



The Village of Walnut Creek Planning Board met on
June 18, 2019 at 6:30 PM in the Village Town Hall

Present: Stoney Sloan, Craig Bowen, Glen Barfield,
Kenny Fallin, and Matt Young

Also Present: Pete Benton, Council Liaison

Absent: Leslie Hatch & Jennifer Moye

Administrative Matters:

May Minutes were reviewed and accepted unanimously as written.

Chairman Sloan presented a review of the May Village Council Meeting. There was no follow up discussion in that regard.

Old Business:

1. Covenants versus Ordinance Project: Extensive ‘brainstorming’ was conducted regarding which elements should be in the revised ordinances and their parameters. Items included home size and initial cost, building materials, fencing, set-back, out buildings, detached garages, screening of equipment, etc. Members will review their assigned area covenants and a formal presentation will be made to the Council in August. (OPEN)
2. Sign Ordinance Project: Awaiting response from the Village Council regarding the ordinance outline submitted in May. (OPEN)
3. Proposed Expansion of The Links: This item is on hold pending resolution of the Muirfield Village issues still in coordination with J&N Construction. (OPEN)
4. Lake Structures: Awaiting response from the Lake Committee and Village Council regarding the ordinance outline submitted in May. (OPEN)
5. Noise Ordinance: Awaiting response from the Village Council regarding the ordinance outline submitted in May. (OPEN)

6. The Board received an update from Councilman Benton on the progress in correcting deficiencies in a dilapidated residence. (OPEN)
7. Due to the heavy workload imposed by the Council, work on the 2030 Road Map remains suspended until September 2019. (OPEN)
8. Detailed discussion was conducted regarding the proposed settlement on Muirfield Village construction and landscaping. A formal response was staffed and sent to the Mayor and Village Attorney. (OPEN) See Attachment 1.

New Business

1. Initial discussion was conducted on revising Chapter 50 of the Village ordinances due to the changeover from Village produced water to Wayne Water District. (OPEN)
2. Initial discussion was conducted regarding a survey of park and recreation facilities in the Village. Plan will be fleshed out at the July Meeting. (OPEN)

The next Planning Board Meeting will be on July 16, 2019 at 6:30 PM. There being no further business, the meeting was adjourned at 8:45 PM.


Stoney Sloan, Chairman
Village Planning Board

Attachment 1
Planning Board Response to Proposed Settlement

The Village of Walnut Creek Planning Board (PB) appreciates the opportunity to comment on the proposed settlement regarding Muirfield Village (MV). It is our hope that expanding the Village of Walnut Creek (VofWC) into MV will be profitable and successful for J&N Developers, LLC while maintaining the wonderful image that owning a home in the VofWC has always meant to the community.

The PB was heartened to read that the Settlement Agreement (SA) asserts that MV is in fact a Planned Unit Development (PUD). That clears up a previous point of disagreement and is a good step forward.

1a. Landscaping: While the SA seems to concur with most of the PB recommendations, it is not entirely clear what the actual execution will contain. Specifically, the PB requests exactly what bushes and trees will be planted where and include that information in the SA rather than a somewhat ambiguous attachment. This is especially important on the buffer strip as that privacy/screening landscaping is critical. The PB also requests substituting Oakland Holly for Nellie Stevens Holly on the corners of the homes. The price is about the same, but Oakland Holly has a better shape earlier and will not grow as tall. Suggest also considering emerald green arborvitae as an additional option for the buffer strip.

Additionally, all trees and bushes should be guaranteed by the vendor for one year. The grass is a significant issue. We requested sod throughout and the SA counters with simply planting seed with no reference to what species would be used. Our compromise position is to plant warm weather grass (centipede, zoysia, Bermuda, etc.) sod in the front yard and for six feet down the sides of the homes. The rest of the yard should be seeded with the same species. The PB proposal relieved J&N of planting bushes around the sides and rear of the homes in hopes that those funds could be redirected to improving the front lawn appearance with sod. PB concurs that the plantings at the homes will be accomplished as the homes are built. It appears that the SA offers to plant the buffer strip all at once and the PB concurs with that proposal. It is also agreed that the buffer strip will not be extended behind lots 105 and 106. PB concurs that this landscaping proposal does not apply to The Links and suggests that the reference to landscaping in The Links be removed as it is not germane to the MV plan. The PB heartily endorses J&N developing a landscaping plan for The Links and looks forward to collaborating on that proposal.

1b. Building Design: The PB appreciates the offer to improve the appearance of MV homes by adding some higher quality products to the front elevation. However, the proposal falls short of expectations and could benefit from some clarity. The initial position of the PB was that all homes in MV would be entirely made of brick as are the existing four homes. In fact, the Restrictive Covenants which the Developer has been strictly following states, "It is the intent of the Declarant to develop a homogenous community consisting of traditional and transitional styles..." Switching dramatically to radically different building materials does not support the homogeneity envisioned in the Covenants or by the PB. However, in the interest of compromise, the PB counters with a

proposal of constructing the entire front of the house in brick except for the dormers. The PB suggests considering vinyl shakes on the front elevation peaks as preferable to lateral vinyl siding. Additionally, the PB requests that 75% of the house sides be constructed with brick with most of that material being toward the front of the house. That percentage is based on actual wall space and does not include the square footage taken up with windows or doors. The PB opines that the predominant use of brick in visible areas would not only enhance the homes in MV, but would stay with the intent of the PUD Covenants as a homogeneous and high-quality development.

1c. Irrigation: The PB concurs and greatly appreciates the Developer adding installation of irrigation systems to each home as it is constructed.

1d. Approvals: Before approving the homes listed at Exhibit 2, the PB would like to see how the homes will look with the requested brick on the front and sides along with the planned dormer material on the front elevations. We concur with expediting the review process especially considering the unfortunate delays experienced due to communication disconnects. However, five calendar days is not sufficient to ensure an effective proposal review. The standard review time authorized by Village Ordinances is 30 days, but the PB recommends reducing that to 15 business days since the basics of the proposed homes have already been reviewed. Subsequently, after the plans are approved, the home and landscaping must be constructed/installed strictly in accordance with the permits.

2. Laws and Regulations: The PB concurs with all items in this section, but requests a small amendment to section 6. That section refers to "...any allegation of fault on the part of the Village...". The PB opines that there is some burden of fault on both sides of these issues and suggests that J&N Developers, LLC be specifically mentioned as well in this regard.

In summary, the PB welcomes the spirit of compromise in these matters and fully concurs with the reference to "...a good faith disagreement..." which does in fact exist. It is the PB hope that these matters can be resolved to the benefit of all parties to include VofWC residents both in MV and the surrounding areas. Their satisfaction and comfort that their home value and quality of life will actually be enhanced by the work we do here should be high on all our priority lists. Thanks again to J&N Developers, LLC and their attorney for this opportunity.