

Brookville Planning Commission
Regular Meeting
February 20, 2025

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on February 20, 2025. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Ezerski, Kristof and Schreier; Manager Kuntz, Law Director Stephan and Clerk Duncan were present. Member Wright was absent.

Roll call by Clerk Duncan.

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

Motion by Claggett, second by Kristof to approve the minutes of the December 19, 2024 Planning Commission Meeting as presented. Letner yeas, Claggett yeas, Ezerski yeas, Kristof yeas, Schreier abstained, Henderson yeas. Motion carried with five yeas and one abstention.

Law Director Stephan reported Louisiana Grill, Home of Bourbon Chicken, has filed a special use application to operate as mobile food vendor in the City of Brookville. They will be operating from the parking lot of McMakens Supermarket at 1 McMaken Way. Louisiana Grill has previously been approved by Planning Commission to operate in the McMakens parking lot, and no issues have been reported. McMakens has submitted a letter authorizing Louisiana Grill to locate in their parking lot.

Motion by Ezerski, second by Kristof to approve the special use application for Louisiana Grill, Home of Bourbon Chicken for a one-year period as presented. All yeas, motion carried.

Law Director Stephan reported CALIOH EATS has filed a special use application to operate as a mobile food vendor in the municipal parking lot on Arlington Road, adjacent to the bikeway.

Motion by Kristof, second by Schreier to approve the special use application for CALIOH EATS for a one-year period as presented. All yeas, motion carried.

Motion by Schreier, second by Kristof to nominate Ryan Henderson as Planning Commission Chairperson. Letner yeas, Claggett yeas, Ezerski yeas, Kristof yeas, Schreier yeas, Henderson abstained. Motion carried with five yeas and one abstention.

Motion by Ezerski, second by Kristof to nominate Ken Claggett as Planning Commission Vice Chairperson. All yeas, motion carried.

Law Director Stephan reported a text amendment for the Community Center District has been prepared and is before Planning Commission as Exhibit "A" for review. The text amendment removes from 1141.02(a)(2) pawn shops and tobacco shops as a permitted use. The text

amendment also amends 1141.02(a)(14) to specify that while Planning Commission has authority to approve other uses that are similar to the listed permitted uses, the following uses would be expressly prohibited in the Community Center District: Tobacco, smoke and vape shops, check cashing stores, and pawn shops. Law Director Stephan requested Planning Commission review the text amendment and provide an initial recommendation to City Council.

Member Ezerski inquired whether this text amendment would apply to the current gas station on Market Street?

Law Director Stephan replied the text amendment is designed specifically for an applicant looking to open a smoke or vape shop. It would not cover gas stations selling cigarettes or similar products.

Member Claggett inquired whether a business could get around the zoning by opening a permitted retail shop and selling tobacco, smoke and vape on the side?

Law Director Stephan replied the applicant would be required to disclose the specify type of business they would be operating. Our zoning permits could expressly state that the sale of tobacco, smoke and vape are not permitted in the Community Center District. The sale of medical marijuana is clearly prohibited by our Ordinance.

Motion by Claggett, second by Kristof to recommend that City Council adopt the text amendment for the Community Center District as outlined in the aforementioned Exhibit "A". All yeas, motion carried.

Law Director Stephan presented a proposed Ordinance to establish zoning for the 85.611 acres on Upper Lewisburg-Salem Road that was annexed to the City of Brookville in 2024. City Council previously passed Ordinance No. 2024-07, which approved zoning 27.465 acres GB(PD) and 58.146 acres (R-1A) (PD). This zoning was rejected by the voters of the City of Brookville in the November 2024 election. Law Director Stephan stated in the newly proposed ordinance, a Planned Residential District would be established for the 85.611 acres. Exhibit "C" of the proposed ordinance sets forth development standards that would apply to this Planned Residential District. Law Director Stephan advised a copy of this proposed ordinance was reviewed by representatives of the Keep It Rural group for their initial input and provided a copy of their comments on the Exhibit "C" standards.

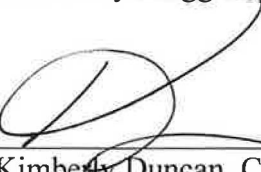
Law Director Stephan presented three options for Planning Commission to consider in order to make an initial recommendation to City Council on the proposed zoning for this property. The first option would be to zone the area Conservation while we wait for recommendations from the Comprehensive Land Use Plan update, which is underway. The next option would be to use one of our existing zoning districts of R-1A or R-1B, with Planned Development overlay. The third option would be to adopt a Planned Residential District, adopting specific standards for this specific Planned Residential District.

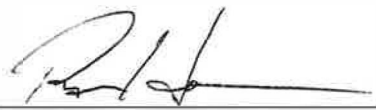
Discussion followed, focusing on establishing a Planned Residential District and meeting the standards the Keep It Rural group suggested in order to avoid another referendum on the zoning. Conservation zoning was dismissed as it would not be in the best interest of the property owner. Lot size and building materials were discussed extensively, with consideration given to the marketability of the property if the lot sizes were required to be larger than a half-acre. Members discussed the importance of public input, which will be considered during the zoning process in the form of a public hearing.

Motion by Schreier, second by Claggett to recommend to City Council the proposed Ordinance which establishes a Planned Residential District for the 85.611 acres on Upper Lewisburg Salem, with the following modifications to Exhibit "C" of the proposed Ordinance: modify the Yard Requirements in (c)(3) to 20 feet, modify the Structural Requirements in (c)(2) to include basement exclusion in the minimum floor area, and modify the Required Building Materials in (d)(1) to be 50% brick, masonry or stone with no vinyl siding permitted. Schreier yea, Ezerski nay, Kristof yea, Claggett yea, Letner yea, Henderson yea. Motion carried with five yeas and one nay.

Manager Kuntz reported the first public meeting for the Comprehensive Land Use Plan update was well attended. Manager Kuntz encouraged the public to participate in the survey before it closes on February 28. Manager Kuntz stated staff is encouraged by the participation thus far and the process is moving forward on schedule.

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



Kimberly Duncan, Clerk

Ryan Henderson, Chairperson