

PLANNING COMMISSION
Regular Meeting
Tuesday, May 19, 2015

Mr. Paul Clark called the meeting to order at 7:30 p.m.

ATTENDANCE

Present: Mr. Paul Clark, Ms. Amy Korenyi-Both, Mr. Jim Briggs, Mr. Jim Durham, Mr. Robert Muzechuk, and Mr. Kevin Von Handorf. Also present: City Planner Andrew Rodney, City Engineer Jim Brinegar, and Assistant Clerk of Council Julie Weaver.

Absent: Mr. Bill Etson.

Mr. Durham gave notice he would be absent from the June Planning Commission Meeting.

EXCUSE ABSENT MEMBERS

MOTION: Mr. Durham made a motion to excuse Mr. Etson. Mr. Briggs seconded the motion. The motion passed 6-0.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Planning Commission Meeting of April 28, 2015.

MOTION: Mr. Von Handorf made a motion for approval of the minutes of the meeting of April 28, 2015, as distributed. Mr. Muzechuk seconded the motion. The motion passed 6-0.

OPENING STATEMENT

Mr. Clark read the Opening Statement concerning protocol for public hearings.

NEW BUSINESS

Application P-2015-0024: Record Plan - Lot Split - Martin Land Development Plat
Applicant: David Alexander, Martin Land Development Group
2601 Alex-Bell Road

Mr. Rodney presented the staff report on the application for a record plan dividing the 7.5+ acre lot at 2601 E. Alex-Bell Road into three parcels to facilitate redevelopment of this property that is zoned B-2, General Commercial. He noted John Burkhardt of Burkhardt Engineering was the site engineer working with the Martin Development Group on the revisions to the plat. Formerly occupied by Planet Ford, the lot's distinguishing features included the large central building, large parking fields, a retention pond to the southwest on proposed Lot 3, two curb cuts on White's Corner Road and a single curb cut on Alex-Bell Road. The retention pond on proposed Lot 3 would continue to serve all three parcels.

Mr. Durham asked for clarification of the ownership of the pond, since its area extended past the western boundary of proposed Lot 3. Mr. Rodney stated the Walnut Creek HOA owned the adjoining property to the west and had a stormwater drainage easement leading to the pond; Walnut Creek stormwater also exited to the creek on the Karras property south of Alex-Bell Road.

Mr. Rodney pointed out that the single 60' wide curb cut on Alex-Bell Road across from Karras Drive would accommodate ingress and egress for all three parcels.

Mr. Rodney said two notes were added to the plat. One stated that all three lots would have stormwater drainage access to the pond on proposed Lot 3, although the owner of proposed Lot 3 solely would be responsible for its maintenance. The second note related to the sewer lines in the area. Burkhardt Engineering had checked that the sewer pipe along Alex-Bell had sufficient cover to cross under an existing line.

Because the Standards of Approval could be met, staff had no objections to the plan. The Planning Department recommended approval of the replat with the following one condition:

1. No further curb cuts along Alex-Bell Road are permitted.

Questions from Planning Commission followed. Mr. Clark asked about the easement for proposed Lot 3 for ingress and egress. Mr. Rodney reviewed the curb cut and the cross access easement along the southern boundary. Mr. Briggs asked if the single access point for proposed Lot 3 across proposed Lot 2 was known by the Washington Township Fire Department. Mr. Rodney stated the Fire Department had received a copy of the submittal and had not notified the Planning Office of an issue.

Mr. Clark invited forward Mr. John Burkhardt, Burkhardt Engineering, 28 N. Cherry, Germantown. Mr. Burkhardt represented David Alexander, the applicant for Martin Land Development. Mr. Burkhardt explained his employer had a buyer for the building and much of the parking lot but not for all the land. The replat would facilitate the sale.

Mr. Rodney added that Aero Seal was expected to move from South Suburban Road to occupy proposed Lot 2. An ED/GE grant had been obtained for the project. Proposed Lots 1 and 3 would be retained by the Martin Development Group and remain for sale.

Mr. Clark closed the public comment portion of the meeting.

Mr. Durham, a twenty-six year member of Planning Commission, explained the history of the changes that brought the current request to the Planning Commission. He pointed out the large central building and the large parking fields. He noted the difficulty in finding an acceptable reuse of the building and stated that the two unsold side lots legally could have uses like gas stations or fast food, but the proposed configuration would not be conducive to such uses. He felt the small size of proposed Lot 1 would make it unbuildable once the required setbacks were added, and he voiced concern that proposed Lot 3 would be unsaleable. The costs for maintaining the detention pond were its responsibility, and, because of the front easement for access, the commercial use would be pushed away from Alex-Bell Road, making it less visible and putting it near single family homes, factors greatly limiting users.

In summary, Mr. Durham felt the configuration had been put together to satisfy the needs of the Lot 2 user and to avoid problems for proposed Lot 2. The joint frontage access was questionable. No plan for unified signage was suggested. No input from the fire department was included. He wanted to see a more holistic approach to the replat of the parcel. Therefore, he felt the revised plat was unacceptable.

MOTION: Mr. Durham moved to recommend approval of Application P-2015-0024 to the City Council. Ms. Korenyi-Both seconded the motion.

Prior to the vote, Mr. Briggs asked about alternatives, as a denial could leave the building vacant. Mr. Durham reiterated that an integrated plan was needed that considered possible end-users, signage, curb cuts, cross easements and setbacks for all the lots. Mr. Briggs brought up the topic of possible environmental hazards on the site from the car businesses. Mr. Durham felt that Phase II testing would be required before financing could be approved, so that environmental cleanup was not a direct concern of the Planning Commission.

Having a motion and a second, Mr. Clark called for the vote. The motion to approve failed unanimously, 0-6.

COMMUNICATIONS

Mr. Rodney offered congratulations to the Ms. Korenyi-Both and Mr. Briggs on their years of service awards at the Volunteer Salute.

Mr. Rodney stated he expected a heavy agenda for June with a third development plan for the Zengel site and a major site plan for Cheddars at Cornerstone North. Planning Commission concurred to start the meeting at 6:30 p.m.

Mr. Clark asked about the work being done by Voss at the construction site on Loop Road. Mr. Rodney stated that the company was working with the aid of a geotechnical engineering firm. Periodic reports were to be filed with the Engineering Department for compliance with compaction and other requirements.

Mr. Clark requested copies of the staff reports and council conditions from the approved earlier Zengel Preliminary Development Plan prior to the meeting when the third plan would be on the agenda. Mr. Rodney gave a brief overview of the newly submitted plan.

Mr. Clark announced that the next Planning Commission meeting would be on June 30, 2015, beginning at 6:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.



Mr. Paul Clark
Chair of the Planning Commission