

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, February 25, 1997

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

Attendance: Mr. Scot Stone, Chairman; Mr. Jack Kostak; Mr. Patrick Hansford; Mr. Arthur Foland; Mr. James Durham; Mr. Peter McMahon; Mr. Timothy Shroyer. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Norbert Hoffman, City Engineer; Mr. Steve Weaver, Director of Public Works; Mr. Greg Horn, City Manager.

Approval of minutes:

MOTION: Mr. Foland moved to approve the Planning Commission minutes of February 11, 1997, Regular Meeting, as written. Mr. Hansford seconded the motion. The motion was approved 6-0-1 with Mr. Durham abstaining.

MOTION: Mr. Foland moved to approve the Planning Commission minutes of February 18, 1997, Work Session Meeting, as written. Mr. Hansford seconded the motion. The motion was approved 6-0-1 with Mr. Shroyer abstaining.

NEW BUSINESS

Yankee Trace, Sec. 10 - Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 10, located west of Yankee Street and south of Heritage Lake Drive. The zoning on the 4.711 acre parcel is R-1c, Single-Family Residential. Twelve (12) lots are proposed with access to the Milton Munger House from Tibbals Court being provided once this section is completed.

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

1. The minimum building setback to a side lot line shall be 10 feet and 25 feet to the rear lot line. Lots 192 through 196 shall have a minimum building setback of 35 feet from Yankee Street. These recommended setbacks are in accordance to the setback plan approved for this, the Homestead Section, of Yankee Trace.
2. A final grading plan shall be subject to approval by the City Engineer.

3. 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.

Mr. Jim Kiefer, Great Traditions, was present for the review of the Record Plan. He indicated that they did not object to the recommended conditions.

MOTION: Mr. Hansford moved to recommend approval of the Record Plan for Yankee Trace, Sec. 10, to Council subject to the following conditions:

1. The minimum building setback to a side lot line shall be 10 feet and 25 feet to the rear lot line. Lots 192 through 196 shall have a minimum building setback of 35 feet from Yankee Street. These recommended setbacks are in accordance to the setback plan approved for this, the Homestead Section, of Yankee Trace.
2. A final grading plan shall be subject to approval by the City Engineer.
3. 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.

Mr. McMahon seconded the motion. The motion was approved unanimously 7-0.

Piper Landing - Record Plan

Mr. Feverston reviewed the Record Plan for Piper Landing located east of Bigger Road and north of I-675. The zoning on the 32.095 acre parcel is R-PD, Residential Planned Development. The request is to create one (1) lot for the condominium project currently under construction and to establish an access driveway for the project.

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

1. A stormwater drainage easement shall be added to this plat subject to approval by the City Engineer.

Mr. Foland stated that the project did not appear to be the same layout as approved by the Planning Commission.

Mr. Feverston explained that the layout was amended and approved by Council.

MOTION: Mr. Foland moved to recommend approval of the Record Plan for Piper Landing to Council subject to the following condition:

1. A stormwater drainage easement shall be added to this plat subject to approval by the City Engineer.

Mr. Hansford seconded the motion. The motion was approved unanimously 7-0.

UNFINISHED BUSINESS

Tom Harrigan Development - Major Use Special Approval

Mr. Feverston reviewed the revised submitted for the Tom Harrigan Auto Dealership proposed for Loop Road north of I-675 and across from the Acura/Infiniti Dealership. The zoning on the 11 acre parcel is B-PD, Business Planned Development. The request is seeking approval of an automobile facility consisting of up to five (5) 2 or 3 story buildings with final site approval for building #1 and related improvements. The parking requirements for Phase 1 is 29 spaces and the applicant has proposed 40 spaces. One (1) variance is requested for parking lot setback from the required 10 feet to a setback tapering between 5 and 10 feet. He stated that the main difference in the revised versus the original plan is there is no encroachment into the 100 foot buffer area for construction of the detention basin. The developer has submitted plans for two (2) different detention basins. The smaller basin which meets the requirements of the City would be constructed at the expense of the developer. An alternate plan was submitted for a larger detention basin that would have regional capabilities, but would have a shared expense with the City.

The revised plan proposes a change in the building elevations to construct the front as a 1-story profile and the rear as a 2-story profile. A 7 foot privacy fence is proposed to be placed at the edge of pavement at the rear of the property with a double, staggered row of evergreen trees planted directly behind the fence. Trees are to be planted temporarily to the east of each building as the development phases continue.

The existing wetlands located in the northeast corner of the site is approximately one (1) acre in size and there would be no encroachment into that area.

Staff recommended approval of the Major Use and Variance applications subject to the following conditions:

1. Approve a variance to allow the front parking lot be setback a minimum of 5 feet from Loop Road on the western side of the site tapering to a setback of 9 or 10 feet on the eastern side of the site as shown on the Site Plan.
2. The areas designated as future buildings and future parking lot are approved in concept. The final design of these improvements shall be subject to approval by the Planning Commission.
3. Stormwater Drainage, Erosion Control
 - A. Prior to any construction, grading or adding fill material on this property, a silt fence shall be installed by the developer at the construction limits, be maintained in a workmanlike condition at all times, and shall remain in place until all construction is complete, the slopes are established, seeded and mulched. Additionally, existing brush shall be wind-rowed behind the silt fence to provide additional erosion control. Wire fencing and either No. 2 stone or type "C" rip-rap shall be installed with the straw bails for reinforcement and to further protect the site from wash-out. A rock check dam shall be installed in-lieu-of the straw bale dyke located at the two final discharge points shown on the plan subject to approval by the City Engineer.
 - B. The stormwater detention basin shall be constructed in its entirety, seeded and mulched with the Phase 1 portion of this project.
 - C. A second silt fence shall be installed along the southern edge of the detention basin after the basin is constructed to further control site erosion and prevent sedimentation of the detention basin.
 - D. An easement, approved by the City Attorney, shall be recorded to specifically permit emergency maintenance and access by the City. The property owner shall be responsible for the maintenance of the detention basin.
4. The proposed retaining walls shall be a segmented retaining wall such as a Keystone or Allen Block wall with the final design subject to approval by the City Engineer.

5. Bufferyard, Landscaping and Tree Preservation.

- A. The required 100 foot buffer strip along the north and east property lines abutting the Village South Neighborhood and the Centerville Kindergarten Village shall be maintained in its natural state and left undisturbed.
 - B. The 100 foot buffer strip and any wooded area that is located between the buffer strip and the construction limits as established on the revised grading plan shall be clearly marked in the field with brightly colored plastic tape and/or flags to designate these areas as protected. This marking shall remain in place until construction of the detention basin, and Phase 1 is complete.
 - C. The double, staggered row of evergreen trees shown on the landscape plan planted along the edge of the parking lot shall be spaced a maximum of 10 feet on-center as shown on the landscape plan and shall have a minimum planting height of 5 to 6 feet.
 - D. The privacy fence shown on the site plan shall be a solid board fence that has no visible gaps and shall have a height of 7 feet.
 - E. The detention basin and those slopes established by this project shall be seeded with fescue and other grasses that provide a deep root system and grow 2 to 3 feet in height, subject to approval by the City Horticulturalist. Additionally, seedlings of Maple, Ash, Elm and other hardwood trees shall be planted on these slopes to reforest this area.
 - F. All the time when the retaining wall is built, a temporary construction fence shall be installed to protect the buffer strip from encroachment during construction.
6. An exterior lighting plan shall be subject to approval by the City Planner. This plan shall include the type of fixtures, bulb types and wattage, mounting height, photo metrics and a light plot. All light fixtures shall focus light downward and have a sharp cut-off to the north and east where this property abuts residentially zoned land. Wall-packs shall not be permitted. The level of illumination on this property, particularly the northern parking lot, shall be low to present a soft and subdued appearance.

7. An outdoor speaker system shall be prohibited.
8. The Planning Commission must specifically approve the use of an exterior finish insulation system (dryvit) proposed to cover the exterior walls of the proposed building.
9. Dumpster location and required screening shall be approved by the City Planning Department.
10. The final grading plan shall be subject to approval by the City Engineering Department.
11. A minimum of 5 percent of the proposed parking area shall be landscaped subject to approval by the Planning Department.
12. The final design and alignment of the driveway to Loop Road shall be subject to approval by the City Engineer.
13. A temporary vehicular turn-around shall be provided around the east side of the first building and subsequent buildings until the development is complete, subject to approval by the City Engineer.

MOTION: Mr. Foland moved to remove the Major Use application for Tom Harrigan from the table. Mr. McMahon seconded the motion. The motion was approved unanimously 7-0.

Mr. Larry King, CESO Engineer representing the applicant, stated they would like both plans to be approved based on the two proposed detention basins. He stated that they would not object to an easement for access by the City for maintenance of the basin should a regional detention basin be constructed; however, if the smaller basin is constructed, an easement would not be necessary. In reference to the proposed plantings on the slope, Mr. King stated that the applicant would be willing to install the seedlings to re-forest the area. Mr. King stated that the developer is prepared to meet the City's requirements for lighting and would submit that information to staff for their approval. The dryvit-type material is consistent with other buildings in the area and it will be more easily maintained than other types of building materials. He stated that all modifications made to the plan seem to more than satisfy the City's requirements and requested the revised plan be forwarded to Council with a recommendation for approval. Concerning the driveway access to Loop Road, Mr. King stated he had worked with the City Engineer to find the best possible driveway location for this particular site.

Mr. Ken Hahn, resident of 311 South Village Drive and spokesperson for the neighborhood, stated their opposition to the plan. He stated that even changes to plan have been made, there are many issues and concerns that the application still needs to address. Some areas of concern were mandatory marking of the buffer area with a fencing material, completion of the detention basin prior to any construction in Phase 1, grading of the entire site to be completed prior to any construction, additional silt fences and straw bales be installed to protect against stormwater runoff, landscaping plan should be more detailed, height of all buildings should be limited to 1-story facing Loop Road and 2-story facing the neighborhood, lighting fixtures to be down-directed with more details to be submitted prior to approval, a 10 foot high fence to be located along the interior line of the buffer area, bonding required should the developer not complete the project and asked that the neighborhood have additional time to review the report done by Camp, Dresser and McKee. He further stated that there should be no question as to installing the larger detention basin.

Mr. Pete Flaherty, 170 South Village Drive, agreed that the regional detention basin should be the only system considered should the project be approved. He stated that a study should be made as to the benefit to properties downstream to determine justification in spending City monies for the larger basin. He was concerned with the placement of input and output pipe in the basin as they appear to be almost directly across from each other which might limit its effectiveness. Mr. Flaherty questioned the type of soils to be used for infill on the project and how they will better the suit the tree plantings on the slope area. He stated that the Village South has been plagued by the commercial development on Loop Road for years and the proposed project will only violate their neighborhood more.

Mr. Jerry Glasgow, 361 South Village Drive, did not understand why the Drainage Task Force was not given an opportunity to review this plan as suggested by a member of Planning Commission during the public hearing. He stated they need assurances this project is well thought out to meet Centerville's high standards.

Mr. Regis Lincoln, 321 South Village Drive, stated that his residence is one that has a basement that experiences sanitary sewer backup. He stated that working between the City and County is a problem because the City is responsible for stormwater and the County is responsible for the sanitary. Each situation seems only to complicate each issue with nothing being resolved. He asked how the City can address the issue of an already burdened sanitary sewer system.

Mr. Gary Smiga, Centerville City Schools, stated that their concerns of the encroachment into the buffer area and the stormwater runoff have been satisfied. He indicated he would make the School Board aware of the potential larger detention basin and the possibility of a cost sharing project for this regional system.

Mr. Rick Tittsler, Centerville-Washington Park District, stated that the revised plan is acceptable as the concerns of encroachment to the buffer area and the drainage have been addressed. He stated that there remained concern with the proposed use of seedlings rather than park grade trees and would be willing to work with the developer through a free tree program managed by Montgomery County. Mr. Tittsler stated that they were pleased with the reduction in building height as it abuts the park area. The Park District further agreed that the regional detention system should be constructed.

Mr. Tom Pease, 6133 Marshall Road, stated that he was concerned with the visual impact the development would have on the neighborhood. He stated that the pictures submitted with the application seemed to be a best-case situation and not necessarily what would appear when the site is completed. He stated that the main element of concern for the visual impact would be the lighting of the site. Mr. Pease invited the members of Planning Commission to view the Loop Road area from his property to experience the visual impact lighting has on the neighborhood below.

Mr. Doug Gulusha, 6381 Marshall Road, stated a further concern was the lack of fencing in the buffer area to keep children from entering the detention basin area. He stated this would not only protect the children, but the property owners from criminals leaving the Loop Road area.

Mr. Durham asked Mr. Hoffman if the detention was adequate.

Mr. Hoffman stated that he was satisfied the smaller detention basin would improve the situation as it currently exists to which Camp, Dresser and McKee agreed in their report. He stated that should the larger basin be constructed, the difference in pipe size would increase from a 10 inch pipe to a 21 inch pipe. Referencing Mr. Flaherty's concern of the short route between the input and output pipes in the basin, Mr. Hoffman stated that once the construction is complete all erosion materials will be removed, the rock check dam will be in place, and the basin should operate to its full potential.

Mr. Durham asked if the property owner would be responsible for maintenance of the detention basin.

Mr. Farquhar stated that although the maintenance of the basin would be the responsibility of the property owner, an easement would be created to allow access by the City for maintenance should an emergency situation occur.

Mr. Durham stated that he understood the frustrations of the property owners in Village South, however, the applicant has proposed to do more than what he actually is required to do. Final construction plans will be submitted to Montgomery County Sanitary Department for their review and approval of the sanitary issues.

Mr. Hoffman indicated that the Sanitary Department is working with individual property owners to address their needs.

Mr. Durham asked how long the basin would remain wet.

Mr. Hoffman stated that depending on the severity of the storm, the basin could remain wet for approximately 4 to 6 hour period.

Mr. Hansford asked if the water from the basin would enter the underground storm system.

Mr. Hoffman stated that the stormwater runoff would remain in the tributary.

Mr. Hansford explained that the residents are expecting the applicant to solve problems that he cannot resolve. He indicated that in speaking with Montgomery County Sanitary, he was told that the ground water is being processed with sump pumps on individual properties and forced back into the sanitary system, therefore creating some of the backup problem. He stated that this type of solution was permitted years ago when this neighborhood was built, but would not be permitted today.

An unidentified resident stated that the City required fencing around swimming pools and asked why this basin would not be fenced.

Mr. Durham stated that the City could not require the applicant to install a chain-link fence at the bottom of the hill in addition to the fence to be placed behind the parking lot at the top of the hill which satisfies the screening requirement. He further added that the City does not have the ability to require a chain-link fence around the detention basin.

Mr. Hoffman stated that there are many detention ponds in the City which are not fenced, however, this basin will be a dry basin most of the time.

Mr. Durham suggested that a silt fence be installed 15 feet back from the buffer area.

Mr. Shroyer asked how the basin would affect the wetlands on the property.

Mr. King stated the wetlands are a direct result of the high ground water table on the property.

Mr. Durham stated that seedlings would best suit this application since the ground water on the site would not allow specimen trees to grow. He stated that we must remember that seedlings are additional landscaping proposed by the developer and the City has no requirement at this time to require any trees or seedlings on the slope.

The members of the Planning Commission agreed that most overall development plans have modifications from the original approval once construction begins. They felt it would not be in the best interest of anyone to require the applicant to grade the entire site before any construction begins.

Mr. Durham asked what type of lighting for the site was being proposed.

Mr. Feverston stated that the lighting proposed for this site will emulate the lighting plan approved for the Acura/Infinity dealership across Loop Rd. The light fixtures proposed are down-directed fixtures with sharp cut-offs and have the ability to affix additional shielding to them. The light poles are proposed to be 25 feet in height. He stated that more lighting intensity would be appropriate along Loop Road, however, a more subdued lighting along the rear of the building as used on the Acura/Infiniti site would be acceptable.

Mr. Durham stated that a lighting plan should be presented to Council so that the residents could view it at the next public hearing.

Mr. Durham asked if bonding for the project could be required by the City as suggested by the residents.

Mr. Farquhar stated bonding for public improvements can take place, however, bonding for projects on private land is not something the City can require.

Mr. Durham asked Mr. Hoffman if the driveway alignment was acceptable.

Mr. Hoffman stated that the location is the best given what is possible on this particular site. He stated traffic counts indicate Loop Road carries 6,000 cars per day and those numbers will increase.

MOTION: Mr. Foland moved to approve the Variance to allow parking lot setback to be 5 feet from Loop Road on the western side tapering to a setback of 9 or 10 feet on the eastern side of the site. Mr. McMahon seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mr. Durham moved to recommend approval of the Major Use Special Approval to Council for Tom Harrigan subject to the following conditions:

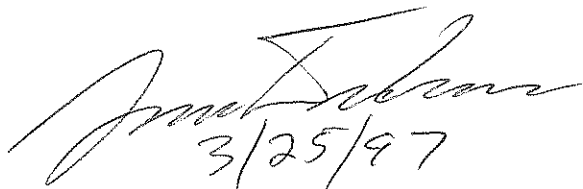
1. The areas designated as future buildings and future parking lot are approved in concept. The final design of these improvements shall be subject to approval by the Planning Commission.
2. Stormwater Drainage, Erosion Control
 - A. Prior to any construction, grading or adding fill material on this property, a silt fence shall be installed by the developer at the construction limits, be maintained in a workmanlike condition at all times, and shall remain in place until all construction is complete, the slopes are established, seeded and mulched. Additionally, existing brush shall be wind-rowed behind the silt fence to provide additional erosion control. Wire fencing and either No. 2 stone or type "C" rip-rap shall be installed with the straw bails for reinforcement and to further protect the site from wash-out. A rock check dam shall be installed in-lieu-of the straw bale dyke located at the two final discharge points shown on the plan subject to approval by the City Engineer. The silt fence shall be placed a minimum of fifteen feet from the 100 foot buffer zone as shown on the construction drawings.
 - B. The stormwater detention basin shall be constructed in its entirety, seeded and mulched with the Phase 1 portion of this project.
 - C. A second silt fence shall be installed along the southern edge of the detention basin after the basin is constructed to further control site erosion and prevent sedimentation of the detention basin.

- D. An easement, approved by the City Attorney, shall be recorded to specifically permit emergency maintenance and access by the City. The property owner shall be responsible for the maintenance of the detention basin.
3. The proposed retaining walls shall be a segmented retaining wall such as a Keystone or Allen Block wall with the final design subject to approval by the City Engineer and located at least 10 feet from the buffer area.
 4. Bufferyard, Landscaping and Tree Preservation.
 - A. The required 100 foot buffer strip along the north and east property lines abutting the Village South Neighborhood, Village South Park and Centerville Kindergarten Village shall be maintained in its natural state and left undisturbed.
 - B. The 100 foot buffer strip and any wooded area that is located between the buffer strip and the construction limits as established on the revised grading plan shall be clearly marked in the field with brightly colored plastic tape and/or flags to designate these areas as protected. This marking shall remain in place until construction of the detention basin, and Phase 1 is complete. The marking of the buffer area shall be made before any construction begins and shall remain in place until Phase 1 is completed.
 - C. The double, staggered row of evergreen trees shown on the landscape plan planted along the edge of the parking lot shall be spaced a maximum of 10 feet on-center as shown on the landscape plan and shall have a minimum planting height of 5 to 6 feet.
 - D. The privacy fence shown on the site plan shall be a solid board fence that has no visible gaps and shall have a height of 7 feet.
 - E. The detention basin and those slopes established by this project shall be seeded with fescue and other grasses that provide a deep root system and grow 2 to 3 feet in height, subject to approval by the City Horticulturalist. Additionally, seedlings of Maple, Ash, Elm and other hardwood trees shall be planted on these slopes to reforest this area.
 - F. All the time when the retaining wall is built, a temporary construction fence shall be installed to protect the buffer strip from encroachment during construction.

5. An exterior lighting plan shall be subject to approval by the City Planner. This plan shall include the type of fixtures, bulb types and wattage, mounting height, photo metrics and a light plot. All light fixtures shall focus light downward and have a sharp cut-off to the north and east where this property abuts residentially zoned land. Wall-packs shall not be permitted. The level of illumination on this property, particularly the northern parking lot, shall be low to present a soft and subdued appearance.
6. An outdoor speaker system shall be prohibited.
7. The Planning Commission must specifically approve the use of an exterior finish insulation system (dryvit) proposed to cover the exterior walls of the proposed building.
8. Dumpster location and required screening shall be approved by the City Planning Department.
9. The final grading plan shall be subject to approval by the City Engineering Department.
10. A minimum of 5 percent of the proposed parking area shall be landscaped subject to approval by the Planning Department.
11. The final design and alignment of the driveway to Loop Road shall be subject to approval by the City Engineer.
12. A temporary vehicular turn-around shall be provided around the east side of the first building and subsequent buildings until the development is complete, subject to approval by the City Engineer.

Mr. Foland seconded the motion. The motion was approved unanimously 7-0.

There being no further business, the meeting was adjourned.


3/25/97

