

**VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION
MINUTES**

In Council Chambers @7:00 p.m.

November 14, 2005

CALL TO ORDER

Chair Bruce Rickenbach called the meeting to order at 7:07 p.m.

ROLL CALL

Bruce Rickenbach, John Struewing, Dawn Johnson, Bill Bebko and Burhan Bayraktaroglu were present. The Interim Village Manager/Planner Phil Hawkey was also present.

REVIEW OF AGENDA

Planning Commission agreed to the following order of agenda items; Review of the Minutes, Citizens Comments followed by the Public Hearings. The Reports would be postponed until the next meeting and all other items listed would be placed under Agenda Planning.

REVIEW OF MINUTES - October 10, 2005- Struewing MOVED and Bebko SECONDED a MOTION to APPROVE the minutes as amended. The MOTION PASSED 4-0, with an abstention from Johnson.

REPORTS: Council Update, Bike Enhancement-Northern Gateway Committee and Zoning Administrator/Planner's Report postponed.

COMMUNICATIONS: No additional communications.

CITIZEN'S COMMENTS: There were no additional comments.

PUBLIC HEARINGS

Continuation of Thistle Creek Planned Unit Development, Phase 1 – Final Plan Review and possible recommendation to Council. Eastman recommended that this final plan be approved by the Planning Commission contingent that the staff determines that the remaining concerns are adequately addressed. Eastman reviewed each item that had been a concern.

Water: With the new design, the orifice will control the outlet flow, keeps down clogging of the pipes and addresses some other concerns regarding the outlet basin. The rock infiltration system aids in the soaking down of the water held within the basin.

Alternate Pavements: Because of the detention basin in the center, he recommends curb with a concrete pavement.

Roads: He recommends the grade in the road be altered with a slope of ¾% to 1% up or down. Eastman would provide confirmation on the latest road tracking information to insure enough space for wheels turning radius.

Waterline: Eastman recommends removal of the pipe at the tractor crossing. The waterline will go underneath the creek. The current design is not a barrier to approval of this phase of the plan.

Phil Hawkey reviewed his report. On the Record Plan, all the requested changes have been made. However on Sheets 3 and 13, regarding the “no construction areas” these should be designated on the Record Plan. On the Construction Plan, the handicap ramps need to be clearly indicated.

Struewing referring to a recommendation from the Bike Enhancement Committee regarding a 5’ wide lane along King Street to be used as a bike lane. The Commission discussed moving the development back 5’, the possibility of restricting parking on King Street, developing a bike lane beyond the development, no parking on King Street, restricted parking on King Street and one bike lane versus two lanes.

Jonathan Brown stated the biggest issue would be whether or not an additional extension of a bike lane would be created to Dayton Street. Brown added that he was not opposed to the making a provision for a bike lane even though the whole engineering geometry of the property would have to be moved back 5 feet. He added that he would do what he could to accommodate this request.

Rickenbach opened the public hearing. A member of the Sage Development Group asked in referring to the proposed water management system, what happens in the spring when there is a freeze-thaw situation? Eastman explained that the water freezes when it is stagnating; running water tends to develop an ice covering then melts. The freeze-thaw process would have a low impact of this particular design of the proposed basin. Rickenbach closed the public hearing.

Johnson MOVED and Bebko SECONDED a MOTION to APPROVE the final plan for the Thistle Creek PUD on the condition of compliance as noted in Eastman’s memo regarding storm water, alternate pavements, roads and waterline. Bebko added and Johnson agreed that the recommendations by Hawkey should be included in this recommendation to Council. The roll was called. The MOTION PASSED UNANIMOUSLY.

Birch 3, Section 2 - Final Plan Review and possible recommendation to Council. Hawkey stated that the corrections were made on the Record Plan. He added that the utilities would be installed with Phase 1. Eastman had also reviewed the final plan and found it to be acceptable.

Rickenbach opened the public hearing. Residents Joanne Mahle, Joan Horn, Sam Young and Jerry Sutton expressed concerns regarding the spillway, its maintenance and placement. Resident Juanita Richardson asked that the traffic flow be revisited.

Eastman agreed that the spillway should be redirected to alleviate the concerns regarding overflow. Rickenbach closed the public hearing.

Bebko MOVED and Struewing SECONDED a MOTION to accept the plan and make a recommendation to Council to include the recommendation by the engineer regarding the spillway. The roll was called. The MOTION PASSED UNANIMOUSLY.

Conditional Use Application, Office Use in Residence B District-Larry Silver, 346 Dayton Street. Silver explained that this would be his residence as well as his business location. He owns a contractor marketing business. In order to accommodate more parking, Silver would entered into an agreement with the Ann Arbor, owner of the Union School to lease up to eight of its parking spaces. The lease would be renewable every five years. Silver currently has four employees and hopes to increase that number as the business grows.

Silver’s architect David Brehm explained that in order for Silver to keep the integrity of the home, he would need to lease the additional off-site parking spaces.

Rickenbach opened the public hearing. Residents Raymond Hasser, Nora Barr, Bob Breca and Debra Wilburn expressed concerns regarding the parking.

Resident Carl Johnson inquired about the signage. Brehm stated that the signage would meet zoning code requirements. The public hearing was closed.

Struewing MOVED and Bebko SECONDED a MOTION to APPROVE the conditional use, subject to review of the parking lease by the Village Solicitor, that the conditional use approval would remain for the duration of Silver's ownership of the business, that the parking lease is executed and that the "executive search firm" which is the nature of the business be clearly indicated in all documents. The roll was called. The MOTION PASSED UNANIMOUSLY.

AGENDA PLANNING

Schedule Review of Bike Path Green Space Proposal with DAC
Rezoning 10 acres on the Northwest Corner of Dayton Street and East Enon Road to Educational Institution District, Antioch University
General planning session on the northwest development issues
Action on Building Impediment Survey Letter, wrap-up
Central Business District discussion

ADJOURNMENT

Having no further business, Bebko MOVED and Johnson SECONDED a MOTION to ADJOURN. The MOTION PASSED at 10:02 p.m.

SPECIAL MEETING is scheduled for November 28th to discuss the western portion of the Village.

A full and complete set of these minutes is available for review electronically by audiotape. These tapes are kept permanently and can be requested by referencing the date of this Planning Commission meeting.