

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, March 12, 2002

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

Attendance: Mr. James Durham, Chairman; Mr. Patrick Hansford; Mr. Rand Oliver; Mr. Joe Weingarten; Mr. James Briggs. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Norbert Hoffman, City Engineer; Mr. Chris Pozzuto, Economic Development Administrator.

There are currently two (2) vacancies on the Planning Commission.

COMMUNICATIONS

Mr. Feverston advised the members that six (6) applicants had been interviewed by Council to fill the vacancies on the Planning Commission. Six (6) additional applicants are to be interviewed next week.

Mr. Durham complimented Mr. Pozzuto and the Planning staff for their work on the former K-Mart property located on the northeast corner of Spring Valley Road and Main Street for the major improvement to the building elevations and overall site.

UNFINISHED BUSINESS

Beerman Realty Company - Variance to Encroach into Bufferyard for Grading Purposes

MOTION: Mr. Briggs moved to remove the Variance application submitted by the Beerman Realty Company from the table. Mr. Hansford seconded the motion. The motion was approved unanimously 5-0.

Mr. Feverston reviewed the Variance request by the Beerman Realty Company to allow encroachment into the required bufferyard for grading purposes in order to develop the property on South Main Street north of the existing Kroger store in the Centerville Place Shopping Center. The original request was to allow grading up to approximately 80 feet into the bufferyard. The variance application has been modified to propose the following three (3) different options which are listed in priority of the applicant:

1. A maximum grade of a 1:1.5 and minimizes the extent of grading into the bufferyard (maximum of 8 feet).
2. Create mowable grades from 5:1 to 3:1 slopes which increases the encroachment to 65 feet at a 5:1 slope.
3. A retaining wall, approximately 14 feet tall, at the bufferyard limits.

Mr. Feverston stated these grading limits established are based upon the kind of slopes that can be created to account for the grade change on the property.

In analyzing the Variance request, staff determined the following:

1. The zoning on this property is Business Planned Development, B-PD. Per the Zoning Ordinance, a 100 foot bufferyard is required where a B-PD zoning district abuts a residential use. The west and northwest portions of the parcel abut residential and are subject to the 100 foot bufferyard requirement.
2. The Zoning Ordinance prohibits the grading or regrading of any land within the required bufferyard.
3. The land within the required bufferyard is primarily grassland and open. There are evergreen trees and scrub brush located along the northwest property lines. There is also an area of brush and a few deciduous trees in this area.
4. There exists a significant grade difference between the land to be developed as future retail space and the land to be used as a bufferyard. The grade separation creates practical difficulties that limit the reasonable use of the property.
5. The Planning Commission tabled this variance request at their February 12th meeting and denied a variance request to permit a rear access drive in the bufferyard.
6. The applicant has revised their application by shifting the proposed building to the south approximately twenty (20) feet to move the rear drive out of the bufferyard. The applicant is proposing three (3) options. The first and highest priority proposes a maximum grade of a 1:1.5 and minimizes the extent of grading into the bufferyard (maximum of 8 feet). The second option creates mowable grades from 5:1 to 3:1 slopes which increases the encroachment to 65 feet at a 5:1 slope. The third and last priority option proposes a retaining wall, approximately 14 feet tall, at the bufferyard limits.
7. Option 1 minimizes the requested variance. However, the maximum slope of 1:1.5 is too steep to hold ground cover. Modifying this request to have a maximum slope of 1.5:1 would still minimize the requested variance by grading a maximum of 20 feet into the bufferyard and providing a slope that will allow ground cover to be planted.
8. Option 2 does not minimize the variance request although the slopes are mowable and can be maintained.
9. Option 3 eliminates the variance. However, the creation of a 14 foot high wall does create safety and aesthetic concerns and is considered to be the least desirable solution.
10. Additional mounding at the top of the slope in Option 1 or 2 would also increase the effectiveness of the bufferyard.

Based on that analysis, staff recommended approval of Option 1 subject to the following conditions:

1. The area to be graded shall be limited to the northwest corner of the site as described in the application. Option 1 shall be modified to allow for a maximum slope of 1.5:1 with the final design subject to approval by the City Engineer.
2. Suitable ground covers shall be planted on these slopes subject to approval by the City Planner.
3. The bufferyard shall be landscaped according to the Bufferyard, Landscaping, and Screening Requirements in the Zoning Ordinance. The screening shall consist of a combination of trees, grounding, and a solid-board privacy fence. Existing trees in the bufferyard may be credited toward the required landscaping.

Mr. Rick Holmes, Architectural Group and representing the applicant, stated the impact of this variance in the bufferyard would affect approximately 2,500 square feet of the property. The average depth of cuts will be approximately 4 feet to 10 feet. He stated they prefer a lower slope for safety issues.

Mr. Phil Whitaker, 360 South Village Drive, stated that no variance should be considered that would impact a bufferyard which is required to protect residents.

Mr. John McCalmont, 9128 Heather Drive, asked if there had ever been any assessment of the encroachment into the bufferyard and how it would impact property values. He asked further if the runoff would be accommodated.

Mr. Durham stated no impact study had been made.

Mr. Feverston that provisions will be required to address any additional stormwater runoff created by the development of this site as is the case with any new development in the City.

Mr. Durham stated he felt a variance was needed to allow a safer solution to the issue. A 14 foot retaining wall would be a safety hazard to anyone determined to go over the wall. A minimum variance with intense landscaping would enhance the screening area for the adjoining neighborhood.

Mr. Briggs stated the applicant has proposed new options to minimize the variance. The mounding to be added will only strengthen the screening affect to the neighborhood.

Mr. Hansford, Mr. Oliver and Mr. Weingarten felt the grade should be an approximate 3:1 slope to allow grass rather than ground cover and provide a more maintainable area.

MOTION: Mr. Hansford moved to approve the Variance requested by the Beerman Realty Company to encroach into the bufferyard for grading purposes for Centerville Place Shopping Center, Phase 2, subject to the following conditions:

1. The area to be encroached shall be limited to the portion of the bufferyard adjacent to the northwest corner of the future building, limited to 2,500 square feet in area, and limited to an encroachment not to exceed 40 feet into that bufferyard subject to approval by the City Engineer. This condition applies only to the cutting of the slope for grading purposes and not toward any additional mounding requirement for screening purposes.
2. Mounding and landscaping shall be located at the top of the slope to maximize screening to the adjacent residential properties subject to approval by the City Planner.
3. The final grading plan shall be approved by the City Engineer.
4. The bufferyard shall be landscaped according to the Bufferyard, Landscaping, and Screening Requirements in the Zoning Ordinance. The screening shall consist of a combination of trees, mounding, and a solid-board privacy fence. Existing trees in the bufferyard may be credited toward the required landscaping.

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

NEW BUSINESS

Yankee Trace, Sec. 28- Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 28, located as an extension to Olde Georgetown Way south of Heritage Lake Drive in the Homestead portion of the Yankee Trace development. The zoning on the 5.359 acre parcel is R-1c, Single-Family Residential and approved as part of a Residential Lifestyle Community. Fourteen (14) lots are proposed for this section of the development.

Staff recommended approval of the Record Plan subject to the following conditions:

1. All building setbacks shall be per the Residential Cluster Plan approved by the Planning Commission. Specifically, the side yard building setback shall be five (5) feet with a minimum separation of twenty (20) feet between buildings. A covenant shall be placed on the record plat that provides for this minimum side yard building setback and building separation subject to approval by the City Attorney.
2. The record plat shall be modified to show a minimum rear yard building setback of twenty-five (25) feet.

3. The cul-de-sac at the end of Olde Georgetown Way shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
4. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
7. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

Mr. Jim Kiefer, Great Traditions, was present for the review and indicated they would have no objection to the conditions as outlined.

The members agreed that this Record Plan was consistent with the Residential Cluster Plan approved by the Planning Commission.

MOTION: Mr. Briggs moved to recommend approval of the Record Plan for Yankee Trace, Sec. 28, to City Council, subject to the following conditions:

1. All building setbacks shall be per the Residential Cluster Plan approved by the Planning Commission. Specifically, the side yard building setback shall be five (5) feet with a minimum separation of twenty (20) feet between buildings. A covenant shall be placed on the record plat that provides for this minimum side yard building setback and building separation subject to approval by the City Attorney.
2. The record plat shall be modified to show a minimum rear yard building setback of twenty-five (25) feet.
3. The cul-de-sac at the end of Olde Georgetown Way shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
4. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.

5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
7. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

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

Yankee Trace, Sec. 29 - Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 29, located on Vintage Lake Drive east of Yankee Trace Drive and north of new Golf Hole #8 and new irrigation lake. Twelve (12) lots are proposed for this 6.263 acre parcel which is zoned R-1c, Single-Family Residential and as part of the Residential Lifestyle Community approved by City Council. This section was originally approved for sixty (60) foot wide lots for the villa product as well as two (2) single-family lots on the north side of Vintage Lake Court. The applicant has modified this plan to have a seventy (70) foot wide lot to construct a courtyard style product. The irrigation lake does extend into some of the single-family lots. The Residential Cluster Plan was approved with two (2) lots at the northeast corner of Yankee Trace Drive and Vintage Lake Court. These lots have been removed on this record plan.

Staff recommended approval of the Record Plan subject to the following conditions:

1. The record plat shall be modified to show a rear yard building setback of forty (40) feet from the rear lot line or twenty (20) feet from the normal pool of lake as shown on the engineering plans, whichever is greater.
2. An easement shall be recorded with the record plat that grants the City access through the rear yard of all lots for engineering and emergency service of the lake subject to approval by the City Attorney.
3. Protective covenant(s) shall be placed on the record plat, subject to approval by the City Attorney, that state the following:
 - a. The lake was constructed by the City of Centerville for the purpose of golf course irrigation;
 - b. The lake shall be used solely and exclusively by the City of Centerville;
 - c. The water level may from time to time be low as a result of irrigation; and

- d. These covenants(s) shall not be changed, altered or deleted without the approval by the City of Centerville.

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4. The cul-de-sac at the end of the street labeled as Vintage Lake Court shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
7. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
8. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

Mr. Jim Kiefer, Great Traditions, was present for the review and indicated they would have no objection to the conditions as outlined.

MOTION: Mr. Oliver moved to recommend approval of Yankee Trace, Sec. 29, to City Council subject to the following conditions:

1. The record plat shall be modified to show a rear yard building setback of forty (40) feet from the rear lot line or twenty (20) feet from the normal pool of lake as shown on the engineering plans, whichever is greater.
2. An easement shall be recorded with the record plat that grants the City access through the rear yard of all lots for engineering and emergency service of the lake subject to approval by the City Attorney.
3. Protective covenant(s) shall be placed on the record plat, subject to approval by the City Attorney, that state the following:
 - a. The lake was constructed by the City of Centerville for the purpose of golf course irrigation;
 - b. The lake shall be used solely and exclusively by the City of Centerville;
 - c. The water level may from time to time be low as a result of irrigation; and
 - d. These covenants(s) shall not be changed, altered or deleted without the approval by the City of Centerville.

4. The cul-de-sac at the end of the street labeled as Vintage Lake Court shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
7. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
8. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

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

Yankee Trace, Sec. 30 - Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 30, located on Cobblewood Court west of Olde Haley Drive and south of Olde Georgetown Way. The zoning the 3.260 acre parcel is R-1c, Single-Family Residential and approved as a Residential Lifestyle Community by City Council. Twenty (20) lots are proposed for this last section of the neo-traditional style homes in Yankee Trace.

Staff recommended approval of the Record Plan subject to the following conditions:

1. All side yard building setbacks shall be in accordance with the approved Residential Cluster Development Plan.
2. A covenant shall be placed on the record plat that restricts direct vehicular access to Cobblewood Court subject to approval by the City Attorney.
3. The final landscaping plan for Reserve Area CI shall be subject to approval by the City Planning Department.
4. The final grading plan shall be subject to approval by the City Engineering Department.

5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
7. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

Mr. Jim Kiefer, Great Traditions, agreed that the conditions were acceptable.

Mr. Weingarten asked if the lots were smaller than the developed neo-traditional lots.

Mr. Hoffman stated the lots appear to be smaller because the record plan does not include the rear access driveways as the other portions of the development.

MOTION: Mr. Hansford moved to recommend approval of the Record Plan for Yankee Trace, Sec. 30, to City Council subject to the following conditions:

1. All side yard building setbacks shall be in accordance with the approved Residential Cluster Development Plan.
2. A covenant shall be placed on the record plat that restricts direct vehicular access to Cobblewood Court subject to approval by the City Attorney.
3. The final landscaping plan for Reserve Area CI shall be subject to approval by the City Planning Department.
4. The final grading plan shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.

7. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

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

There being no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to be "J. H. Edwards", written in a cursive style.