

**Planning Commission
Regular Meeting**

In Council Chambers @ 6:00pm

Tuesday, October 15, 2024

CALL TO ORDER

The meeting was called to order at 6:00 P.M.

ROLL CALL

Planning Commission members present were Susan Stiles, Chair, Scott Osterholm, Council Liaison Gavin DeVore Leonard, Stephen Green and Gary Zaremsky. Also present was Meg Leatherman, Zoning Administrator.

REVIEW OF AGENDA

There were no changes made.

CONSENT AGENDA

Educational Institution District (E-1) –Wes Goubeaux, on behalf of Antioch College, has submitted an application for a Minor Subdivision located at 1160 Corry Street. Chapter 1226 Subdivision Regulations.

Osterholm MOVED and Green SECONDED APPROVAL OF THE CONSENT AGENDA. The MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF MINUTES

1. Minutes of September 10, 2024 Regular Meeting
2. Minutes of September 25, 2024 Work Session

DeVore Leonard MOVED TO APPROVE the Minutes of the September 10, 2024 Regular Planning Commission meeting. Osterholm SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Stiles MOVED TO APPROVE the Amended Minutes of the September 25, 2024 Special Planning Commission (Work Session) meeting. DeVore Leonard SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

COMMUNICATIONS

There were no communications.

COUNCIL AND COMMITTEE REPORTS

Active Transportation Committee: Zaremsky reported a successful Fall “Bike Bus” with Mill Lawn students.

Zaremsky noted that Active Transportation will support the YS Schools’ application for both non-infrastructure and infrastructure grants from Safe Routes to Schools for the upcoming grant cycle.

A walking audit to update the YS Active Transportation Plan will be held on November 15th.

Council: DeVore Leonard provided the following report:

On October 7th, Council heard the first reading of Ordinance 2024-11, which would approve PC’s recommendation to rezone one parcel totaling 3.612 acres of property at 420 East Enon Road from R-A to R-C. The second reading and Public Hearing are scheduled for October 21st.

At that same meeting, Council heard ordinance 2024-12, which will approve the Final Plat for Spring Meadows Phase Two. The second reading and Public Hearing are scheduled for October 21st.

Council approved bringing a resolution granting TLT \$113,000 towards conservation of farmland in the Township to their October 21st meeting.

Council approved the nomination of Mark Carr and Chad Runyon as Planning Commission Alternates: both were sworn in on October 7th.

The Windsor Group request for a PUD on fewer than five acres, for which a work session with PC was held on September 25th, goes to Council for a decision on October 21st.

Efforts to secure land (both land for housing and replacement soccer fields) in order to proceed with securing a developer who can then apply for Low Income Housing Tax Credit financing continue. Council held a Joint Meeting with the School Board on September 25th to exchange information on this topic. Many questions were asked, and in an effort to begin addressing these comprehensively, a link on the Village homepage will be created this week with a “Q&A” document and other relevant documents.

LIHTC efforts have been acknowledged as taking the majority of staff time at this point, meaning that other efforts have been slowed or paused as needed.

Housing Updates: DeVore Leonard offered to provide the time-stamped video of Leatherman’s presentation to Council regarding her housing report, given the lack of time on the present agenda.

Leatherman commented that the Windsor Group may defer their request to Council for a PUD on fewer than five acres, so this may occur in November.

CITIZEN COMMENTS

Tom Degenhart commented on the proposed PUD on than fewer than five acres, stating the proposed density of the proposed PUD on the former Antioch Union site is excessive. He argued that there will not be nearly enough parking. He characterized the plan as “a cash grab.”

Jerry Papania commented against the Windsor proposal, arguing that stormwater mitigation had not been addressed.

Kim Collassa commented against the Windsor proposal, citing traffic concerns, and asking that access and streets be reconfigured if the project advances.

PUBLIC HEARINGS

Conditional Use. Darren Gilley has submitted a Conditional Use application for Transient Guest Lodging at 410 N. High Street. Chapter 1248 Residential Districts, Chapter 1262.08(e)(7) Conditional Use, Specific Requirements, Transient Guest Lodging – Moderate Density Residential District (R-B). Green County Parcel #F19000100010005300.

After making note of the noticing requirements followed, Leatherman introduced the hearing as follows:

Darren Gilley, property owner, submitted a conditional use application to operate a Transient Guest Lodging Unit (TGL) at 410 North High Street in a yet to be constructed single-family dwelling. The proposal includes sectioning off a portion of a new home, not yet constructed, for guests, while the owner remains in the other portion. The closest TGL in the vicinity is located at 417 Fairfield Pike and it is approximately 632 feet away.

Leatherman noted that Gilley owns all three lots at the property, and noted that construction will need to commence within three years of approval or the approval is nullified.

Leatherman noted that Gilley will need to reside in the TGL, since it will be located on a separate lot.

Green received clarification as to Gilley's plan, which is to live in the TGL and rent it once it is constructed and to then rent out the existing home.

Green MOVED TO APPROVE THE CONDITIONAL USE AS REQUESTED WITH THE FOLLOWING CONDITIONS:

1. The owner is required to provide proof of primary residence upon completion of construction and prior to operating the TGL.
2. An inspection by the Miami Township Fire and Rescue (MTFR) for the installation of smoke and carbon monoxide detectors must accompany the application for transient guest lodging. The detectors will be inspected by MTFR annually.
3. Transient guest lodging permits are non-transferable. A change in the ownership of the property will void the permit.
4. Completion of the Transient Guest Lodging registration with the Finance department is required annually and prior to initial occupancy.
5. A bi-annual reporting of all earnings must be returned to the Finance Director annually, even if there were no earnings. A 3% lodging tax will be due with the reporting by April 15th and October 15th for the preceding six months, annually.

Osterholm SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Conditional Use. Jeff Gray has submitted a Conditional Use application for Transient Guest Lodging at 365 East Enon Road. Chapter 1248 Residential Districts, Chapter 1262.08(e)(7) Conditional Use, Specific Requirements, Transient Guest Lodging – Low Density Residential District (R-A). Greene County Parcel #F19000100050000900, F19000100050001000.

After making note of the noticing requirements followed, Leatherman introduced the hearing as follows:

Jeff Gray, property owner, submitted a conditional use application to operate a Transient Guest Lodging Unit (TGL) at 365 East Enon Road. The proposal includes sectioning off a portion of the home for guests, while a long-term tenant remains on the lower level as operator of the TGL. No exterior construction is proposed. The closest TGL in the vicinity is located at 718 Green Street and it is approximately 1,850 feet away.

This property operated as a TGL under an approved permit through Karen Zukowitz's ownership from November 20, 2018 through December 2023. Subsequently, the property was placed for sale and acquired by Jeff Gray in August 2024. Village Code section 1262.08(e)(7) states that a TGL becomes void when the property

changes ownership. Accordingly, Jeff Gray has submitted a new Conditional Use - TGL application requesting approval.

Grey states that long-term tenant Jennifer Boyd will reside on the lower level of the tri-level home and act as operator of the TGL.

Osterholm MOVED TO APPROVE THE CONDITIONAL USE AS REQUESTED WITH THE FOLLOWING CONDITIONS:

1. An inspection by the Miami Township Fire and Rescue (MTFR) for the installation of smoke and carbon monoxide detectors must accompany the application for transient guest lodging. The detectors will be inspected by MTFR annually.
2. Transient guest lodging permits are non-transferable. A change in the ownership of the property will void the permit.
3. Completion of the Transient Guest Lodging registration with the Finance department is required annually and prior to initial occupancy.
4. A bi-annual reporting of all earnings must be returned to the Finance Director annually, even if there were no earnings. A 3% lodging tax will be due with the reporting by April 15th and October 15th for the preceding six months, annually.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

There was no New Business.

AGENDA PLANNING

Housing Report
Food Trucks

ADJOURNMENT

At 6:47pm, Stiles MOVED and Osterholm SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Susan Stiles, 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.