

CITY PLANNING COMMISSION

MINUTES REGULAR MEETING July 7, 2009 @ 7:00 P.M.

A. CALL TO ORDER

The City Planning Commission met in regular session on July 7, 2009 at 7:00 p.m.

At roll call the following members were present: Mr. Keith Eckles Chairman, Mr. Don Turner, Mr. Virgil Jones, Mr. John Pfeifer, and Mr. Gordon Davis. Also present: City Attorney Mark Pitstick, City Manager Joe Denen, City Council Chairman Ben Roby, and Chief Building Official and Recording Secretary Rod Bryant.

The meeting was brought to order at approximately 7:00 P.M. Mr. Pfeifer moved and Mr. Jones seconded the following motion:

MOTION: To approve the minutes of May 18, 2009 meeting.

At roll call, the vote resulted as follows: Mr. Davis, "Aye", Mr. Turner, "Aye", Mr. Jones, "Aye", Mr. Pfeifer, "Aye", and Chairman Eckles, "Aye".

MOTION CARRIED

B. BUSINESS SESSION

1. Application #01-09

Tarkio & Cynthia Chester

6101 Boyd Road

Washington C.H., Ohio 43160

Issue: Rezoning 1392 Rawling Street (Lots #13-14 – Rawling II Subdivision) from R-2 (Two Family Residential District) to B-3 (General Business District)

Cindy Chester discussed the proposal for a new building for the family business known as Advantage Physical Therapy. She stated that they had outgrown their current location and needed to "grow the business." Mr. Tarkio Chester stated that the Commission had received their proposed physical plan to the lots and stated that he really wanted to serve the community and found this location to be ideal after getting with Rod and discussing many alternatives. Tarkio outlined the items in his proposal packet and covered items such as: zoning classifications and uses for all nearby lots; improvements to these lots to include sidewalks and curb ramp; the low-impact effect from his proposed business; no external noise or light glare; proximity to current and proposed healthcare facilities.

Mr. Denen stated that the proposed use (physical therapy practice) would not be mandated upon the property if it were rezoned to B-3 and therefore the property would enjoy the benefits of all of the permitted uses listed in the B-3 zoning classification.

Mr. Pfeifer asked the applicant why he chose the B-3 zoning classification and Mr. Chester stated that it was upon the recommendation of Rod Bryant.

Mr. Bryant stated that he considered the zoning and knew that nearly all of the nearby properties were currently zoned or used in a commercial way and that the property was originally zoned B-3 and had only recently been rezoned to R-2. Mr. Bryant stated that B-1 would work for this proposed usage but thought that a "spot zoning" to the B-1 would not be well-received and therefore suggested the B-3 to be in-keeping with the area.

Mr. Eckles explained his concern with the proposal and gave a brief summary as to the previous rezoning of this property to R-2.

Mr. David Ogan of 1175 Storybrook Drive approached the Commission and stated that he was in favor of the lots reverting back to their original B-3 zoning classification. He stated that he had objected to the rezoning of the property to R-2 years ago and thought that zoning could be arbitrary and capricious and asked the Commission to undo the mistake they made years ago.

Mr. Bryant informed the Commission that all of the City's departmental staffers had reviewed the request and had no issues with the proposal and that tonight's decision was simply a recommendation to City Council for the change in zoning classification. With no further discussion Mr. Pfeifer moved and Mr. Davis seconded the following:

MOTION: To approve application #01-09 as submitted.

At roll call, the vote resulted as follows: Mr. Davis, "Aye", Mr. Turner, "Aye", Mr. Jones, "Aye", Mr. Pfeifer, "Nay", and Chairman Eckles, "Nay".

MOTION CARRIED

C. OTHER BUSINESS

There was no other business for discussion.

D. ADJOURNMENT

There being no further discussion Chairman Eckles requested a motion for adjournment. Mr. Davis moved and Mr. Turner seconded the following motion:

MOTION: To adjourn the July 7, 2009 City Planning Commission Meeting.

At roll call, the vote resulted as follows: Mr. Davis, "Aye", Mr. Turner, "Aye", Mr. Jones, "Aye", Mr. Pfeifer, "Aye", and Chairman Eckles, "Aye".

MOTION CARRIED

MEETING ADJOURNED.

The meeting was adjourned at approximately 7:35 p.m.

APPROVED this _____ day of _____, 2009.

Mr. Rod Bryant, Recording Secretary

Mr. Keith Eckles, Chairman