

CENTERVILLE PLANNING COMMISSION  
Regular Meeting  
Tuesday, March 29, 2011

Mr. Clark called the meeting to order at 7:30 P.M.

Attendance: Mr. Paul Clark, Chair; Mr. Jim Briggs, Mr. Jim Brunner, Mr. Jim Durham, Mr. Jeff Gammell, and Mr. Palcher. Absent: Mr. Bill Etson. Also present: Mr. Steve Feverston, City Planner; Mr. Nathan Cahall, Economic Development Administrator, Mr. Scott Liberman, Municipal Attorney and Mrs. Julie Weaver, Assistant Clerk of Council.

Excuse Absent Members:

MOTION: Mr. Briggs moved to excuse Mr. Etson as he had notified Mr. Clark of his absence. Mr. Brunner seconded the motion. The motion was approved unanimously, 6-0.

Approval of Minutes:

The minutes for December, January and February were addressed individually. Mr. Palcher asked that his name be spelled correctly on page 9 of the minutes of the Planning Commission Meeting on December 14, 2010. No other changes were noted.

MOTION: Mr. Briggs moved to approve the Planning Commission Meeting minutes of December 14, 2010, as amended. Mr. Durham seconded the motion. The motion was approved unanimously, 6-0.

The minutes of the meeting of January 25, as distributed, failed to note the absence of Mr. Gammell, who had called Mr. Durham prior to the meeting. The Planning Commission agreed to amend the attendance record of January 25 and stated that Mr. Gammell should be included in the excused absences as moved by Mr. Durham.

MOTION: Mr. Palcher moved to approve the Planning Commission Meeting minutes of January 25, 2011, as amended. Mr. Durham seconded the motion. The motion passed 4-0-2, with Mr. Gammell and Mr. Brunner abstaining.

No changes were requested for the minutes of the meeting of February 22, 2011.

MOTION: Mr. Gammell moved to approve the Planning Commission Minutes of February 22, as distributed. Mr. Brunner seconded the motion. The motion passed with 6-0.

UNFINISHED BUSINESS

Application P-2010-0042, Miami Valley Hospital South – Storm Water Drainage Amendment to Approved Major Site Plan

Mr. Feverston briefed the Commission on the request of the applicant to change the plan from two detention ponds to one larger pond on the property at 2400 Miami Valley Drive, at the corner of Wilmington Pike and Clys Road. Current development of the site has made it clear that one of the two detention ponds proposed on the original master plan will not be feasible.

The other detention pond is of insufficient capacity to handle the run-off from improvements to the entire area south of Miami Valley Drive and east of the access road across from Faith Community Church. Miami Valley Hospital South proposes to establish the detention pond in the southeast corner of the property, north of Wendy's and to enlarge it from its original size. Staff recommends approval with three conditions related to grading and erosion control, a landscape plan, and a performance bond.

Mr. Palcher asked whether the pond would be sufficient to handle the anticipated storm water requirements. Mr. McClain Towery of Gresham, Smith and Partners, 511 Union Street, Nashville Tennessee, was present to represent Miami Valley Hospital South and stated that the redesigned detention pond should cover all future development in the quadrant.

Mr. Paul Clark asked if there would be a problem with the main stormwater pipe that runs close to the pond. He recalled a major line being installed at the time Wilmington Pike was widened in that vicinity. Mr. John Sliemers, Assistant City Engineer, replied that there should be no problem with the capacity of the elliptical storm sewer pipe that had been installed under Wilmington Pike. It was built to cover a twenty-five year storm. The critical factor is that the pond must meet the requirements for detention of the water from a twenty-five year storm.

MOTION: Mr. Durham moved for approval of the Storm Water Drainage Amendment to the Major Site Plan for Miami Valley Hospital South Hospital subject to the following three conditions recommended by the City Planner:

1. Final grading, stormwater drainage and erosion control plans shall be approved by the City Engineering Department in accordance with Article 9.35 of the Unified Development Ordinance (UDO).
2. A landscape plan for the detention basin shall be subject to approval by the City Planner.
3. 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.

Mr. Briggs seconded the motion. The motion was approved unanimously, 6-0.

## NEW BUSINESS

### Application P-2010-0014, Major Site Plan, Forest Field Park on Centerville Station Road

Mr. Feverston used aerial photos, pictures and maps to acquaint the Planning Commission with the request by the Centerville-Washington Park District to make changes at Forest Field Park to increase parking by ninety-eight spaces, to relocate ball diamonds and to add soccer fields. Mr. Feverston pointed out long narrow access drive, the current parking areas, the tennis courts, the ball diamonds, the soccer areas, the proposed detention pond, an open culvert and the proposed additional parking lot. The ball diamonds are being moved and a detention pond will be built where ball diamonds had been. Much of the time, the park is lightly attended, but during events,



the road, the drive and the parking areas are very congested with vehicles and pedestrians. Mr. Feverston also stated that the crests of the hills on Centerville Station Road limit sight distance in both directions at the entrance/exit. He recommended approval of the Major Site Plan Application, subject to ten (10) conditions.

Mr. Briggs asked about Condition #3, that states "... the applicant *may* place money in escrow with the City." He was concerned that the word should be *shall*. Mr. Sliemers explained that there is discussion of reconstruction of Centerville Station Road to lower the elevation of the hills on the roadway at a future date. In that case the Park District would not have the same requirements. Mr. Liberman stated that *may* was the appropriate word. The City cannot require escrow in lieu of the improvements.

Mr. Durham asked about Condition #4. He felt that "raising the elevation" of the entrance drive was not specific enough. He asked about naming a minimum amount. He suggested adding "subject to the approval of the City Engineer." Mr. Liberman stated that it would be better to be specific. Mr. Cahall noted that Article 9.31 covers both vertical and horizontal alignment of the roadway and requires the approval of the City Engineer. Mr. Durham asked for inclusion of "*as required by Article 9.31*" rather than "*in accordance with.*"

Mr. Palcher asked for an explanation of the \$42,000 estimate that had been mentioned. Mr. Feverston stated that the amount was only a preliminary figure and the actual number would come from the engineer for the Park District and cover the cost of the roadway improvements, including the extra lane of pavement, the curb, the gutter, the storm sewer and the sidewalk.

Mr. Palcher asked whether the Park District has evidence of the required funding. Mr. Gammell noted that should be public information. Mr. Feverston assumes that funding is available for the project, but it is a question for the Park District.

Mr. Clark asked for consideration of the elevations between the culvert area and the proposed detention pond. Discussion followed and it was decided that the new detention pond was intended to cover only the new parking area and not the older parking areas. The Park District is not required to deal with water from prior construction.

Mr. Clark asked about curbing on the perimeter of the new parking lot. Mr. Feverston responded that the perimeter of the parking lot will not have curbs, but that the landscape islands should have them. Raised curbs are shown along the driveway.

Mr. Clark asked Mr. Liberman about the legal standing of the City to require the parks to comply with the UDO and Planning Commission decisions. Mr. Liberman replied that there are court cases that give municipalities authority over public entities in such instances.

MOTION: Mr. Durham moved to approve the Major Site Plan for Forest Park Field, subject to the following amended conditions:

1. A map of the entire park shall be submitted showing key landmarks and the proposed park layout including the names/numbers of all play fields and courts,

street layout, gates and other potential obstructions for fire and police access subject to approval by the City Planner.

2. A Record Plat dedicating 43 feet of public right-of-way along Centerville Station Road shall be submitted to the City for approval in accordance with Article 9.13 of the Unified Development Ordinance (UDO).
3. Centerville Station Road shall be widened in accordance with Article 9.13 of the UDO to include an additional lane of pavement, curb, gutter, storm sewer, and a sidewalk subject to approval by the City Engineer. In lieu of constructing these improvements, the applicant may place money in escrow with the City in an amount approved by the City Engineer to be used for the future improvement of Centerville Station Road. The City Engineer may require the developer to make temporary improvements to Centerville Station Road, which at this time is expected to include traffic control signage. The estimated cost of any temporary improvements shall be subtracted from the required escrow amount.
4. The entrance drive shall be reconstructed to include a left-turn lane and to raise the elevation of the driveway approach at the intersection of Centerville Station Road to improve intersection sight distance as required by Article 9.31 of the UDO, and subject to the approval of the City Engineer.
5. The final design of pavement sections shall be subject to approval by the City Engineer.
6. Curbs shall be placed around the two landscape islands subject to approval by the City Engineer in accordance with Article 9.29C3 of the UDO.
7. Prior to issuance of the Zoning Certificate, final grading, the stormwater drainage and erosion control plans shall be approved by the City Engineering Department in accordance with Article 9.35 of the UDO.
8. All construction traffic must use Centerville Station Road.
9. The contractor shall obtain a right-of-way permit for any work performed in the public right-of-way.
10. The contractor shall notify the Centerville Public Works Department prior to any earth disturbing activity for inspection of erosion control measures.

Mr. Briggs seconded the motion. The motion passed with six ayes.

#### COMMUNICATIONS

Mr. Feverston announced that Archer's Tavern may be asking for a revision of its site plan to include an outdoor eating area. The initial reaction of the group was that maintaining sufficient parking could be problematic. Mr. Durham noted the need to protect the residents of the apartments behind Archer's Tavern.



The Planning Department received an application for a variance a for an individual to raise chickens on a property on Terrace Villa Drive, in the plat near the Park District's activity center.

Mr. Feverston noted that City Council tabled the rezoning of the properties along Centerville Business Parkway that had been recommended by Planning Commission. Mr. Brunner and Mr. Clark also had attended the Council session. They explained that several people who had not attended the Planning Commission Meeting spoke to Council and stressed that the rezoning limits the kinds of tenants the owners can attract for the buildings with high ceilings. The speakers also said that one year was an insufficient time for grandfathering the current businesses as non-forming uses, since the average time on the market for commercial/industrial properties for sale or lease is now well over a year. Council and the Mayor have asked for more information and will be doing a walk-through of several of the properties. One of the speakers talked about the expense of retrofitting the buildings (\$250,000). Mr. Liberman stated that expense is not one of the elements to be taken into consideration in a rezoning.

Mr. Feverston shared that he had received a Preliminary Development Plan from George Oberer the past Friday with site plans for Cornerstone North and South on the Dille property. The Preliminary Development Plan will be coming to Planning Commission for Public Hearing on April 26, 2011.

Mr. Feverston introduced Mrs. Weaver who will be attending meetings and writing minutes.

There being no further business, the meeting was adjourned.

A handwritten signature in cursive script, appearing to read "Paul Clark".