

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, September 10, 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, and Mrs. JoAnne Rau. Also present: City Planner Steve Feverston, Planner Andrew Rodney, Economic Development Administrator Nathan Cahall, Assistant City Engineer John Sliemers, Municipal Attorney Scott Liberman, and Assistant Clerk of Council Julie Weaver.

Absent: Mr. Bill Etson and Mr. Jeff Gammell who had notified Mr. Feverston that they would be absent.

MOTION: Mr. Durham made a motion to excuse the absence of Mr. Etson and Mr. Gammell. Mrs. Rau seconded the motion. The motion passed 5-0.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the August 27, 2013 Planning Commission work session.

MOTIONS: Mr.

Mr. Briggs moved for approval of the minutes of the Planning Commission work session of August 27, 2013, as distributed. Ms. Korenyi-Both seconded the motion. The motion passed 5-0.

PUBLIC HEARINGS

Application P-2013-0047: Rezoning of 13.8 Acres of Land Along Paragon Road Newly Annexed From Washington Township – Applicant Brian Barnard, Yankee Trace Woods, LLC.

Mr. Feverston presented the staff report for the rezoning of this parcel of land using a map and an aerial view to locate the property that has frontage on Paragon Road and Yankee Trace Drive just north of Vintage Green Way. The requested rezoning was from Washington Township A, Agriculture, to City of Centerville R-1c, Single-Family Residential. The request is compatible with the Comprehensive Plan for this area that is predominately single family residential, although some farm acreage remains. The developer also submitted an application for a Residential Cluster Development Plan at two units per acre that will be considered later in this meeting. Staff recommended the Planning Commission send this application for rezoning the 13.8 acres to City Council with a recommendation for approval.

Inviting the applicant forward, Mr. Clark opened the public hearing and Mr. John Chambers of Coolidge Wall, 33 W. First Street, Dayton, said that it is the intention of the

owner to create a new section of the Yankee Trace Golf Community, with the look and feel of the original subdivision. He stated that Mr. John Brumbaugh, the project engineer, was also present at the meeting.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion for approval of Application P-2013-0047 to recommend to City Council the rezoning of the 13.8 acres along Paragon Road from Washington Township A, Agriculture, to City of Centerville, R-1c, Single Family Residential. Mr. Briggs seconded the motion. The motion passed 5-0.

Application P-2013-0031: Major Site Plan for a Barbershop at 162 W. Franklin Street – Applicant, Tim Minton, Owner.

Mr. Rodney reported on the Application for a Major Site Plan for the barbershop at 162 W. Franklin that was tabled on July 30, 2013, because of discrepancies in the boundaries of rights-of-way. That issue being resolved, Mr. Rodney stated that it was Mr. Minton's intention to convert the 1940's style residence into a business as a barbershop, a permitted use in the O-S, Office-Service, zoning district, just outside the APD. Mr. Minton requested approval of driveway changes, four parking spaces, addition of landscaping, and use of the 2-car garage as parking for the owner and one employee. Mr. Rodney noted that this was an interim plan, that additional changes are expected at a future date to demolish the garage and improve the parking configuration. At the present time, if the parking lot is full, a car could not enter or leave the garage. Mr. Rodney showed an aerial view and photos of the property. He pointed out that the Engineering Department was still working out some very minor details with Mr. Chico, the applicant's engineer. Analysis showed less stormwater runoff with this plan than with a 1990's approval. The Planning Department recommended approval of the application, subject to the following six conditions.

1. The Applicant/Owner acknowledges that full use of the parking lot will limit the ability of the Applicant/Owner to access the on-site garage. As this condition is proposed by the Applicant/Owner, he/she accepts all liability thereto.
2. The Applicant/Owner shall provide the required landscaping within the parking/paving setback areas as required under Article 9.25 of the UDO, which includes the following
 - a. Along Weidner Lane: One (1) canopy tree, two (2) understory trees, and two (2) shrubs; and
 - b. Along south property line: One (1) canopy tree, one (1) understory tree, and two (2) shrubs
3. A performance bond or other construction guarantee shall be posted and a cost estimate be determined by the Applicant/Owner for all landscape, screening, or buffer yard improvements required by the Unified Development Ordinance (UDO) subject to approval by the City Planner in accordance with Article 9.25(C) of the UDO.
4. Per Article 9.31(C) (1) of the UDO, a Street Cut Permit shall be acquired for any

new, expanded, or altered roadway right-of-way access point.

5. Detailed plan review comments from the Engineering Division shall be incorporated into the construction plans subject to approval by the City Engineer.
6. No sign proposed or depicted shall be approved as a part of this application.

Mr. Durham made a motion to remove the application from the table. Mr. Briggs seconded the motion. The motion to bring the matter for consideration passed 5-0.

When Mr. Clark asked for comments from the applicant, Mr. Minton stated that he wanted to do things properly and to make the site appealing. He said he was putting in landscaping along the fence to protect the neighbors to the west. He also stated that he had no issues with the conditions required by the Planning Department.

MOTION: Mr. Durham made a motion to approve Application P-2013-0031, the Major Site Plan for 162 W. Franklin Street, subject to the six conditions recommended by Staff, as shown above. Ms. Korenyi-Both seconded the motion. The motion passed unanimously, 5-0.

Application P-2013-0048: Residential Cluster Development Plan for 13.8 acres on Paragon Road – Applicant, Brian Barnard, Yankee Trace Woods, LLC.

Mr. Feverston gave the staff report on the application for a Residential Cluster Development Plan for the same acreage discussed earlier on the agenda for its rezoning. He noted that the Planning Commission had the authority to approve or reject the Residential Cluster Development Plan; the matter would not go to Council.

In discussing the Plan, he described the physical characteristics of the 13.8 acres, noting the gas easement, the trees at the north property line, open meadowland and a creek. Using photos, he showed the wooded impression of the parcel from the surrounding roadways. The plan showed 28 lots for single-family homes, a public street identified as "Hidden Branches Drive," a cul-de-sac, a pocket park, hiker-biker trails, detention ponds and a reserve area on the north side of Hidden Branches Drive near Paragon Road. A median was expected to be constructed at the Paragon Road entrance to the plat. Mr. Feverston noted that a Vectren natural gas easement runs diagonally through the parcel, creating a challenge for the developer who had to work the lots around this easement.

Mr. Feverston explained that covenants with the Yankee Trace Golf Community allow the City to connect a public street with Yankee Trace Drive using reserve areas owned by the HOA. However, the original Homeowners' Association has the right to decide if a new subdivision is allowed membership or if the new group must create some new entity. Mr. Feverston pointed out the improved interconnectivity for the community with this additional outlet to Paragon Road.

The Planning Department recommended approval of Application P-2013-0048, with thirteen conditions. Mr. Feverston explained the following conditions as he read them into the record:

1. The pending rezoning of this land to R-1c, Single-Family Residential becomes effective.
2. An amenities plan for all landscaping, mounding, fencing, street lights, signage and entryway features shall be submitted for this development that emulates the designs used in the Yankee Trace Golf Community, subject to the approval of the City Planner.
3. All street names shall be approved by the City Planning Department. The street name "Dogwood Court" is not acceptable.
4. The street width of 24 feet back to back curb as shown on this Residential Cluster Development is acceptable with the final design of all streets including the landscape median and the intersection of Hidden Branches Drive and Paragon Road, subject to approval by the City Engineer.
5. A reserve area, having a minimum width of five (5) feet shall be established along the north side of Hidden Branches Drive from Paragon Road westward 369.7 feet to the property corner. A covenant shall be placed on the record plan that grants the City of Centerville the right to establish a public right-of-way through this reserve area providing vehicular access to Hidden Branches Drive from adjoining lands with the language of this covenant subject to approval by the City Attorney.
6. An 8 foot wide hiker/biker path shall be constructed from Yankee Trace Drive to Hidden Branches Drive within the gas easement, and a pedestrian access easement shall be established on the record plat for this pathway subject to approval by the City Planner.
7. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating erosion control during construction in accordance with Article 9.35 of the Unified Development Ordinance.
8. The applicant shall pay a fee-in-lieu of dedicating 0.387 acres of parkland in an amount in accordance with Article 9.47 I of the UDO subject to approval by the City Planner.
9. The 0.22 acre reserve area situated in the northwest corner of Hidden Branches Drive and Dogwood Court shall be improved for use as a park for passive recreation by the residents of this subdivision subject to approval by the City Planner.
10. Prior to recording of a record plat, a performance bond or other construction guarantee shall be posted by the developer for all landscape screening, or bufferyard improvements required by the Unified Development Ordinance (UDO) subject to approval by the City Planner in accordance with Article 9.25 C of the UDO.

11. Adequate covenants approved by the City Attorney shall be placed on the record plan providing for the future private maintenance of the proposed stormwater detention basins and to allow access by the City for emergency purposes.
12. Fire hydrants shall be located in accordance with the fire code subject to approval by the Washington Township Fire Department.
13. A hard surface roadway, capable of providing emergency vehicle access and support at all times for firefighting purposes, shall be provided during construction.

Mr. Briggs asked for details on the location of the hiker-biker trails; Mr. Durham voiced concern over the second trail in the plat when only was found elsewhere in Yankee Trace. He felt the investment and maintenance expense were not necessary, especially since it would be safer to cross Yankee Trace Drive at Hidden Branches Drive where there was better visibility.

Mr. Clark invited Mr. John Chambers of Coolidge Wall to the podium. Mr. Chambers stated that the developer was hoping to build the subdivision infrastructure in one construction season and noted that the group was considering alternate names for the plat and the cul-de-sac. He stated that the owner had concerns about the second section of the hiker biker trail, because he did not control part of the property.

Mr. John Brumbaugh, engineer for the development, stated that the conditions were acceptable, but he brought up conditions #5 and #6. He noted that #6 concerning the hiker biker trail added cost, but was workable. He pointed out that #5 requiring a 5' strip of reserve on the north side and the median in Hidden Branches Drive near Paragon Road would affect the depth of the lots to the south. He asked for some flexibility to accomplish the goals of the requirement.

Mr. Cahall explained the City's thinking in setting the Condition #5. He said the City needed a reserve strip to allow the potential for access to Hidden Branches in the event that another area were to be developed to the north, but also, the City would not want to provide direct access without protection of the current plat. Additionally, the City desired both a quality entrance and marketable lots. A discussion of options followed.

Mr. Jack Kindler, President of the Yankee Trace Homeowners' Association, stated concerns about the financial burden extra landscaping, reserve areas and an extra hiker-biker path would add to homeowner fees, whether the existing association allowed membership of the new group or a separate entity would be formed. He said that maintenance would be a big expense. He also voiced concerns about safety and visibility for motorists, bikers and pedestrians with trails crossing Yankee Trace Drive. Next, he suggested that the developer look at the entrances to other sections of Yankee Trace as examples of what might be acceptable. He felt that the median might not be necessary.

MOTION: Mr. Durham made a motion to approve the Residential Cluster Development Plan of Application P-2013-0048, subject to the conditions recommended by the Planning Department with the following modifications:

Delete Condition #6 concerning the hiker biker trail on the gas easement.

Amend Condition #5 to allow for reserve areas of a size and width to be negotiated between the developer and staff.

Ms. Korenyi-Both seconded the motion. The motion passed unanimously, 5-0.

COMMUNICATIONS

Mr. Feverston noted that City Council is interviewing candidates for the vacancy on Planning Commission when Mr. Gammell resigns at the end of the summer and for a vacancy on the Board of Architectural Review.

The next meeting of the Centerville Planning Commission is September 24, 2013 at 7:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.



Paul Clark, Planning Commission Chair