VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION
AGENDA

The Village of Yellow Springs Planning Commission will meet in regular session on Monday, November 14, 2011 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 –September 12, 2011

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

COMMUNICATIONS
  Planning Commissioner’s Journal

7:15 CITIZENS’ COMMENTS

7:20 OLD BUSINESS
  Parks Master Plan

7:30 NEW BUSINESS
  Public Hearing re: Annexation of Dayton Yellow Springs ROW
  Zoning Code Rewrite Update

8:55 AGENDA PLANNING
  Barr Property PUD
  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
CALL TO ORDER
Planning Commission Chair Matt Reed called the meeting to order at 7:02 p.m.

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

REVIEW OF AGENDA
There were no changes made.

REVIEW OF MINUTES
Struwing MOVED and Bebko SECONDED a MOTION to APPROVE the Minutes of August 8, 2011 AS AMENDED. The MOTION PASSED 5-0.

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

* The Barr Property Plan will be discussed September 19th in a Public Hearing.
* The Technical Review Committee has selected two final candidates, who have submitted proposals, and will receive interviews on September 29th.
* The Village Manager has submitted a plan for reorganization which would combine the Economic Sustainability Coordinator position and the Assistant Planner position into an Assistant Village Manager position capable of backing up the Village Manager.
* Council approved an ordinance extending an agreement with Trailside Museum which assures restroom facilities are available to the public when that building is operational. This assures continuation of a NatureWorks grant.
* Council approved a supplemental appropriation to reimburse Flatter Hereford Farms for fertilizer purchased prior to the lease of property to SolarVision.
* Council approved an increase in amount for the purchase of a pole setter for use by the Village crew.
* Council renewed a contract with Rumpke for solid waste disposal, and citizens are receiving their new 96 gallon recycling containers.
* Council approved renewal of a contract with PEP for insurance coverage.

Struwing asked for clarification regarding the reorganization plan, wondering how it will affect Planning Commission. Cundiff explained that the AVM would serve as the liaison to Planning Commission, removing him from that role. Cundiff commented that a strong preparation in planning will be one of the job requirements.

Bike Enhancement Committee. Tobey reported that there will be a meeting held at 7:30 on Wednesday to discuss the Travel Plan. Tobey noted that the Travel Plan is now at the application phase, the grant application being due in January. Tobey stated that the group is attempting to complete the application before elimination of the Assistant Planner position.
Tobey explained that the BEC is initiating a program to provide bikes for all of the incoming Antioch students who may need a bike. Tobey stated that the hope is to have bikes donated to BEC, who will make any necessary repairs and provide safety information to students.

The Senior Center, Tobey stated, would like to purchase trikes for use by seniors, who would be able to use the trike until no longer wanted or needed, and then return it to the Senior Center. Their goal is to have 10- bikes available for interested seniors. Tobey noted that the Senior Center is not seeking funding for the project, but would like the approval of Planning Commission/BEC before launching the project.

Tobey noted that the BEC would provide safety training to Senior Center staff, especially since the trikes are more difficult to ride that one might assume, a sentiment echoed by Bebko, who has had firsthand experience.

There was no action taken.

**Village Staff Report.** Cundiff reported on the following:

*CBE Update – The Phase II plans are still being reviewed by the engineer and ODOT. The Greene County Commissioners passed a resolution approving the annexation this past Tuesday. The Clerk of the County Commission has delivered the petition and all supporting material to the Village Clerk. The Village Clerk must hold the petition for 60 days before Council can act on it. During that time, Planning Commission can, however, make a recommendation to Council on the establishment of Village zoning for the property being annexed.

Once the Village approves annexation by Ordinance and the Ordinance becomes effective, Council can consider the adoption of an Ordinance establishing the zoning. Staff continues to meet with representatives of Community Resources to keep everyone up-to-date on the project and will continue to meet monthly until the project is completed.

The Village does have a ROW plan in to the engineer, and hopes to move into Phase III of the project by this spring.

*Annual Street Paving – Work began this week and is expected to continue into next week. Cundiff noted that Council has approved the contract for the reclamater to re-seal streets scheduled for maintenance.

*Zoning Code Update RFQ/RFP – The Technical Review Committee originally received 16 responses to the RFQ. TRC pared the list down to five firms:

- Compass Point Planning
- Duaney Plater-Zybeck & Co.
- LSL Planning
- McBride Dale Clarion
- McKenna Associates

One of the finalists, Duaney Plater-Zybeck & Co., withdrew from consideration because they felt the amount of money budgeted for this project, $75,000, was not enough to do the work.
The remaining four finalists submitted RFPs. The TRC met to review these proposals. As a result of this review, the TRC has recommended that Village Council interview LSL Planning and McBride Dale Clarion as the finalists for the Zoning Code Update Project.

These interviews are slated for Thursday, September 29 at 7pm, with a pre-interview session in A & B at 6:30.

Cundiff asked Planning Commission if they would like to receive copies of the RFPs, which will also be sent to Council. Cundiff urged any members of PC who are able to attend the interviews.

*Cundiff noted that AMP has terminated their contract with Standard Solar due to non-performance. Amp is planning to contract with other companies for behind the meter solar, much like what the Village has contracted to do with SolarVision.

*Regarding SolarVision/Melink—Cundiff informed PC that this project has been delayed due to a hold up in obtaining financing, as SolarVision works to find a community with which to partner Yellow Springs for tax credit financing. The plan, however, is still to begin construction on site before the end of this year.

COMMUNICATIONS
Dan Carrigan re: Senior Trike Program and Antioch College Bike Program

CITIZEN COMMENTS
Cundiff noted that in response to several complaints about the lighting in Keith’s Alley, the Village will be trimming trees in that area.

Cundiff also commented that the Village will be redistributing some of the lights on Marshall St. to better cover the area of the former Health Clinic.

NEW BUSINESS
There was no New Business.

OLD BUSINESS
Update on Parks Master Plan Progress. Tobey reported that he and Rich Miller visited all of the local parks and facilities to assess what is available, and he is looking to Planning Commission for guidance as to next steps in putting together a Parks Plan which could be passed along to a professional.

Tobey expressed concern about conducting a citizen survey which might be duplicated or need more information if a professional is brought in.

Askeland responded that due to budget concerns, it was unlikely that there would be anyone hired to produce a Parks Master Plan in the near future.

Tobey stated that his idea is to produce a spreadsheet of available resources, followed by a brainstorming session to identify what areas need clean up or renovation, and what areas might be able to generate income, where to provide public restrooms, etc.

Tobey suggested proceeding with the spreadsheet just to inventory what is currently available. Askeland heartily agreed with this idea, stating that even if that is the only action taken, it will provide valuable information.
Tobey noted that he has yet to meet with the YS Tree Committee, among others, to finalize information.

PUBLIC HEARING
There was no 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, Struewing MOVED and Bebko SECONDED a MOTION to ADJOURN. The MOTION PASSED UNANIMOUSLY at 7:50 p.m.

Matt Reed, Chairperson

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

**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.
MEMORANDUM

DATE: November 11, 2011
TO: Yellow Springs Planning Commission
FROM: Mark Cundiff, Village Manager
SUBJECT: Dayton-Yellow Springs Road ROW Annexation

Planning Commission is being asked to make a recommendation to Village Council regarding the annexation of 1.177 acres of land which is currently the right-of-way for Dayton-Yellow Springs Road west of the Village. A drawing is included in your packet for your reference.

This ROW was not annexed at the same time the adjacent properties were annexed. I’ve not been able to determine why it was not annexed, but the current situation is a peninsula of Township property surrounded on three sides by Village property. This property is being annexed under the Expedited Type 2 process outlined in ORC 709.023(C).

The annexation of this peninsula of existing roadway is being requested so that the Village corporation limits will be extended westward to the western property line of the Yellow Springs Schools property. This will allow for the extension of the 35 mph speed limit westward, and allow for the construction plans for the entrance into the CBE to be designed and constructed for a 35 mph speed limit (which is less expensive than for a 55 mph speed limit).

The Commission will also need to make a recommendation on the establishment of zoning for the property. This is a separate action and will follow the same process as a rezoning request. The Commission may wish to schedule this matter for their December meeting.

As I am the agent for this annexation, I feel that it would be inappropriate for me to make a recommendation. However, the facts are that this annexation would eliminate a peninsula of Township property surrounded by Village property and would assist in the development of an important economic development project.
ANNEXATION MAP
SECTION 26, TOWN 4, RANGE 8 M.R.S.
TOWNSHIP OF MIAMI
GREENE COUNTY, OHIO
CONTAINING 1.177 ACRES

Bearings based on the centerline of East Enon Road being S 10°47'10" E as shown on the Annexation Map (Page 1.4) of a 45.448 Acre Annexation to the Village of Yellow Springs as Recorded in O.R. Vol. 2408, Pg. 108

ANNEXATION TO THE VILLAGE OF YELLOW SPRINGS
45.448 AC.
O.R. VOL. 2408, PG. 108
ANNEX MAP O.R. VOL. 2408, PAGE 114

ANTIOCH UNIVERSITY
11.144 AC.
O.R. VOLUME 2544, PAGE 328
S.R. VOL. 37, PAGE 248

THE EDUCATION VILLAGE
35.227 AC.
O.R. VOLUME 2544, PAGE 331
S.R. VOL. 37, PAGE 248

N 68°06'27" W 788.82'
50°09'31" W 805.67'

EX. CORP. LINE
CENTERLINE PER S.R. VOL. 37, PG. 328

DAYTON-YELLOW SPRINGS ROAD
(60 R/W)

EX. CORP. LINE
CENTERLINE PER S.R. VOL. 35, PG. 272

EX. CORP. LINE
CENTERLINE PER S.R. VOL. 37, PG. 272

VILLAGE OF YELLOW SPRINGS

THE BOARD OF EDUCATION OF YELLOW SPRINGS EXEMPTED SCHOOL DISTRICT
37.82 AC.
DEED BOOK 337, PAGE 427
S.R. VOL. 33, PG. 272

ANNEXATION TO THE VILLAGE OF YELLOW SPRINGS
TRACT 1
DEED BOOK 416, PAGE 354

CHARGE

NORFLEET, BROWN & PETKIEWICZ ENGINEERS - SURVEYORS
226 BYERS ROAD, SUITE 204
MIAMISBURG, OHIO 45342
(937) 847-2313

DATE: November 13, 2019
JOB No. 09-6679
MEMORANDUM

DATE: November 11, 2011

TO: Yellow Springs Planning Commission

FROM: Mark Cundiff, Village Manager

SUBJECT: Discussion on the Zoning Code Update Process

The contract with LSL Planning has been signed and we are ready to get started on this project. I’ve invited the other members of the TRC to the meeting so we can discuss the next steps. Also in your packet should be a copy of an e-mail from Paul LeBlanc asking some questions about getting started. Specifically, he is asking our help to:

- Identify individuals to be interviewed (up to 8)
- Identify user groups and select persons to participate in each group (suggested groups include: downtown business owners, neighborhood association representatives, major employers and land developers)
- Provide names and contact information for members of the TRC and others whom you expect to be actively involved in the project

We also are trying to set the date of the start-up meeting and village tour. It appears that the week after Thanksgiving is the targeted dates, and the consultant will be here for two consecutive days.
Mark:

We’re ready to start; and I’ll need your help with the following:

- Schedule the start-up meeting and village tour (with TRC, staff and others you choose). If we can get a bus or large van for the tour, so all members can be together in one vehicle, that works very well.
- Provide copies (electronic preferably) of:
  - Current zoning code (prefer a single bound copy rather than the multiple individual chapters on Muni Code)
  - All recent amendments to the code not included in the copy
  - Current comprehensive plan (two versions on the Village website, but not sure which, if either, is the current)
  - Visioning plan (couldn’t find this on the website)
  - Other relevant plans and documents (downtown plan, open space, etc)
  - All application forms and procedures
  - Minutes from the past 12 meetings of the PC and BZA. These appear to be available on your website. If that is the case, we can make copies.
- Identify individuals to be interviewed (up to 8)
- Identify user groups and select persons to participate in each group (suggested groups include: downtown business owners, neighborhood association representatives, major employers and land developers)
- Provide names and contact information for members of the TRC and others whom you expect to be actively involved in the project

Ideally, we’d like to conduct the start-up meeting, tour, interviews and user group discussions over two consecutive days. We’ll likely have three people there for both days and our calendars tend to fill up quickly; so the sooner we can nail down those dates, the better. The dates available this month are 22\(^{\text{nd}}\), 23\(^{\text{rd}}\), 29\(^{\text{th}}\) and 30\(^{\text{th}}\) and December 1\(^{\text{st}}\) and 2\(^{\text{nd}}\).

If you have any questions, the surest way to reach me is on my cell phone (616) 581-3978.

Thanks,

Paul M. LeBlanc, AICP  
Managing Partner