

Brookville Planning Commission
Regular Meeting
July 21, 2022

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on July 21, 2022. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner; Members Cordes, Dittrick, Schreier and Sievers; Law Director/Development Specialist Stephan, Manager Keaton and Clerk Duncan were present. Member Claggett attended virtually.

Roll call by Clerk Duncan.

Motion by Sievers, second by Cordes to adopt the Agenda as presented. All yeas, motion carried.

Motion by Schreier, second by Dittrick to approve the minutes of the June 16, 2022 Planning Commission Meeting. All yeas, motion carried.

Chairperson Henderson announced Planning Commission will be reviewing a Special Use and Preliminary Plat Plan for the proposed Meadowlark Subdivision, west of Meadow Glen Drive.

Law Director Stephan inquired whether any Planning Commission Members need to abstain from voting on this issue?

Member Sievers indicated she needs to abstain.

Law Director Stephan reported an application has been filed by Grand Communities, LLC. for a Preliminary Subdivision approval and Special Use approval for the Meadowlark Subdivision, located on 21.801 acres to the west of Meadow Glen Drive on part of County Auditor Parcel COS 00314 0020. This property is zoned R-3 Multi-Family Residential District. This housing project will create 111 lots for paired patio homes. The lots will be designed for zero lot line single family residences to be constructed with a common wall between the residences. The covenants and restrictions for the project will provide for maintenance of the common areas of the zero lot line residences. The Special Use application and Preliminary Plat includes some proposed modifications of required setbacks for zero lot line residences. In Section 1163.03 (b)(38), the standards for zero lot line residences are set forth. Law Director Stephan provided the following comparison of the standards in 1163.03(b) (38) and the proposed standards for this project:

1163.03 {b}(38) Standards:	Proposed Project Standards:
Minimum Lot Area: 3500 sq. ft. per lot	3910 sq. ft. per lot
Minimum Lot Width: 40 ft.	34 ft.
Minimum Front Yard Setback: 10 ft.	25 ft.
Minimum Side Setback-none but 20' between buildings	5' setback and 10' between buildings
Minimum Rear Yard Setback-none but 20' between buildings	20' setback and 40' between buildings
Maximum Height-35ft, of 2 ½ stories	2 stories
Maximum lot coverage-75 percent of lot area	56 percent of lot area

Law Director Stephan advised Planning Commission is specifically authorized under 1105.03 (c) to modify frontage, setback, and building size requirements. Law Director Stephan requested that Planning Commission specifically approve the modified setbacks requested by the applicant for this project. It is also requested that Planning Commission approve the Preliminary Plat for Meadowlark Subdivision and the Special Use Application for zero lot line residences on the lots with the modified setbacks specified on the Preliminary Plat.

Robert Hayes, of Grand Communities, 3940 Olympic Boulevard, Suite 400, Erlanger, Kentucky, 41018, advised his company is a development arm for Fischer Homes. Mr. Hayes gave a Power Point presentation of the proposed Meadowlark Subdivision. Mr. Hayes stated the paired patio homes are ranch products, starting at 1,100 square feet per unit on one floor, designed for young professionals and empty nesters. The paired townhomes have similar square footage but are two stories with a shared wall and maintenance provided by a Homeowners Association (HOA).

Member Cordes asked if there is a common overhead or does the wall go all the way through to the roof?

Mr. Hayes replied the wall goes all the way to the roof.

Mayor Letner inquired what the ratio is of each home style in this development?

Mr. Hayes replied that would be determined by the market sales.

Member Schreier commented the Hudson model in their packet shows designs with 1,657 square feet.

Jennifer Gonzales, of Fischer Homes, replied the Hudson is 1,657 square feet on both sides. The paired ranch design starts at 1,100 square feet with an optional loft that can make it two stories.

Mayor Letner asked if all of them are slab homes?

Ms. Gonzales stated that is correct.

Member Dittrick asked if there will be an HOA?

Mr. Hayes replied that is correct. The HOA will be responsible for the exterior building maintenance and maintenance of the yards.

Mayor Letner inquired if the city will be responsible for street maintenance and plowing snow?

Jeff Puthoff, of Choice One Engineering, replied the streets will be public city streets.

Mayor Letner asked what type of streetlights will be installed and if the wiring will be underground?

Mr. Hayes replied the light poles will be metal, with underground wiring.

Member Schreier asked if the homes are marketed as starter homes or finisher homes? He stated he is wondering how the steps will mesh with the older population.

Ms. Gonzales advised they build the model the customer selects, and then the other side has equivalent features and becomes a spec home which can be purchased by a future customer.

Member Schreier stated he is concerned about the noise from the interstate, as there is no buffer in the back. He stated he wonders how that will impact who will purchase the property.

Mr. Puthoff advised the intent is to keep as much of the tree buffer as possible to reduce the noise.

Chairperson Henderson inquired about sanitary and water capacity in the area?

Mr. Puthoff replied both are in good shape. Ideally, when the Bruns development is complete it would be nice to loop the water line to the south.

Chairperson Henderson asked what the proposed build out is for the phases?

Ms. Gonzales estimated five to six years.

Member Schreier asked for confirmation of the number of lots and units?

Ms. Gonzales replied there are 55 building lots and 111 units.

Chairperson Henderson commented they have done a good job maximizing the location and aligning one of the roadways with Caleb Drive in case there is an opportunity to extend the roadway through at some time. Chairperson Henderson stated he is a little concerned about the spacing between the buildings which is very close together.

Member Schreier stated the proposed side setbacks are still 11-12 feet short of the combined standards of width in our code. Member Schreier stated this increases the density and wondered how many units they would sacrifice if they met our current standards? Member Schreier asked if the approval process will also include a Public Hearing?

Law Director Stephan replied a Public Hearing can be scheduled under Special Use, but typically we have not had a Public Hearing for a Preliminary Plat. The developer will be coming back with a Final Plat Plan and construction drawings that would be consistent with what Planning Commission approves tonight. The approval tonight will be for the Preliminary Plat and the Special Use approval for the zero lot line residences with the modified setbacks specifically listed on the Preliminary Plat Plan. Law Director Stephan stated in some cases the setbacks are exceeding the standard but there are a couple of areas where they are below the standards.

Member Schreier stated the setbacks are exceeding the standards in the front and back where you will not really see it when you are driving by. The width tends to be more of what you will notice from the street.

Mayor Letner pointed out that during snow events there will be nowhere to put snow except in someone's driveway.

Member Schreier asked if the streets widths are the standard 31 feet?

Mr. Puthoff replied that is correct.

Law Director Stephan advised the Fire Chief has reviewed the Preliminary Plat Plan and has no concerns in terms of ingress and egress. There are challenges in terms of terrain, but the long-term plan would be to connect with Caleb Drive which would provide a second ingress and egress into the site.

Mr. Puthoff stated ten feet between buildings is standard anymore.

Mayor Letner stated this lot is conducive to that standard of spacing.

Motion by Letner, second by Dittrick to approve the Meadowlark Subdivision Preliminary Plat Plan and Special Use Application for zero lot line residences with the modified setbacks as presented. Cordes yea, Sievers abstained, Letner yea, Schreier nay, Dittrick yea, Claggett nay, Henderson yea. Motion carried with four yeas, two nays and one abstention.

Chairperson Henderson announced the next item is a Final Recommendation on proposed Ordinance No. 2022-04, which amends the zoning classification of part of Lot 2222 from its present classification of HS, Highway Service, to the new classification of I-2, General Industrial district. A Public Hearing was held for this rezoning on July 19, 2022.

Member Schreier stated one of the biggest things discussed at the Public Hearing was the aesthetics from the north and the west. The developer is to include buffers as part of the approved final plan.

Mayor Letner commented the other item discussed was stormwater runoff.

Chairperson Henderson advised the residents in attendance brought up some good points that are addressable with the survey. The survey will show tributary areas, watershed and run-off. The build out of the site is likely going to improve that dramatically. The runoff will be moved and the residents who are experiencing runoff will likely not experience as much. It is important that the current pond that gets filled by some of the watershed on this property continues to get enough watershed on the north side of the roadway to continue to fill it. Chairperson Henderson advised noise is also a concern of several residents, but with the landscape buffer that will be added there may be less noise than the residents currently experience. Chairperson Henderson stated we cannot control the truck beeping. In general, the proposed development is a good

application for this property next to the interstate, and all the concerns can be addressed through proper design. It is important to address everything we heard from our citizens.

Mayor Letner agreed, stating it was nice to hear from the citizens and all voices should be heard. This proposed development utilizes this space better than he has ever seen. It is by the highway and not encroaching on housing.

Member Schreier stated he was encouraged that two of the buildings were sacrificed in order to add detention. It shows that the developer is willing to do this right.

Chairperson Henderson stated that the developer's offer to meet with our citizens is really unheard of and he appreciates that.

Member Claggett asked in the event of an extreme rain event, do the retention ponds drain into Wolf Creek?

Chairperson Henderson replied that is correct.

Motion by Cordes, second by Schreier to recommend approval to City Council of proposed Ordinance No. 2022-04 to amend the zoning classification of part of lot 2222 from its present classification of HS, Highway Service, to the new classification of I-2, General Industrial district. All yeas, motion carried.

Law Director Stephan presented the Zoning Permit report for the month of June, stating he has issued quite a few accessory use permits as well as some zoning permits for new home builds in the Meadows of Brookville and in Hunters Run.

Law Director Stephan reported he has met with the owners of the former K's Restaurant location and found they are unable to get a liquor permit for that location. After speaking with the Board of Elections and reviewing the Division of Liquor Control's analysis of the County records related to elections in Brookville, he found the site is considered dry under State of Ohio Law. Because that property was annexed into Brookville after 1933, there must be a specific election in that precinct or for that specific property for a liquor permit to be issued to a particular property. Law Director Stephan advised he has been working with the new owners to get this issue on the ballot in November and hopefully secure a liquor permit for their site and to also allow them to have Sunday alcohol sales. Law Director Stephan advised to get this on the ballot for voters within Brookville Precinct B, 250 signatures are needed. There will be people circulating petitions and citizens in Precinct B should sign the petition if they want to see a Mexican restaurant in Brookville.

Member Claggett inquired if anything is happening with Mike Gassaway's old property on the corner of Wolf Creek Street and Main Street?

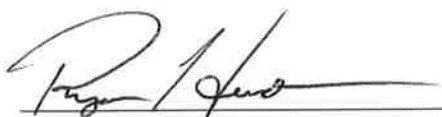
Law Director Stephan replied the city is still working through the legal process to get the building removed.

Chairperson Henderson thanked Member Sievers for serving on Planning Commission, stating it has been a pleasure and wished her the best of luck.

Mayor Letner and Member Schreier also thanked Member Sievers for her service.

Motion by Cordes, second by Schreier to adjourn. All yeas, motion carried.



Kimberly Duncan, Clerk

Ryan Henderson, Chairperson