



PLANNING COMMISSION MEETING
Thursday, August 15, 2024, 7:30 PM
CITY HALL
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
www.brookvilleohio.com

Agenda

- I. Opening**
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Roll Call
- II. Adoption of Agenda**
- III. Approval of Minutes**
 - a. Approval of July 18, 2024 Regular Meeting Minutes
- IV. Special Use - Green Tokai - Mobile Food Vendors**
- V. Reports**
 - a. Law Director
- VI. Old Business**
 - a. Initial recommendation on a proposed ordinance establishing a new large lot residential district
- VII. New Business**
- VIII. Adjournment**

Chairperson Ryan Henderson • Mayor Chuck Letner
Members: • Ken Claggett • Tony Ezerski • Damian Kristof • Curt Schreier • Jeff Wright

Brookville Planning Commission
Regular Meeting
July 18, 2024

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on July 18, 2024. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Ezerski, Kristof, Schreier and Wright; Manager Kuntz, Law Director Stephan and Clerk Duncan were present.

Roll call by Clerk Duncan.

Motion by Schreier, second by Kristof to adopt the Agenda as presented. All yeas, motion carried.

Motion by Kristof, second by Schreier to approve the minutes of the June 20, 2024 Planning Commission Meeting. All yeas, motion carried.

Law Director Stephan reported Fischer Homes has filed an application for approval for the final subdivision for Meadowlark Subdivision Phase One Final Subdivision Record Plan. Planning Commission approved a preliminary plan for the Meadowlark Subdivision on July 21, 2022. The Meadowlark Subdivision Phase One Final Subdivision Record Plan is consistent with the preliminary plan previously approved by Planning Commission. Meadowlark Subdivision Phase One Final Subdivision Record Plan consists of 26 lots that will have thirteen paired patio homes built on the 26 lots. Each side of the paired patio home will be sold separately. It is requested that Planning Commission approve the Meadowlark Subdivision Phase One Final Subdivision Record Plan.

Amanda Webb, of Fischer Homes, gave a brief Power Point presentation on the Meadowlark Subdivision, which consists of zero lot line paired patio homes.

Member Claggett asked if the homes would be partial brick as represented in the presentation and if they all would be patio homes?

Ms. Webb replied that is correct. The streets would not be as pictured, they would be double loaded. They will all be paired ranch or town homes. The two-story model is an option.

Member Ezerski inquired about the pricing of these homes?

Jenn Gonzales, of Fischer Homes, replied the average price would be in the \$260,000 - \$320,000 range.

Member Ezerski asked if they target the 55 and up age range?

Ms. Webb stated they cannot limit the age range, but 55 and up is typically the age range of the buyers who purchase these homes.

Member Schreier asked if this is zero lot line with a sound barrier all the way up through the roof?

Ms. Gonzales replied that is correct.

Mayor Letner confirmed these are not rental homes.

Member Claggett inquired how many bedrooms are in these units?

Ms. Gonzales replied the base unit is one bedroom and one- and one-half baths. There are two- and three-bedroom options.

Mayor Letner inquired if these homes are ADA compatible?

Ms. Webb replied the homes are ADA compatible.

Member Ezerski asked what the minimum lot width is for R-3 zoning?

Law Director Stephan replied lot width would be 80 feet. These are zero lot line homes which was approved by Planning Commission in 2022.

Member Ezerski asked what the flow rate of the sanitary line is?

Jeff Puthoff, of Choice One Engineering, replied the sanitary was calculated per household at 320 gallons per day, per home, which is Ohio EPA standards. There will be an eight-inch main.

Member Ezerski asked how much water usage was calculated per home?

Mr. Puthoff replied the EPA requires the same calculation for water. These will be eight-inch water mains as well. It will be a fully looped system with no anticipated issues tying into the existing infrastructure.

Member Ezerski asked if a traffic analysis has been done to see if a traffic light is needed on Upper Lewisburg Salem?

Law Director Stephan replied a traffic analysis has not been done. Staff, including police and fire, have reviewed the plans and have no issues. An independent engineering firm has also reviewed the plan and found no issues with street design. They did have two minor comments regarding stormwater, which Choice One Engineering has incorporated into the plans.

Manager Kuntz advised this project has already been approved. Planning Commission is considering tonight whether the final subdivision plan meets the requirements of our zoning ordinance Chapter 1179. Our staff and engineering have reviewed the final subdivision plan and found it to meet all of our standards. Manager Kuntz advised if the Planning Commission denies this final subdivision plan, per Chapter 1179, they must give a reason for denial based on the

chapter. The applicant would then be given 30 days to correct it, and it would come back before Planning Commission.

Member Ezerski asked if any Planning Commission members have concerns about the WWTP or water tower?

Member Schreier asked if the minimum square footage is 1,200 square feet?

Ms. Gonzales replied that would be the Wemply model, which is the most popular.

Member Ezerski asked if they have built in similar towns near Brookville?

Ms. Gonzales replied they have built comparable homes in Sugarcreek Township, Miamisburg, Centerville and Fairborn.

Member Ezerski asked if the detention ponds are 100-year ponds and if they have looked at erosion protection plans?

Mr. Puthoff replied the detention ponds are 100-year ponds.

Law Director Stephan replied our engineering firm has reviewed the Stormwater Pollution Prevention Plan (SWPPP) and the city has hired Montgomery County Soil & Water to complete SWPPP inspections.

Member Kristof asked for clarification on Member Ezerski's inquiry regarding whether there are any concerns regarding the WWTP?

Manager Kuntz replied the Service Department has reviewed it and the Ohio EPA reviews and approves the plans before any construction can begin.

Law Director Stephan stated the Final Subdivision Plan meets all R-3 zoning requirements as presented and is consistent with the Preliminary Plan previously presented.

Motion by Schreier, second by Kristof to approve the Meadowlark Subdivision Phase One Final Subdivision Record Plan as presented. Claggett yea, Letner yea, Schreier yea, Ezerski abstain, Kristof yea, Henderson yea. Motion carried with five yeas and one abstention.

Law Director Stephan opened a discussion regarding adding an additional large lot zoning classification to our zoning code. Law Director Stephan provided information regarding larger zoning districts which was proposed by Member Ezerski, as well as information on Clay Township's existing Rural Transition zoning and R-1 zoning, which is similar to Member Ezerski's proposal. Law Director Stephan stated the city is in the process of updating our Comprehensive Land Use Plan, which will likely give us some recommendations as well.

Discussion followed regarding creating the new zoning classification for larger lots to accommodate rapid growth. The discussion included large lot size requirements, structural

requirements, yard depth and design requirements. Discussion also included the potential for additional zoning districts to be added in the future for specific projects. There was discussion about waiting for the results of the Comprehensive Land Use Plan update to control the indiscriminate infiltration of urban development into rural areas.

Motion by Ezerski, second by Claggett to recommend staff prepare an ordinance for an additional zoning classification entitled R1-D Large-Lot Residential Single-family Detached Dwelling with a minimum lot requirement of 1.5 acres 65,340 square feet and a Minimum Frontage of 150 feet, with Permitted and Special uses the Same as R1-A, a Maximum building height 35 feet and a Minimum floor area 2,000 square feet, excluding enclosed patios and garages, and yard requirements of a minimum front and rear depth of 50 feet and a minimum side yard width of 20 feet on each side, adding one foot to minimum requirements for every 2 feet in which the height of the structure exceeds 25 feet and parking and sign requirements remain the same as R1-A. All yeas, motion carried.

Member Ezerski inquired about the status of the new vape shop?

Law Director Stephan replied the business is closed due to the lack of proper permits, inspections and approvals.

City Manager Kuntz advised Council has asked staff to move forward with text amendments to our code to make it more difficult or prohibit those types of uses in certain zoning districts.

Law Director Stephan stated there was also discussion regarding a moratorium on prohibiting any more vape shops until the code can be amended.

Member Claggett inquired whether staff is still working to clean up the old Oil Spot property?

Law Director Stephan replied we have just amended the property maintenance code to address the demolition and condemnation procedure. Staff is working to take the next steps on this property.

Motion by Claggett, second by Ezerski to adjourn. All yeas, motion carried.

Kimberly Duncan, Clerk

Ryan Henderson, Chairperson

MEMORANDUM:

DATE: AUGUST 9, 2024

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: SPECIAL USE APPLICATION-GREEN TOKAI

Green Tokai Co. Ltd. has filed a special use application to permit mobile food vendors to come to their business location on Carr Dr.

The mobile food vendor would be invited by Green Tokai to locate in the Green Tokai parking lot to provide food to employees working at Green Tokai.

Under 1163.03(b)(26), mobile food vendors are a special use that may be approved by Planning Commission in the I-2 zoning district. When the mobile food vendor is located on private property, the owner of the property shall consent in writing to the use of their property by the mobile food vendor, and Green Tokai has consented through the filing of this application.

It is requested that Planning Commission approve this special use application.

MEMORANDUM:

DATE: AUGUST 9, 2024

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: LARGE LOT ZONING

Attached to this memorandum is a draft of the new large lot residential district for review by Planning Commission. The district is entitled R-1 Rural Residential District, and the zoning district is based on the proposal presented by Member Ezerski at July 2024 Planning Commission meeting. The zoning district would be the first residential district listed in the zoning code. It is being placed at the beginning of the residential districts because our districts are in order from lowest density to highest density, and this newest district will be the lowest density district.

I would like to have Planning Commission review the proposed text for the zoning district, and then an ordinance to adopt this zoning district will be submitted to City Council to start the process of adopting this zoning code.

EXHIBIT "A"

CHAPTER 1120 R-1 RURAL RESIDENTIAL DISTRICT

1121.01 PURPOSE

The Rural Residential District is intended to control development in rural areas by requiring large lots for single family residential development in this district.

1121.02 USES

(a) Permitted Uses.

- (1) Single-family dwellings
- (2) Accessory buildings and uses incidental to the principal use which do not include any activity conducted as a business.
Regulations governing accessory facilities and uses are specified in Chapter 1157.

(b) Special Uses. The following special uses are subject to review and regulation in accordance with Chapter 1163:

- (1) Governmentally owned and/or operated parks and recreational facilities.
- (2) Private non-commercial recreational areas and facilities of an open space nature, such as golf courses, tennis courts, country clubs, etc.
- (3) Churches and other buildings for the purpose of religious worship.
- (4) Libraries.
- (5) Public and private schools offering courses in general education.
- (6) Cemeteries.
- (7) Home occupations.
- (8) Private earth stations.
- (9) Shared housing (maximum of five (5) residents).
- (10) Congregate housing (maximum of five (5) residents).
- (11) Family Care homes.
- (12) Foster Care facilities (maximum of five (5) residents).

1121.03 SITE DEVELOPMENT REGULATIONS (PERMITTED USES ONLY).

(a) Lot Requirements.

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|--------------------------|--------------------------------|
| (1) Minimum lot area | 63,340 square feet (1.5 acres) |
| (2) Minimum lot frontage | 150 feet |

(b) Yard Requirements.

- | | |
|------------------------------|----------------------|
| (1) Minimum front yard depth | 50 feet |
| (2) Minimum rear yard depth | 50 feet |
| (3) Minimum side yard depth | 20 feet on each side |
- Add one (1) foot to the minimum requirements for every two feet in which the height of the structure exceeds 25 feet.

(c) Structural Requirements.

- | | |
|-----------------------------|------------------|
| (1) Maximum building height | 35 feet |
| (2) Minimum floor area | 2000 square feet |
- (excludes enclosed patios and garages)

(d) Parking and Loading Requirements. See Chapter 1159 for off-street parking and loading requirements.

(e) Signs. See Chapter 1161 for size and location of permitted signs.