

Brookville Planning Commission
Regular Meeting
February 20, 2020

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on February 20, 2020 in the City Council Chambers. The Pledge of Allegiance was recited. Mayor Letner; Members Claggett, Cordes, Schreier and Sievers; City Manager Keaton, Zoning Officer Snedeker, Law Director Stephan and Clerk Duncan were present. Member Boose was absent.

Chairperson Henderson announced the Meeting is being recorded.

Roll call by Clerk Duncan.

Zoning Officer Snedeker requested to amend the Agenda to add permit applications MS #20-01 and MS #20-02. Zoning Officer Snedeker advised these additions to the Agenda were held up by the engineer's drawings.

Motion by Schreier, second by Letner to approve the Agenda as amended. All yeas, motion carried.

Motion by Letner, second by Cordes to approve the Minutes of the January 16, 2020 Regular Planning Commission Meeting. All yeas, motion carried.

Zoning Officer Snedeker announce Ryan Reed, of DDC Management, is present tonight to present an Easy Living Concept development on Upper Lewisburg Salem Road and Albert Road.

Ryan Reed, of DDC Management, advised he is present tonight to present a concept for a single-family residential development with 69 lots on 18.37 acres located at Upper Lewisburg Salem Road and Albert Road. Mr. Reed stated DDC Management is the developer, not the home builder. The company contracts and purchases land, puts in the infrastructure and then sells to production or custom home builders. In this instance, the discussions with some production builders are for a single family or lifestyle product, which caters to empty nesters or individuals that want low maintenance. Mr. Reed stated a lifestyle product takes care of the yard maintenance, grass mowing, snow removal and things along those lines. Mr. Reed advised the proposed development would have 50' lots with 25' front and rear yard setbacks and 5' side yard setbacks.

Member Schreier inquired whether there is a Homeowner's Association (HOA) that takes care of the maintenance on the properties?

Mr. Reed replied that is correct, DDC Management maintains the HOA until all the lots are sold and then turns it over to the homeowners.

Mr. Reed stated they would have to work with the City to connect with the sanitary line that services the fire house to service the proposed homes.

Chairperson Henderson asked Zoning Officer Snedeker if there is adequate depth there to get across to the sanitary sewer main?

Zoning Officer Snedeker stated Service Superintendent Homan is researching this and he has yet to hear back from him. Zoning Officer Snedeker stated Market Street is pretty deep and estimated it to be 12-14'. Zoning Officer Snedeker advised staff has also discussed the possibility of an easement there to put in sidewalk. Zoning Officer Snedeker stated he is glad to see the developer is proposing two egresses.

Chairperson Henderson stated in planning and development one of the things they try to achieve is open area. DDC Management has done a nice job of maximizing use of the whole 18 acres. Member Henderson asked how they plan to address open area?

Mr. Reed stated at the concept stage they have tried to maximize the space as best as possible but when they get into the actual final engineering and start looking at easements and where utilities need to be run, that usually ends up having to lose a few lots and that creates open space.

Chairperson Henderson inquired whether the area across the front is a 50' offset, as our PUD requires a 50' inset around the perimeter?

Mr. Reed confirmed that is correct.

Zoning Officer Snedeker stated they spoke before about putting sidewalks in on Albert Road.

Mr. Reed stated they can look at putting in the sidewalks; especially if it will give access to the bike path.

Member Claggett stated this subdivision is not even close to meeting the minimum requirements for R1-B Zoning.

Mr. Reed replied the intent is for this property to be rezoned for Planned Unit Development (PUD).

Chairperson Henderson stated this would allow for 50 ft frontage. The idea behind PUD is to alternate clusters of homes with open area.

Member Schreier stated the side setback of 5' is pretty tight together, there is the option of 5' or 10' and then 1,150 versus 1,200 square feet because right now our current zoning is 1,400, 1,600 and 1,800 square feet. A 1,200 square foot home would tie in close and under the PUD is flexible but 1,150 square feet is pretty small. Member Schreier asked if the intent was two or three bedroom homes?

Mr. Reed replied right now the design is 10' between buildings. The lifestyle product they are looking at is typically a smaller footprint without a second story and may or may not have a basement. They are still working with the builder to determine what that might be.

Chairperson Henderson asked Mr. Reed if he foresees the lot quantity changing to accommodate larger lots or is the count the driving force?

Mr. Reed replied there are no plans to make the lots larger.

Tom McCoy, of McCoy Homes, inquired whether the proposed side yard setbacks meet the fire code?

Mr. Reed replied typically in the Dayton area, the 5' setback on each side yard has met the fire code, but they will certainly review it during the engineering phase to make sure they meet fire safety standards.

Member Schreier asked if the lot sizes would allow for 7.5' for a total of 15' or even 10' for a total of 20' between homes or would this really infringe on the frontage and how the lots are laid out?

Mr. Reed replied when they move to the large setbacks they end up losing lots and they are looking at the economics of the project.

Mr. Reed stated it is their hope that the City would be open to residential TIF's as they have done in other communities. Mr. Reed stated the typical TIF's structure used in other municipalities does not require the City to put up any money, the City issues the TIF's or the Port Authority does, and as taxes come in from the residents, they are used to pay back the infrastructure. It is usually a combo of City, County millage and a portion of the school millage.

Lance Oaks, of DDC Management, stated if the City were to issue the TIF, the company would put all the funds necessary into escrow and they would be the one funding the work.

Member Schreier asked in their other developments, in a community our size, what is the typical build out time to complete the development?

Mr. Reed replied if they started this time next year, he would expect it to take about three years from start to finish.

Chairperson Henderson asked if the infrastructure and paving would be done in phases?

Mr. Reed replied it will all be done at one time.

Member Claggett asked if there will be sidewalks on both sides of the street and if there will be on-street parking?

Mr. Reed replied yes to both questions.

Member Claggett asked if the streets would be wide enough to allow parking on both sides?

Mr. Reed replied no, the streets will only be wide enough to allow parking on one side.

Chairperson Henderson asked if Members had any other questions or thoughts, stating Planning Commission's job is to give feedback for a Public Hearing which is the next step in the process.

Law Director Stephan advised if DDC Management decides to apply they will need to submit an application and a Preliminary Site Plan for Planning Commission and Staff review. There would then be a Public Hearing with Planning Commission and then a second Public Hearing with Planning Commission and City Council. This would be a re-zoning process from R1-B Planned Development to Planned Residential District. After the re-zoning process they would submit a Subdivision Plat, final engineering drawings and construction drawings for the street.

Member Clagget asked if residents would have a monthly fee for snow removal and other maintenance?

Mr. Reed replied if they go with the lifestyle product there is a capital contribution when the homeowner closes followed by an annual assessment fee for general maintenance for signage landscaping in front of road, pond, sidewalks. If they went to the lifestyle where there is grass cutting and snow removal there would be an additional fee which would be a quarterly or biannual fee.

Mr. Oaks stated they were attracted to Brookville for several reasons. The first is because it is such a nice community, second there is a low inventory of lots for single family homes and third there are a number of jobs coming to the area with the GM plant coming in. Mr. Oaks stated they need the density of the site to make the economics of the deal work which is why they are asking for the TIFF from the City. Mr. Oaks stated they looked at several other communities but they feel Brookville is the best fit. Mr. Oaks stated they will make a determination soon whether the lifestyle product or single family home product makes more sense.

Chairperson Henderson stated he thinks it is great concept overall and he is looking forward to working with DDC Management.

Zoning Officer Snedeker stated Rick Posey, of K-4 Architecture & Design, is here to request a Special Use Permit for a bank and drive-thru facility in a GB Zoning District located at 425 Rona Parkway.

Rick Posey, of K-4 Architecture & Design, reported Freedom First Credit Union, a small credit union with branches in Dayton and Eaton, Ohio would like to open a branch at 425 Rona Parkway, which is the site of the old library. Mr. Posey advised they evaluated whether they could use the existing building or any portion of it to open a new branch but there was no way to make a drive-thru work with the current building placement. Mr. Posey stated the size of the building was also three times what they really needed so the plan entails removal of the existing building, but keeping the two existing curb cuts off of Rona Parkway. Mr. Posey reported Freedom First is under contract and will close on the property soon contingent upon Planning Commission approval of the project and federal and state approval for the credit union to expand into a different county. Mr. Posey stated they would like to look at an egress to the adjoining property. Mr. Posey stated the Special Use application is to allow a drive-thru. The proposed pylon sign does not require a variance placed 10' off the Arlington Road property line and 16' south of Rona Parkway property line. Mr. Posey

stated the proposed facility is 2,150 square feet with three employees to start with and a maximum of five employees in the future. Mr. Posey stated the number of required parking spots based on the size of the building with five employees is 16 parking spots. Mr. Posey state the maximum number of spots they can put on the lot is 15. They are requesting relief from requirement of 16 parking spots with consideration that on-street parking is available on Rona Parkway. All the prescribed front, side and rear yard setbacks are met. There is a proposed canopy over the drive-thru lanes but the drive-thru is well back of the side yard setback to the south not anywhere near the setbacks on the west or north side.

Chairperson Henderson asked in relation to the current library building, will the facade of the new building be in the same spot?

Mr. Reed replied the face of the existing building comes back farther and is a little closer to the street.

Chairperson Henderson commented it is a good looking building.

Mr. Reed provided a rendering of the proposed building showing it is constructed of masonry with a standing seam metal roof.

Member Schreier commented having the ingress and egress off Rona Parkway will prevent any traffic problems on Arlington Road, especially during certain times of the day.

Mayor Letner stated he did not see any problem with using Rona Parkway for the 16th parking spot as Rona Parkway was always lined with cars when the library had events in the past.

Motion by Claggett, second by Cordes to approve Special Use #20-02 for 425 Rona Parkway, with the Site Plan as presented and to allow the variance on the number of required parking spaces as requested. All yeas, motion carried.

Zoning Officer Snedeker reported Tom McCoy, of McCoy Homes is present to request a Minor Subdivision Lot Split that would be done in two phases.

Law Director Stephan reported that the first subdivision application is a request to replat Wenger Woods Subdivision Lot 2392. Samuel and Carol Stewart have purchased Lot 2392. This subdivision record plan would take existing Lot 2392 and add .275 acres from Lot 1758, creating a new lot known as Lot 2653. Law Director Stephan stated the lot meets all subdivision requirements and approval is subject to an amendment to the covenants signed by a majority of the owners of Wenger Woods. This same type of amendment was done when the Via's added property to their lot. Law Directors Stephan stated their intent is to build a single family house on the existing lot and retain the additional acreage as wooded area.

Law Director Stephan stated that the second subdivision request McCoy Homes Record plan, is to replat the remainder of Lot 1758, with three lots created: Lot 2654 which is 0.433 acres, Lot 2655 which is 0.461 acres, and Lot 2656 which is 1.845 acres. These lots would be lots owned by McCoy Homes and developed for single family housing. Law Director Stephan asked that these

subdivisions both be approved by Planning Commission, subject to approval by City Council. This McCoy Homes Record plan would also be subject to approval by the City Engineer as there will be an extension of sanitary sewer for the development and there will be roadway dedicated along Brookville Johnsville Road.

Mayor Letner asked how the sanitary will run?

Law Director Stephan replied the sanitary will run to the south between Lot #2392 and the lot easement created in the back side of the new Lots 2354 and 2655. It will be available to serve all three lots.

Mayor Letner inquired about the current sanitary line, asking if it runs out to Charlie Court and towards the school?

Mr. McCoy replied no, there is a manhole where the wetlands are that runs all the way down the property line. There is also a sanitary line that stops about 80' back from Johnsville Brookville Road and runs down the center of Charlie Court, which is the one he is planning to tie into. Mr. McCoy stated there should be plenty of fall as it is about 5-6 feet deep back in the woods.

Member Claggett asked if the lots that border Johnsville Brookville Road will have sidewalks at the beginning or later along Johnsville Brookville Road?

Mr. McCoy replied he has no idea. At this point no he does not think any sidewalks are required there. He stated he does not know what the City requires on all that stuff. Mr. McCoy stated he knows at one time when he put Charlie Court in, he had sidewalks across there with the curb and all that. Mr. McCoy stated being that it is not a subdivision, he had not addressed that. He stated he was just going to leave it as regular lots like what is down the street on the other side as it is not a subdivision.

Mayor Letner inquired whether Mr. McCoy plans to use same system that is on Charlie Court about the stormwater runoff?

Mr. McCoy replied there is a catch basin, but all the storm water is just going to be retained on the lots. He doesn't think there will be enough storm water coming off the houses to go back in. Mr. McCoy stated there were some issues with the storm sewer when Tim Via put his property in. Mr. McCoy said he thinks they have enough to carry whatever they wanted to do back there but he is not for sure. Mr. McCoy stated he knows all the water goes into the wetlands, but he would have to have that looked into as to whether he needs to tie into the storm sewer system. Mr. McCoy asked Zoning Officer Snedeker if he remembers what Tim Via's issues were when he built on Charlie Court?

Zoning Officer Snedeker stated in all fairness it would be best to tie into the storm sewer system as it is in a utility easement now.

Mayor Letner stated these woods retain a lot of water and for mosquito purposes it would be best to tie into the storm sewer.

Mr. McCoy stated he knows he will have to bring some dirt back in on the back of the lots and try to get that cleaned up because he does not like mosquitoes either.

Member Schreier commented it does not look like Lot 2656 could ever be subdivided because of the boundaries.

McCoy stated he had no plans to subdivide it.

Law Director Stephan stated approval of Wenger Woods Lot 2392 Record Plan (MS #20-01) is subject to an amendment to the covenants signed by a majority of the property owners of Wenger Woods.

Motion by Cordes, second by Claggett to approve the Wenger Woods Lot 2392 Record Plan, subject to approval of an amendment to the covenants of Wenger Woods approving this record plan. All yeas, motion carried.

Law Director Stephan stated the land within McCoy Homes Record Plan (MS #20-02) is not part of Wenger Woods and the property owners of Wenger Woods do not have to approve an amendment to the covenants of Wenger Woods.

Chairperson Henderson stated there is an easement tied to it where the sanitary is.

Motion by Schreier, second by Claggett to approve the McCoy Homes Record Plan establishing Lots 2654, 2655, and 2656, subject to approval by the City Engineer. All yeas, motion carried.

Zoning Officer Snedeker reported What's the Scoop Ice Cream shop is scheduled to open the first week of March. DMAX has invited Council and staff to attend the ceremonial setting of the last support beam tomorrow. Zoning Officer Snedeker commented the BP/Hardees is open for business.

Claggett asked what is going on the lot at 449 N. Wolf Creek Street?

Zoning Officer Snedeker replied the owner, Matt Balsbaugh, is clearing the trees and brush to get it ready to put up for sale.

Member Claggett thanked City Staff and Law Director Stephan for all the hard work they put in to get BP to rebuild on their lot. It is a very attractive building.

City Manager Keaton had no report.

Law Director Stephan had no report.

There was no Old Business.

There was no New Business.

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



Kimberly Duncan, Clerk

Ryan Henderson, Chairperson