

**CITY OF GERMANTOWN PLANNING COMMISSION
MINUTES OF MEETING HELD MARCH 10, 2021**

The City of Germantown Planning Commission met on March 10, 2021 at 7:00 p.m. via Zoom conference call.

MEMBERS PRESENT:

The following members were present at the Call to Order: Jeffrey Jones, Larry Wisner, Andy Rohrbach, Rob Rettich, and Whitney Izor.

ALSO PRESENT:

Kelli Novak, Clerk of Council; Chip Wirrig, Public Service Operations Manager; Keith Brane, City Planner; Ms. Etta Reed, Bayer-Becker; and several members of the community.

CONSIDER APPROVAL OF THE MINUTES OF THE FEBRUARY 24, 2021 PLANNING COMMISSION MEETING:

On a motion by Andy Rohrbach, seconded by Jeffrey Jones, it was moved to approve the minutes of the February 24, 2021 meeting as amended. On call of the roll: Mr. Jones, yes; Mr. Wisner, yes; Mr. Rohrbach, yes; Mr. Rettich, yes; and Mrs. Izor, yes. Motion carried.

OLD BUSINESS: FINAL PLAT APPLICATION #FP 21-02 (tabled 2-24-21)

Final Plat Application #FP 21-02 made by JA Development/Joe Cristo to consider the approval of Berryview Estates Section 4/Twin Creek Preserve. If granted it would allow 37 Single Family Dwellings to be located at the west end of Maxwell Court off Strawberry Fields Drive.

Chairman Jones removed Application #FP 21-02 from the table at 7:03 p.m.

Ms. Etta Reed of Bayer-Becker, 6900 Tylersville Road, Mason, Ohio gave a summary of items completed since the final plat application was tabled February 24, 2021. Revised construction drawings were provided to show the following: a traffic control plan for Strawberry Fields Drive showing the proper lane marking and signage creating a separate left and right hand turn lane for individuals wanting to turn onto Market Street; we provided a No Outlet sign for individuals turning on to Strawberry Fields Drive so they would know it is not a cut through or a way to get anywhere else; and we provided curb around the T-turnaround at the north end of Maxwell Drive to define the pavement edge as requested as well as signage to notify drivers that the pavement does end. We also provided additional traffic analysis for the intersection of Strawberry Fields Drive and E. Market Street. We have received emails from City Staff approving the revised construction drawings and the additional traffic analysis. We contend we have addressed all concerns raised at the last Planning Commission meeting and we ask for your approval tonight.

Mr. Brane concurred the concerns were addressed. The one remaining thing is the name change and I've asked them for their reasoning on why they want to do that. The striping plan and signage are all in place and it is my understanding the traffic people have accepted the traffic studies. We are all set except for the name change.

Chairman Jones reopened the public hearing at 7:07 p.m.

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Chairman Jones asked where the no parking signs would be located. Ms. Reed said at the north end of Strawberry Fields Drive by E. Market Street; the three lanes would not accommodate parking and the no parking signs are just for the first couple hundred feet as you come off Market Street. Chairman Jones asked about the end of pavement signs. Ms. Reed said they are 18" red reflective diamond each installed on their own yielding post.

Chairman Jones asked if there were any proponents wanting to comment. Hearing none, he asked if there were any opponents wanting to comment.

Mr. Gene Crane, 111 Strawberry Fields Drive, said there is a Berryview Estates sign at the beginning of Strawberry Fields. Will there be another sign there directing them to the new development? Will the no parking signs for 200 feet on Strawberry Fields be on both sides of the street? If so I would be opposed to that.

Ms. Reed said the no parking signs are located 150 feet off E. Market Street to accommodate the left hand and right hand turn lanes. There will be no parking on either side of Strawberry Fields for the first 150 feet.

Mr. Crane said there is one house that has parking there constantly. Chairman Jones said once the signs go up, anything that's in the right of way would be handled by the police.

Chairman Jones asked about a monument sign for the new development. Ms. Reed said there will be some sort of signage on Maxwell Court. Your sign code won't allow us to have a sign on Market St.

Ms. Denise Hines, 135 Kemp, asked if the curb would be all around the new section of Maxwell Court so people couldn't drive through to Kemp or to Marshall. Right now it looks like people could come straight through unless there is some kind of barrier. Ms. Reed said the T-turnaround will be entirely enclosed with curb or curb and gutter.

Mr. Ed Chance, 245 Kemp Street, said I submitted a request letter and am wondering if that has made it into the record or if I will get any reply. Mrs. Novak said anyone who has sent any information – letters, requests, questions – those have all been sent to staff involved, the board, and Ms. Reed. Mr. Chance asked if he could expect a response. Chairman Jones asked what the question was. Mr. Chance said I requested some type of barrier between Kemp and the new developments.

Chairman Jones said I believe Mr. Brane responded to that. Mr. Brane said I noted his request for a wall, mound with trees, or some types of barrier was received but unfortunately the City is unable to require the provisions as part of the approval process. Single family residential districts are not required to screen from single family residential uses. Zoning approval is not being sought utilizing the planned development process and that is the only area we could enforce that.

Mr. Chance asked if it was up to Cristo to decide whether they are going to put up a barrier. Ms. Reed said all comments were forwarded to Cristo and we do respectfully decline to agree to pay for any improvements on neighboring property.

With no further public comments, Chairman Jones closed the public hearing at 7:19 p.m.

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Chairman Jones said I've read all the additional information and traffic studies and I'm satisfied it meets City standards.

Mrs. Izor asked what the position was on the name of the development. Chairman Jones said he has not heard back from the Law Director, so he would presume whatever goes on the record plan after this has been to Council is legal.

Ms. Reed said we are asking the development be named Twin Creek Preserve. The reasoning is this section of the subdivision will have an HOA to maintain the open space and the infiltration of the basin at the south end of the development. Since we have a subdivision with a HOA next to a subdivision that does not, we want to differentiate ourselves so that individuals living in Berryview Estates don't ask why we have a HOA and they don't. We aren't tied to the name Twin Creek Preserve, just something to differentiate ourselves.

Mrs. Izor said that was her only concern is that it might be confused with Twin Creek Reserve.

Mr. Rettich asked if Planning Commission has the ability to vote on this as amended without the name change. I'm not comfortable voting into place and making a permanent record. If we leave it as Berryview and they can do what they want at a different time.

On a motion by Mr. Rettich, seconded by Chairman Jones, it was moved to remove the final plat of Berryview Estates from the table. On call of the roll: Mr. Jones, yes; Mr. Wisner, yes; Mr. Rohrbach, yes; Mr. Rettich, yes; and Mrs. Izor, yes. Motion carried.

Mr. Wisner said I notice that about six of the lots butt up against Kemp Street; is it possible someone could cut another driveway to their house from Kemp? Chairman Jones said that's not permitted in the subdivision regulations. Ms. Reed said Maxwell Court will be the dedicated frontage; the property line varies along the undedicated portion of Kemp.

Mr. Chance, 245 Kemp Street, said I am the owner of the lane and what's to keep them from driving down my lane and turning into their backyards? They could put down gravel. Chairman Jones said no they can't, putting down gravel is illegal and there may be HOA restrictions against that as well. Ms. Reed added there will be drainage swales along the rear property lines.

On a motion by Chairman Jones, seconded by Mr. Rohrbach, it was moved that Planning Commission recommend approval of FP #21-02 made by JA Development/Joe Cristo to approve Berryview Estates Section 4 or Twin Creek Preserve or a future name to be agreed to by the developer and city staff to allow 38 single family dwellings to be located at the west end of Maxwell Court off Strawberry Fields Drive. On call of the roll: Mr. Jones, yes; Mr. Wisner, yes; Mr. Rohrbach, yes; Mr. Rettich, yes; and Mrs. Izor, yes. Motion carried.

Mrs. Novak recapped the procedure for FP #21-02 going forward to City Council and notifications that would be made. She also reminded the board they would be discussing code amendments on April 28, 2021.

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ADJOURNMENT:

With no further business, the meeting adjourned at 7:43 p.m.

Jeffrey Jones
Chairman, Planning Commission

Keith A. Brane
City Planner