

01-043 RZ
01-043 CP



December 20, 2001

Mr. Allyn Kuennen, City Planner
City of Mason
214 West Main Street
Mason, Ohio 45040



Re: Araujo Property – Concept PUD
Planned Rezoning PC2001-043 CP/RZ

Dear Allyn:

Since the September, 2001 Planning Commission meeting, we have considered the concerns expressed to us by you and by Planning Commission and Council at previous public hearings. We have made modifications to our PUD Concept Plan which we feel address many of the concerns. A reduction of the modified PUD Concept Plan is attached for your reference as "Exhibit A". Following is a summary of previous concerns and how our recent plan modifications and previous commitments address those concerns:

1. Concern: The only way for the City to access the cul-de-sac on the west side of the Araujo property to provide City services is through an area located outside of the City.

Plan Modification: The cul-de-sac on the west side of the Araujo property has been eliminated. All lots in the proposed development are now accessed off of Street A. Note that when the Araujo property was annexed to the City of Mason, Mason agreed to provide utilities and City services including trash and snow removal to the Araujo property. Even with the elimination of the west side cul-de-sac, for the time being, the only way for the City of Mason to access the Araujo property to provide City services will be through Rosemont from the north which is located outside of the City of Mason. If the Lawson property located south of the Araujo property is annexed at some point in the future into the City of Mason, the Araujo property could be accessed from Tylersville Road through the City of Mason.

2. Concern: If sewer and water for lots on the north side of the creek is to be provided by Warren County, it would be at a higher rate than that rate charged to other City residents.

ROBERT C. RHEIN INTERESTS, INC.

*Kenwood Executive Center • 7265 Kenwood Road • Suite 220 • Cincinnati, OH 45236-4411
PHONE (513) 891-7100 • FAX (513) 891-9234*

Plan Modification: The sewer and water facilities in the Araujo property will be engineered so that all proposed lots on the Araujo property will be served by City of Mason sewer and water. Sewer and water rates for all City residents in the Araujo property will be at City of Mason rates.

3. Concern: Will the existing lift station at Tyler Station be able to be eliminated in the future?

Plan Modification: Now that we have eliminated the west cul-de-sac and have a private drive north of the creek running in an east/west direction, it provides us with the opportunity to construct a gravity sanitary sewer closer to the Tyler Station lift station as a part of the development of the Araujo property. We will, as a part of our future development work, engineer and construct a gravity sanitary sewer extension to the west property line of the Araujo property which can be extended by the City of Mason to eliminate the Tyler Station lift station.

4. Concern: Lot Size / Number of Lots / Density

Plan Modification: The minimum lot size has been increased from 11,000 SF to 12,000 SF. There are currently only 16 lots which are under 12,750 SF. The total lot count has been decreased from 48 to 44 lots. The gross density has decreased from slightly over 2.1 to 1.9 lots/acre. The density of Tyler Station located to the west of the Araujo property is 2.0 lots/acre, and the density of Rosemont located to the north of the Araujo property is 2.1 lots/acre. The multi-family portion of Greenbrier, which is located immediately to the east of the Araujo property will be developed at a density of 6.2 units/acre. The proximity of the Greenbrier multi-family to the Araujo property is expected to have some effect on the marketing of single family housing on the Araujo property. The property to the south of the Araujo property, the Lawson property, is expected to develop as single family or multi-family residential with a density higher than 2 units/acre. This area south of the Araujo property will likely serve as an area of transition between Planned Office or Commercial along Tylersville Road and the Araujo property. An area map showing these surrounding land uses is attached as "Exhibit B".

5. Concern: Quality of Open Space

Plan Modification: The total Open Space is 23.7% of the total acreage. The Open Space includes the area around the creek which runs through the property. Included in the Open Space is the 100 year flood plain located along the existing creek and two proposed stormwater management facilities. It is our opinion that

this Open Space is very valuable in its natural state. By preserving the location of the creek and most of the natural area adjacent to it, we have been able to preserve existing native vegetation and an existing habitat for wildlife. The Open Space can be accessed from Street A and from the private drive. We have improved access to the open space and have created a space where we will be building a Neighborhood Playground. The Neighborhood Playground is an addition to our plan, and it is at a location which is easily accessible by all residents. A conservation easement to provide Open Space access will be reserved over the panhandles of the Lots in the northwest corner of the property. This space will be available for use by all property owners and will actually increase the areas useable by the residents within the property to 5.9 acres or 26% of the total property. The Lake/Stormwater Management Facility at the rear of Lots 2, 3, 6, 7, 8, 10, 11 and 12 will create some desirable waterfront lots within the project.

Don't forget, the Araujo property will be part of Rosemont. Rosemont will have a pool facility and playground site north of the Araujo property. An elevation and site plan of the proposed Rosemont pool and playground facility is attached as "Exhibit C". The future residents of this proposed 44 lot development will be members of the Rosemont Homeowners Association and will be able to use the Rosemont pool and playground facility. Eventhough the Rosemont pool and playground facility is not proposed to be located in the Araujo PUD, you should not ignore the fact that the Rosemont pool and playground facility is very usable Open Space and that all future residents of the Araujo property will be able to use it. Keep in mind that a separate subdivision of only 44 lots would not be able to support a pool facility on its own.

6. Concern: Tree removal in the Open Space and the protection of trees during development construction.

Commitment: The Flood Route Study which has been submitted by Henderson and Bodwell to the City of Mason for its review, includes some minor grading and the removal of some trees in the Open Space to accommodate the LOMR (Letter Of Map Revision) to be obtained from FEMA. Attached "Exhibit D" shows the approximate area within and adjacent to the Open Space where trees will have to be removed.

In order to protect trees in the Open Space during construction, the construction limits in the Open Space as defined on final approved grading plans will be staked by the Developer and approved in the field by a representative from Mason's engineering staff prior to any trees being removed or any grading being

done in the Open Space. Wooded areas of the Open Space which are not to be disturbed during development construction are to be identified by a protective plastic snow/construction fence or other method as approved by Mason's engineering staff.

7. Concern: How will storm water in the development be controlled so that people downstream will be protected.

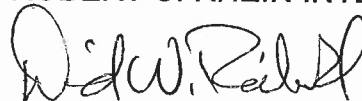
Commitment: The City of Mason and FEMA will be reviewing our Project Engineer's plans to make sure they are in compliance with all applicable storm water related regulations, including detention requirements. Storm water regulations have been adopted to control storm water in new developments and to protect downstream property owners. Our Project Engineer, the City's engineers and FEMA will have to agree on how storm water for this particular property should be controlled. Mr. David Riggs is reviewing the intense storm water control scheme submitted by Henderson and Bodwell. The new storm water regulations adopted by Mason are quite comprehensive. As you are aware, we have had to table this item several times in order to have adequate time to analyze and address the specifications included in your storm water regulations. We assure you that the storm water controls and engineering details which are to be approved for this development will be implemented.

There were additional concerns discussed at prior meetings, but to my knowledge, they were all adequately addressed previously through explanation or compromise.

Copies of the full scale modified PUD Concept Plan have been submitted by our Project Engineer for your distribution to Planning Commission members prior to next Wednesday's Planning Commission meeting. We request that you also place this letter with accompanying exhibits in the Commissioner's packet as well. Please contact me if you have any questions or additional concerns which we might need to address.

Sincerely,

ROBERT C. RHEIN INTERESTS, INC.



David W. Reibold
Vice President