

CITY OF GREEN
Planning Department Review
PLANNING & ZONING COMMISSION
December 17, 2014

Item 14-57 **Brier Creek Phase I**
(J. Warmus, Boettler Farm, Ltd.)
Location: 1102/1184 Boettler Road
Final Plat Review
Zoning: PD

PLANNING DEPARTMENT

Applicant is presenting the final plat of Brier Creek Phase I. This item is being presented in conjunction with the final site plan for the project, which was reviewed and conditionally approved by the PZC at the July 16, 2014 meeting. Elements of the Phase I development include garden style duplex apartments, an Independent/Assisted Living apartment building, and a Commercial building. The development will offer a mix of uses geared toward “senior living”. The plat being presented at this time is in accordance with the approved general development plan for the PD District and the Phase I final site plan and is required to dedicate the public roadways within the allotment and create new parcels of land and necessary easements.

The overall site plan has approximately 1,315’ of frontage on the south side of Boettler Road, directly opposite the Spring Hill allotment. The total 80.6 acre site is comprised of a 79.6 acre tract and a 1.0 acre parcel. These properties will be consolidated prior to recording of the final plat (lot consolidation plat has been submitted for review). The majority of the site is agricultural land with the only remaining structures located near Boettler Road. These structures will be demolished to make way for the project (permit required). A small linear pond and delineated wetland area lie near the northwest corner. These features are shown with a required 30’ buffer area. A 75’ Riparian Setback is shown in association with a small stream that bisects the site from east to west. An existing petroleum pipeline with 50’ wide easement is also indicated.

Phase I proposes to dedicate a portion of the new public roadway within the allotment and plat the entire 80.6 acre tract of land. This would include 29.74 acres within four (4) new lots, 2.99 acres of dedicated right-of-way, and 46.94 acres in Block B, a remainder parcel of land. Subsequent phases will be required to further subdivide Block B and dedicate additional right-of-way. A small parcel of land (0.127 acres) would also be created in Phase I that will be deeded to Summit County for a sanitary pump station that will serve the allotment. A total of 8.38 acres of dedicated open space would be platted.

The plat would dedicate approximately 1,600’ of the proposed Brier Creek Parkway, which would align with Kenway Boulevard on the north side of Boettler Road. (The use of “Brier Creek Pkwy” will need to be approved by County House numbering and Green Fire Department). This roadway would be a 60’ wide right-of-way that would widen to 100’ at its intersection with Boettler Road to accommodate boulevard islands. These islands would be situated within the right-of-way and maintained by the developer via a perpetual maintenance agreement that will be executed. The south end of Brier Creek Pkwy would feature a roundabout that would stub on the west side (future extension of Brier Creek Pkwy) and east side (future Hilltop Way). The island within the roundabout would be the developer’s maintenance responsibility via the referenced maintenance agreement. Five foot wide reservation strips to the City will need to be placed at each stub end. (The strips will be released upon further extension of the roadways). The right-of-way widths will also need to be indicated. A 12’ wide utility easement and required 20’ building and parking setback lines are shown adjacent to the right-of-way, per code.

Proposed Lot 1 would consist of 12.98 acres at the northwest corner of Brier Creek Pkwy and Boettler Road. This lot would feature the previously reviewed garden-style apartments (37 units), dedicated open space, and all of the site’s wetlands. The 50’ wide access and utility easement shown reflects the geometry of Serenity Court, a private road that would provide access to the apartment units. As there is an existing Serenity Lane within the City (McChesney Meadows Allotment), it is recommended that this name be changed to avoid confusion, especially for emergency response personnel. Proposed Lot 2, at 2.75 acres, would be created for the proposed commercial building (featuring an adult day

care center) and located on the southeast corner of Brier Creek Pkwy and Boettler Rd. Lot 3, at 5.19 acres, would be located on the Boettler Road frontage directly east of Lot 2. This lot would be vacant at this time (final site plan review will be required prior to development). The 8.69 acre Lot 4 would be situated directly south of Lot 1 and is the site of the Independent/Assisted Living facility (60 units & possible future expansion). The Summit County parcel would be located on the east side of Brier Creek Pkwy near the roundabout. Block A, at 1.28 acres, would be dedicated open space and drainage easement extending along the east side of Brier Creek Pkwy.

The allotment would be served by central sewer and water services, per code. All proposed lots would meet requirements for area, width, and frontage.

Access to Lots 1 and 2 would be via Brier Creek Pkwy. and a 5' reservation strip will need to be placed along the Boettler Road frontages to prohibit direct access. Access to Lot 3 will need to be determined in conjunction with site plan review. In this case, Boettler Road access may need to be restricted to right-in/right-out only due to sight distance limitations.

Stormwater detention/water quality basins would be placed within easements on Lots 1 and 4. Associated storm sewer easements are also shown. Improvement plans and stormwater calculations have been submitted for Engineering review. The site SWPPP will need to be submitted to the Summit Soil & Water Conservation District for review. A Land Disturbance permit from the City will be required prior to commencement of earthmoving activities on site. A Stormwater Management Maintenance Agreement is required for this site, per EPA requirements. (This has been submitted). Maintenance responsibilities for the open space area will be provided for within a Covenants & Restrictions document to be provided by the developer and will be recorded with the final plat. Existing wetlands will be preserved within a Conservation Easement, per code.

Per the provisions of the Land Development Code, sidewalks, street trees, and a street lighting district are required for this allotment. (Note: the PZC previously granted a variance to the typical roadway section to permit public sidewalk only on the west side of Brier Creek Pkwy. The east side will feature a meandering walkway that would be part of the walking route within the district. This will need to be placed within an easement, as it would be outside the right-of-way.)

The Planning & Zoning Commission is being asked to review the final plat document and make a recommendation to City Council for acceptance.

DESIGN REVIEW BOARD

No review required

ENGINEERING

Currently

reviewing final plat and improvement plan drawings/stormwater calculations.

FIRE

Currently reviewing proposed street names.

ZONING

No comments received.

STAFF RECOMMENDATION

Staff recommends a favorable recommendation by the Planning & Zoning Commission to City Council for acceptance of the final plat of Brier Creek Phase 1. The following items, however, will need to be addressed by the applicant prior to final approval:

1. *Final Engineering approval of the plat document. This includes the addition of required reservation strips, right-of-way widths, and sidewalk easement as well as required street name changes, as noted in this report.*
2. *Provision of the following documents that will be recorded along with the plat:*
 - A. *Covenants and Restrictions to provide for the perpetual maintenance of all dedicated open space areas.*
 - B. *A maintenance agreement between the developer and the City for perpetual maintenance of all boulevard/roundabout islands.*
 - C. *A Conservation Easement for preservation of the wetland/pond areas, as shown.*

Performance bond requirements and any other information shall be submitted to the Planning Department prior to introduction to City Council within two meetings of Council (approximately 30 days). It is the developer's responsibility to meet any and all state and federal regulations in the development of this site.