**Plan Commission**

**Meeting Minutes**

**March 16, 2021**

**Held Virtually through the Zoom Meeting App**

**Call to Order and Roll Call**

**MEMBERS PRESENT**: Brianne Schneckenberger, Devin Stettler, Tom Strayer, Barry Wood, Chad Gooding

**MEMBERS ABSENT:** Scott Shipley, Steve Duhamel

**OTHERS PRESENT**: Director of Planning Ryan Crum; Attorney Gregg Morelock, Town Manager Tonya Galbraith, Town Engineer Mark Witsman,

**Agenda Consideration**

Mr. Crum requested that the Fischer Home request be heard before the Lennar Homes request

**Approval of Minutes**

Ms. Schneckenberger noted that the date on the minutes needed to be changed. Ms. Schneckenberger made a motion to approve the minutes with the condition that the correct date be put on them. Mr. Strayer seconded. The motion passed 5/0.

**Old Business**

No old business

**New Business**

***Fischer Homes' request for approval of a Development Plan & Secondary Plat for Villages at Brookside, Sections 14 & 15***

John McWhorter of Kimley-Horn presented on behalf of the petitioner. This is last section of development for this subdivision and all comments made in the TAC meeting have been addressed.

Mr. Crum stated that Staff has done the customary review and that all standards have been met.

Ms. Schneckenberger made a motion to approve that Development Plan and Secondary Plat as presented. Mr. Wood seconded. The motion passed 5/0.

***Lennar Homes' request to rezone +/- 138 acres from R-1 to Summerton PUD***

Ty Rinehart with Lennar Homes presented the Summerton proposal for the petitioner. The project would be adjacent to McCord Pointe bordered by CR W 900 N, CR N 500 W, and McCord Rd. Summerton will have similar price points and product lines as the McCord Point subdivision. The land is 138 acres with a little over 47 acres in common area. There will be two sections – the north will be 171 low maintenance ranch homes on 60’ lots. The south section will be 116 traditional single-family homes on 65’ lots, for 287 lots. The total density is just over 2 units per acre. There will be an Amenity Center with pool house and playground. Schultz drain bisects the subdivision. Walking paths are planned along the drain, 500 W and 900 N. These paths will connect to the sidewalks.

Public Hearing

Dan Madison, resident on McCord Rd, referred to the letter he sent in. He stated that he has put a lot of time and money into the drainage system and it works really well. He said that the developer is asking him to release the drainage easement and he does not have a lot of motivation to do so because he does not want to mess with something that works.

Bill Ewing, resident on 900 N, has a working farm and would like to see a buffer to prevent residents from wandering onto his working farm. He also asked if developers can be made to better police the issue of construction trash blowing into the neighboring yards.

Lorraine Ewing, resident on 900 N, stated that lots 202-207 touch their property. She asked what the strip of land between the lots and her property is and how wide is it. She also asked if residents would have access to that strip to drive along it. She asked for mounding, trees, or fences for safety and privacy reasons.

David Ricks, resident, voiced concerns about the long-term plans for the path that dead ends at his property line, drainage, and the height of the dirt mound on McCord Rd. He asked to be included in communications regarding the drainage.

Diana Ricks, resident, asked to have more buffering along the property lines.

Jim Dobbs, resident on McCord Road, voiced concerns about drainage.

David Gronowski, resident on McCord Rd, gave history of parcel and drainage development. He has concerns about drainage because his property has experienced frequent flooding. He noted that there is silt build up in ditch and wants to make sure that is addressed. He is also concerned about 5’ setbacks for the ranch lots that abut his property, disagreeing with “low-density” classification. He would like to see larger setbacks and fewer homes.

Tim Plank, resident on 900 N, asked if the perimeter drains would be hooked to the subdivisions storm water.

Petitioner response

Mr. Rinehart stated that they are required by ordinance to route any drainage system coming into the site appropriately. Integrating drainage from adjacent sites is common practice. He stated that he has been in contact with three of the four residents and is working through the issues and is confident that they will resolve the issues.

He stated that Lennar is putting in a tree preservation easement along the western boundary to make sure they are preserving trees and putting in additional trees to maintain the boundary between the home sites and the boundary. He noted that strip of land between the subdivision and the existing parcels is common area that will be maintained by the HOA to provide a buffer between the home sites and the existing properties.

Mr. Rinehart noted that the dirt mound on McCord Rd is a temporary stockpile.

He said that the setbacks for the ranch homes are the same as the ranch homes in McCord Pointe. He noted that the average buyer for these homes do not value the extra space between the homes, they would rather put the money into other features.

Mr. Witsman stated that he and the Town’s consultant would perform a drainage review. The intent is to make sure they address all drainage issues. He will reach out to adjacent property owners to make sure he knows about existing drainage systems before approval is given.

Mr. Crum and Mr. Rinehart addressed buffering concerns along the western property line. Mr. Rinehart stated that Lennar would work with adjacent property owners. Mr. Crum noted that planting and mounding can not be done in the legal drain easement.

Mr. Crum referred to the path the is shown as ending at the Rick’s property. Mr. Crum explained that the paths are put in as part of the developer’s commitments and that the path would be continued if the Rick’s property would ever be developed.

Mr. Crum stated that drainage concerns will be addressed through the re-zone process with the understanding that details can not be finalized until the construction plan stage.

Mr. Crum presented the Staff Report stating that except for a few tweaks to corner lot requirements to make them clearer, the standards are identical to McCord Pointe.

Mr. Crum noted that 2.08 units per acre is considered low-density by today’s standards and is lower than the surrounding subdivisions. He stated that acreage is lost to the drainage easement.

Mr. Strayer, Ms. Schneckenberger, and Mr. Wood urged the developer to create a more robust buffer between the subdivision and the properties along the western edge. Mr. Rinehart agreed to commit to extending the landscaper buffer up to the drain and meet the landowners on site to make sure it works.

Mr. Witsman noted that a traffic study has been performed and he would like the improvements noted for CR 500 W to be included in the PUD. Mr. Crum said that the petitioner did commit to the improvements earlier in the week.

Mr. Crum summarized what the petitioner has committed to:

 1) working on fence to some extent along western property line near the four lots nearest to the proper

 2) extending the western buffer northwards toward the legal drain

 3) widening 500 W in-kind to what was done with McCord Pointe

 4) continue to work on drainage issues with all applicable parties during the rezone process, knowing that nothing can finalized until full blown construction drawings are done

Mr. Strayer made a motion to make a favorable recommendation to the Town Council to approve the petition, subject to the conditions agreed to by the petitioner. Mr. Gooding seconded the motion. The motion passed 5/0.

**Announcements**

The development pattern we have seen for the last year is continuing and does not show signs of slowing.

The 2020 Annual Report is attached to the agenda.

The next meeting will be on April 20, 2021, if needed.

**Adjournment**

There being no further business, meeting was adjourned.