

**Planning Commission
Regular Meeting**

Virtual Meeting @ 7:00pm

Tuesday, September 15, 2020

CALL TO ORDER

The meeting was called to order at 7:00 P.M.

ROLL CALL

Planning Commission members present via zoom were Frank Doden, Chair, Council Liaison Laura Curliss, AJ Williams, Dino Pallotta and Stephen Green. Also present were Denise Swinger, Zoning Administrator, Johnnie Burns, Public Works Director, Village Manger Josue Salmeron and Village Solicitor Breanne Parcels.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Minutes of August 11, 2020 Regular Meeting. Doden MOVED and Pallotta SECONDED a MOTION TO APPROVE the Minutes as written. The MOTION PASSED 5-0 on a voice vote.

COMMUNICATIONS

The Clerk noted several e-mail letters, all objecting to the parking proposal as shown in the Comprehensive Land Use Plan: Terry Smith; Parker Buckley; Mary Eby.

A communication was also received from Connie Richeson objecting to development on the south end of town.

COUNCIL REPORT

Curliss reported that the Village has received a resolution for services for acreage south of the village as a first step in a potential annexation. The resolution was tabled so that Miami Township Trustees could review the annexation agreement first, and will return to Council on September 21st.

CITIZEN COMMENTS

Michael Slaughter commented against the parking proposal shown in the CLUP for the area on Elm Street.

Parker Buckley and Carol Young commented against the parking proposal shown in the CLUP for the area on Elm Street.

PUBLIC HEARINGS

1) Amend Chapter 1226.07 Subdivision Regulations – Park Land Dedication

Swinger explained the suggested amendment to the zoning code as follows:

Section 1226.07 Park Land Dedication is the final section of the Subdivision Regulations in need of revision. There are several tracts of land within the Village of Yellow Springs that may be developed in the future. Because of this, it is important to ensure there is available greenspace for active recreational use.

The current planning code mentions for every 50 acres developed there should be a dedicated park. The Village does not have any tracts of land within the Village with this much acreage. Although the Village has a high percentage of green space areas within its borders, Planning Consultant Aaron Sorrell pointed out this is due in part to the annexation of Glen Helen.

The Village's 1998 Parks & Recreation Master Plan called for 3 acres of dedicated parkland per 1,000 residents. Greene County's subdivision regulations for parkland dedication calls for 5 acres per 1,000 residents in residential developments, and then multiplies the number of persons based on the number of bedrooms. Staff has tried to make it less complicated by assigning a base number of persons (3) for each dwelling unit and multiplying the total number of persons by 0.003 (the number of acres per 1,000).

Staff would also like Planning Commission to consider whether there should be an established Parks & Recreation fee for minor subdivisions. For each new unit under five total in a minor subdivision process, there could be an established fee paid upon approval of the minor subdivision. This would not apply to accessory dwelling units or pocket neighborhood developments. PUD's also have specific requirements for green space. This Parks & Rec fee could apply to minor subdivisions and replats if the replat creates any new buildable lot for development that will have dwelling units built.

Doden asked PC members to consider whether they would like to increase the acreage from 3 acres to 5, to align with Greene County's requirement.

Burns commented that a greater amount of space means more space for Public Works to have to maintain.

Swinger responded that she would like to see the higher acreage, but that Public Works is consulted with each development, and if there is acreage not used for parkland, the rest could be covered with a Fee-in-Lieu.

Doden MOVED TO UNTABLE THE DISCUSSION OF SECTION 1226.07. Curliss SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Sorrell commented regarding Fees in Lieu, stating that the fee must offset impact of development in that part of town.

Curliss MOVED to STRIKE THE WORD "THREE", AND REPLACE IT WITH THE WORD "FIVE", AND TO ADAPT THE CALCULATION ACCORDINGLY (to 0.005). Doden SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Doden OPENED THE PUBLIC HEARING. There being no comment, Doden CLOSED THE PUBLIC HEARING.

Doden MOVED to FORWARD THE AMENDED RECOMMENDATION TO COUNCIL. Pallotta SECONDED, and the MOTION PASSED 5-0 on a ROLL CALL VOTE.

OLD BUSINESS

Comprehensive Land Use Plan Presentation. Aaron Sorrell of Community Planning Insights presented the CLUP as revised. He noted the number of stakeholders involved, and the number of surveys and outreach sessions held to assure full public input into the process. Sorrell stressed that the CLUP is meant as a high-level, 10-20 year outlook. Sorrell noted that the CLUP does drive operations and investments for long-term land development of land.

Green asked a number of questions specific to Glass Farm development which were fairly specific in nature.

Sorrell responded that the intent of the CLUP is to provide guidance for acceptable uses, and assured Green that the village has a great deal of growth to accomplish before coming close to the 5,000 number that transitions it into a city. He estimated a .5% to 1% growth per year is reasonable, and could result in 4,400 total citizens over the next 20-25 years.

Sorrell noted that the industrial growth indicated in the Future Land Use map is located outside of the wellhead capture zone on purpose, to prevent any potential contamination.

Green explained that he did not contemplate the actions of Antioch College, Antioch Midwest. Friends Care or the public schools in the CLUP, since those are not specifically predictable, but that there is contemplation of how to grow in a responsible manner if change does occur among those variables.

Sorrell introduced the Future Land Use Map, prompting several questions. He responded that the CLUP can be used to solicit grant or development funds, and sets a policy backbone for zoning map amendments. Sorrell noted that it is a guidance document.

Parcels stressed that Planning Commission must consider each application on its specific merits.

Green asked specific questions regarding infill.

Sorrell commented that outside of the Glass Farm, infill development possibilities are low.

Curliss stated that she had several specific areas of the CLUP that she would like either changed or moved, and asked how best to ask for those changes.

Sorrell asked that a motion be made and voted on for each of the requests.

Curliss stated as an example that the "parcel south of town" was initially R-A, but "suddenly showed up as medium density" on the CLUP. She asked that the whole area be changed to R-A.

Swinger noted that Curliss appeared to imply that Sorrell had changed the zoning in response to the current developer's desired outcome, and stated adamantly that the medium density designation had been in place for a long time.

Curliss stated adamantly that she was not implying that the map change on Sorrell's part had been in response to the developer

Sorrell responded that his initial recommendation at the start of the CLUP rewrite process had been to make that area medium density.

Curliss then stated that she would like to move to designate that area as low-density.

Parcels advised that if Curliss was moving to amend, she must specify the justification for the motion, given that the document is based upon research and professional input.

Curliss responded that her motivations could be viewed as political, and so justifiable.

Parcels asked that these be put on the record.

Curliss MOVED that the Village Property known as the Glass Farm (25 acres) be rezoned to Public Use. She stated the following reasons:

- Hydric Soils
- Lack of ready infrastructure
- Greenfield
- Expense of Development due to lack of infrastructure
- Two prior studies recommending single family low-density if any development

Curliss then made several suggestions for other areas of the Glass Farm.

Pallotta commented that any developer would readily determine the high cost of developing the area and would likely not choose to follow through on development in that area.

Curliss commented that this difficulty should be reflected in the zoning designation.

The Clerk asked that Curliss restate each of her desired changes in the form of separate motions for clarity.

Curliss MOVED that the 25 acres known as the Glass Farm be shown on the Land Use Map as "Public Use" rather than "high density residential," based upon the reasons stated above. Green SECONDED.

Curliss responded to a question from Green, stating that the current designation is not driven by the land itself but by the fact that it is Village owned.

Pallotta received clarification that the CLUP is "just a plan" and is not a final document. Parcels noted again that this is a guidance document, separate from the zoning code.

Doden CALLED THE VOTE, and the MOTION FAILED 2-3, with Pallotta, Doden and Williams voting against.

Curliss MOVED to remove the Parking Plans from the CLUP.

In response to a question from Doden, Curliss stated that putting the plans in the CLUP is a bad idea because "you put it in the plans, then the executive branch will run with it and they'll do it. Just because it's in the plans." She then noted that there was available parking on Elm Street during a busy Saturday recently.

Pallotta asked rhetorically whether this would not be a growing problem as the village moves forward and therefore appropriate to the CLUP.

Sorrell commented that he had looked at available opportunities to relieve downtown parking congestion, and that the angle parking along Elm and Phillips Streets was one option, and one not likely to be implemented unless Mills Lawn School changed use or until Elm Street was improved, with curb and gutter, drains, etc. The idea was to illustrate that this is a potential solution, but, he noted, that portion of Elm Street needs some TLC.

Swinger noted that the downtown parking issue has been raised for many years.

Curliss stated that the Village has increased parking for the downtown in the last three years.

Green SECONDED, and the MOTION FAILED 2-3, with Pallotta, Doden and Williams voting against.

Curliss MOVED to CHANGE THE EASTERN THIRD OF MILLS LAWN SCHOOL DESIGNATION BE CHANGED TO BUSINESS-1, and that the Western Two-thirds be designated green space.

Sorrell commented that School Board representatives were not, at the time he was gathering information, comfortable with re-designating the zoning for that property. He offered to add a section regarding potential future uses without changing the future land use map.

Curliss asked for an overlay exhibit.

In response to a question from Green, Sorrell stated that he left the existing western area of the school property alone in that regard, due to public comment.

Doden CALLED THE VOTE, and the MOTION FAILED 1-4, with Curliss the only “yes” vote.

Curliss asked whether the CLUP is used to justify staff decisions.

Swinger stated that she uses the Vision, the CLUP and the Zoning Code.

Parcels clarified again that the CLUP is a guidance document, and that as long as the proposed use is not incompatible with the CLUP, it can be considered.

Doden MOVED to RECOMMEND ADOPTION OF THE CLUP BY COUNCIL. Curliss SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Active Transportation Plan Update. Salmeron presented a powerpoint regarding funding for the ATP. He noted a total award for this effort of 1.7 million dollars, stating that this is a zero match award.

Salmeron pointed out that having an approved ATP is what enabled the Village to secure this grant.

Salmeron detailed the measures which will be undertaken over the five years of funding as follows:

- Reconstruct Multi-use path along Dayton Street from Enon Road to Elm Street
- Curb extensions, high-visibility crosswalk markings & signs at 5 intersections along Dayton Street and Xenia Ave.
- Improve Little Miami Scenic Trail crossings (2): RRFBs, high-vis markings
- Redesign curb and reduce crossing distances at Xenia Ave/Corry Street intersection (signal)
- Provide sidewalk/trail connectivity to LMST from E. Limestone Street and Glen Street including RRFBs and crosswalks on Corry

Annexation Process Discussion. Salmeron presented a powerpoint regarding the proposed of approximately 33 acres on the south of town.

In response to a question from Curliss, Burns stated that the proposed location is “probably the best in town,” due to its location relative to the sewer plant.

Salmeron noted that PC is the entity that will be able to review and approve the site plan if the area is annexed.

Salmeron went over the work flow for annexation under a Type 1 annexation. He noted the areas for public input at specific points in the process.

Salmeron clarified that the township lots are currently zoned “Agricultural/Residential and can, without re-zoning or annexation, be used to build homes on lots of 10,000 square feet.

Parcels noted that all areas annexed into the village come in as R-A, and then are rezoned as needed.

Salmeron noted an upcoming transfer of a conservation easement which PC will see on Council’s agenda.

Storm Water and Electric Study Results: This was moved to the October meeting.

NEW BUSINESS

There was no New Business.

AGENDA PLANNING

Storm Water Study Results; Conditional Use Hearing for Yellow Springs Brewery; a Minor Subdivision for the Consent Agenda.

ADJOURNMENT

At 9:23pm, Williams MOVED and Doden SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Frank Doden, Chair

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.