



PLANNING COMMISSION MEETING MINUTES DECEMBER 16, 2024

I. OPENING OF MEETING

Chairman Bills opened the Clayton Planning Commission meeting, convening at 7:00 p.m. on Monday, December 16, 2024.

Call to Order: Present were Mr. Bills, Mr. Foley, Mr. Muncy, Ms. Pritchett and Ms. Williams.

II. MEETING PROCEDURE AND OATH

Mr. Bills explained the meeting procedure for tonight's case and administered the Oath to those in attendance who wish to speak this evening.

III. MINUTES OF THE PREVIOUS MEETINGS

Mr. Bills asked for a motion to approve the minutes of November 25, 2024. Mr. Foley made a motion to approve the minutes of November 25, 2024 as presented, motion was second by Ms. Williams. Voting: Mr. Bills-yes, Mr. Foley-yes, Mr. Muncy-abstain, Ms. Pritchett-yes and Ms. Williams-yes. Motion passed 4-0 with one abstention.

IV. OLD BUSINESS

None

VII. NEW BUSINESS

PC24-04 A request for Rezoning and Preliminary Development Plan for Warner Village, a proposed residential subdivision, the request is made by Schnicke Development, property owner.

Ellen Snyder advised this is a two-part application that was received November 6, 2024 for a proposed Zoning District Change from RSD to PDD, and a Proposed Preliminary Development Plan for a Single-Family Residential Subdivision. The applicant is Mark Schnicke, on behalf of SDG Warner Village LLC, and the property owner is SDG Warner Village LLC. The property contains 183.1044 acres, and there are currently no structures present on the property. A public notice was mailed to property owners within 300 feet of the subject property on November 22, 2024, and a public notice was printed in the Eaton Register Herald on December 4, 2024. The location of subject property is near the intersection of Sweet Potato Ridge Road and North Main Street. Ms. Snyder then shared images of the general location, surrounding zoning, specific location, and the Preliminary Development Plan overview. The current zoning of the subject property is RSD, Residential Single Unit District, and the proposed zoning of the subject property is PDD, Planned Development District. PDD Zoning District developments are subject to Planning Commission and City Council approval of a Preliminary and Final

Development Plan. The Proposed Subdivision is within the Clayton Improvement District #1 Overlay, CID-1. CID#1-O Standards suggest a density of 2.5 units per acre, unless otherwise modified by the planned development review process. The proposed subdivision has approximately 2.89 units per acre density. The proposed subdivision is not within the Special Area 1 Overlay. A summary of Warner Village Subdivision proposes construction of 530 single-family homes and would consist of 68 acres of open space or park. There would be three access points from Sweet Potato Ridge Road. Water and sewer service would be from the City of Union, and staff has received Union's letter of confirmation from Schnicke. Proposed new infrastructure includes streets, sidewalks, and a multi-use path along Sweet Potato Ridge Road. Neighborhood amenities include open space, centrally located neighborhood parks, and nine retention ponds that have passive open space around them. The Future Land Use Plan indicates the intent of this area to be "Warner Village" with single-family attached, single-family homes, parks, and flex use. After Planning Commission makes a recommendation to City Council, Council will hold a public hearing and make a final determination on the proposed Zoning District Change and Preliminary Development Plan. If approved by City Council, the applicant will then be able to submit Final Development Plans. Each Final Development Plan requires public hearings with both Planning Commission and City Council. Final Development Plan and Plat submission requires certain additional information not included with the Preliminary Plan. A completed Traffic Study, which will consider the impact of the proposed development on area roads and will make recommendations on road improvements to address such impacts, and the Development Plan set that will include details on utilities, grading, stormwater and drainage, building architecture and landscaping. After evaluating the applicant's request, Staff recommends that the Planning Commission make a motion to City Council for approval of the Zoning District Change, from RSD to PDD, and Preliminary Development Plan with the following conditions to be met with any proposed Final Development Plan: Proposed "Willow Circle" is re-named; the applicant submits copies of correspondence of the submission of the preliminary plan to all applicable utilities and other governing agencies with their comments; and all comments from the City Planner, City Engineer, and City Staff to be adequately addressed and complied with.

Mr. Bills asked if there were any questions for staff.

Mr. Muncy asked if the other utilities will be contacted. Ms. Snyder replied yes, it is required but they will not give letters unless there is a plan or approval in place.

Mr. Muncy stated in our packets there were hundreds of different elevation options, is that being proposed as options in this plat. Ms. Snyder stated they are just examples at this time.

Ms. Williams ask if the electric will be run underground. Ms. Snyder, yes per code.

Hearing no further questions, Mr. Bills asked the applicant to speak.

Clete Benken, Director of Landscaping Architecture with KZF Design, I am also the Land Planner and I am here representing Schnicke Development. Mr. Benken gave a presentation on the background of this plan and addressed residents concerns that were brought to light at an open house that was given a few weeks ago, to hear neighbors' concerns.

Mr. Muncy asked when you look at the single family rental section, we're looking at 50 foot lots. One of the comments was about adjusting the setbacks to better comply with what's already there, the RSD, has there been any conversations about 60 foot lots, can we get as close

to the RSD standards at a 60 foot lot. That would really change the feel of that section in particular which is the one that gives me the most pause. There are more non-compliant RSD lot widths than there are compliant. Mr. Benken replied that the homes that are planned for those lots don't need a 60 foot lot. 60 foot lots require larger utility extensions, you have more utility runs. One of the principles discussed at the open house was the idea of right sizing the lot size so you don't have more asphalt, more piping, more steel.

Mr. Muncy asked, just to clarify, your goal in this floor plans was first time new home buyers and empty nesters. Mr. Benken replied there are models that are going to appeal to families that are established, there will be homes for people in all stages of their life cycle in addition to people that want to rent.

Ms. Williams asked, on the elevations that are in the packet, are there more options than just these? Mr. Benken said yes, these are just representative samples.

Mr. Foley asked about the trail connectivity, is the trail inside the development. Mr. Benken stated we are taking it to the perimeter. We have multiple jurisdictions to deal with, our goal is to be able to connect across the street, cross SR48 at some point but that is going to take some time working through multiple jurisdictions.

Mr. Foley stated you mentioned the buffers, is there a best practice around the kind of buffering. Mr. Benken advised you have the option to suggest conditions for approval, about the kinds of buffering you believe are appropriate.

Mr. Muncy stated I see in our packets there are phases planned out, is there a timeline that we've been given. Mr. Benken stated the Developer is better suited to answer that.

Matt Gaston stated he is with Schnicke Development Group and advised with this plan the first phase we hope to start in the summer. After that it just depends on sales, as lots are needed, we will expand as necessary. The first phase would probably be around 100 lots.

Mr. Bills asked when starting on Sweet Potato Ridge Road will all three access drives be done initially. Mr. Gaston replied we would start with the middle one and the one to the South, the third phase would include the third drive.

Mr. Bills stated hearing no further questions, he asked for a motion to open the floor to public comment. Motion by Mr. Muncy to open the floor for public comment, motion was second by Ms. Williams. Voting: Mr. Bills-yes, Mr. Foley-yes, Mr. Muncy-yes, Ms. Pritchett and Ms. Williams-yes. Motion was approved 5-0.

Jerry McDonald, attorney and was asked to look over this project for developer. This project is consistent with Clayton's Comprehensive Land Use Plan in terms of where this type of development should be. I also looked at the zoning code and I could not find anything that this falls outside of those provisions.

Bonnie Bozovich stated she is opposed to this project and shared her concerns with impacts on wildlife and drainage issues.

Mark Schnicke advised he is the developer and would like to address the timeline as I believe there is some confusion. We get a preliminary plan approved, and then as phases go, we do a final plan approval for each phase. The first phase starts and then the rest of the phases go based on economics and the sale of the lots.

Tammy Blevins stated she was opposed to this project, was concerned with trees being cut down, and stated if this project is coming in asked for additional buffering on the Rankin side of the development.

Randy Schultz shared his concerns with police and fire coverage, and stated 530 homes is too much for that location. He was also concerned with the wetland area that produces mosquitos.

Gary Terborg shared information on this property having a limestone bluff and issues with drainage.

Courtney Hart stated she is opposed to this development, shared her concerns with the current high student teacher ratios at Northmont schools, concerns with the rentals bringing down our property values, and termites in the woods on this property.

Laura Kincer stated she has a concern with the student teacher ratio at the schools, no room for new students, and reiterated the limestone issue.

Kent Speltz was concerned with the density of the housing there would not be enough on-street parking.

Ryan Lefeld stated he is with Choice One and is the engineer for this project. Regarding the comments dealing with drainage, Clayton has policies on drainage that we have to follow and what we intend to follow those. We are aware of the drainage issues, but with development we can capture those problems and utilize some of the storm water retention basins to help aid and mitigate some of the ongoing issues. We are also aware of the rock; we've seen the geotechnical reports. There are a lot of construction means and methods to help mitigate some of those issues.

Dede Goodwin shared her concerns with rentals, and with putting the multi-family units towards Englewood properties which she states are higher end properties.

Kendra Orrill shared her history with water issues, having worked with MC Soil and Water, Clayton and Englewood to correct the issue and is concerned this development may cause additional problems.

David Stanko shared his concerns with the excess traffic that would come from a development this size.

Troy Tanner asked what was the need for this project, the density of the homes, and minimum lot widths.

Mike Blessing stated he is opposed to this project and that he just remodeled his three-season room and doesn't want to see this development in his backyard.

Brian Garver spoke in support of this project as it meets the standards of what the City is looking for when it comes to the land use plan.

Aaron Horn advised he is with DR Horton and is part of the Land Acquisition Team which is one of the proposed builders, and they are part of the build to rent business.

Patrick Ernst stated his property has over 1,000 liner feet boundary with this proposed development and stressed his concerns with retention basins as they are a hazard with mosquitoes unless there is a bubbler and drainage issues.

Anna Ernst stated she is opposed to this project and stressed her concerns with the density.

Jennifer Gonzales advised she is with Fisher Homes, the builder, and shared some of the floor plans and options for homes within this development.

Katie Howard stated she is opposed to this project and stressed her concerns with the school overcrowding and busing issues.

Mike Stollings stated he is opposed to this project, enjoys the farmland and does not want 103 rental properties next to his property.

Kenny Kinsler stated he is worried about the high density, the issue with the soil and rock, and water drainage.

Troy Tanner spoke again asking is there a need for this many homes, and specifically the patio homes.

Josh Hart asked how will police presence be addressed with 500 homes being built and asked for a buffer along the Rankin properties to the South.

William Goodwin stressed his concerns with the setbacks on these lots.

David Sims shared he has worked with large builders and believes these were going to be trailers rolled off onto the lots, he may be wrong but asked the Board to look at that.

Hearing no comments for or against this case, Mr. Bills asked for a motion to close the floor for public comment. Motion by Ms. Williams to close the floor for public comment, motion was second by Mr. Muncy. Voting: Mr. Bills-yes, Mr. Foley-yes, Mr. Muncy-yes, Ms. Pritchett and Ms. Williams-yes. Motion was approved 5-0.

Matt Gaston stated the plan before you is high level, we can look at the buffer on the south side of Rankin Drive. On the question of the patio homes, that is specific to a move down buyer and one of the biggest needs in the area.

Mr. Bills asked if he had any statistics on the schools, as not all these houses are going to have students. Mr. Gaston advised the school district told them to expect .4 students per house.

Mr. Muncy asked if Clayton has been a market they have been researching. Mr. Gaston advised yes, with the job growth on the north side of Dayton and the growth of Wright Patt Air Force Base, there is an exceptional amount of unmet demand.

Mr. Muncy asked if they had looked at other properties. Mr. Gaston advised yes, the availability of existing infrastructure, properties surrounded by existing residential communities, and the Comprehensive Land Use Plan.

Ms. Williams asked to see elevations of the patio homes and rentals. Mr. Gaston advised the images presented in your packets are just some examples, there are hundreds of different options.

Mr. Foley asked in reference to the buffering, will you do everything you can to try to help with that issue. Mr. Gaston advised yes, they will make sure there is a standard buffer and they will remove the trail from the plans.

Ms. Williams asked Jennifer Gonzales to come back to the podium. Ms. Williams asked what was the price point for these homes. Ms. Gonzales advised they currently can not build anything

less than \$280,000 and that would be for one of the patio homes. I would expect the designer homes to be closer to the \$500,000 range, so threes, fours and fives.

Mr. Muncy asked, just to clarify, none of these homes are going to be roll off or manufactured homes, these are going to be stick built on concrete foundations. Ms. Gonzales stated that is correct, my Husband actually builds the homes.

Aaron Horn stated you asked about the price points on the rental side, if we look at the homes being built in Wenger Village we are looking at the high threes on those and low fours, on the rental side, this is a broad range because it's going to be based upon the square footage of the home and the size of the home, they are all going to be three or four bedroom homes ranging from 1,200 square feet all the way up to potentially 2,800 square feet those would rent probably starting at \$1,600 a month all the way up to \$3,000. It really depends on the floor plan and size.

Mr. Muncy asked what is the average rental rate for a three bedroom home in the Northmont market. Mr. Gaston stated one of the newer projects is the Grand Villas which has done well from an occupancy standpoint with rates starting at \$1,400 a month and going up from there depending on the size.

Mr. Muncy asked just for clarification, \$1,600 to \$2,000 is a reasonable rental rate in today's market. Mr. Gaston stated yes, for a three bedroom that is a good average.

Mr. Bills asked if Choice One could address some of the drainage comments and concerns. Mr. Lefeld advised a lot of what we have to look into is the natural topography where the water is heading and how do we handle it, how do we manage it. All the residential product that you see will be collected via storm water drains or sewers on site collected to those basins.

Clete Benken addressed residents concerns on property values, and advised there are a number of examples across the country that show communities with open space can have as much as 15-20% higher property values.

Mr. Bills asked if there were any additional comments from the Commission members.

Mr. Muncy asked if the City is receiving any federal funding for this project. Amanda Zimmerlin, City Manager, advised no, the City is not receiving any funding for this project.

Mr. Muncy stated, just to clarify, there is going to be at least one Final Development Plan that has to be submitted. We get a preliminary development plan; it then goes to City Council. City Council approves it, it comes to us for a final development plan, and then City Council has to approve that. If we don't get through one of those phases we don't have a development.

Ms. Zimmerlin stated that if the Planning Commission approves this tonight, the earliest City Council would hear this case, with a Public Hearing, would be January 16th. If approved then it would have a second reading at their February 6th meeting. Again, this is just for the preliminary development plan and zone change.

Mr. Muncy clarified that a traffic impact study is not required in a preliminary development plan. Before a final development plan is submitted there has to be a traffic impact study, and the final development plan can not be approved unless the conditions of that traffic impact study are met.

Hearing no further discussion, Mr. Bills then asked for a motion to recommend approval, approval with conditions or disapproval of the applicant's request. Mr. Muncy made a motion

to approve with conditions placed upon it by City staff and with the condition that the minimum lot requirement for every lot in the development be sixty feet. Motion was second by Mr. Bills.

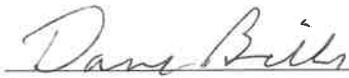
Mr. Foley asked Mr. Gaston what would be the impact on the land use plan be with the sixty foot lot requirement. Mr. Gaston stated it would be a dramatically different plan than this, it wouldn't just be spread out lots. You would have to increase the area a decent amount that is developed.

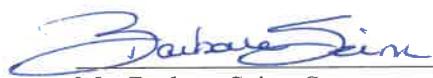
Ms. Williams asked if he would be able to bring forth new plans with either showing the change in the lot size or would you be able to show a plan with reduced number of lots. Mr. Gaston stated it would be a totally different plan than this one. Ms. Pritchett stated the attractiveness of the plan is definitely the open space, so it does not make sense to bring another plan. Mr. Gaston stated there is a lot of variation, they are not all just cookie cutter size, there is a lot in the 55 and 60 foot lot size, we have 72 foot lots intermixed, there are a lot of 60 foot plus. 55 is just the minimum lot width.

Voting: Mr. Bills-yes, Mr. Foley-no, Mr. Muncy-yes, Ms. Pritchett-yes and Ms. Williams-no Motion was approved 3-2.

VIII. END OF MEETING

The meeting adjourned at 9:41 PM.


Mr. Dave Bills, *Chairman*


Ms. Barbara Seim, *Secretary*

3-23-25
Date

March 24, 2025
Date