

**VILLAGE OF YELLOW SPRINGS  
PLANNING COMMISSION  
MINUTES**

**In Meeting Rooms A and B**

**March 13, 2006**

**CALL TO ORDER**

Chair Bruce Rickenbach called the meeting to order at 7:01 p.m. Rickenbach welcomed Tim Tobey, the newest member appointed to Planning Commission.

**ROLL CALL**

Bruce Rickenbach, John Struewing, Burhan Bayraktaroglu, Bill Bebko and Tim Tobey were present. The Village Planner Phil Hawkey, Code Enforcement Officer Ed Amrhein and Village Manager Eric Swansen were also present.

**REVIEW OF AGENDA**

Rickenbach suggested and Planning Commission agreed to amend the agenda in the following order:

- Rezoning application for 150 Railroad Street, Residence "B" to Central Business District
- Saint Paul's Crossing (Thistle Creek Phase 2) – Concept Plan Review
- Center for Business & Education – Concept Plan Review
- 102 Dayton Street -- Concept Plan Review
- Election of the Chair

**REVIEW OF MINUTES – January 9, 2006** Struewing MOVED and Bebko SECONDED a MOTION to APPROVE the minutes as amended. The MOTION PASSED 4-0, with an abstention from Tobey. **February 13, 2006** Bebko MOVED and Bayraktaroglu SECONDED a MOTION to APPROVE the minutes as amended. The MOTION PASSED 4-0, with an abstention from Tobey.

**REPORTS**

**Council Update.** Information regarding Council activities was distributed in advance of the meeting. Rickenbach added that the Stancliff Neighborhood development project has had its first reading and is scheduled for its second reading and public hearing for April 3<sup>rd</sup>. The Village's new amended Annexation Policy has a language change that conforms to state law and case law.

**Bike Enhancement-Northern Gateway Committee.** No Report.

**Zoning Administrator/Planner's Report.** The Planner will review his comments throughout the various discussions.

**COMMUNICATIONS**

Letter from Andy Holyoke re: 150 Railroad St.

**CITIZEN'S COMMENTS**

There were no comments from the audience.

**PUBLIC HEARINGS**

**Rezoning application for 150 Railroad Street, Residence "B" to Central Business District.** Owner Ted Donnell explained that the property is presently zoned under a conditional use for the architectural business. Donnell was waiting to make improvements on the property once the grain elevator property issues were resolved. He is asking Planning Commission to consider a rezoning of the property to allow for five units of office/studio space on the ground floor and five apartments of the second floor.

Hawkey reviewed his cost/benefit analysis, Section 4.8 *Special Planning Areas, Central Business District* from the Comprehensive Plan and an alternative analysis. Hawkey recommended approval of this re-zoning request. Planning Commission would address issues of parking, setbacks and street width when a development plan is submitted.

Rickenbach opened the public hearing. Beth Holyoke read the statement from Andy Holyoke. Mr. Holyoke request that the area have better access and that

Railroad Street become a dedicated street. Although Beth Holyoke was not opposed to the request, she expressed concern about the visual impact to her property, which abuts Donnell's. Having no additional comments Struewing MOVED and Bebko SECONDED a MOTION to close the public hearing. The MOTION PASSED.

The street was originally a part of the railroad right-of-way and even though the Village owns the access (street) there are only specific existing uses for the access (street) and the Village cannot expand those uses. The Village can continue to use the access (street) but there cannot be any expansion into the trail. There could be expansion on the south side, which would have to be negotiated with the individual property owners.

Bebko MOVED and Struewing SECONDED a MOTION to recommend, APPROVAL of this request to rezone the property at 150 Railroad Street from Residence B zoning district to the Central Business District to Council. The MOTION PASSED.

## **OLD BUSINESS**

### **Saint Paul's Crossing (Thistle Creek Phase 2) – Concept Plan Review.**

Jonathan Brown explained that the plan shows 27 zero lot line single-family units on 4.931-acre development north of Dayton Street and west of King Street which would be similar to the Park Meadows development. There would be private drives and private streets. He would like to incorporate solar energy if possible. The homes would have stucco siding and artificial slate roofs.

Regarding sewer, Brown stated that there were two possibilities. One would be to extend the sewer across the creek from Thistle Creek Phase One. The other possibility, which would make a deeper sewer, would be to have the adjoining sewer brought up from Wright Street. He added that the longer driveway shows a circle in the middle with some type of traffic calming device.

Hawkey reviewed his cost/benefit analysis and recommended that this concept plan be approved as submitted with the condition that future plans comply with acceptable standards for circulation, utilities, fire protection and drainage. Hawkey added that in his research he has not found anything recorded about a dedicated street.

Brown explained that there is a creek that runs between Phase One and Phase Two, there is also a culvert that would be removed and be replaced with a bridge. This would be a pedestrian way about 5 to 6-feet wide. This would also be linked to the extension of Wright Street. A fire truck would stop at the hydrant at the public street or the hydrant at the center of the development. An ambulance could pull up to the front of the residence. Fire suppression walls would be used in the zero lot line properties. Residents would carry their refuse to the public way for collection.

Bebko questioned the use of ash trees. Brown stated that he would get professional advice before deciding on the type of ash tree. Bebko then made a MOTION to ACCEPT this concept plan from Phillips-Brown Homes for development of Phase II of the Thistle Creek development. Struewing SECONDED the motion.

Struewing expressed concern about having a bikeway. Brown is willing to work with Planning Commission regarding a bikeway but felt meeting the required width would be difficult. Ted Donnell, Chair of the Northern Bicycle Committee explained that the requirements are two five-foot lanes with a two-foot buffer. The MOTION PASSED.

## **NEW BUSINESS**

**Center for Business & Education – Concept Plan Review.** Ted Donnell, principle owner of K4 Greene Architecture and under contract by Community Resources was asking for consideration of a Concept Plan from the Yellow Springs Center for Business and Education for development of the property at the northwest corner of East Enon and Dayton-Yellow Springs Roads. The intent would be to make this area more *campus oriented*. Donnell reviewed the conception plan.

Hawkey reviewed his cost/benefit analysis explaining that an extension of public utilities would be at the developer's expense, storm water impact from this site would have to comply with Greene County regulations and streets shown on the plan would be dedicated to the Village. He added that although the plan met the requirements of Sections 1264.04 (c) and 1264.0 there would be discussion regarding the perimeter setbacks, open space and access to the various lots. Hawkey recommends the plan be approved in its basic form on the condition that future detailed plans are in compliance with acceptable standards.

In answering Bayraktaroglu regarding traffic levels, Carol Gasho suggested that there would be no more increase than there was when Vernay Laboratories was in full operations. Swansen added that a traffic study would be necessary and Hawkey added that traffic impacts would be different according to the different businesses that would be housed in this area.

Regarding storm water, there will be three different discharges. Donnell explained that he does not anticipate any major problems. Answering Tobey's question regarding sanitary sewer, Donnell explained that it would run down Dayton Street. The Village would complete reconstruction of the Dayton Street sewer, making it deeper and wider.

Bayraktaroglu questioned the type of businesses and the timeline for completion. Gasho explained that Community Resources is committed to not having any retail businesses in this development. The targeted businesses would be education, research and professional offices. Swansen explained that there were no guarantees to the timeline. Community Resources does have a marketing partner to promote the property.

Audience member Joan Northway asked for further explanation regarding storm water. Her concern was that the runoff from this development would contribute to more water in areas where runoff is already a major problem. Donnell stressed that the development would not create any additional runoff onto those areas. Northway asked that the Village address this issue.

Judith Hempfling inquired about the gateway into the Village. Donnell explained that due to the setback requirements there would be a large green area and the entrance would be very subdued.

Struewing MOVED and Bebko SECONDED a MOTION to APPROVE this concept plan from the Yellow Springs Center for Business and Education for development of the property at the northwest corner of East Enon And Dayton-Yellow Spring Roads as presented. The MOTION PASSED.

**102 Dayton Street -- Concept Plan Review.** Ted Donnell representing Matthew Arnovitz requested that Planning Commission consider a concept plan from Matthew Arnovitz of Arnovitz and Associates for the development of 1.04 acres located at 102 Dayton Street. Donnell explained that Arnovitz has a contract on the property with the present owner. Donnell reviewed the concept plan. In his presentation Donnell explained that there would be two separate buildings, which are connected on the second floor, the lower level is set for retail and the upper level is set for business, the plan calls for the main entry to be along old Railroad Street across from 108 Dayton Street and the current Railroad Street vacated to make way for a pedestrian way. Has the project is now it qualifies for LEEDS certification.

Hawkey reviewed his cost/analysis which included mitigation of the storm water impact from this high-density development could be costly, no on-street parking would be available on the east frontage, and no significant widening of Railroad Street could occur without encroaching onto the bike path or private property. Hawkey recommended that more discussion regarding conflicts with the height, maximum footprint, lot area and lot coverage. He added that a special exception to the parking regulations might be warranted. This plan does not meet the PUD criteria.

Because this is new construction in the CBD the plan must come before Planning Commission. Planning Commission agreed that there is inconsistencies in the code that make it difficult or almost impossible to build in the Central

Business District and they are limited in their actions regarding this project at this time.

Residents John and Eve Sturm who resides at 120 Railroad Street expressed concern regarding the aesthetics of the parking areas, congestion and exhaust, and would like to see parallel parking.

Mark Duckwall expressed concern that he is running out of space and would like to move to his practice to larger offices. This new building might prove to be the answer to keep his Yellow Springs office in the Village.

Becky Campbell suggested that Planning Commission begin its discussion regarding the CBD as soon as possible.

Although Bob Baldwin offered support of the project, he was concerned about access to the building and parking. He also suggested that the building be moved back, closer to the bike path and get rid of the section Railroad Street to Cliff Street.

Beth Holyoke suggested individualized units that would reflect Xenia Avenue.

Planning Commission agreed that it acknowledges and recognizes that there are conflicts between its goals, the comprehensive plan and the CBD zoning. However this project would be a great benefit to the Village and should go forward. Rickenbach agreed to write this recommendation for approval at the next PC meeting before it is forwarded to the BZA.

#### **OLD BUSINESS**

**Election of Chair.** At the February meeting there was a motion to appoint Bruce Rickenbach to Chair the Planning Commission. Adhering to its rules and regulations, the vote on this motion was taken at this meeting. The MOTION PASSED, 4-0 with an abstention from Rickenbach.

#### **AGENDA PLANNING**

**Schedule Review of Bike Path Green Space Proposal with DAC**  
**Discussion regarding next steps – Northwest Planning Area Charette or**  
**Development Standards**  
**2006 Goals**  
**Central Business District discussion**

#### **ADJOURNMENT**

Having no further business, Struewing MOVED and Bebko SECONDED a MOTION to ADJOURN. The MOTION PASSED at 10:00p.m.

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Bruce A. Rickenbach, Chairperson

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Deborah Benning, Clerk

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.