

Planning Commission Minutes – May 3, 2017

The Planning Commission met on the above date at 7:00 p.m. in the Administrative Services Building, 304 N. Church Street, Bowling Green, Ohio.

Members Present: Jeff Betts, Judy Ennis, Brady Gaskins, Gary Hess, Mark Hollenbaugh, Richard Michel and Kris Phillips

Members Absent: Erica Sleek and Ryan Holley

Minutes: Minutes from the January 4, 2017 Planning Commission meeting were approved as submitted.

LOBBY VISITATION

Mayor Edwards, on behalf of the city, read a brief statement calling attention to the service of Planning Commission member Brady Gaskins at his final Planning Commission meeting. The statement was read as follows: "Mr. Brady Gaskins, honorably and faithfully served the City of Bowling Green as a member of the Planning Commission from June 1, 2005 until May 31, 2017. During that time Mr. Gaskins distinguished himself by consistently demonstrating sound judgment, thoughtful deliberation thorough preparation and unselfish devotion to the public interest, and worked diligently to improve and enhance the Bowling Green community. Thereby, earning the appreciation of city officials, and the public at large. Therefore, I Richard A. Edwards Mayor of the City of Bowling Green Ohio in recognition and acknowledgement of Mr. Gaskins impressive civic record, do hereby thank and commend him for his loyal, willing and dedicated service to this municipality and award him with gratitude this certificate of appreciation on behalf of all citizens of Bowling Green." Commission members also thanked Mr. Gaskins for his service.

Subdivision

Subdivision Not Requiring a Plat at the west end of unimproved Birch Street and east of Hillcrest Drive with waiver requests. Linda Hanna, Petitioner

Ms. Heather Saylor, Planning Director said the request is to create a 1.043 acre parcel. These requests would normally be reviewed and approved administratively but in this case they are requesting waivers from the Subdivision Regulations. There was a similar request 2 years ago, but that was withdrawn. The current request is to create a slightly smaller parcel than prior, but with the same waiver requests. The first waiver is for the improvement to the center line in the roadway. Subdivision regulations require that a road be improved to the center line so whether that is curb, gutter or any infrastructure. In this situation staff is supporting the request, with the caveat that there be a deed restriction that at such time either of

the adjacent properties become further developed or additional splits requested, that property owners will be responsible for the southern half of that center line being improved. During staff review, the Fire Division wanted current or future owners to be aware that not paving the roadways could lead to more challenging access and could result in additional risk for emergency response. However, emergency personnel would certainly do their best to respond quickly, as in an emergency situation. Additionally, this would cause an inconvenience as far hauling trash and recycling receptacles to the end of Hillcrest Drive. However, this is an inconvenience to future owners, as the route of the trash/recycling pick-up would not change. The Utilities Department expressed approval of the request due to the likelihood of increased maintenance issues of utilities in the area. With the amount of thick dense trees, there will be short and long-term maintenance issues due to roots that tend to go right to sewer and water. The sewer and water maintenance responsibility falls on that private property owner, unless it is in that public right of way. It also is a very unique parcel in the fact that it really is only one home, which is not cost effective to build additional and/or over-sized infrastructure. There are already two existing homes and then this potential home that could be built there. Quality of life is very important for our neighborhoods and additional, unwarranted traffic was a concern.

The Planning Department notified all the adjoining property owners. Copies of all correspondence were provided to the commission. Six letters and/or emails were received, with four of those not being directly impacted, which means they were not required to be notified per the city's mayoral letter mailing procedure. Two were adjoining property owners that wrote letters. One letter was from Mr. Ketzenbarger who lives at the end of the improved Birch Street. His letter, while a little unclear, seemed okay with the request, but suggested the existing right-of-way be vacated. Mr. and Mrs. Krueger, who are adjoining property owners that live on Tanglewood, also wrote their approval of the request in a letter. There was a phone call from another adjoining property owner, Mr. Halamay, who requested information. He was most concerned that his front yard may be dug up to accommodate utilities. Ms. Saylor stated an accommodation tap would be needed from the Board of Public Utilities to tap existing utilities, but this would most likely happen from the area of Hillcrest Drive. However, this is a function of the Board of Public Utilities and Utilities Department to review and approved.

The second waiver request was for a sidewalk. There are no sidewalks in the area, however, staff has requested that the deed have a note that states sidewalks would be required at the cost of the property owner at the time they become adjacent.

The final waiver request was for the planting of a street tree. Staff also supported the waiver for street trees, since there are several mature trees throughout that parcel. Planting a tree here would most likely be unnoticeable.

At this point Ms. Saylor had finished her report and Jeff Betts asked the commission if they had any questions and there was no response. Mr. Betts

then wanted to review his understanding of Ms. Saylor's report and what was being requested. He went on to clarify that the commission is considering granting waivers, some with conditions that ensure into the future that the property owner would be required to pay for improvements, which Ms. Saylor affirmed. Mr. Betts said this would be to ensure sidewalks would be installed in the future if they are adjacent and for improvements to the centerline of Birch if future development occurs and/or parcel splits, at the cost of current or future property owners, as described by the staff recommendation letter.

Mr. Betts then wanted to be clear in regard to the driveway access to a future home. Ms. Saylor stated, per the applicant's letter, that a future driveway would be accessed off the current private driveway at 659 Hillcrest Drive. An access easement would be required between property owners to maintain perpetual ingress/egress.

Mr. Gary Hess then had questions in regard to Mr. Ketzenbarger's recommendations. Mr. Hess stated that Mr. Ketzenbarger is suggesting that recommendation include the vacation of the undeveloped right-of-way and asked if the city administration would approve of this. Ms. Saylor stated that his recommendation would be opposite of what staff has recommended to the commission, which is to improve the right-of-way if future development occurs. It is rare when the city vacates right-of-way for the purpose of providing future roadway connections. Mr. Betts asked if the vacation of the road would mean additional expenses in the future to the city and Ms. Saylor said, yes, the city would have to purchase the property. Mr. Hollenbaugh then stated he does not see how vacating the undeveloped portion of Birch Street is in the best interest of the city.

At this time a citizen by the name of Patricia Jackson of 11 Parkwood Drive, stood to voice her concerns. Although this was not a public hearing and the lobby visitation of the meeting was over, Mr. Betts allowed her to ask questions. Ms. Jackson's questions were in regard to the unimproved section of Hillcrest at some point being extended to Gypsy Lane or it being extended in another direction. Ms. Jackson felt an extension would increase traffic flow in her neighborhood. Mr. Betts advised her that there was not going to be any connection between Hillcrest and Birch or any other thing like that with this request. Mr. Hollenbaugh advised Ms. Jackson there is always the potential in the future that there could be, since road right-of-way has been between Hillcrest and Birch for several decades when the area was original platted. Mr. Betts advised what the commission is deciding on does not create an impetus for there to be a road built. He stated he did not know how it would be possible for a road to be built directly to Gypsy Lane or and Ridge because there are homes in the pathway to get there. Mr. Phillips used his tablet to demonstrate to Ms. Jackson that for Hillcrest to continue anywhere it would need to go through a house that last time he checked was valued at nearly 1 million dollars. Mr. Phillips stated that he does not see that house getting demolished or for the road to go through private property to be extended. He stated that financially it would not make sense for the property owner and also that potentially the road would go have to go through 6 private properties. City Attorney Michael Marsh then stated that

the only governing body that can vacate a right-of-way would be City Council.

Mr. Betts moved, Mr. Gaskins second, that the request be granted with the provisions that have been suggested by the city in terms of the waivers and the fact that there will be records of the financial requirements to future owners of the property, as worded in Ms. Sayler's staff recommendation. The request was granted unanimously.

REPORTS

Representative to Zoning Board of Appeals

Judy Ennis reported there was one variance request on the April 12, 2017 on the agenda of the Zoning Board of Appeals. She advised the variance request was for 133 Wolfly Ave and was to allow the construction of a 10 foot by 10 foot accessory structure that would encroach 2 feet into the required 5 foot setback to the side property line to the west and 2 feet into the required 5 foot setback to the rear property line to the south. Ms. Ennis stated the variance request was approved.

Planning Department

Ms. Sayler gave a report on what has been going on in the Planning Department. She advised there have been 108 zoning permits requested so far this year compared to 90 from last year at this time. Nine single-family home permits were issued this time last year compared to 15 so far this year. There was one permit for a commercial building at this time last year and it is the same this year so far this year. There has been one permit for industrial construction this year compared to zero at this time last year and 2 institutional permits this year compared to one last year. Permits that have been recently issued for commercial and industrial construction include an addition to TH Plastics over in Bellard Business Park. Currently under review or on hold is an addition and remodeling of Aldi on South Main Street, construction plans are currently being reviewed for The Reserve at Martindale (the next step after the construction plan would be to request Planning Commission for review for the final plat). There are permits on hold for site improvements to McDonalds on East Wooster Street and a Home2 Suites on East Wooster Street.

The Court Street Connects event was held on Saturday, April 22. Attached is a brief report from the planning consultant for the Community Action Plan (CAP) that lists all of the interesting things that happened. Copies were also provided of a draft timeline for the progression of the CAP. It is anticipated that a draft concept plan will be completed by the end of summer and a general concept plan can be viewed on the city's website, under the latest meeting minutes of the CAP Task Force meeting.

There is an Ohio Town and Gown Summit scheduled for July 27 and 28 at Miami University in Oxford Ohio that commission members may be interested in attending. It is a valuable event to learn best practices of other college towns in Ohio. The event will be hosted by the city and Bowling Green State University in the summer of 2018 and commission members are encouraged to be involved. Flyers were passed out regarding the event.

Coming up next month there will be an annexation petition for Wood Bridge Business Park expansion. Commission members may have already read some of the details in the paper, but Ms. Saylor wanted to keep member apprised of the expansion.

ADJOURNMENT

The meeting was adjourned at 7:27 p.m.


Chairperson

Secretary