

**MONTGOMERY COUNTY PLANNING COMMISSION
COUNTY ADMINISTRATION BUILDING
451 WEST THIRD STREET
DAYTON, OHIO 45422-1350**

MINUTES

SIXTH REGULAR MEETING

JUNE 10, 2010

The Sixth Regular Meeting of the Montgomery County Planning Commission was held Thursday, June 10, 2010, at 8:30 a.m. in the Tenth Floor Hearing Room, County Administration Building, 451 West Third Street, Dayton, Ohio.

MEMBERS PRESENT:

David Bills *Dan Foley*
Lawrence Clarke *Deborah Lieberman*
Judy Dodge *Nan Whaley*

OTHERS PRESENT:

Bert Kelsey, County Engineer's Office
Walt Ruf, County Prosecutor's Office
Erik Collins, Planning & E.D. Manager
Larry Weissman, Planning Staff

MINUTES:

On a motion by Ms. Whaley, and seconded by Mr. Bills, it was moved to approve the Minutes of the Fifth Regular Meeting held Thursday, May 13, 2010.

On a call of the roll: Mr. Bills, aye; Mr. Clarke, aye; Ms. Dodge, aye; Mr. Foley, aye; Mrs. Lieberman, aye; Ms. Whaley, aye. Motion carried.

TOWNSHIP ZONING CASES

Harrison Township – Case ZC-02-10 – Matt Heidenreich

Mr. Weissman explained that the applicant wishes to rezone from R-2 Single Family Residential District to OR-1 to obtain Office Residential zoning for a property that has been converted to office use, and has been a non-conforming office use for over 25 years. He further advised that the requested commercial zoning is consistent with the extensive commercial development to the east of S.R. 48. However, the land use, zoning and Comprehensive Plan to the south, west and north is residential. The requested Office Residential zoning allows low intensity, professional offices which are usually compatible with residential uses, and day care facilities which operate at a higher level of intensity, and often impact residential uses that share the same streets for access. Mr. Weissman noted that the planning staff is recommending denial of the rezoning.

Mr. Clarke inquired with regard to the Township's response to the staff's recommendation for denial. Mr. Weissman indicated that the Township shares the same concerns as the planning staff and is "skeptical" of the requested rezoning.

Ms. Dodge inquired as to how the building is currently being utilized. Mr. Weissman remarked that the facility is currently vacant but previously functioned as a business office.

On a motion by Mr. Foley and seconded by Ms. Whaley, it was moved that a letter be sent to the Harrison Township Zoning Commission recommending disapproval of Case ZC-02-10, submitted by Matt Heidenreich.

On a call of the roll: Mr. Bills, aye; Mr. Clarke, aye; Ms. Dodge, aye; Mr. Foley, aye; Mrs. Lieberman, aye; Ms. Whaley, aye. Motion carried.

The members of the Commission recommended denial of the requested rezoning to Office Residential because of potential conflicts with surrounding single family residential land uses.

PLATS – REPLAT

Yankee & Lyons Plat, 1-A – Washington Township

Mr. Weissman noted that this is a replat consisting of 3.670 acres based on a new record plan, located southwest of the intersection of Lyons Road and Yankee Street. The replat will create three lots, two of which will be combined for future developments.

Mr. Weissman advised that the Subdivision Review Committee reviewed the replat prior to the meeting and recommended approval subject to the following conditions, which must be met prior to recordation of the plat: 1.) Final approval of the record plan (text modifications) by the County Engineer's Office; and 2.) Applicant must execute a contingency contract to purchase the remaining .191 acres of the Yankee & Lyons Plat.

Mr. Bills indicated that the County Building Regulations Department had requested the applicant to submit a code analysis, but this issue has been addressed and resolved.

On a motion by Mr. Bills and seconded by Ms. Whaley, it was moved to approve Yankee & Lyons Plat, 1-A in Washington Township subject to conditional approval as recommended by the Subdivision Review Committee.

On a call of the roll: Mr. Bills, aye; Mr. Clarke, aye; Ms. Dodge, aye; Mr. Foley, aye; Mrs. Lieberman, aye; Ms. Whaley, aye. Motion carried.

PLATS – REAPPROVAL

**Singing Ridge, Section 5 – Butler Township
Somerset, Section 4 – Washington Township**

Mr. Weissman noted that the aforementioned plats have not been recorded within the 120-day time limit, and are on the agenda for reapproval.

On a motion by Mr. Bills and seconded by Ms. Dodge, it was moved to reapprove Singing Ridge, Section 5 in Butler Township and Somerset, Section 4 in Washington Township subject to the terms of the original approval.

On a call of the roll: Mr. Bills, aye; Mr. Clarke, aye; Ms. Dodge, aye; Mr. Foley, aye; Mrs. Lieberman, aye; Ms. Whaley, aye. Motion carried.

OTHER BUSINESS

Montgomery County Comprehensive Land Use Plan Update

Mr. Weissman advised the Commission Members that he has not to-date received any significant input or feedback from the Townships with regard to the proposed Comprehensive Plan. Mr. Weissman stated that he will be make a concerted effort to contact the various Townships to ascertain their response and recommendations, and will report his findings at the next Commission meeting.

Mr. Weissman referenced the “Comprehensive Tactical Plan” report that was included in the agenda folder. He explained that this a summary of action areas and goals. This information will not currently be incorporated in the Comprehensive Plan but is merely a “guideline” for establishing future goals with regard to land use and zoning, transportation and renewable energy.

Mr. Foley commented that recently he and Mr. Collins had visited a facility that was investigating alternate energy resources, and feels it is prudent for the Planning Commission to have a Comprehensive Tactical Plan “in place” for future consideration and evaluation.

Mr. Weissman remarked that he feels it is important to establish the major guidelines of this tactical plan now, and address the more “specific” aspects and details of the plan at some future point in time.

There being no further business to come before the Commission, the meeting was adjourned.

Joseph P. Tuss
Executive Director

Lawrence B. Clarke
Chairman

Date Approved: _____

