

CENTERVILLE PLANNING COMMISSION  
Regular Meeting  
Tuesday, February 26, 2013

Mr. Clark called the meeting to order about 7:35 p.m.

ATTENDANCE

Present: Chairman Paul Clark, Mr. Jim Briggs, Mr. Jim Durham, Mr. Jeff Gammell, Mrs. JoAnne Rau, and Mr. Bill Eton. Also present: City Planner Steve Feverston, Economic Development Administrator Nathan Cahall, Municipal Attorney Scott Liberman, City Manager Greg Horn, Finance Director Steven Hinshaw, Assistant City Engineer John Sliemers and Assistant Clerk of Council Julie Weaver.

APPROVAL OF MINUTES

There were no additions or corrections for the minutes of the Planning Commission Meeting of January 29, 2013.

MOTION: Mr. Briggs moved for approval of the minutes of the Planning Commission Meeting of January 29, 2013, as distributed. Mrs. Rau seconded the motion. The motion passed with six ayes, 6-0.

PUBLIC HEARINGS

**UDO Text Amendment: Annual Clean Up, Noticing for Public Hearings and Food Vending**

Rearranging the agenda for the evening, Mr. Clark announced the public hearing for the text amendment to the UDO would be held before the public hearings for the variances.

Mr. Durham made a motion to remove the text amendment for the Unified Development Ordinance from the table. Mr. Briggs seconded the motion before Mr. Feverston summarized the changes that were being recommended. For ease of use, he noted the creation of a single section within the UDO dealing with public hearings. This section would be referenced in later parts dealing with individual types of applications. Minor corrections were needed on page nine for the Landmark Table. Other changes included adding a section regulating mobile food vendors on private property as a companion to the rules for mobile food vendors in public rights-of-way in the Municipal Code. The intention is for mobile food vendors on private property to be a temporary use for community events or sidewalk sales. The Table of Minimum Standards on pages 11-14 was adjusted to create a more user-friendly table. The Permitted Land Use Table was amended to include food vending, outdoor storage and display updates, and transport services such as taxis, limos and ambulances. The definitions of "mobile food vehicles" and "flags" as signs were modified.

Mr. Feverston noted that the amendment would go to Council if recommended by the Planning Commission.

MOTION: There being no questions and no speakers for the public hearing, Mr. Durham made a motion to recommend to City Council the approval of the text changes amending the Unified Development Ordinance. Mr. Briggs seconded the motion. The motion passed with a 6-0 vote.

**Application P-2013-0003 – Variances for Parking and Paving Setbacks And A Reduction in the Required Number of Parking Spaces – AED Enterprises, LLC for Dewey's Pizza, 35-45 N. Main Street.**

Mr. Durham moved to bring to the floor for consideration the variance application tabled at the meeting on January 29, 2013. Mr. Briggs seconded the motion. The motion passed 6-0. At this time Mr. Gammell recused himself and left the meeting. Mr. Clark also recused himself, but remained in Council Chambers, and Mr. Briggs assumed the duties of the Chair.

This application included variances for parking and paving setbacks and the number of parking spaces. In tabling the variances, the Planning Commission asked for articulation (recesses and shadow lines) for the retaining walls and for lines of sight from the neighboring properties. The members also wanted information on the availability of parking in the surrounding public parking areas. Mr. Feverston projected the updated elevations of the retaining wall showing areas of thinset limestone veneer as submitted by Mr. Scot Rogers of Tilsley and Associates, Architects, and the lines of sight prepared to show the view from various neighboring vantage points. Mr. Feverston recommended using the lowest height of solid fences that would shield the residences. Taking into account the new information submitted by the applicant, the fence height should be six feet high to screen headlights and hide vehicles from Mr. Perkins' property. Only the roof of Dewey's Pizza would be visible from Mr. Perkin's backyard. Mr. Feverston noted that the fence height at Lumpkin's Glass could be stepped down from the north end of the Dewey's Pizza building to Ridgeway Road.

With regard to parking spaces, Dewey's submitted a letter stating that the owners would require all employees to park in the public parking area near Cross Point Church. Mr. Liberman said this would be self-enforced by Dewey's. Additional spaces could become available if an agreement is negotiated with Dr. Burke for eight parking spaces during his evening off-hours. Mr. Feverston shared a parking memo detailing the spaces available in the public area behind Panera. The Planning Department recommended approval of the parking and paving setbacks, subject to three conditions and the approval of the variance for a reduced number of parking spaces, subject to two conditions providing for alternate parking.

Mr. Scot Rogers, representing Dewey's Pizza, stated that the fence material would be a composite of cement and fiber for durability. Having metal support posts, the solid board fence would be solid color with a stained wood appearance. Metal guardrail would also be in place on the Dewey's side. Since Mr. Feverston was recommending six foot fences, Mr. Etson asked to state in the conditions that the fence be six feet high behind Mr. Perkin's parcel.

During the public hearing, Mr. Paul Clark of 104 Ridgeway Drive, asked about the depth of the curb at the edge of the pavement. Mr. Rogers said it would be four to six inches

high so that water would not cascade over the wall. Mr. Clark reiterated his belief that parking would be an issue.

When Mr. Briggs asked how water would be directed across the property, Mr. Feverston discussed two storm sewer options for handling the discharge from the underground storage tank that is expected as part of the drainage plan. From the vault, water will be released at a preconstruction rate directly into one of two branches of the storm sewer system.

MOTION: Mr. Durham made a motion to approve the parking and paving setback variances, with the conditions recommended by staff. Mr. Etson seconded the motion. The motion passed with a 4-0 vote. The approval was subject to the three conditions recommended by staff, plus a fourth condition:

1. The retaining walls are to be articulated as requested by the Planning Commission per the submission by Tilsley and Associates on February 20, 2013. They shall be faced with limestone or a concrete product emulating limestone subject to approval by the Centerville Board of Architectural Review.
2. Ivies or other similar wall climbing plants shall be installed at the base of the wall subject to approval by the City Planner.
3. Evergreen shrubs shall be planted on top of the wall to screen the dumpster enclosure.
4. The fences are to be composite materials that provide quality and ease of long-term maintenance. The fence behind Mr. Perkin's property shall be six feet tall. The height and configuration of the other sections of the fence shall be subject to the approval of the City Planner.

MOTION: Mr. Durham made a motion to approve the variance for the number of parking spaces, subject to the mitigations in the conditions as recommended by staff. Mrs. Rau seconded the motion. The motion passed with a vote of 4-0. The conditions are as follows:

1. Dewey's Pizza is granted shared parking by Burke Orthodontics for at least 8 parking spaces (the parking lot Dewey's intends to re-build as a part of its development has 8 parking spaces) in accordance with UDO Articles 9.29 C9, Joint Use of Parking Spaces and 9.29 D6, Parking provided under separate ownership subject to approval by the City Attorney.
2. Dewey's Pizza agrees to require all employees to park in the Cross Point Vineyard Church lot or other parking lot the City may acquire in the future for such purpose.

**Application P-2013-0008 – Sign Variances, AED Enterprises, LTD, for Dewey's Pizza, 35-45 North Main Street**

Mr. Feverston explained an additional variance for a sign package on the exterior of the building. Per the Unified Development, one wall sign is allowed on the frontage wall that generates the area for the sign. In the Architectural Preservation District, a ground sign is also allowed by right and may be exchanged for one sign on an additional face of the building. The applicant requests that the ground sign be exchanged for two smaller medallion signs on the two gable ends of the building and a projecting wall sign near the main entrance. Mr. Feverston proposed that, as an alternative to the projecting sign, the exterior projecting wall sign could be a lighted sign in the window at the south entrance with an additional standard sign application. Staff recommended denial of the variance.

In discussing the request Mrs. Rau stated that she liked the balance of the back-lit circular sign on each of the two gables.

In the public hearing, Mr. Scot Rogers said he had misinterpreted the code; his intention was to keep the area of the three signs within the allowance for the two faces of the ground sign.

Mr. Durham stated that the two logos made sense for identifying the business and were subtle. He was willing to vote for two medallions.

MOTION: Mr. Durham made a motion to approve the use of the two medallion signs in the gables as shown on the elevations in place of a ground sign and to deny the projecting wall sign by the entrance. Mr. Etson seconded the motion. The motion passed 4-0.

Mr. Clark returned to the dais as this time and resumed his duties as Chairman for the meeting.

**Application P-2012-0197 – Record Plan, Robert Feldmann for the Centerville-Washington Park District, Bill Yeck Park Plat, 2230 Centerville-Station Road.**

Mr. Feverston introduced the requested record plan for the incorporation of the Smith Farm into Bill Yeck Park as its “front door” with a widened entrance, parking, detention ponds and building improvements. The record plan defines the required thirty-five feet of public right-of-way on Centerville Station Road and utility easements, primarily the easement for the water line. Review by the appropriate entities showed that a utility easement for DP&L needs to be added to the record plat that was submitted. Staff is recommending approval with eight conditions, one of which is the addition of the utility easement. Mr. Feverston also noted that a different survey had shown a discrepancy concerning the centerline of the road and the property line. This discrepancy needs to be clarified before the new plat is recorded. Mr. Feverston pointed out that the grade of Centerville Station Road will need to be modified as part of the project or funds set aside for the work at a later time.

MOTION: Mr. Durham made a motion to recommend approval of the record plan for Bill Yeck Park to City Council, subject to the conditions recommended by staff. Mr. Briggs seconded the motion. The motion passed 5-0. The eight conditions are as follows:

1. In lieu of construction of the required improvements prior to the recording of this plat, a performance bond in an amount equal to the required public improvements

shall be posted by the developer with the City subject to approval by the City Engineer and a subdivider's agreement entered into with the City by the developer.

2. The applicant shall provide review and inspection fees in the amount subject to approval by the City Engineer.
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.
4. The applicant shall verify the location of the section line, property and centerline along Centerville Station Road subject to approval by the City Engineer.
5. The record plat shall be modified to show all existing easements including the sanitary sewer easement along the east side of the property subject to approval by the City Engineer.
6. The contractor shall obtain a right-of-way permit for any work performed in the public right-of-way.
7. The contractor shall notify the Centerville Public Works Department prior to any earth disturbing activity for inspection of erosion control measures.
8. A temporary right-of-way for road construction purposes shall be donated to the City at the time of construction of Centerville Station Road to address grading issues.

#### COMMUNICATIONS

Mr. Feverston shared no communications. The next meeting of the Centerville Planning Commission is March 12, 2013 at 7:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.



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Paul Clark, Planning Commission Chair