

**PLANNING COMMISSION MINUTES
CITY OF PIQUA, OHIO
6:00 P.M. – TUESDAY, MARCH 11, 2025
COMMISSION CHAMBERS – 201 W. WATER STREET**

CALL TO ORDER

At 6:00 pm Chairman Bubp called the meeting to order and welcomed all in attendance. Mr. Bubp outlined the order of business and procedures that will be followed by the Planning Commission.

ROLL CALL

Members Present: Brad Bubp, Adam Seas, Terry Wright, Micah Underwood

Absent: Eddie Harvey,

APPROVAL OF MINUTES

The minutes of February 11, 2025 Planning Commission Meeting were approved by voice vote.

NEW BUSINESS

Resolution PC 05-25

Chad Henry was present and gave the staff report. He gave history of why the parcel needs zoning and stated that the city recommends parcel N44-250148 as Civic (CV).

Mr. Bubp asked how many acres the parcel is and if this includes

Mr. Seas wants to amend the resolution to show the correct acreage and that it can only be used by the City of Piqua and only be used as a water plant.

Mr. Hinkelman said that the PC has a right to zone the property but they don't have the ability to change zoning designations. Mr. Hinkleman stated that with

Can't limit the uses within a CV district.

Mr. Hinkelman stated acreage is 37.061 acres. The whole parcel is 42.14 and 5.079 acres was parceled off.

Kim Heisler, 1802 W Parkway Drive, asked if land could be parceled off of the 37 acres. She suggested an ordinance to City Commission that states they can write one to not let anyone else do anything else on that property. She stated that Piqua is bringing in electricity just in case something happens. She thinks the property should still be conservation. Maybe

Jeff Grimes, 1512 Margene Drive, what power needs would the water plant. What power are we going to use this for and why are we putting the substation there. Mr. Bubp feels that we have it incase one goes

down. He states to have multiple . Mr. Grimes states there's nothing at the water plant that needs power. He feels it's ridiculous, absurd and insane to put anything next to our water sources. He said there is a vacant lot that old K Mart used to sit on, the city could use that lot for it. If the city wants to continue with power program on Washington or Farrington. States there's no reason there should be a substation at this location. Mr. Bubp stated we aren't talking about substations, we are talking about a zoning designation for this lot where the existing water plant is. Mr. Grimes states that CV still allows

Mr. Bubp stated if they need to expand it, they need to have room. Mr. Grimes stated that we don't need to expand it right now. He stated when he wanted to rezone his property he had to have a plan. Mr. Bubp stated there are no plans

Mr. Hinkelman stated that the 37 acres we are talking about does not have a zoning designation. The PC is going to recommend denial to City Commission. If they feel it is appropriate to recommend it to City Commission they can do that. If a change were made it would come before the commission and ask for that approval.

Mr. Seas stated if you want to break a parcel off another parcel there is a process that will come before commissioners and boards.

Mr. Grimes asked for it not to be approved and stated the water plant doesn't take up all the acreage. He feels the area with the water plant should be CV and the rest of the acreage should be Conservation.

Stacey Grimes, 1512 Margene Drive, stated that the area with the water treatment plant should be parceled off as it's own parcel.

Ryan Todd, 3105 Tecumseh Circle, asked if the 5 acres have been resolved or is another meeting for it. Mr. Hinkelman stated the City Commission will hear that at their next meeting. Mr. Todd wanted to thank the PC for the research and listening to the community. He states unfortunately it wasn't heard. He lives across from the water plant and understands it needs to be zoned and CV sounds like the most conservative effort. He agrees and urges them to move forward.

Mr. Bubp states the drawings will come back to Planning Commission.

Mr. Hinkelman stated that it would be a permit that would need to be required, it wouldn't come before PC again. It wouldn't face the public again. Mr. Hinkelman states that with the City Commission the sale of the property would give the public the opportunity to come forward to oppose it. Mr. Todd stated he plans on being at City Commission and thanks the PC for trying to listen to people.

Diana Parke 4380 Brenson, tried to look through Piqua's Comprehensive plan and shows that the area of conversation shows it should be conserved. Mr. Bubp states the Comprehensive plan isn't the Code. She states that looking at Piqua's plan it seems weird that a plan was made and not followed. Mr. Hinkelman states that it hasn't been updated since 2008 and it is a document to guide. It is likely the document hasn't been updated to reflect the current uses. Mr. Hinkelman states it is a guiding document not an obligation. She asks if everything in it can be tossed out, Mr. Hinkelman stated that is correct. She feels Piqua worked hard to clean up the entrances and make it look nice and now we are wanting to put a substation and water plant in one of our nicest areas of Piqua. She states there are historic areas out in that area too. She feels we are destroying history. There are also Bald Eagles nests there that will be

impacted. She also brought the National wildlife federation document that says the US fish and wildlife analyzed 417 electrocuted raptors from 13 species found a lot were bald eagles.

She states 2018 was supposed to be a small-scale testing of batteries, the partnership was supposed to help the community and create jobs. She said there were zero jobs created. She is looking at the area and states that a substation isn't going to bring jobs. She said a few months after they got the batteries shut down, we are going to ruin it again. She said the location isn't acceptable and isn't acceptable by the plan itself. She believes it does not preserve the small town feel and destroys history and landmarks. Ms. Parke personally thinks having acreage for just the water treatment plant and the rest should be conservation. Feels PC should understand that there isn't trust between citizens and the city.

Mr. Hinkelman said we are a partner with AMP power fields.

Mr. Bubp states there was a second power station that was coming in.

Ms. Parke asked what is stopping them from putting in a storage system on the property. Mr. Hinkelman states that they could do that if they wanted. She feels Piqua hasn't learned their lesson. Feels it isn't appropriate and that there is no common sense and asks the board doesn't support it.

Nick Martz, 1433 Covington, is under the impression that the resolution has to be amended before it can be passed. Mr. Hinkelman states that it has already been amended for the record.

Mr. Martz asked who owns the land, City of Piqua. Who owns Piqua, the taxpayers. He stated the board is charted under oath to protect the proper conduct of it's affairs. He asks if the the passage of this resolution compromises the public peace and welfare. He states this is eventually for AES and that it's why the parcels are being divided and resolutions are being proposed. Constructing substations disrupts nature and leads to habitat loss. He stated substations produce greenhouse gas that can leak into the environment and hurt the ecosystems and there is a link between EMF, childhood leukemia, noise pollution, light pollution. It can also cause people to not enjoy the nighttime sky. He listed more potential health issues that he concerned about. He is seeking a zoning designation of conservation and adjacent parcels to not compromise or conflict with the oath too.

Kim Heisler, 1802 W Parkway Dr, asked if it is zoned CV if any essential service can come in and not come in front of the board. She asked if there is any split or sale of property will come before the PC and City Commission. She suggested maybe an option would be if we zone it as conservation or CV-Make the water plant CV and make the rest of it conservation. She feels there is a large lack of common sense and feels like it poses health threats to wildlife and human health. Ms. Heisler recommends PC to recommend it being Conservation. She feels the PC doesn't take time to look at items on the agenda before them. Make it conservative now to show they are listening.

Jeff Grimes, 1512 Margene, states we have a comprehensive plan but we don't follow it because it has changed. We also had the source water protection area the city allowed lithium ion batteries burned in the area. He said the city has plans but doesn't follow them. He mentioned there was a \$150000 grant to repair the ditch at the golf course- it was completed and trees were planted. He states people couldn't hit golf balls through the trees so they cut them down. Said that it is against the city ordinance so the city changed the ordinance. He is asking if there are power outages in the area. Mr. Grimes states the City

doesn't follow its own rules. He is asking it to not be zoned as CV. The water plant should be zoned CV and the area around it should be Conservation.

Mr. Seas stated that CV has essential services that are permitted. He states if it was zoned as conservation or AG the water plant wouldn't be able to operate. Mr. Seas stated that it would have to be parceled off and they can't do that. The land is owned by the city so the city commission could work on parceling off some land.

Mr. Underwood asked if it is possible to zone it as conservation and give the treatment plant a special use. Mr. Hinkelman stated there are no use variances. If it isn't allowed, it isn't allowed.

Mr. Seas was worried coming in that it was the whole parcel but is glad the amendment reflects the changes.

Mr. Hinkelman stated one person can speak one time for 5 minutes. The goal of the procedure is that everyone gets the chance to speak. He is asking the board follows the procedures to make sure the meetings are run effectively and efficiently. He is asking that everyone follows the policies and procedures and wants to be organized and fair to people.

Mr. Hinkleman states that the city is the owner of the property and is requesting that zoning designation. PC can either recommend approval or denial. The City Commission has different powers to authorize it. Mr. Underwood states that with text codes amendment you can table it and recommend changes. The City Commission still has a right to make changes. This is different because there is an applicant and an owner.

Mr. Bubp stated that Mr. Martz could have another couple minutes

Mr. Martz stated if it is designated as CV now if it would allow for AES in the future. He asked if it would give things necessary for an industry to bring in hazardous materials. Mr. Hinkleman stated that is not correct. Mr. Martz asked members of committee that have taken an oath to protect the community that they consider not designating it as CV. Thinks this needs to forward in a different direction. If the PC hands are tied maybe it should go to another committee. Mr. Martz wants it to be zoned conservation.

Mr. Bubp respects the comments but doesn't feel the Planning Commission is the correct board to hear it. He feels they should go to City Commission who are elected officials who have more leeway than the Planning Commission does. He is bound by the code. Talking about 37 acres, not the 5 that were separated off. Need to give it a zoning designation and the CV is the most conservative option that allows the water treatment plant to stay there. Mr. Bubp stated the board must approve, deny or table and stated there isn't a good reason to table it. There won't be more information in the future. Mr. Bubp stated Mr. Martz is right but their hands are tied.

Mr. Underwood stated the options are to approve, deny or table. If PC approves it- the commission could take it or not. If PC denies it the commission has to figure out what to zone it.

Mr. Bubp stated they don't have to take the PC recommendations.

Mr. Seas states that he doesn't approve of the power electrical thing on the property. But that's not what we're talking about. The city can adjust the parcel and not anyone else. He states the city has to have

water from the plant, it needs a designation. This is the best option to preserve as much land as we can. Mr. Seas states that there isn't much of a choice because the water plant is already there. Mr. Bubp stated that you don't know what is needed to possibly expand in the future. Mr. Underwood states if he was the citizens he would ask the board to deny the recommendation and encourage the citizens to go to the city commission and ask for the water plant to parcel off and make some of it CV and some of it conservation.

Mr. Bubp states that the city commission- as elected officials have more authority on this. Mr. Underwood states that PC can deny it. Mr. Bubp states the land needs a zoning designation. States there is no reason to deny it. Mr. Seas states that we are messing with things we need.

Mr. Hinkelman states they have a correct understanding of what they need to do. City Commission can recommend the lot be parceled or a different designation.

Mr. Bubp asks for a motion to approve the resolution.

Mr. Bubp makes a motion to approve the resolution with the updated 37 acres.

Mr. Underwood makes a motion to deny it.

Mr. Hinkleman stated we bring issues to PC when we find them. He states there is a liability when issues are found and not fixed. He states that the city is obligated to have everything zoned. The city has an interest in resolving any parcel that doesn't have a zoning designation.

Mr. Bubp we have an obligation to do things according to code and law. An obligation to the city of Piqua citizens to keep them. He feels there is nothing about this that impedes their safety. He feels the City Commission should have to do their job.

Mr. Underwood wants the people to have a chance to speak to city commission.

Mr. Seas states that people are mad at the city and have no trust. and that we blame the federal government. Mr. Seas second the motion to deny the resolution.

The motion was denied with a 3-1 vote.

A brief 5-minute break was taken.

Resolution PC 06-25

Kyle Hinkelman was present and gave the staff report. He states that this was adopted in 2023 and the code language was intended the right way but it doesn't allow us to achieve enforcement. He stated that his department is currently doing a parking study. He states that the sign code has not been modified other than a section about flags last year. He is here to recommend changes to some categories. He presented a slide show showing the recommended changes. Mr. Hinkelman asked the board to ask questions about anything they wanted further clarification on.

Mr. Bubp asked about existing signs, if they would have to change to the new code. Mr. Hinkelman stated they are allowed to keep what is there but when they would need to update or replace it would have to come in to code. Mr. Bubp states the EMC (Electric Message Center) signs can startle a driver. Mr.

Hinkelman stated it doesn't allow flashing or blinking or movement. He stated there are traffic studies about safety of EMCs. He states that messages would be static and not move.

Mt. Underwood asked If Sherry's sign will be affected. Mr. Hinkelman stated he doesn't know the specifics of that sign. He thinks if there was an exception to that particular sign.

Mr. Underwood asked if churches are exempt from these rules. Mr. Hinkelman said they are not. He went on to talk about the sign study he previously referenced. He stated that there have been a number of cases over the years that says no one can regulate content. The first amendment allows any content to be on the sign, but we can approve sizes and locations of signs.

Mr. Bubp asked about election signs. Mr. Hinkelman states that we can't regulate the content of the signs. Mr. Hinkelman states no signs are permitted in the right of way. But if people want to put election signs on their property they are allowed. Mr. Hinkelman said that our goal is to be as consistent as possible.

Mr. Bubp asked about the "Zoning Designation Default"- default would be AG after 60 days if there is not designation. He asked if it was picked or selected. Mr. Hinkelman stated that it is pretty standard but most land that is annexed into the city is farmland so the AG makes the most sense.

Mr. Hinkelman touched on the "Review Fees" and fee table. He states that currently the fee table is in our code. It has a guaranteed or potential increase. Instead of modifying the fee table he is proposing to remove the table from the code and be able to update it annually.

Mr. Wright asked about repairing buffers. Mr. Hinkelman states the intended use to allow recreational use in those areas such as the bike path as long as they are not negatively impact the function of the buffer.

Mr. Hinkelman brought up contractor registration, read the current requirements for contractor registration and is requesting to add concrete to the list. This would mean that if you are doing concrete in the city of Piqua contractors will have to be bonded and have insurance.

Mr. Underwood asked about Div 6.2.1 Mr. Hinkelman states that an annexation would go straight to the city commission and he is ensuring the language is in line with the state law. State law says it needs to go to the city commission. This change allows us to meet the state regulation.

Mr. Wright asked if ADA was considered with these changes. Mr. Hinkelman stated that ADA would supersede anything in the Code.

Mr. Seas asked if it's adding or taking away regulations. Mr. Hinkelman stated it is adding and taking some away. Today there is a standard, this would make a new standard. He said that these are all intended to make things clearer to citizens. He states that when situations occur it can prompt new regulations.

Mr. Seas stated that he doesn't want to see building plans be halted because of plants in a landscaping design. He wants to make sure businesses can do what they want and can get their business up and running.

Kim Heisler, 1802 W Parkway Dr, stated there is nothing in parking code for handicap minimum and maximum. Mr. Hinkelman said ADA is a federal regulation, it is beyond our code. He stated that we would help people know what they're obligated to do. Our code can't regulate federal regulations. Ms. Heisler asked for an asterisk in the code to remind people that they must comply with ADA changes. She has concerns about number 9. Mr. Hinkelman states you can't park a car as advertisement. You can have a car that is wrapped to drive around but you are unable to wrap a car and let it sit stagnant advertisement.

Mr. Hinkelman states 6.2 annexation is a state requirement. 6.2.2 procedure is because of the annexation. 6.2.3 is removed because of 6.2.4 which is clarifying there is an automatic designation. If it happens within 60 days, it still comes for recommendation

7.2.1 public notice. Ms. Heisler hears that we went out of our way to contact people. This recommendation states that mailing notice is being changes from 11 to 7 days. Mr. Hinkelman states that is our procedure. Ms. Heisler states there are notifications people have missed and feels that it shouldn't be 7 days but should be 14 days. Also, wants verbiage to put boots on the ground handing out notifications. Mr. Hinkelman stated that we bought signs we intend to put on property or close to property that has an item on the agenda to try to make public more aware. Mr. Hinkelman said the longer we make the notifications period the longer the applicant takes to get on the agenda. Ms. Heisler feels it should be a long enough time for the mail to get to Columbus and back.

Mr. Grimes asked when the people on the board were notified about the recommended changes. He states the city got a grant for trees and ditch. He said the city said they didn't have to go by the code so they would just change it. He feels that if the city does something that isn't allowed they change the rules to make it allowed.

Mr. Hinkelman asked what the issue was with the language. He stated he is familiar with the grant Mr. Grimes is talking about but the requirements of the grant were met. He said trees were planted and when they grew, then they were cut. Mr. Hinkelman said that it was looked at by an engineer and approved it. He asked again what could be changed in the verbiage to make it better. Mr. Grimes feels we planted trees and then cut them down and now we're changing the code. He is asking why the trees were planted to begin with. He feels there are a lot of changes and no one has had a chance to look at them. He thinks it should be looked at in smaller group. 3.4.2 public uses and essential utility he also has questions about. Mr. Hinkelman felt it was appropriate to make it abundantly clear what essential utility is as it clarifies any interpretation. Mr. Hinkelman stated conversations can happen about any concerns.

Diana Parke, 4380 Brunson stated she can't access the packet and gets an error message. She feels like she gets PTSD looking at the 3.4.2 Essential Services. The board took time to show her on the computer how to access the packet. She was also told she can stop by the office anytime to ask for a copy once it is available.

Nick Martz 1433 Covington Ave, speaking to hydronic geothermal in regard to contractor registration. Mr. Hinkelman reread that section of the code for clarification. He believes Mr. Grimes was referring to the parks and tree removal at linear park. Mr. Hinkelman said this recommendation would be along any bank. Mr. Hinkelman reread the proposed section. Mr. Martz stated he appreciated the clarifications.

Mr. Bubp asked for approval of PC-06-25. Mr. Underwood made a motion to approve and Mr. Bubp seconded the motion. The resolution was approved with a 4-0 vote.

Mr. Hinkelman stated he will bring up to city commission about essential services land use and ADA specifications. Mr. Hinkelman recommended people coming to city commission and speak of any concerns they have.

OTHER BUSINESS

Work Session

Mr. Hinkelman Explains what a FPA is. MVRPC created boundaries and the goal is to not overlap services. The city is requesting that MVRPC allow a change to the boundary. The city is obligated to have conversations with Troy about this request. The 2005 boundary was arbitrary because neither Piqua nor Troy could service the area. He states Piqua can show we can service the area. Piqua wants to expand, and the south is an area of interest.

ADJOURNMENT

With no other questions, comments, or business before the Planning Commission, a motion was made by Adam Seas to adjourn the meeting seconded by Brad Bubp to adjourn the meeting. With all those present in support of the motion, the meeting was adjourned at approximately 8:53 PM.

The meeting minutes provided herein were prepared by Emily McCulla, City of Piqua Development Department. Comments requesting corrections, additions, or deletions to the content of this record should be directed to Ms. McCulla at emcculla@piquaoh.gov