market Street location. He is confident we are going to start

filling some of the store fronts on Market Street soon and he does not want to take up any of those parking spots.

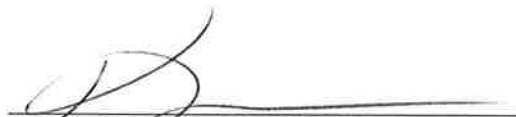
Motion by Letner, second by Wright to approve the Special Use Application for Small Town Tique to operate from the municipal lot on Arlington Road, with the Market Street location pending further review. All yeas, motion carried.

Law Director Stephan had no report.

Mayor Letner commented that Tik Tacos, El Bronco and Mulberry & Main have all received their liquor permits. Mayor Letner stated at some point we will be looking at a DORA area in downtown Brookville.

Mayor Letner also reported that a tobacco company has made a cash offer to purchase Hatmaker's Auto on Market Street Mayor Letner reminded everyone that Council passed a 180-day moratorium in November regarding medicinal and recreational marijuana. If the tobacco company purchases the Hatmaker property, it would be for tobacco and vape sales only.

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


Kimberly Duncan, Clerk
Ryan Henderson, Chairperson

