VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION
AGENDA

The Village of Yellow Springs Planning Commission will meet in regular session on Monday, January 9, 2012 at 7:00 PM in Village Council Chambers on the second floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387

7:00 CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

7:05 REVIEW OF MINUTES – November 14, 2011

7:08 REPORTS
1. Council Update
2. Bike Enhancement Committee
3. Village Staff Report

COMMUNICATIONS

7:15 CITIZENS’ COMMENTS

7:20 OLD BUSINESS
   Parks Master Plan

7:30 NEW BUSINESS
   Update re: Annexation of Dayton Yellow Springs ROW and Action

8:55 AGENDA PLANNING
   Review of Village Property Still Under Township Zoning
   Planning Commission 2012 Goals (Review of Visioning and Council Goals as Part of Process)
   Parks Master Plan

9:00 ADJOURNMENT
VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION MINUTES

In Village Council Chambers November 14, 2011

CALL TO ORDER
Planning Commission Senior Member John Struewing called the meeting to order at 7:0 p.m.

ROLL CALL
Tim Tobey, John Struewing, Bill Bebko, Alternate Chris Till, and Council Representative Lori Askeland were present. Village Manager Mark Cundiff was also present. Absent was Matt Reed,

REVIEW OF AGENDA
There were no changes made.

REVIEW OF MINUTES
MOVED and SECONDED a MOTION to APPROVE the Minutes of September 12, 2011 AS AMENDED. The MOTION PASSED 5-0.

REPORTS

Council Update. Askeland reported briefly on the following, with assistance from the Village Manager:

Bike Enhancement Committee.

Village Staff Report. Cundiff reported on the following items:

CBE Update – The Phase II plans have been reviewed by our engineer and ODOT. The result was good news and bad news. First the bad news, there were some issues with the plans, and ODOT is requiring soil stabilization for all roadways. This will add an estimated $60,000-$70,000 to the cost. However, the good news is that ODOT is not requiring the resubmittal of Phase II plans, but are allowing our engineering design consultant to incorporate the comments into the Phase III plans. The annexation of the Dayton-Yellow Springs ROW is moving along and is on the Commission’s agenda tonight. The ROW acquisition also is continuing. Lastly, the RFP for the design of the intersection improvements is complete and will soon be released. Staff continues to meet with representatives of Community Resources to keep everyone up-to-date on the project and we will continue to meet monthly until the project is completed.

Zoning Code Update RFQ/RFP – The contracts with LSL Planning have been signed and we are tentatively looking at the week after Thanksgiving as the kick-off meeting. This project is also on the Commission’s agenda tonight.

Sidewalk Bids – The bid opening to do the sidewalk repairs on the east side of Xenia Avenue this week occurred last month. The estimate given to me by Staff was for $30,000, which is the amount we budgeted. We received two bids, one for $47,000 and one for $57,000. After consulting with the Village Solicitor, we rejected both bids. It is too late in the construction season to rebid this project now. We will revise our estimates and budget for this project again in 2012. We will advertise for the project in March and hopefully will have it completed before Spring Street Fair
COMMUNICATIONS

CITIZEN COMMENTS

NEW BUSINESS
There was no New Business.

OLD BUSINESS

PUBLIC HEARING

AGENDA PLANNING
Annexation of Dayton Yellow Springs ROW (Public Hearing)
Village Property Still Under Township Zoning
2012 Goals (Include Council Goals and PC 2011 Goals)
Review of Visioning Goals for Follow Up
Barr Property PUD
Parks Master Plan

ADJOURNMENT
Having no further business, MOVED and SECONDED a MOTION to ADJOURN. The MOTION PASSED UNANIMOUSLY at p.m.

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John Struewing, Acting Chair

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Attest: Judy Kintner, Clerk

Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council’s office between 9 and 3 Monday through Friday.
YELLOW SPRINGS PLANNING COMMISSION – January 6, 2012
VILLAGE STAFF REPORT

There are several planning-related items that Staff wants to provide an update on to Planning Commission.

CBE Update – The Ordinance accepting the annexation of the Dayton-Yellow Springs Road right-of-way was approved on December 5th, and the annexation became effective on January 5, 2012. We solicited quotes from engineering firms to do the design work of the intersection improvements. We received responses from six of the eight firms we requested quotes from. The total cost of this design work will be less than $15,000, so no Council action is needed. We had a meeting with ODOT and CR to discuss the project. The main topic was getting the design engineer to address comments made during the Stage 2 Plan Review while preparing the Stage 3 Plans. Apparently I was overly optimistic regarding the project schedule when I thought we would be able to bid the project out in July. After talking to the ODOT representative, I now know that this will not be happening. A more likely scenario is an early spring 2013 bid date. However, the intersection improvements hopefully will take place this summer. Staff continues to meet with representatives of Community Resources to keep everyone up-to-date on the project and we will continue to meet monthly until the project is completed.

Zoning Code Update RFQ/RFP – Due to scheduling issues, the kick-off meeting with LSL Planning had to be pushed to after the 1st of the New Year. This meeting is scheduled for January 12th, and the consultant will be in town on both the 12th and 13th interviewing those stakeholders identified by the TRC.

AMP Wind Power Project – AMP made us aware of a potential wind power project back in October, but we still haven’t received the Power Purchase Agreement subscription packets. AMP apparently is still negotiating with the developer of the wind farm, so we are not sure when we would be receiving the PPA.

AMP Bio-Mass Project – I received information from AMP on November 8th about the possibility of participating in a 2.4 MW Biogas Plant constructed “behind the meter” in Napoleon, Ohio. This plant would burn waste product generated by a Campbells Tomato Soup manufacturing facility. Yes, that would make this a “soup-er” project. A response was needed by November 10th, if we were interested. I immediately indicated to AMP staff that there was no way for us to respond that quickly. I also received an e-mail from consultant John Courtney indicating that it was their understanding from conversations with AMP that the power to be supplied by the Napoleon Biogas Project would be non-firm and subject to the availability of the
unit. That means that, if we were to participate in this project, we would only receive our project share of the output when the unit is operating. Courtney did not recommend participation due to that fact and the relatively small size of the project. I then received another e-mail from AMP asking if the timeline was expanded would we be interested. I responded that we might, but I would need to receive additional information so that the Energy Board and Village Council could make informed decisions on this matter. From what I have received so far it looks like there would only be 2 MW available to other AMP members and energy would not be produced at all times. It would be a 15 year agreement with two options on the costs. Option 1 would be a $51.00 per KWh cost with no RECs being kept by participants or Option 2 which would be a $53.00 per KWh with some ownership of the RECs. Both options would have a 2% price escalator per each year of the contract. I will try to have an AMP representative come to a Council meeting to discuss this project. Since then I have received some additional information on this project from AMP, which I forwarded on to the Energy Board and to John Courtney for evaluation.

**Solar Farm Update** – It is my understanding that the developers are still in the process of raising the capital needed for this project. Investors are a bit weary due to possible changes in State and Federal laws which would negatively impact the value of Renewal Energy Credits (REC). However, I spoke to Jeremy Chapman of Melink and he remains confident that the project will eventually get completed.

**Amphitheater Improvements** – I’ve been contacted by a person who is the Managing Director of CFT, Inc., a small non-profit theatre, about the possibility of using the small amphitheater located north of the Bryan Center along the Yellow Spring. They are interested in putting on a stage production there this summer, and would like to partner with the Village to make some improvements at the amphitheater. I will be meeting with them in January to discuss this possible project. We will be meeting on January 10th to discuss the possibility of partnering to make some improvements at the amphitheater. I also had a brief discussion with a member of the Yellow Springs Arts Council about this project.

**Fiber Optic Cable Installation** – In case you’ve been wondering or have had questions from residents, the work you may have seen happening along Yellow Springs-Fairfield Road is being performed by a contractor installing fiber optic lines from Wright Patterson Air Force Base to the Ohio Air National Guard base at the Springfield Airport. The line will come into the Village along Yellow Springs-Fairfield Road to US 68, and then north to the airport.
MEMORANDUM

DATE: January 6, 2012

TO: Yellow Springs Planning Commission

FROM: Mark Cundiff, Village Manager

SUBJECT: Establishing Village Zoning on Recently Annexed Property (Dayton-Yellow Springs Road Right-of-Way)

The Village recently annexed 1.777 acres of land which makes up approximately 800 feet of Dayton-Yellow Springs Road Right-of-Way (ROW) west of East Enon Road. By State of Ohio law, the existing Township Zoning remains in place until the Village establishes Village Zoning for the property.

The surrounding Village Zoning Districts include Mixed Commerce to the north and northwest, Educational Institution to the north, and Residence ‘A’ to the south. Surrounding land uses include vacant land proposed to be a business park (CBE) to the north and northwest, a university (Antioch University Midwest) to the north, and land owned by the Yellow Springs School District used as recreational soccer fields to the south.

Since the adjacent property owners land extends to the centerline of Dayton-Yellow Springs Road, staff is recommending the establishment of the same zoning districts for this recently annexed land as already exists. Therefore, all three parcels would have the same zoning designation. It makes no sense to zone this small portion of ROW differently that the rest of the parcel. Attached is a map showing the proposed zoning plan.

The area annexed consists of a roadway and ditches. There will be no further development of the property for any other use.

Planning Commission will need to schedule a public hearing just like they would if this was a rezoning request, and then make a recommendation to Village Council.
DATE: January 6, 2012

TO: Yellow Springs Planning Commission

FROM: Mark Cundiff, Village Manager

SUBJECT: Property Within the Village For Which Village Zoning Has Not Been Established

The Planning Commission was made aware of the fact that there are areas of the Village for which Village Zoning has not been established. The Township zoning regulations are still in effect. Attached is a map that shows the two areas, as well as what are the surrounding zoning districts.

Since the Village is beginning the Zoning Code Update which likely will change the Zoning Map, I would recommend that the Planning Commission allow the update process to have Village zoning established in these two areas. I believe that one of the properties has been in the Village for over 10 years, so I doubt that it is an urgent matter to have Village zoning established immediately.