

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, April 30, 2013

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

ATTENDANCE

Present: Chairman Paul Clark, Mr. James Durham, Ms. Korenyi-Both, Mr. James Briggs, Mrs. JoAnne Rau, and Mr. Bill Eton. Also present: City Planner Steve Feverston, City Manager Greg Horn, Municipal Attorney Scott Liberman, Assistant City Engineer John Sliemers, Council Member James Singer, and Assistant Clerk of Council Julie Weaver.

Absent: Mr. Jeff Gammell. He had notified Mr. Feverston of his absence and recused himself from voting on the Voss Chevrolet, Inc. application.

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

APPROVAL OF MINUTES

Mrs. Rau noted one correction for the minutes of March 26, 2013 related to the count on the vote of the approval of the minutes of March 12, 2013.

MOTION: Mr. Durham moved for approval of the minutes of the Planning Commission meeting of March 26, 2013, as corrected. Mrs. Rau seconded the motion. The motion passed 4-0-2, with Mr. Briggs and Ms. Korenyi-Both abstaining.

PUBLIC HEARINGS

Application P-2013-0007: Rezoning – Applicant, George Oberer, Jr., Cornerstone Developers, Ltd.

Mr. Feverston shared that he had received a letter from Mr. Oberer asking the Planning Commission to table for an additional six months, or until further notice, his request for rezoning a portion of the Cornerstone North parcel from B-PD with a Community Center Overlay (CC) to R-PD with a Neighborhood Residential Overlay (NR), classification. Staff recommended tabling to October 29, 2013.

MOTIONS: Mr. Briggs made a motion to remove Application P-2013-0007 from the table. Mr. Durham seconded the motion. The motion passed with six ayes.

Mr. Durham made a motion to table Application P-2013-0007 to the Planning Commission meeting on October 29, 2013. Mr. Briggs seconded the motion. The motion passed with six ayes.

Application P-2013-0016: Final Development Plan for 290 Loop Road - Applicant, Mr. Greg Stout, Voss Chevrolet, Inc.

Mr. Feverston gave the staff report on the development plan for about eleven acres on the north side of Loop Road across from the Infinity dealership in an area zoned B-PD. The applicant requested to fill the site, pave a parking lot and use the property for parking dealership cars. He located the property on an aerial map, pointed out the neighboring uses, and detailed the 100 ft. bufferyards required against the single family residential zoning to the north and the east.

Mr. Feverston then compared the current plan with the one approved by Council for E.G. Lewis/Hertz in 2002 that was started by never completed. Currently the area has been disturbed; grades have been moved around. He showed the earlier plan for a detention basin, the general stormwater plan, the step-downs in elevation, the twenty foot parking and paving setback used to transition to a lower grade, and the difference in elevations at Loop Road.

Mr. Feverston gave a history of the current application from October of 2012 to the present, noting that the Planning Department can approve a grading plan without going to the Planning Commission. The Planning Department gave approval of the grading plan with the elevations of the E. G. Lewis application, but when the scope of the work exceeded what was anticipated, the Planning Department issued a stop work order, allowing only efforts to secure the slopes and site for erosion control over the winter.

The current application was submitted to address the conditions on the property and to define the plans going forward. The disturbed area is significantly larger than in the past, extending further to the north and east. The proposed extension of the stormwater detention basin was not accompanied by calculations, a drainage report or a stormwater report. Some slopes are currently greater than the 2:1 grades that are the maximum acceptable grades per the UDO. Mr. Durham confirmed that the contractor had increased the slopes by filling the lot to be closer to the level of Loop Road. Mr. Feverston concurred and noted inconsistencies between what was done and the grading plan from October. Mr. Durham asked for delineation of the area of disturbance. Mr. Feverston pointed out a dashed clearing limit line before going into detail about the slopes. Parts of the current plan south to north are at elevations about 15 feet higher than the approved E.G. Lewis plan, and the midpoint east to west is 7 to 10 feet higher.

Assistant City Engineer John Sliemers summarized the engineering project review report which listed 24 comments on the plans and the drainage report submitted. He said that the plans submitted were substantially incomplete and that key details were missing from the drainage report. The City has no documentation of the compaction of the fill material. He said that core borings are needed to verify what was done. There are no details on the slopes and how they will be stabilized.

Mr. Durham pointed out that retaining walls, underground vaults, step downs and other remediation was required as this same developer built on other sites along Loop Road. The process should have been familiar.

Mr. Clark asked how the water was getting to the stream through Village South. Mr. Sliemers said that there was not clear information on the plan as to how the water would be directed. Mr. Feverston stated that a detention pond is already in existence, although overgrown and silted. Mr. Etson asked if the silt wall, the berm, shown on the plans had

been built behind the pond. Mr. Feverston believed that it had been but that it was not maintained. Mr. Clark asked about current erosion. Mr. Sliemers said he was not aware of major incidences of erosion at the current time.

Mr. Feverston restated the main issues. On October 2012, the City issued a grading permit, but by October 19 it was clear that the work exceeded what was approved with fill being deeper than shown on the plans and the slopes steeper than those allowed by the Unified Development Ordinance. Additionally, a variance is required for this plan for parking and paving setbacks on the south frontage. The City still needs a landscaping plan, a lighting plan, a drainage plan that shows how water will be directed to the creek below and also appropriate stormwater calculations. The Centerville Police Department expressed concern for the need for some lighting to improve safety for customers and deter vandalism. Staff recommends denial of the final development plan.

JoAnne Rau asked about a curb for the edges of the parking area, especially along the embankment. Mr. Feverston agreed that the plan had not shown curbing, but it would be needed. He pointed out that the driveway on the plan should be shifted slightly to make the intersection safer.

Mr. Clark opened the public hearing and invited representatives of the applicant to speak.

Dick Lange, 6781 Tifton Green Trail, Centerville, stated that Voss Chevrolet had no problem with the slopes at a 2:1 ratio or with clearing and expanding the detention pond. However, all the other setbacks for dealerships along Loop Road were at five feet, and Voss would object to the requirement for setbacks of twenty feet. He said Voss was willing to landscape, but the dealership felt that overhanging trees would be detrimental to storing cars on the lot. They would be willing to landscape to the west near the Enterprise building. He stated that there were no plans for a building on the property and that this was the first time he had heard about the need for security lighting on the parcel.

Mr. Mark Stewart, Judge Engineering, 1201 E. David Road, Kettering, represented Voss Chevrolet. He went through a list of some of the items of interest. He again stated that achieving slopes of 2:1 would not be a problem. He said six inch exposed barrier rounded curbing would be used for the perimeter of the parking lot. He, too, said this was the first he heard about the security lighting suggested by the police and said they would be able to achieve the detention necessary. He requested information from the City from the original design in order to determine silting and create a detention plan. He noted that seed and straw had been placed for erosion control on the slopes, but that other measures could be considered.

Mr. Clark asked how slopes greater than 2:1 could be remediated when stormwater drains and manholes are already in place. Mr. Stewart said the plans were drawn in compliance with the 2:1 slope. He said he could verify the 2:1 slope with records compiled during construction. Mr. Stewart said the original design that was submitted showed the 2:1 slopes and the plan for what has been built.

Mr. Regis Lekan, 321 S. Village Drive and a member of the Stormwater Drainage Taskforce, voiced these four concerns:

1. The proximity of the project to the Village South neighborhood.

2. The amount of stormwater runoff.
3. The visual effects for the neighbors now that the site work has thinned the buffer of the woods.
4. The potential use of the undeveloped portion of the site.

He asked that the Planning Commission hold the line and approve only the area in the E.G. Lewis plan, because a larger impervious area would increase the runoff into the low lying areas in Village South. He said that the trough that was cut to carry water to the creek has not been maintained and that additional runoff taxes the system's ability to carry heavy rains even further than in the past. He asked for the involvement of the schools and the park district in the determination of the uses of the undeveloped portion of the lots. He requested that the City protect the neighbors.

Gean Seubert, 381 Whittington Drive, stated that her home and others in Village South already struggle with water problems. She did not want homes having more water damage, because of the development on the top of the hill along Loop Road.

Mr. Briggs stated his opinion that the application was incomplete and premature. Mr. Durham agreed that the Planning Commission could not approve the plan until the variance issues and other major questions were resolved. Mr. Clark offered Mr. Lange the options of having the vote, with a strong probability of denial, or tabling the application with the understanding that the applicant would continue to work with staff to resolve outstanding issues. Planning Commission was open to a work session on the matter, if needed. Mr. Lange stated that he would like to have the application tabled. When asked, Mr. Sliemers concurred that the Engineering Department would continue discussions with the Voss team.

MOTION: Mr. Durham made a motion to table Application P-2013-0016, the Final Development Plan for 290 Loop Road, to the Planning Commission Meeting on June 25, 2013. Mr. Etson seconded the motion. The motion to table the application passed 5-1, with Mr. Briggs voting no.

COMMUNICATIONS

Mr. Clark welcomed Ms. Amy Korenyi-Both to the Planning Commission. Mr. Feverston shared no communications.

The next meeting of the Centerville Planning Commission is May 28, 2013 at 7:30 p.m. in the Council Chambers. Mr. Durham shared he would not be present at the May meeting.

There being no further business, the meeting was adjourned.



Paul Clark, Planning Commission Chair