

**Miami Township
Zoning Commission
Tuesday, October 18, 2016**

Members of the Zoning Commission present:

Karen Kreusch, Chairperson
Mitch McElroy
Michael Pothast
Cynthia Griffith
John Barber

Members of Township Staff present:

Kyle Hinkelman, Deputy Director of Community Development
Chris Snyder, Director of Community Development

Others Present:

Tim White Jr, 2 River Place Drive, Dayton, Ohio
Karol Hadick, 6866 Lorien Woods, Miami Township
Steve Pitchel, 5970 Mad River, Miami Township
Carolyn Root, 6858 Lorien Woods, Miami Township
Adam Zengel 2431 Vienna Parkway, Miami Township
Jan Kowal, 6875 Lorien Woods, Miami Township
Pat Palmisano, 3760 Rosita Lane, Miami Township

Ms. Kreusch called the meeting to order at 7:00 P.M.

Special Announcements

There were none.

Approval of Minutes

Ms. Griffith made a motion to approve the work session minutes from May 17, 2016 and Mr. Barber seconded the motion. Mr. Pothast and Mr. McElroy abstained from voting and the rest of the votes were all ayes. The motion passed.

Ms. Kreusch made a motion to approve the work session minutes from June 21, 2016 and Mr. McElroy seconded the motion. Mr. Pothast abstained from voting and the rest of the votes were all ayes. The motion passed.

Mr. Barber made a motion to approve the minutes with the noted corrections from September 20, 2016 and Mr. McElroy seconded the motion. Mr. Pothast abstained from voting and the rest of the votes were all ayes. The motion passed.

New Business

1. ZC #271-94 Final Development Plan – Zengel Construction

Mr. McElroy made a motion to open case #271-94 and Ms. Kreuzsch seconded the motion. The vote was all ayes. The motion passed.

Mr. Hinkelman stated the case was properly advertised and all the surrounding property owners notified. He further explained that the applicant is seeking approval on a Final Development Plan for lot #7 (3.29 acres) of the Zengel Planned Development which includes a 20,200 square foot new automobile dealership with parking spaces.

Mr. Hinkelman noted that this case is a follow up from the modifications to the development standards that took place at the last meeting. Mr. Hinkelman said the proposed development would only affect lot #7 which is adjacent to the already existing dealership in Miamisburg and west of the Vienna Woods Development.

Mr. Hinkelman stated the applicant provided a landscape plan that is fourteen trees short of the code requirements for deciduous trees but are requesting, per the approved standard, that the Commission approve the total number of trees required to include Spruce trees. He also stated the applicant has agreed to meet the requirements of the completed traffic study and the required dumpster screening.

Mr. Hinkelman informed the Commission that the applicant has provided a nighttime lighting plan and a daytime lighting plan. He further explained the daytime plan would consist of up to 13.3 candles in the front portion of the site and the remaining areas would have 6 foot candles. He also stated the proposed nighttime lighting plan would permit up to 6 foot candles throughout the site from 10:00pm – 6:00am. Mr. Hinkleman noted that the plans show these areas and include light poles along with the grading of the property.

Mr. Hinkelman explained to the Commission that the modified standards would allow the proposed elevations with a flat roof and also allow use of the proposed building materials. He also stated that the applicant was seeking approval on standard signage and is required to provide a maintenance agreement for the sidewalk to be recorded with Montgomery County.

Mr. Hinkelman, Mr. Snyder, and Mr. Steve Pitchel came forward and discussed the issue of LED lighting temperature.

Ms. Kreuzsch asked how the car carriers would come onto the property and Mr. Pitchel replied through a curb cut.

Mr. Pothast asked where the curb lane would be located and Mr. Tim White came forward to reply it would mirror the existing curb cut which was included in the traffic study.

Ms. Kreuzsch asked if there would be a traffic light and Mr. Wayne said there were no plans for a traffic light at SR741.

Ms. Kreuzsch asked if there was anyone else to speak in favor of the case and no one came forward. She asked if anyone would like to speak in opposition and Ms. Carolyn Root, 6858 Lorien Woods came forward.

Ms. Root asked if there would be any size restrictions on the Spruce trees and Mr. Hinkelman replied that the standards would require planted evergreens to be installed at no less than six feet tall. Mr. White agreed to the requirement. Ms. Root also asked if there would be another trash receptacle added to the property and Mr. Hinkelman explained that there would be, but noted the trash pickup time would be limited in the Township from 6:00am-6:00pm.

Ms. Karol Hadick, 6866 Lorien Woods Drive came forward and asked for clarification on the location and size of the dumpster. Mr. McElroy and Mr. Pothast explained the dimensions shown on the plans were for the entire enclosure and not just the trash receptacle.

Ms. Kreuzsch asked if there was anyone else to speak in favor or opposition and no one came forward.

The Commission discussed the case.

Ms. Griffith made a motion to Move that the Zoning Commission find that the proposed final development plan complies with the standards of Article 31, Section 3104 and recommend approval of Zoning Case #271-94 a final development plan for a 20,200 square foot new automobile sales building on Lot #7 of the Zengel Property Planned Development and for lands zoned PD-3 Planned Business District with the following stipulations:

1. A maintenance agreement must be completed and signed prior to the issuance of a Zoning Certificate that states the developer's maintenance responsibility of the sidewalks on site.
2. Lighting utilized for parking lot lighting shall not have a correlated color temperature exceeding three thousand kelvin (3,000K). The applicant will work with Staff to determine the foot candle plans.

Mr. Pothast seconded the motion and the vote was all ayes. Ms. Kreuzsch noted that the case would go before the Board of Trustees for a final approval or denial at their next regular scheduled meeting. The motion passed.

Work Session

Ms. Kreuzsch made a motion to open a work session. Mr. Barber seconded the motion and the vote was all ayes. The motion passed.

A Work Session was held to discuss text amendments for Articles 1, 7, and 19.

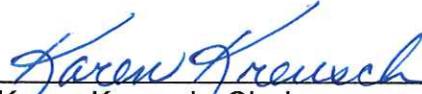
Mr. McElroy made a motion to initiate the proposed text amendments, Mr. Pothast seconded the motion and the vote was all ayes. The motion passed.

Mr. McElroy made a motion to close the Work Session, Mr. Pothast seconded the motion, and the vote was all ayes. The motion passed.

Other Business

Ms. Kreuzsch made a motion to adjourn the meeting at 8:10 PM, Mr. McElroy seconded the motion, and the vote was all ayes. The motion passed.

Respectfully submitted,
Nicole Kessel, Recording Secretary



Karen Kreuzsch, Chairperson