

BLUE ASH PLANNING COMMISSION

November 6, 2008

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**ITEM 1. - MEETING CALLED TO ORDER**

Acting Chairman Moores called the regular meeting of the Blue Ash Planning Commission to order at 7:02 p.m. on Thursday, November 6, 2008.

MEMBERS PRESENT: Tom Adamec, Beverley Gill, John Moores and James Sumner

MEMBERS NOT PRESENT: Raymond Schafer

ALSO PRESENT: Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Public Works Director Mike Duncan, Assistant to City Manager Kelly Osler, Council Member Lee Czerwonka and interested citizens

**ITEM 2. - OPENING CEREMONY**

Pledge of Allegiance

**ITEM 3. - APPROVAL OF THE MINUTES**

Commission Members waived the reading of the minutes.

DECISION: Jim Sumner moved, Bev Gill seconded, to approve the regular meeting minutes of October 2, 2008 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

**ITEM 4 – Cooper Springs Subdivision – Steven & Debra Fohlen**

Approval of Final Plat

PRESENT: Steve Fohlen, Applicant

Dan Johnson explained that the preliminary plan approved by Planning Commission and Council in 2000 set forth the layout of the lots and the street. The Final Plat is the document that actually gets recorded with the Hamilton County Recorder and finalizes the precise dimensions. The developer is allowed to sell the resulting lots only after the plat is filed.

Approval of the Final Plat is allowed only after the City and utility providers have confirmed that the infrastructure has been installed properly or that the developer has submitted a bond to ensure that the City can complete any work that still must be done.

Mr. Johnson advised that the Metropolitan Sewer District has tested the system and found everything physically acceptable, but they need to agree to the actual location of the easements for their access to the sewers in the future.

Jim Sumner asked Mr. Fohlen if his intention was to sell the lots individually or to a developer. Mr. Fohlen said, to the right builder, he would probably sell a few of them. He also advised there is a buyer ready to purchase the existing house as soon as this process is complete.

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Jim Sumner asked Mike Duncan about accepting the roadway, even with a bond, when the road is not finalized. Mr. Duncan said the bond is in place should the developer not finish the roadway and the City would then finish it. He said the City is currently waiting on more information regarding the structure of the road. The roadway has been in place for several years and appears to be structurally sound. The City will not do any maintenance or snow removal until the road is accepted, which is 1 year after dedication or after at least 80% of the lots are developed, whichever occurs later. Mr. Sumner questioned whether the bond would be sufficient to cover petroleum price fluctuations. Mr. Duncan said that it should be sufficient unless asphalt prices increase substantially within the 2-year bond period. Mr. Sumner's concern was homes getting built and homeowners looking to the City to get the road finished should the developer no longer be in the picture. Mr. Fohlen said they will begin the marketing process once this is approved. Mike Duncan confirmed that he was comfortable with this being the appropriate next step they need to take.

Dan Johnson clarified that the road would be completed within 2-years regardless of whether it was ready to be accepted by the City for maintenance. Mr. Sumner provided a scenario of five years down the road, if the lots were still not built, the residents would want the services provided by the City such as snow removal and trash collection. Dan Johnson said those services would not happen until the street was accepted. Mr. Duncan commented that City Council could waive the requirement that at least 80 percent of the lots be developed. Mr. Sumner said if this were normal economic times this would not be as much of a concern, but worries that the City would have to complete and the bond might not be adequate.

Dan Johnson said this is a normal procedure for any subdivision. In most cases, however, no homes would be built until after the record plat had been filed.

Tom Adamec asked about street trees. Dan Johnson said the preliminary plan approval required a street tree plan since one was not submitted with the original approval. Mr. Johnson said the developer has requested to have no street trees. However, he suggests a plan that shows some attempt to meet what the Code requires.

Dan Johnson said that the landscaping rocks in the right-of-way will need to be removed. The developer has the option to build an entryway on the private land behind the right of way.

**DECISION:** Bev Gill moved, Jim Sumner seconded, to approve recommendation to City Council as submitted with following conditions:

1. Removal from the right-of-way of the landscaping stones and any other impediments to safe and convenient access of existing utilities, as agreed to by City Staff
2. Final approval of the sanitary sewer system by the Metropolitan Sewer District
3. Submittal of surety to cover the cost of completing and maintaining the improvements in the right-of-way and installation of street trees as approved by City staff (either the amount described in this staff report or a reduced amount based upon a tree planting plan approved by City Staff)
4. Correction of all items necessary on the Final Plat, as agreed to by City Staff

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5. The developer shall submit any significant plan for a subdivision entry feature that includes landscaping or signage to Planning Commission for approval. The determination of whether the feature requires Planning Commission approval shall be made by City Staff.

A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 5– MISCELLANEOUS BUSINESS**

Dan Johnson commented about sending Planning commission packets via email and asked if this system works. Everyone said it did except that maps should be bigger and larger files should be broken into smaller ones so that they do not bog down email systems.

**ITEM 6 – ADJOURNMENT**

DECISION: There being no further business to be discussed, Jim Sumner moved, Tom Adamec seconded, to adjourn the meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 7:21 p.m.

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John Moores, Acting Chairman

MINUTES RECORDED BY:

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Traci Smith, Administrative Clerk