

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, March 25, 2014

Mr. Clark called the meeting to order at 7:30 p.m. and noted that all the Planning Commission members were present.

ATTENDANCE

Present: Chairman Paul Clark, Mr. James Durham, Ms. Amy Korenyi-Both, Mr. James Briggs, Mr. Bill Etson, Mr. Robert Muzechuk, and Mr. Kevin Von Handorf. Also present: City Planner Andrew Rodney, Economic Development Administrator Nathan Cahall, City Manager Greg Horn, Police Chief Bruce Robertson, Officer John Davis, Public Works Director Rob James, City Engineer Doug Spitler, Assistant City Engineer John Sliemers, Councilman John Palcher, Municipal Attorney Scott Liberman and Assistant Clerk of Council Julia Weaver. Other support staff included Steven Hinshaw, Mark Yandrick, Jennifer Wilder, and Maureen Russell-Hodgson

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the February 25, 2014 meeting of the Centerville Planning Commission.

MOTIONS: Mr. Briggs moved for approval of the minutes of the Planning Commission Planning meeting of February 25, 2014, as distributed. Ms. Korenyi-Both seconded the motion. The motion passed 6-0-1, with Mr. Muzechuk abstaining because he was not in attendance.

Mr. Koverman, attorney for Mr. Thomas Agnew of 345 Silvertree Court, requested that the meeting be adjourned and reconvened at a later date, in a larger venue, in order to accommodate the crowd. Mr. Liberman stated that as long as everyone who wanted to speak was allowed to do so, the Planning Commission could decide to continue or to adjourn. The commissioners concurred to continue with the meeting.

OLD BUSINESS

Application P-2014-0005: Preliminary Development Plan for 700 Alex-Bell Road - Applicant, Jon Bills, CESO, Inc.

Since the application had been tabled at the previous meeting, Mr. Briggs moved to remove Application P-2014-0005 from the table for consideration. Mr. Von Handorf seconded the motion. The motion passed with seven ayes.

Mr. Rodney summarized background information for the Preliminary Development Plan submitted for 32+ acres at 700 E. Alex-Bell Road, proposing eighty-five single family units to be built by Ryan Homes on the hillside between the Pleasant Hill Subdivision and the Deer Run Condominium Community in an area zoned R-PD since 1986. He explained the process required for public hearings at the Planning Commission and the City Council for both this preliminary development plan and the final development plan. He described the revisions to

plan following the February Planning Commission meeting, noting the slight reduction in open space, a proposed density of 2.58 units per acre and the changes in the street configuration. Mr. Rodney addressed the main concerns presented by residents at the February meeting—density on the west property line, traffic safety on Zengel Drive, stormwater management and public notification. Along the west property line, the lots were reduced from seventeen to sixteen. A curve for the roadway and stop signs were added to the plan for Zengel Drive. Mr. Rodney shared speed statistics collected by the Centerville Police Department along Zengel Drive in 2010 and reviewed citations from 2009-2013. He noted that the first section of housing in the area was platted in the 1940's with sixteen additions since that time. New streets were connected to existing streets each time. As far as notification of the neighbors, he used a chart to show that Centerville consistently has provided more notification for public hearings than surrounding jurisdictions. Mr. Rodney went over the standards of approval from Section 5.09(G) (1) of the Unified Development Ordinance used for review of the application.

The Planning Department recommended approval of Application P-2014-0005, subject to the following nine conditions:

1. Final designs of intersections are subject to approval by the City Engineer. All clear zones shall be determined by the developer's engineer.
2. The Applicant shall provide a traffic analysis to calculate the trip generation to be expected by the proposed development and determine the proper location and length of the proposed turn lanes on Alex-Bell Road.
3. The final design of stormwater management infrastructure and individual lot drainage systems shall be in accordance with Article 9.35 of the UDO.
4. Parkland shall be provided in accordance with Article 9.47 of the UDO.
5. A public accessway of at least ten (10) feet in width shall be provided to access the proposed open space at the northwest corner of the subject site amongst Lots 44-48.
6. Use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum may be used for fascia, soffits, or other similar minor architectural or structural elements on a case-by-case basis upon review and approval by the City Planner.
7. Blank or featureless walls visible from the public right-of-way shall be avoided.
8. Detailed comments from the Engineering Division will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
9. Detailed comments from Montgomery County Water Services and utility companies will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate, subject to approval by the City Engineer.

When Mr. Clark asked for questions from the Planning Commission, Mr. Durham asked if the City Planner had discussed with the developer the use of two cul-de-sacs for Zengel Drive. Mr. Rodney answered in the affirmative; they had discussed a number of options and the plan before the group was what the developer felt would work to limit traffic with a minimal loss of buildable lots.

Ms. Korenyi-Both asked for a designated pedestrian walkway on Zengel Drive at the park.

Mr. Clark noted the receipt of letters from Barry Liesch of Doe Crossing in Deer Run, from Patricia Jones and two letters from John Koverman to CESO, Engineers. He stated that all the Planning Commissioners had received copies. Before he opened the public hearing, Mr. Clark read a statement describing the process and defining appropriate behavior.

Mr. Jonathan Bills of CESO, Inc. 8534 Yankee Street thanked staff for the thorough presentation and the efforts in the creation of the revised plan for traffic calming measures on Zengel Drive. He stated he was accompanied by Mr. David Oakes who would also answer questions.

Mr. Von Handorf spoke of the long uninterrupted block length of the new main streets through the plat. He said the UDO recommended some common access, pedestrian pathway, or alley every four hundred feet. Long, straight streets were to be discouraged. Mr. Bills responded that the parcel size, shape and topography put limitations on the configuration of the streets and walkways. Mr. Von Handorf asked for a 10' public access for pedestrians midway along the parallel streets. Mr. Bills said the tree line and the steepness of the terrain would make this difficult. He said the grade was about 8½%. Mr. Rodney pointed out that, although the UDO allows flexibility, staff tries for grades of no more than 2½%; on average, only healthy adults could handle the steeper grade.

Mr. Durham asked if the developer considered the double cul-de-sacs. Mr. Oakes stated his belief that it was not good for the new development to have traffic winding all the way through it. Mr. Durham suggested a walkway between two cul-de-sacs in order to have connectivity, but to make it as inconvenient as possible for traffic to use Zengel Drive as a through street.

Attorney John Koverman made numerous points on behalf of his client, Mr. Thomas Agnew of 345 Silvertree Court, who would have more than three seventy-five foot new lots against his existing lot. Mr. Koverman stated a preliminary development plan is an important step in the planning process and asked for the traffic study to be done prior to its approval. He accused the staff of ignoring *Create the Vision* guidelines concerning mature neighborhoods and greenfield development. Mr. Clark said that *Create the Vision* stated that infill should be built in the spirit of the housing around it; this plat is adjacent to two very different neighborhoods. Mr. Koverman questioned the City's role in the application because the City owns a small wedge of property along Alex-Bell. Mr. Horn explained that the parcel was leftover land from a parcel acquired to obtain needed right-of-way when the road was widened. Mr. Koverman said the City's 0.7 acre should not count toward the density which was already higher than anywhere else in Centerville. He questioned why the area had been zoned R-PD in the first place and asked for protection of the residents from decreases in property value and increased traffic. He challenged the City to protect the citizens and to

require brick-wrapped homes of the same quality with the same lot sizes as those in the Enclaves of Washington Township. Mr. Koverman stated that without an agreement on the triangle of land at the Alex Bell entrance, the application for the preliminary development plan was premature, because the City should be included as an applicant. He threatened court proceedings for an administrative appeal.

Mr. Muzechuk disagreed with Mr. Koverman's comparisons of Ryan Homes in Moraine, the Enclaves of Washington Township and the proposed development at 700 Alex-Bell Road.

Mr. James Gallagher, 294 Cherry Drive, thanked the Planning Commission members for volunteering, said there was no need to connect Zengel Drive and suggested a wooded cul-de-sac. He stated confusion about the applicant and suggested homes of the quality of Alston Woods Court and Deer Run. He encouraged the formation of a homeowners' association in the new plat.

Mr. Thomas Kennicott, 7238 Caribou Trail in Deer Run and President of the Deer Run Homeowners Association, said the Deer Run community opposed the connection of Zengel Drive and was concerned about surface water runoff during and after construction, about buffering between the three communities and about vehicular safety at Alex-Bell Road.

Mr. Rodney stated that stormwater management measures would be required per state and federal law. He said that stormwater must be captured and released at a controlled rate. Mr. Sliemers explained the required calculations and noted that runoff greater than at present would not be allowed. He noted that a drainage study would be done and would be available later in the process.

When Mr. Koverman asked to speak again, Mr. Clark denied his request in the interest of time, but offered that Mr. Koverman could speak at the end of the hearing.

Mr. Clyde Conn, a real estate appraiser residing at 325 Cedarleaf Court, voiced concern about vinyl wrap, small lots and the general quality of Ryan Homes. He asked for Zengel Drive not to be connected and for buffers to separate the subdivisions.

Mrs. Jennifer Sargent, 340 Blackstone Drive, presented a petition with 304 signatures against the connection of Zengel Drive or Treeview Drive and described the neighborhood. She noted Safe Routes to School was in the implementation phase and stated that connecting Zengel Drive was directly counter to this effort. She asked for eight lots to adjoin the eastern edge of Pleasant Hill instead of sixteen, for brick wrap on the first floor of the new homes, and for items c and d in the Standards of Approval of the UDO to be met. She noted difficulty in turning left onto Alex Bell Road.

Ms. Lisa Wagner, 7356 Hartcrest Lane in Deer Run, felt the rights of one developer should not trump the rights of hundreds of current residents.

Mr. Rodney stated that property owners and developers have a right to develop the property according to the standards of *Create the Vision* and the Unified Development Ordinance for the zoning of the area.

Mr. Mike Ryan, 354 Silvertree Lane, stated there would be increased theft and vandalism when the connection of Zengel Drive brought more strangers through the neighborhood. He noted that more than 300 people adamantly don't want this roadway connection.

Ms. Donna Ankrom, 510 Cedarleaf Drive, said that children would not have a place to play in the yards of the new homes because of the small size of the lots and the steepness of the terrain. Mr. Rodney stated that the lots would be shelved with a reasonable amount of useable space, as required by the Unified Development Ordinance.

Mr. Chuck Hamlin, 337 Silvertree Court, a television cameraman, stated that he had seen firsthand many people/children who had been hurt or killed in traffic accidents. He pleaded that the Planning Commission not make Zengel Drive a through street, because it would put everyone in jeopardy. He noted that bike helmet rules show that Centerville cares about children.

Mr. Thomas Agnew, 345 Silvertree Court, spoke of the land in question and lamented that abundant wildlife would be lost in order to construct 85 row houses along two unimaginative streets. He asked for the area to be a park where tree roots could continue to slow water runoff. He felt the sideyard setbacks were too small, that children would have no place to play and that the drainage ponds would be a drowning hazard.

Mr. Jack Garner, 85 Zengel Drive and a former county sanitary engineer, called his street "Centerville Speedway" and disagreed with the police study that was presented. He said police do not prioritize speeding tickets on Zengel Drive, even though many children play along the street. He felt that having a direct street from Clio Road to SR 48 would not enhance emergency response times. Considering the number of roofs, driveways, patios and other impervious surfaces, he did not believe the statement by staff that stormwater would be better controlled with the development. He noted that retention/detention basins would be difficult to maintain.

Mr. Charles Deuser, 182 Cherry Drive, said the number of people present spoke volumes as to how much the neighborhood cares about this issue. He noted that many children walk and ride to the pool. He asked for the Planning Commission to decide in the best interest of the community—to tell Ryan Homes what it can build instead of letting Ryan Homes dictate to the City.

Ms. Pam Bigham, 647 Doe Crossing, stated that the people using the cut-through would not only be residents of the immediate area, but that GPS would bring many others. She noted the difficulty of driving the hill on Alex-Bell Road in snowy weather, the increase in speed as a car descends the hill, and increased auto accidents with wildlife.

Mr. Tim Bowser, 257 E. Elmwood Drive, stated the paramedics and fire trucks come from Centerville Business Parkway off Clio Road, not the Maple Street fire station. He asked for a stop sign at Elmwood and Bradstreet in spite of what the engineer had said about not using stop signs for speed control.

Ms. Amy Cloud, 7113 Hartcrest Lane on a lot that borders the east side of the proposed development, asked about the thirty foot rear yard setbacks and stated she did not want to live

there if she did not have the open field. She stated that older people can walk hills. She requested a sidewalk between the two new streets partway down the block. She complained about two potholes and the appearance of the streets maintained by the City in Deer Run.

City Manager Greg Horn noted that the City would take care of the potholes on the public roadway. He said the Deer Run Homeowners regularly completely seal their streets, while the City seals the cracks with tar. City streets are on a 20-year repaving schedule—a challenging timeline because of the recent annual loss of \$2.5 million dollars from the budget.

Mr. Jeff Meyer, 184 Linden Drive, voiced the opinion that increased traffic would be a huge issue for pedestrian safety and asked the commission not to link the ends of Zengel Drive. He asked for a reduction of the number of houses in the new plat.

Mr. Jim Slohm, 805 Zengel Drive, asked whether the applicant wanted Zengel Drive to go through or the City wanted Zengel Drive connected. Mr. Rodney replied that the City supports connectivity. It is seen as beneficial and has been planned since the 1980's. How the connection is made is flexible.

Marian Laing, 205 South Hill Court, stated that it was obvious there would be more traffic and stated, if a child died as the result of an accident, the responsibility would be on staff and the Planning Commission.

Martha Armstrong-Benjamin, 100 Zengel Drive, pointed out that no other street connects all the way from SR 48 to Clyo or from Franklin to Alex-Bell through the plat. She said that the changes at I-675 in the past few years help cars get around on the highway better than in the past. The Zengel Drive cut-through is no longer needed. She questioned whether adding a curve and two stop signs to the plan would make any difference.

Ms. Ellen Merkel, 213 Cherry Drive, felt the developer should be required to match the homes on Alston Woods Court, because it was the newest section of Pleasant Hill. She also noted that Zengel Drive would be the high-school preferred route (as Maple Street already is) at the same time children are walking home from Stingley and Tower Heights. She added that the plans from the 1940's through 1960's were done before the freeway access was established and other streets had so much traffic.

Mr. Jonathan Daiello, 155 Zengel Drive, asked for consideration of families. He told of an accident involving his lamppost. He noted that people regularly ignore the stop sign near his home.

In his concluding comments, Mr. Koverman stated that the explanation of the rate of release of storm water was inadequate and misleading. He said the current rate of runoff would not be ameliorated and that Deer Run would have the same level of water problems, but for a longer period of time. Stating that the proposed layout was not creative, he questioned the use of the R-PD zoning. He asked for staggered front setbacks for the new homes, and again stated that the identity of the applicant was unclear, questioning the City's role.

Assistant City Engineer John Sliemers rebutted attorney John Koverman's statements about storm water management, explaining that much of the runoff would be channeled through

stormwater catch basins in the streets to the basins and channeled directly out to the stream under Alex Bell Road or to basins and then the creek through Deer Run. Using a map, he showed how runoff currently coming down the hill into Deer Run would be redirected.

Mr. Durham asked staff to discuss the topography of the site to clarify why the streets were designed so unimaginatively. Mr. Sliemers explained the iterations of the plan. He noted that the plan was improved from the initial submission by the curvature of Zengel Drive and the requirement for stop signs. He felt that a number of alternative traffic patterns would emerge utilizing a variety of streets and pointed out that staff had looked at the traffic statistics gathered by the Centerville Police Department in making its recommendations.

When Mr. Clark asked Mr. Oakes of CESO, Inc., to speak on landscaping, Mr. Oakes first clarified that he, as the representative of CESO, was the applicant. He stated that CESO Inc. was the engineering firm; Zengel Construction was the property owner; Ryan Homes was the potential builder. Mr. Oakes stated his agreement that connectivity, in general, is good engineering practice for the dispersion of traffic. He noted that vehicles from both the other communities would use the new streets upon occasion. He pointed out that much of the existing vegetation in the middle of the property would stay, but that numerous makeshift drainage structures along the eastern boundary needed to be remedied and probably would require the removal of the honeysuckle and native plants on the eastern border.

When Mr. Clark closed the public hearing, Mr. Durham stated his opinion that the stub ends of Zengel Drive should connect only via a pedestrian walkway running between double cul-de-sacs. He noted the requirement to balance the rights and interests of the landowner, the developer, the City and the adjacent residents. He pointed out that, according to the Unified Development Ordinance, siding had to be a natural material; no vinyl or aluminum would be permitted. Nevertheless, Mr. Durham suggested requiring brick wrap for consistency with the surrounding homes. He stated that the property owner does have a right to develop within the regulations. Ms. Korenyi-Both stated that safety was the biggest issue.

Mr. Von Handorf expressed the opinion that, since a pedestrian walkway mid-block would be no steeper than the slope along Treeview Drive, the grade was not an impediment to a pedestrian connection. He felt the walkway would help the streets meet the UDO standards.

Mr. Durham asked for separate consideration of three possible additions to the conditions recommended by staff.

MOTION: Mr. Durham moved that the stub ends of Zengel Drive terminate in separate cul-de-sacs with a 10' walkway connecting them. Each stub/cul-de-sac could connect to one of the new streets; the eastern stub end of Zengel Drive in Deer Run would need to be renamed to avoid duplication and confusion. Mr. Etson seconded the motion. The motion passed 6-1, with Mr. Briggs voting no.

MOTION: Mr. Durham moved that an east-west pedestrian walkway be required somewhere mid-block. Mr. Von Handorf seconded the motion. The motion carried 7-0.

MOTION: Mr. Durham made a motion to require brick-wrap for the first floor of the homes to be built. Ms. Korenyi-Both seconded the motion. The motion passed unanimously, 7-0.

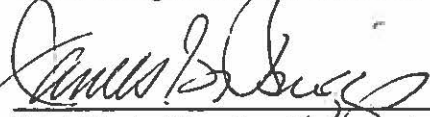
MOTION: Mr. Durham made a motion to recommend approval of Application P-2014-0005, the Preliminary Development Plan for 700 Alex-Bell Road, subject to the nine conditions of approval recommended by Staff, as shown earlier in these minutes, plus the three conditions on which the Planning Commission had just voted. Ms. Korenyi-Both seconded the motion. The motion passed 6-1, with Mr. Briggs voting no. Application P-2014-0005, the Preliminary Development Plan for 700 Alex-Bell Road, was therefore recommended, with twelve conditions, to City Council for consideration at its next meeting.

COMMUNICATIONS

Because of the lateness of the hour, Mr. Rodney shared no communications.

The next meeting of the Centerville Planning Commission is scheduled for Tuesday, April 29, 2014 at 7:30 p.m. in the Council Chambers.

There being no further business, Mr. Clark adjourned the meeting.



~~Paul Clark, Planning Commission Chair~~

Planning Commission Acting Chair