

**MUNICIPALITY OF GERMANTOWN PLANNING COMMISSION
MINUTES OF MEETING HELD JANUARY 26, 2016**

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The Municipality of Germantown Planning Commission met in regular session on January 26, 2016 at 6:04 p.m. in the Municipal Building Council Chambers.

MEMBERS PRESENT:

The following members were present at the Call to Order: Jeff Jones, Matt Lang and Rob Richter.

MEMBERS ABSENT:

Rob Rettich and Andrew Rohrbach were absent.

ALSO PRESENT:

Also present were Judy Gilleland, Interim Manager; Chip Wirrig, Municipal Engineer; Kelli Novak, Clerk of Council and several visitors.

EXCUSE ABSENT MEMBERS:

Mr. Jones motioned to excuse Rob Rettich and Andrew Rohrbach.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. MOTION CARRIED.

ORGANIZATION:

Mr. Lang moved to appoint Jeff Jones as Chairperson.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. MOTION CARRIED.

Mr. Jones moved to appoint Matt Lang as Vice Chairperson.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. MOTION CARRIED.

The Planning Commission members agreed the meeting dates would be the fourth Tuesday of each month at 6:30 p.m. for 2016.

APPROVAL OF MINUTES:

Mr. Jones moved to approve the November 4, 2015 meeting minutes as submitted.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. MOTION CARRIED.

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OLD BUSINESS:

None.

NEW BUSINESS:

Hickory Pointe Phase 3-Final Plat Review

Mr. Jones opened the Public Hearing at 6:09 p.m.

Jeremy Smith, Thompson and Hine Law Firm, 10050 Innovation Drive, representing Ryan Morris of Associate Construction, stated that the first item is the platting of property that was zoned residential and commercial with a PUD overlay initially in 2005. Phase 3 is in the residential section of the development.

Josh Lyles with Apex Engineering 1068 North University Blvd., Civil Engineer on the project. He prepared the plans for Phase 3.

Chip Wirrig, Municipal Engineer, stated that the plans have been reviewed and the comments have been given to Apex Engineering. There are no major issues at this time. Comments from the Fire Department have been given to Apex Engineering as well.

The Public Hearing was closed 6:12 p.m.

Mr. Jones stated that the original plan was approved in 2005 and Phase 2 was approved in 2014. He briefly reviewed the plans of Phase 3. The same material and standards will be used in Phase 3 as were used in Phase 2.

Mr. Richter questioned if the homes were to have full brick wraps.

Ryan Morris, Associate Construction, 31 Eagle Court, replied that the covenants and restrictions were to be brick, wood siding or stone. There is no vinyl siding allowed only natural materials.

Mr. Jones questioned how the Federal Court Case affected the development in 2005.

Jeremy Smith replied that in 2005 there was a court case regarding a dispute between Associate Construction and the city of Germantown. Associate Construction argued for the proper zoning of the property. Associate Construction argued that the city's refusal to rezone the property constituted a taking of the property. The City and Associate resolved their issues in an agreed order issued by a Federal Judge.

Mr. Jones moved to recommend that Council approve Section 3 of Hickory Pointe Estates, Section 7, Town 2 Range 5E of Germantown.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. **MOTION CARRIED.**

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Mr. Jones requested that the paperwork/plans be consistent when identifying the Municipality.

Site Plan Review for Lot #2165 – Hickory Pointe Child Care Center

Mr. Jones stated that this proposed development is at the corner of Butter Street and Beechwood Drive, one block from Dayton Germantown Pike.

He went on by saying we have approved the storage units, Gold Star Chili and the bank in this location.

Jeremy Smith stated that this site is located in the commercial area of the PUD. Associate Construction is seeking final approval to develop a child care center. A child care center is considered a Conditional Use and has gone before the BZA for approval.

Mr. Jones questioned if the BZA had made any conditions to the approval. Mrs. Novak replied that there were no conditions made by the BZA.

Chip Wirrig, stated that he is currently reviewing the plans along with the Traffic Engineer and is hoping to have comments to the Developer next week.

Mr. Jones stated that the State of Ohio has many restrictions that the owner will need to comply with.

Ryan Morris stated that Associate Construction has built the owner two other facilities that the State has inspected and will also do with this facility.

The Board discussed the egress and ingress of the facility and fencing.

Ryan Morris explained that the facility has buses that will be picking up and dropping off children and will allow for straight path into the parking lot under the canopy. Behind the proposed facility is a landscape mound to separate the residential from the commercial. There is established landscape on the mound currently and were asked by the neighbors who attended the BZA meeting to add additional landscape and will do so. We will get permission to enter the landscape easement. The mound and the existing trees will create a buffer and screening. There will be a six-foot aluminum fence around the rear of the facility; this is a requirement of the State.

Mr. Jones suggested adding directional arrows marked on the pavement showing the flow/direction of traffic in the parking lot.

Mr. Jones moved to approve the final plan for lot 2165, Hickory Pointe, child care center as submitted with the understanding that all the concerns by the Municipal Engineer are addressed and satisfied prior to the issuance of any Zoning Permits and Building Permits are issued.

ROLL CALL: Mr. Jones, yes; Mr. Lang, yes; Mr. Richter, yes. 3-yes, 0-no. MOTION CARRIED.

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ADJOURNMENT:

There being no further business to come before the Committee, Mr. Richter moved to adjourn the meeting.

The meeting adjourned at 6:29 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council