



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON APRIL 27, 2021

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## ESTRELLA – REVISED DESIGN PLAN

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- APPLICANT:** James H. Watson  
McGill Smith Punshon, Inc.  
3700 Park 42 Drive, Suite 190B  
Cincinnati, OH 45241
- OWNER:** Boyd O. Billingsley, Trustee  
7105 Clough Pike  
Batavia, OH 45103
- ENGINEER:** James H. Watson  
McGill Smith Punshon, Inc.  
3700 Park 42 Drive, Suite 190B  
Cincinnati, OH 45241
- REQUEST:** Requesting approval of the Revised Design Plan for Estrella.
- LOCATION:** The Estrella is located along the west side of Clough Pike directly across from Founders Boulevard located in Batavia and Union Township.  
*See the attached location map for further clarification*
- HISTORY:** On May 24, 2016, Estrella Design Plan was approved by the Clermont County Planning Commission.  
  
On February 23, 2021, Clermont County Planning Commission recommended approval of Batavia Township Case B-01-16ZPD-MM-21, requesting a Major Modification to the existing PD overlay district known as “Estrella”.
- DEVELOPMENT PROPOSAL:**
- Estrella – Revised Design Plan will incorporate parcels 012008B116 and 032008B053 consisting of 31.6755 acres to be known as Estrella – Phase 5 also known as *Villas of Estrella*. The Revised Design Plan also will incorporate parcels 413102E025 and 032008B005 consisting of 24.88 acres into the total project area. Parcels 413102E025 and

032008B005 will be deeded to the Estrella Homeowners Association. With the addition of Estrella – Phase 5, the project will consist of 161 total units on 83.14 net acres, 40.17 net acres of open space with an overall net density of 1.94 units/per acre.

Estrella – Phase 5 will develop 31.6755 acres into 48 Villa-style ranch homes (46 attached and 2 standalone residential structures. These “ranch-style” homes will be single-story, maintenance-free style living. All lawn maintenance, snow removal, landscaping will be provided by a newly formed villas sub-association of the Estrella Homeowners Association.

The proposed 48 lots will be 44 feet wide at the building line and will contain a minimum of 5,400 square feet. Setbacks for the front, side, and rear yard distances are 25 feet, 7.5 feet, and 20 feet, respectively.

All lots will have direct frontage onto the 50-foot public rights-of-way (*Anacapa Court and Alameda Court*). Additional parking has been proposed along both public rights-of-way. This parking design will need to be approved by the Clermont County Engineer’s Office. Public sanitary sewer and water main will be extended from facilities constructed as part of Estrella – Phase 1.

**STAFF ANALYSIS:**

Estrella – Revised Design Plan will need to address the below county conditions for the plan to conform to all the requirements set forth under the *Clermont County Subdivision Regulations, Article V*.

Estrella – Phase 5, lots 141-144 are proposed partially on Estrella – Phase 4, Open Space Lot 89. The applicant will need to acquire a small triangular portion of Open Space Lot 89 from Estrella Home Owners Association. Lot 89 will need to be re-platted to create a triangular parcel and simultaneously include the area in the Estrella – Phase 5 Record Plat. This will temporarily create a non-conforming parcel but will be corrected at the time of the recording of Estrella Phase – 5.

Estrella – Phase 5, site does contain lands and soils that possess attributes listed in the sensitive development area. Lots 132-137, 141-148, and 150-163 all fall within the *Sensitive Development Area: Steep Slopes and Erosion Hazards* – soil types (CcD2 HkF2). The applicant will be required to submit geotechnical reports prepared by a qualified engineer, licensed in the State of Ohio, on lots that fall within the sensitive development area.

The majority of Estrella – Phase 5 falls within Batavia Local School District’s jurisdiction while lots 141-144 straddle the school district boundary between West Clermont Local School District. The applicant will be required to contact Batavia Local School District and West Clermont Local School District and obtain an agreement stating that the overlapping school district boundary line has been agreed to before the recording of Estrella – Phase 5 (Villas of Estrella).

A traffic impact analysis was completed for the Estrella in January 2016. From that study, roadway improvements were implemented in the form of an eastbound left-turn lane into Estrella. Considering the findings of the previous study and the proposed development, no additional studies or improvements are necessary.

**Batavia Township Comment(s):**

- No comments or objections.

**Clermont County Community & Economic Development Comment(s):**

- Require Lot 89 to be re-platted to create a temporary non-conforming land locked triangular parcel and simultaneously include the newly created non-conforming lot area into the Record Plat of Estrella – Phase 5 (Villas of Estrella).
- Provide a letter of approval or agreement between Batavia Local School District and West Clermont Local School District to the Department of Community and Economic Development before the recording of Estrella – Phase 5 (Villas of Estrella) Record Plat.
- All county and township departments’ comments and conditions detailed in the Estrella – Revised Design Plan Review Letter dated April 19, 2021, be satisfactorily addressed.
- All proposed road names shall be reviewed by the Clermont County Engineer’s Office for duplicate or nearly duplicate names (per Article V, Section B8).
- Submit one (1) set of plans with an original stamp and signature to the Department of Community & Economic Development Planning Division.

**Clermont Soil & Water Conservation District (S.W.C.D) Comments:**

- On-site plan sheet in the note requiring geotechnical reports, please change the listed soils from EbE2 to CcD2 and HkF2 soils.
- We encourage the developer to petition the County Engineer to assume long-term responsibility for storm water infrastructure outside the right-of-way through the creation of a storm water district.

**The Clermont County Water Resources Department Comment(s):**

- Based on the plans provided a typical lot layout, it is apparent that the proposed typical lot will include property lines through each townhome structure at each unit. Per the Ohio Building Code, party walls constructed as true structural fire walls will be required at each property line through the new townhomes at all property lines separating residential units. The following Building Code requirement will need to be addressed at all building wall locations located on the property line and separating residences:

**The Clermont County Water Resources Department Comment(s): Cont.**

*OBC 706.1.1 Party Walls: Any wall located on a lot line between adjacent buildings which is used or adapted for joint service between two buildings, shall be constructed as a fire wall in accordance with OBC Section 706. Party walls shall be constructed without openings and shall create separate buildings.*

This Building Code requirement cannot be waived at the local level. Any Appeal or request for relief from this code requirement must be made to the state of Ohio Board of Building Appeals.

**The Clermont County Engineer's Office Comment(s):**

- Parking spaces not associated with a dwelling must access the proposed public road by way of a single commercial driveway. The Six (6) proposed detached parking areas need to be adjusted or eliminated.
- A general reminder regarding roadway geometry; the minimum allowable street grade is 0.4%, the maximum street grade is 12% (10% preferred), and the minimum centerline curve radius is 200 feet.

**STAFF RECOMMENDATION:**

Based on the Staff Analysis, request a motion to **APPROVE** Estrella – Revised Design Plan with the following conditions:

1. Replat Estrella – Phase 4 - Lot 89 and simultaneously record the Record Plat of Estrella – Phase 5
2. Provide a letter of approval or agreement between Batavia Local School District and West Clermont Local School District to the Department of Community and Economic Development before the recording of Estrella – Phase 5 Record Plat.
3. All county and township departments' comments and conditions detailed in the Estrella – Revised Design Plan Review Letter dated April 19, 2021, be satisfactorily addressed.
4. All proposed road names shall be reviewed by the Clermont County Engineer's Office for duplicate or nearly duplicate names (per Article V, Section B8).
5. Submit one (1) set of plans with an original stamp and signature to the Department of Community & Economic Development Planning Division.