



PLANNING COMMISSION MEETING

Thursday, December 19, 2024, 7:30 PM

CITY HALL

301 SYCAMORE STREET, BROOKVILLE, OHIO 45309

www.brookvilleohio.com

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 October 17, 2024 Meeting Minutes

IV. Reports

- a. Law Director

V. Old Business

VI. New Business

- a. Text Amendments in the Community Center District
- b. Propose zoning for annexed territory of 85.61 acres - Lots 2798, 2799 and 2800

VII. Adjournment

Chairperson Ryan Henderson • Mayor Chuck Letner

Members: • Ken Claggett • Tony Ezerski • Damian Kristof • Curt Schreier • Jeff Wright

Brookville Planning Commission
Regular Meeting
October 17, 2024

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on October 17, 2024. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Ezerski, Kristof, Schreier and Wright; Manager Kuntz, Law Director Stephan and Clerk Duncan were present.

Roll call by Clerk Duncan.

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

Motion by Kristof, second by Schreier to approve the minutes of the September 19, 2024 Planning Commission Meeting. All yeas, motion carried.

Law Director Stephan reported a Site Development Plan Application has been filed for a building addition at 98 Mosier Parkway. The current building is used as a medical office. The site plan provides for a building addition of 5,590 square feet to the existing building. The use of the building will remain the same. The plan modifies the existing parking lot and provides additional parking spaces for the building expansion. The site plan is in compliance with the zoning requirements for the I-2 zoning district. Law Director Stephan requested approval of the site plan for the expansion of the medical facility at 98 Mosier Parkway.

Jason Lincoln, 3767 Colton Court, Lebanon, Ohio, 45036, was present as the building owner and project manager for Beauty Construction Group. Mr. Lincoln stated the building is being leased to Premier Health. The expansion is for additional patient and physician rooms. Mr. Lincoln advised this is a two-phase project expected to take ten to twelve months to complete. The finished building will be approximately 10,000 square feet with matching brick façade and roofing.

General discussion followed regarding additional parking, lighting, landscaping and the addition of four physicians and 24 exam rooms.

Motion by Claggett, second by Ezerski to approve the Site Development Plan Application for 98 Mosier Drive as presented. All yeas, motion carried.

Law Director Stephan provided Planning Commission members with the most up-to-date zoning map for the city, which includes the areas that have been annexed into the city recently.

Member Claggett congratulated Member Wright on the opening of his Mulberry & Main business.

Manager Kuntz reported the Comprehensive Land Use Plan Update Steering Committee met last night with the consultant. The meeting went very well. The community survey will go out late fall or early winter. There will be additional opportunities for community engagement after the survey.

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

Kimberly Duncan, Clerk

Ryan Henderson, Chairperson

MEMORANDUM:

DATE: DECEMBER 9, 2024

TO: CITY OF BROOKVILLE CITY COUNCIL AND PLANNING COMMISSION

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: TEXT AMENDMENTS IN THE COMMUNITY CENTER DISTRICT

The Community Center Zoning District includes the area of Market Street from Wolf Creek Street to the municipal bikeway. I have attached a copy of Chapter 1141 CC Community Center District which is the zoning code for this area.

There have been concerns raised regarding certain types of retail uses locating in the Community Center District, including smoke and vape shops, pawn shops, and check cashing businesses. To address these concerns, the following text amendments should be considered by Planning Commission and City Council. In Section 1141.02 (a) (2), the text could be amended to delete pawn shops and tobacco shops from the list of permitted retail stores.

In addition, Section 1141.02 (a) (14) authorizes "Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted." It could be specified in this section that Planning Commission is not authorized to approve pawn shops, smoke or vape shops, and check cashing facilities in this district.

I plan to review these text amendments with Planning Commission and City Council in December and start the process of approving these text amendments in January. I would recommend that City Council pass a motion to provide for a moratorium on these uses in the Community Center District until June 1, 2025 to permit the text amendment process to be completed.

CHAPTER 1141

CC Community Center District

1141.01 Purpose.

1141.02 Uses.

1141.03 Site development regulations.

CROSS REFERENCES

Visibility at intersections - see 1153.03

Special provisions for commercial uses - see P. & Z. 1155.01

Accessory uses - see P. & Z. 1157.021

Signs - see P. & Z. Ch. 1161

1141.01 PURPOSE.

This district is designed to provide for a somewhat restricted variety of retail stores and business and consumer service establishments which function most efficiently from a central place in the community, and which serve the comparison shopping and service needs of Brookville and its environs. Activities are encouraged which will not result in vehicular-pedestrian conflicts nor produce "dead spaces" within this more intensive commercial activity area.

1141.02 USES.

(a) Permitted Uses.

- (1) Department stores.
- (2) Establishments engaged in the retail trade of drugs, art, book and stationery stores, bicycle stores including rental and repair; apparel stores including specialty shops, florist shops, antique shops, sporting goods stores, coin and stamp stores, jewelry stores, gift shops; food stores, grocery stores, meat market, bakery goods sales, candy and ice cream shops and delicatessens; hobby shops, interior decorating shops, leather goods and luggage stores, pawn shops, second hand stores, shoe stores and repair shops; tobacco shops, variety stores, optical goods, furniture, home furnishing and appliance stores.
- (3) Eating and drinking - restaurants or other places serving food and/or beverage except drive-ins.
- (4) Hardware and related stores such as paint, wallpaper, and similar uses.
- (5) Establishments engaged primarily in the field of finance, insurance, and real estate: banks, excluding drive-in type; credit agencies other than banks; investment companies, real estate, insurance companies.
- (6) Establishments engaged in providing a variety of personal services to individuals, such as: barber and beauty shops, and shoe repair.
- (7) Medical and other health services.
- (8) Employment agencies, miscellaneous business services such as advertising, accounting, auditing, and bookkeeping services.
- (9) Engineering and architectural services.
- (10) Non-profit professional, charitable, service and labor organizations.

(11) Schools - music, dance and business, clothing and costume rental stores, photographer's or artist's studios.

(12) Radio and television broadcasting studios.

(13) Travel bureaus and ticket offices.

(14) Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted.

(15) Accessory buildings incidental to the principal use.²⁹

²⁹Regulations governing accessory facilities and uses are specified in Chapter 1157.

(b) Special Uses. The following special uses are subject to review in accordance with Chapter 1163.

(1) Libraries and museums.

(2) Residential dwellings.

(3) Commercial parking lots.

(4) Banks with drive-in facilities.

(5) Shops producing merchandise to be sold at retail providing that no more than five (5) persons are employed on the premises in such production.

(Ord. 1987-05. Passed 8-4-87.)

(6) Mobile food vendors. (Ord. 2010-06. Passed 8-3-10.)

1141.03 SITE DEVELOPMENT REGULATIONS^{30,31}

³⁰See Chapter 1155 for additional provisions for commercial facilities.

³¹Townhouse and zero lot line dwellings shall be guided by respective provisions within the special use section. No specific yard requirements are specified for other types of dwellings with the exception of a minimum lot area of 1500' per unit for multi-family dwellings, with single conventional family detached units prohibited.

(a) Lot Requirements.

(1) Minimum lot area. Sufficient to meet all other yard, parking and loading requirements.

(2) Minimum lot frontage.

(b) Yard Requirements.

(1) None, except as required to meet the provisions for loading and parking, and the following:

If fire resistive construction, building may be:

A. Set to the side property line, or

B. Set not less than four (4) feet back from side property line. If non-fire resistive construction, building must be set back eight (8) feet from side property line.

(2) Where lot line abuts residentially zoned area without street separation, the minimum side or rear transitional setback distance shall be 25 feet in depth and provided with a landscape screen or wall as defined in Section 1155.01.

(c) Structural Requirements.

Maximum building height: There shall be no specific height limitation in the Community Center District; however, prior to the issuance of a building permit for any structure which is planned to exceed forty-five (45) feet in height, the Planning Commission shall make a finding that any such excessive height will not be detrimental to the public safety, to the light, air or privacy of any other structure or use currently existing or approved for construction.

(d) Parking and Loading Requirements. See Chapter 1159 for off-street parking and loading space requirements.

(e) Signs. See Chapter 1161 for size and location of permitted signs.
