

**Planning Commission  
Minutes  
July 20, 2009**

John Merrill, Chairman	Present
Eron Moore	Present
William Childers	Present
Leon Smith	Absent
Charlie Roberts	Present

Mr. Merrill called the meeting to order

Mr. Merrill declared that the commission had a quorum.

Minutes were approved for May 11th 2009 a motion was made by Mr. Moore and seconded by Mr. Childers. 3-0

**OLD BUSINESS**

**There was no old business**

**NEW BUSINESS**

**1. Definition of Family  
Regulations of Assisted Living Facilities and Congregate Living Facilities**

The Chairman stated that the city attorneys were in the process of researching the definition of family as it pertains to the issue at hand and that they were not yet ready to present their findings. The Chairman called for a motion to table this item and a motion was made by Mr. Moore and seconded by Mr. Childers. 3-0

**2. SU-09-03 Beer and Wine Sales  
Chris Metzler  
Fox's Den Pizza  
3157 Sugarloaf Pkwy  
5/085/699**

Mr. Merrill asked if the applicant was present. Mr. Chris Metzler made the presentation; he gave a brief history of the company and noted that many of his customers have inquired as to when he would be obtaining his alcohol license. He noted

that some customers even went so far as inquire on “brown bagging” their own alcohol. He stated that the majority of his customers would like a dining establishment within walking distance to their homes that serves alcohol so they would not need to drive elsewhere for this service.

Mr. Merrill called for opposition.

Ms. Cheryl Jock, a resident of the Bellbrook subdivision, spoke in opposition. Her concern was for the children who attend the daycare and karate school in close proximity to Fox’s Den Pizza.

Mr. Metzler rebutted. He provided a survey that had been performed showing distances from Fox’s Den Pizza to all neighboring churches and schools and noted that child daycares are not included in this requirement.

Mr. Merrill then asked for the Planning Departments recommendation. Mr. Ferguson stated that the Planning Departments recommendation was for approval. After much discussion Mr. Roberts made a motion for approval, it was seconded by Mr. Moore. The motion carried 2-1 (Mr. Childers)

**3.** The next item on the agenda was discussion and amendment to the Zoning Ordinance Article X concerning signs. Mr. Merrill stated that there was confusion as to why this item was on the agenda because the amendment was approved in last months meeting and had not been denied by the City Council in their meeting. Mr. Merrill called for a motion to table and the motion was made by Mr. Roberts. The motion was seconded by Mr. Childers; passed 3-0

**4.** The next item on the agenda was a review of uses that require special use permits. Mr. Merrill stated that at the previous months meeting the Planning Commission had reviewed the zoning districts through the BG classification. Mr. Merrill made a recommendation that this item be tabled since the Planning Director, Mr. Brad Leonard, was absent. There was some discussion and Mr. Moore made a motion to table the item; seconded by Mr. Roberts. The motion carried 3-0

The meeting was adjourned

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John Merrill, Chairman

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Brad Leonard, Director of Planning  
and Zoning