

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, February 28, 2006

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

Attendance: Mr. Paul Clark, Chairman; Mr. Jim Durham; Mr. Jim Briggs; Mr. Jim Brunner; Mrs. Carolyn Meininger (where noted). Absent: Mr. Jeff Gammell. There is currently one (1) vacancy on the Planning Commission. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Lee, Planner; Mr. Scot Liberman, City Attorney.

Excuse Absent Members:

MOTION: Mr. Durham moved to excuse Mr. Gammell from the meeting as he gave prior notice to staff. Mr. Brunner seconded the motion. The motion was approved unanimously 4-0.

Approval of Minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission Regular Meeting minutes of January 31, 2006, as written. Mr. Brunner seconded the motion. The motion was approved unanimously 4-0.

Mrs. Meininger arrived at this time.

NEW BUSINESS

Tim Donut U.S. Limited, Inc. - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted by Tim Donut U.S. Limited, Inc., for a Tim Hortons restaurant to be located in front of Morris Furniture, 5695 Wilmington Pike. The zoning on the property is Business Planned Development, B-PD. The request is to construct a 1,750 sq. ft. restaurant facility on the site which is a permitted use. The proposed location for this new facility will be on an outlot in front of the Morris Furniture store in the existing parking area. The parking area will be modified to provide adequate parking and vehicular circulation for the drive-thru window. The architectural design of the building proposes a flat roof with brick on four (4) sides and an EIFS canopy-type feature and top which is part of the parapet system. The size of the parapet has been sized to mask and screen all mechanical equipment located on the roof of the building. The dumpster and cooler on the south elevation are proposed to be metal sided with a block sided corral.

Staff recommended approval of the Special Approval application subject to the following conditions:

1. 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 the City Stormwater Drainage Control Ordinance.

2. The Planning Commission shall approve the architectural design of the proposed building to assure the materials, shape, massing and architectural features create a unified design on the premises and shall be visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the flat roof.
3. The parapet above the canopy shall be faced with brick to distinguish it as the building cap subject to approval by the Planning Department.
4. The freezer/cooler box shall be faced with brick to match the rest of the building subject to approval by the Planning Department.
5. All roof top mechanical equipment shall be screened from view subject to approval by the Planning Department.
6. The dumpster shall be screened with brick to match the architectural design of the building subject to approval by the Planning Department.
7. A final exterior lighting plan shall be submitted subject to approval by the Planning Department.
8. A final landscaping plan shall be submitted subject to approval by the Planning Department.
9. Fire hydrants shall be located within four hundred (400) feet of all designated building access points as measured along actual fire apparatus routes of travel.
10. The Fire Department connection for Morris Furniture shall be relocated or access to the connection shall be modified to maintain access subject to approval by the City Engineering Department.
11. Curbing shall be installed on the south side of the main entrance drive at the intersection with Wilmington Pike subject to approval by the City Engineer.
12. The applicant shall verify the location of a three (3) inch gas main shown on the previous plans in the vicinity of the proposed building subject to approval by the City Engineering Department.

Mr. Jeff Baldwin, representing Tim Hortons, submitted the building materials for the Planning Commission members to consider. He stated the three (3) inch gas main shown on the plan was in error and does not exist. He stated they are fully aware there is an elevation difference from Wilmington Pike and they are prepared to work with staff to ensure the roof structure will screen all visibility of the roof-mounted mechanicals.

Mr. Durham stated the horizontal bands and elements on the corral and cooler on the south elevation should have the same height as those elements on the building to maintain the same visual alignment. He stated he remained concerned with the screening of the mechanicals on the roof structure and suggested computer generated views be provided to staff to ensure those mechanicals would be screened from all noncommercial type vehicular traffic particularly southbound traffic from Whipp Road.

Mr. Durham asked if the City could require the applicant to provide information demonstrating the roof top mechanicals would be screened from the Whipp Road intersection.

Mr. Feverston stated that information would be required of the applicant.

MOTION: Mrs. Meininger moved to approve the Planning Commission Special Approval application submitted by Tim Donut U.S. Limited, Inc., for property located in front of Morris Furniture, 5695 Wilmington Pike, subject to the following conditions:

1. 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 the City Stormwater Drainage Control Ordinance.
2. The parapet above the canopy shall be faced with brick to distinguish it as the building cap subject to approval by the Planning Department.
3. The freezer/cooler box shall be faced with brick to match the rest of the building subject to approval by the Planning Department.
4. All roof top mechanical equipment shall be screened from view subject to approval by the Planning Department.
5. The dumpster shall be screened with brick to match the architectural design of the building subject to approval by the Planning Department.
6. A final exterior lighting plan shall be submitted subject to approval by the Planning Department.
7. A final landscaping plan shall be submitted subject to approval by the Planning Department.
8. Fire hydrants shall be located within four hundred (400) feet of all designated building access points as measured along actual fire apparatus routes of travel.
9. The Fire Department connection for Morris Furniture shall be relocated or access to the connection shall be modified to maintain access subject to approval by the City Engineering Department.

10. Curbing shall be installed on the south side of the main entrance drive at the intersection with Wilmington Pike subject to approval by the City Engineer.
11. The applicant shall verify the location of a three (3) inch gas main shown on the previous plans in the vicinity of the proposed building subject to approval by the City Engineering Department.

Further, the Planning Commission approved the architectural design of the proposed building to assure the materials, shape, massing and architectural features create a unified design on the premises and that it is visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the flat roof.

Mr. Briggs seconded the motion. The motion was approved unanimously 5-0.

The Highlands at Yankee Trace - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted by Yankee Trace Development for The Highlands at Yankee Trace which is part of Parcel 31 in the overall development of the Golf Course Community. The Highlands are to be located east of Paragon Road and west of Shawnee Trail adjacent to Golf Holes No. 6 and 7 of the Vintage Course. The Highlands are to be developed at what was formerly Sections 2 and 3 of The Links at Yankee Trace. The zoning on the property is R-1c, Single-Family Residential, and part of a Residential Lifestyle Community previously approved by City Council which provides flexibility to allow attached housing in the R-1c zoning district. The overall density for this area has been reduced as a result of duplexes being proposed for construction rather than a combination of duplex and triplex buildings providing a total of 106 units rather than 108 units resulting in a density of 4.0 dwelling units per acre.

Phase 1 will be located on the south portion of the site along Mackenzie Court and will include four (4) walk out units. Phase 2 will be an extension of Legendary Way with a cul-de-sac on the southeast portion of the site and continuing to the northeast creating a cul-de-sac in the area pending annexation. The annexation of 1.21 acres has been approved by Montgomery County and will soon be recorded. Phase 3 will extend Legendary Way to its conclusion turning west along the northern property line of the project.

The developer has created an entryway feature from The Links to The Highlands with the addition of a boulevard section of Legendary Way with monumentation and landscaping to visually separate the two projects and also relocate the golf cart path between Holes No. 6 and 7.

The proposed architecture is principally brick with stone features on the buildings, solid garage doors, gabled features that are sided, and decorative venting and louvers. The rear of the buildings continue the same type of features with some building having fencing and carrying the lintels above the windows which are a soldier course with keystone. The Highland product will be all brick units with some ornamental wood siding with stone on some of the buildings featuring a wainscot or some garages may have stone surrounding the garage entry space. Some garages will have side entry doors to vary the streetscape appearance.

Staff recommended approval of the Special Approval application subject to the following conditions:

1. Prior to approval of any record plat by the City, the 1.21 acre parcel situated in the northeastern portion of the site must be annexed to the City and rezoned to R-1c, Single-Family Residential.
2. A twelve (12) foot wide fire lane shall be constructed that connects Legendary Way and Shawnee Trail subject to approval by the City Engineering Department. The fire lane may be combined with the pedestrian path in this area and shall be situated a minimum of five (5) feet from the north property line.
3. A sidewalk shall be constructed along Paragon Road subject to approval by the City Engineering Department.
4. The Sand Wedge court cul-de-sac shall be designed with a radius of thirty-nine (39) feet subject to approval by the City Engineering Department.
5. The Sand Wedge Court cul-de-sac shall be moved approximately thirty-five (35) feet to provide for an adequate side and rear yard for Building 29 subject to approval by the City Planning Department.
6. Driveway access for Building 29 shall be limited to Sand Wedge Court.
7. The reserve area located at the southeast corner of this development shall be eliminated subject to approval by the City Planning Department.
8. The final design of all "skin" improvements, including street lights, hiker/biker paths, signs, decorative wall and landscaping shall be subject to approval by the City Planning Department.
9. The Planning Commission approved the architectural design of the proposed buildings to assure the materials, shape, massing and architectural features create a unified design on the premises and that it is visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the following:
 - a. The color and materials pallet provided by the developer for all buildings;
 - b. Provide a stone veneer on a minimum of fifty (50) percent of all dwelling units,
 - c. Provide a brick soldier or stone window sill and a brick soldier course or stone lintel over windows and doors on all side and rear building elevations;
 - d. Provide combinations of small and/or large gables on all rear building elevations;
 - e. Exterior fire boxes, when at ground level, shall have a brick veneer;
 - f. The color of all columns, fascia, railing and other trim features for all deck shall be painted the trim color of the building.

10. Mounding, and a combination of deciduous and evergreen trees shall be installed at the end of Gallery Court and Shawnee Trail subject to approval by the Planning Department. Mounding shall be placed where practical to preserve as many trees along the treeline as possible.
11. A final grading and stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
12. A hard surface roadway capable of providing emergency vehicle access and support at all times shall be provided during construction.
13. The land where the construction drive north of Golf Hole Number 7 is proposed shall be improved to accommodate construction traffic including a pull-off area at Paragon Road and any necessary improvements to the stormwater drainage system subject to approval by the City Engineering Department. The cost of these improvements and the restoration of this area after completion of this development shall be the responsibility of the developer.

Mr. Clark stated that in correspondence received by the Planning Commission members from Mr. Ned Shepherd, resident on Legendary Way, he had listed seven (7) concerns regarding the development of the property in question. He asked which of those concerns the Planning Commission had the authority to enact on.

Concerning irrigation systems, Mr. Feverston stated the City is unable to require an irrigation system for this project as there are no regulations to do so; however, it may be an issue for the Homeowners Association to consider as a requirement. Concerning architectural features such as a hip or partial hip roof, stone veneer, twelve (12) inch overhangs, window materials, exterior elevations, those are issues the Planning Commission has the ability to regulate. Concerning fencing, the covenants effective in Yankee Trace have regulated the types of fencing within the overall development. Mr. Feverston felt the concern of The Links residents regarding fencing was that privacy fencing which can be regulated.

Mr. Durham asked, concerning Condition 9b, Provide a stone veneer on a minimum of fifty (50) percent of all dwelling units, if consideration had been given to requiring stone on every building in order to remain consistent with the buildings in The Links.

Mr. Feverston stated consideration had been given to requiring stone on every building and staff felt you could have each building with stone on one (1) side, but stone could be used on both sides as well. The recommended condition, as written, would provide variety and still have a thread of consistency throughout the project.

Mr. Durham stated he felt requiring stone and brick on each unit would provide more consistency with the product in The Links.

Mr. Durham stated Condition #9e, Exterior fire boxes, when at ground level, shall have a brick veneer, should require all exterior fire boxes to be faced in brick veneer to be promote consistency throughout the project.

Mr. Durham stated the Condition #10 concerning mounding and landscaping at the end of Gallery Court and Shawnee Trail should be reviewed and specifically approved by the Planning Commission rather than by staff. He stated based on the amount of discussion concerning the screening issue of The Links to Rose Estates when the plan was originally reviewed by the Planning Commission, it should come back to the members for their review.

Mrs. Meininger asked if reconsideration could be given to connecting the roadway system between Rose Estates and this project.

Mr. Durham stated at the time The Links development was reviewed, the property owners in Rose Estates were opposed to joining the streets for vehicular traffic. The Links property owners have purchased their units with the knowledge vehicular access through Rose Estates would not occur. As a matter of public policy, a decision was made that no vehicular connection would be made, and a change in that decision would most likely not be appropriate.

Mr. Jim Sullivan, representing Great Traditions for Yankee Trace Development, stated meetings have been held with residents of The Links to review the proposal now being considered by the Planning Commission. He stated the guidelines for planning The Highlands project included the preservation of The Links identity as well as preservation of The Links product integrity. The Homeowners Associations will have separate control and management and a separate entry for construction traffic will be created for avoid any inconvenience to The Links residents.

Mr. Dan Meador, Ryan Homes, stated they construct products ranging between \$175,000 and \$600,000 in various developments. He stated they are excited to have the opportunity to work in another area of Yankee Trace as they did in Georgetown Commons at Yankee Trace with their neo-traditional product. A future Ryan development will occur immediately south of The Highlands in the Paragon Pointe subdivision which will be developed as single-family residential with those units ranging between \$400,000 and \$600,00. The homes proposed to be built in The Highlands are fee simple town homes—they are not condominiums—so the property lines will be with each individual owner and no common areas will be created. The units will be three (3) bedroom units, two and one-half (2.5) baths with a first floor master bedroom and a two (2) car garage. The price range anticipated in The Highlands will be between \$230,000 and \$280,000, with the golf course lots being more of the \$300,000 range. With input from the Planning Commission members and the residents, roof gables have been added rather than a flat roof structure to enhance the appearance. A wood derivative product will be used on all units rather than any type of vinyl siding. Mr. Meador stated that they would have no objection to providing stone or partial stone on all the units within The Highlands community. No fencing or playsets will be used within this community. Of the buildings proposed, only eight (8) will have front load garages and the remainder of the buildings will have a combination of front and side load garages. Of the four (4) walkout unit buildings, Mr. Meador agreed the brick veneer on the fire boxes can be accomplished. He stated they prefer to use synthetic materials on the decks to avoid any maintenance by the homeowner.

Mr. Meador responded to the issues contained in the letter sent to the members of Planning Commission by Ned Shepherd previously raised by Mr. Clark. Mr. Meador stated twelve (12) inch overhangs could be provided with the exception of overhangs between units. Hip roofs are not possible as the units proposed are not designed for a hip roof structure. He stated the use of a brick and stone mix is possible in addition to what is proposed although it must be an aesthetically appealing option. The solid vinyl windows proposed are the same type of windows that were used in Georgetown Commons. The gables currently shown on the walkout units have been revised to address the concerns of the residents.

Mr. Sullivan stated he would like Condition #5, concerning moving the Sand Wedge Court cul-de-sac approximately thirty-five (35) feet, to be changed to fifteen (15) feet as there is not adequate space to move it that far south. He stated they disagreed with Condition #6, concerning driveway access for Building 29 being limited to Sand Wedge Court, to maintain the focal points created throughout the community. Mr. Sullivan stated Condition #10 concerning the placement of mounding to preserve as many trees along the treeline as possible was certainly something they could accomplish.

Mr. John Nabil, 667 Legendary Way, stated the homeowners learned of the new product to be incorporated into the Highlands project in late December. The residents have had meetings with Great Traditions and Don Dunnington to review the elevations and enhancements as outlined by Mr. Sullivan. Mr. Nabil stated when the residents of The Links built their homes they were under the impression they bought into 100+ units of custom built homes by Dunnington Builders. They thought, further, that most of the homeowners would have more senior residents without children residing in the community which is the current situation of the residents living in The Links. The situation now is that Dunnington Builders will build out thirty-six (36) units and seventy (70) duplex units will be built by Ryan Homes. The price difference will be as much as thirty percent (30%) less for the new product as compared to what exists in The Links homes. He stated the residents are obviously concerned with the affect the new product will have on their property values. Mr. Nabil stated The Highlands should have similar aesthetic values and elevations as The Links. Ryan Homes is a national builder and they should have the capability of modifying the designs proposed. He stated irrigation systems should be required, hip roofs should be required to blend aesthetically with the overall community, wood windows should be used to add values to the appearance of the product, and landscaping should be installed between the units rather than fencing. The placement of the fire boxes should be placed inside the unit on the walkout units and the door on the rear elevation of the building should be dressed up with an entrance door other than the one proposed. Mr. Nabil stated they would prefer Legendary Way be constructed with a cul-de-sac at the end of The Links and future access to The Highlands be brought in from Shawnee Trail.

Mr. Gene Conte, 622 Legendary Way, stated he and his wife are currently building a unit in The Links. He stated they bought into The Links based on the reputation of a specific builder, now finding out that builder was not going to finish out the construction of Phase 2 and 3. He stated there are no other houses in Yankee Trace that are priced at \$280,000 or less as a starting price. Mr. Conte stated if he had known the Ryan Homes product was going to be located behind The Links project, he would have not bought into this community.

Mr. Ron Kaper, 655 Legendary Way, stated that in May, 2001, Erpenbeck Builders proposed units in Yankee Trace that had prices ranging between \$250,000 and \$300,000. In December, 2001, the designs in architecture were revised, as well as revisions to the street, and staff recommended denying the proposal based on the architecture not appealing to the equivalent and standard present in the overall Yankee Trace development. He stated this situation is similar to what is being discussed at this time. He stated the proposed units by Ryan Homes do not compliment the surrounding units in Yankee Trace and the same sensitivity given by the Planning Commission members at that time should be given now. Mr. Kaper stated Georgetown Commons works as part of Yankee Trace that was constructed by Ryan Homes, however, that portion of Yankee Trace is not located on the golf course. He stated The Links is surrounded by the golf course and the integrity of the golf course. To stay competitive, The Links must be marketed properly. Further, Mr. Kaper stated the entrance to The highlands is very narrow with no walking paths creating a safety hazard. With the amount of foot traffic competing with vehicular traffic, that area should be widened.

Mr. Mike Ray, 697 Legendary Way, asked if the location of the proposed construction road had been researched as to whether it would be able to support construction traffic based on its relationship to the adjoining pond area. Further, he asked if Washington Township had been notified of the location of the construction road and how it might affect the area to the north. Mr. Ray questioned whether the Yankee Trace Homeowners Association had sent correspondence to the City regarding with particular project.

Mr. Feverston stated the construction road has not yet been designed and staff has the same concern as to whether it can be designed to carry the load of construction equipment. A pull-off area along Paragon Road needs to be located on the east side based on the narrow width of the street. Mr. Feverston stated that a specific letter from the Yankee Trace Homeowners Association had not been received.

Mr. Don Dunnington, Dunnington Builders, stated the separation of the two (2) communities had been accomplished visually. He suggested the walkout units not have stairs constructed which would improve the appearance and a full view door be installed rather than a door that has been described as a pedestrian garage access door. The cost of a house is based on the cost of the lot. He stated The Links is located on golf course lots that are the best lots in this portion of the golf course community. The location of a lot defines the overall selling price. He stated their idea of stock units to be constructed in The Links changed as time evolved because the demand was for the larger units rather than the smaller ones. He stated he did not believe the Ryan Homes product would hurt the property values of The Links, and based on the amount of money he still had remaining in The Links project, he felt very confident the project would continue to be successful.

Mrs. Meininger stated she was concerned with the appearance of the rear elevation on the walkout units and agreed with Mr. Dunnington's suggestion that the access doors be a full glass door. She stated she did not know if trim color issue could be considered by the Planning Commission.

Mr. Feverston stated the point of the condition recommending matching the trim color with the railings, columns, stairs, etc., was to replicate the look of what exists in The Links.

Mr. Meador stated the stairs can be removed and are not critical to the use of the deck. The service door can be removed as an option and replaced with an visually compatible access door including a sliding patio door should that be the desire of the homeowner.

The members of Planning Commission felt Condition #6 limiting the driveway access for Building 29 to Sand Wedge Court should remain.

Mr. Sullivan stated if the building is rotated, the front of the building would be facing Sand Wedge Court and the rear views will be looking at the side of the adjacent building. Traveling up Legendary Way and picking up the vista of that and seeing the back of the building versus the front has to be evaluated as what is the better view.

Mr. Durham stated the suggestion was that the rear views look across Legendary Way through the tee boxes all the way up to the lake. He stated the rear elevation of the building fronting along Legendary Way definitely needs to be appealing since approximately twenty (20) of these back elevations will be fronting onto the golf course.

Mr. Sullivan stated he felt when traveling down Legendary Way having a building situated on a lot differently will have an odd appearance, but he would accept the recommendation of the members.

The members discussed the issue of the amount of stone to be used on each building and determined each building shall have a stone material incorporated into the construction.

MOTION: Mr. Briggs moved to approve the Planning Commission Special Approval application submitted for The Highlands at Yankee Trace subject to the following conditions:

1. Prior to approval of any record plat by the City, the 1.21 acre parcel situated in the northeastern portion of the site must be annexed to the City and rezoned to R-1c, Single Family Residential.
2. A twelve (12) foot wide fire lane shall be constructed that connects Legendary Way and Shawnee Trail subject to approval by the City Engineering Department. The fire lane may be combined with the pedestrian path in this area and shall be situated a minimum of five (5) feet from the north property line.
3. A sidewalk shall be constructed along Paragon Road subject to approval by the City Engineering Department.
4. The Sand Wedge court cul-de-sac shall be designed with a radius of thirty-nine (39) feet subject to approval by the City Engineering Department.

5. The Sand Wedge Court cul-de-sac shall be moved as far south as practical to provide for an adequate side and rear yard for Building 29 subject to approval by the City Planning Department.
6. Driveway access for Building 29 shall be limited to Sand Wedge Court.
7. The reserve area located at the southeast corner of this development shall be eliminated subject to approval by the City Planning Department.
8. The final design of all "skin" improvements, including street lights, hiker/biker paths, signs, decorative walls, landscaping and provide a sidewalk along Legendary Way beginning at the Reserve Area west of the boulevard entrance to The Highlands, extending east around the Number 7 Tee Area and ending at the first driveway of Building #49 shall be subject to approval by the City Planning Department.
9. The Planning Commission approved the architectural design of the proposed buildings to assure the materials, shape, massing and architectural features create a unified design on the premises and that it is visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the following:
 - a. The color and materials pallet provided by the developer for all buildings;
 - b. Provide a stone veneer on at least one (1) dwelling unit per building;
 - c. Provide a brick soldier or stone window sill and a brick soldier course or stone lintel over windows and doors on all side and rear building elevations;
 - d. Provide combinations of small and/or large gables on all rear building elevations;
 - e. All exterior fire boxes shall have a brick veneer;
 - f. The color of all columns, fascia, railing and other trim features for any deck shall compliment the trim color of the building
 - g. All doors on the rear elevations shall be full glass with mullions;
 - h. No exterior stairs shall be constructed for any deck of any walkout unit.
10. Mounding, and a combination of deciduous and evergreen trees shall be installed at the end of Gallery Court and Shawnee Trail subject to approval by the Planning Commission. Mounding shall be placed where practical to preserve as many trees along the treeline as possible.
11. A final grading and stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
12. A hard surface roadway capable of providing emergency vehicle access and support at all times shall be provided during construction.

13. The land where the construction drive north of Golf Hole Number 7 is proposed shall be improved to accommodate construction traffic including a pull-off area at Paragon Road and any necessary improvements to the stormwater drainage system subject to approval by the City Engineering Department. The cost of these improvements and the restoration of this area after completion of this development shall be the responsibility of the developer.

Mr. Brunner seconded the motion. The motion was approved unanimously 5-0.

COMMUNICATIONS

Mr. Feverston stated applications are anticipated to be filed for improvements to Centerville High School and Kindergarten Village for the next meeting.

There being no further business, the meeting was adjourned.

