

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, August 26, 2008

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

Attendance: Mr. Paul Clark, Chairman; Mr. Jim Brunner; Mr. Jim Briggs; Mr. Jeff Gammell; Mr. Jim Durham; Mr. John Palcher; Mr. Mark Leonard. Also present: Mr. Ryan Lee, Planner; Mr. Scott Liberman, City Attorney.

Approval of minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission minutes of June 24, 2008, subject to the word "if" being added to the sentence in the paragraph following item #5.

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

MOTION: Mr. Durham moved to approve the Planning Commission Work Session minutes of July 8, 2008, as written. Mr. Gammell seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mr. Durham moved to approve the Planning Commission Work Session minutes of July 29, 2008, with the change that Mr. Leonard was absent. Mr. Brunner seconded the motion. The motion as approved 5-0-2 with Mr. Leonard and Mr. Briggs abstaining.

PUBLIC HEARINGS

An Ordinance Enacting The Unified Development Ordinance For The City Of Centerville, Ohio, For The Classification And Regulation Of All Uses Of Land And Structures Within The City Of Centerville In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code. Also, This Ordinance Repeals Existing Ordinance Number 11-86, An Ordinance Enacting Revised Zoning Districts And Regulations For The City Of Centerville In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code Adopted On July 21, 1986 And All Amendments Thereto; Chapter 838, Adult Entertainment; Part 12, Title Four, Subdivision Regulations; Chapter 1202, Planning Commission; Chapter 1204, Parklands; Chapter 1206, Landmarks; Chapter 1460, Erosion And Sedimentation Control; Chapter 1462, Flood Damage Preservation; Chapter 1466, Outdoor Dish-Type Antennas; And Chapter 1468, Outdoor Illumination.

Mr. Lee acknowledged members of the Unified Development Ordinance (UDO) Task Force as well as the members of the Planning Commission for their contributions throughout the process of creating the UDO document. He stated the UDO consolidates all regulations that govern development in the City into one (1) document. Most of the zoning district standards contained in the document have not changed with the exception of the overlay districts that have been added. The zoning map includes some changes such as the inclusion of a R-1e, Single-Family Residential, zoning district to be located in the area of Sheehan Road, Social Row Road, and Paragon Road which will allow reduced lot sizes and setback requirements for the maximum

density of 4 dwelling units per acre. The Planning Commission had concluded the 4 dwelling units per acre would be in line with the densities in Deer Run and areas within Yankee Trace such as The Links, The Highlands, The Terraces, and the Neo-Traditional units. The overlay districts created have been divided into 3 different types. There are mandatory overlay district which include wireless telecommunication uses as well as flood plain districts that will be citywide. Optional overlay districts such as a neighborhood center, community center, corporate business, neighborhood residential, residential conservation district as well as the lifestyle community district currently written in the R-1c standards will now be contained in the UDO.

Mr. Lee stated some formatting changes within the document have been as recommended by the City Attorney as follows:

In Article 9, Part 1, the work "fron" should be changed to "from" in the footnote to page 9-12. Within Table 9.2, the table legend will be a separate page to avoid confusion. Within Section 9.07, A, 2, there is a reference to Table 9.2 which has been added for consistency in reading through the document. In Article 9.1, on Pages 9-15 through 9-24, the outline numbers need to be reformatted as a result of the word processing program automatically returning to the previous format. In Article 9, Part 4, the footer reference "supplemental" is misspelled throughout and will be changed including Page 9-220, Section 9.53 and the Table of Contents.

Mr. Briggs questioned the use of the word "morals" in Sections 1.01, 1.15 and 9.49 (A) (1), as "morals" are generally understood to be perceptions of one's own or others thoughts or standards, but not generally defined legally as behavior.

The members agreed if upon researching the issue, the City Attorney is to determine if there are any legal reasons the word "morals" should be included in the UDO and ,if not, the word should be excluded.

Section 5.17 (B) The Planning Commission has the authority to grant variances. The second sentence should read "The Planning Commission may authorize . . .".

The subject of a "Consent Agenda" was discussed by the members. Mr. Liberman said the idea of the consent agenda was to be used by the City Council for the purpose of items such as resolutions to which unanimous approvals are given. He stated he did not feel the Planning Commission should use a consent agenda as the only items most likely to be part of it would be approval of the minutes. If it is determined at a later time a consent agenda is needed, it could be included in the Planning Commission Rules of Procedure.

The members agreed the reference to a Consent Agenda should be stricken from the UDO.

Mr. Clark opened the public hearing.

Mr. Skip Schafer, 1008 Spring Pines Lane, objected to the R-1e zoning classification proposed for the 68+ acres property located between Social Row Road, Sheehan Road and Paragon Road. He stated when changing zoning density from 2 to 4 dwelling units per acre you would be doubling traffic impacts and everything else. He stated as a member of the Create The Vision Steering Committee, he recalled the area in questions as having a specific study area for single-family residential at the current density.

Mr. Durham stated that the R-1e zoning classification is only being considered as part of the UDO document and would not rezone the area as part of the adoption and approval of the UDO itself. It would require a rezoning application to change the zoning classification.

Mr. Liberman stated the change in the zoning classification to R-1e would be included in the adoption of the overall UDO as the zoning map is part of the document.

Mr. Durham asked if there were other areas being considered for rezoning as part of the document.

Mr. Lee stated that would be the only zoning change.

Mr. Durham stated he misunderstood the zoning change was to be made a part of the UDO document and apologized to Mr. Schafer. Mr. Durham stated that this being a large parcel of land, he did not feel it should be included in the adoption of the UDO as many surrounding property owners should be notified.

Mr. Gammell agreed stating he was not aware the zoning map would be included in the approval of the UDO. He stated the rezoning of this property should be made separately from the document.

There being no other speakers, Mr. Clark closed the public hearing.

MOTION: Mr. Durham moved to recommend approval of the Unified Development Ordinance (UDO) to Council subject to the following changes:

1. The language concerning morals be removed from Sections 1.01, 1.15, and 9.49, A. 1., if in the opinion of the City Attorney it is appropriate to do so.
2. In Section 5.17, B, the first sentence should read "The Planning Commission has the authority to grant variances. The Planning Commission may authorize. . . .".
3. The Zoning Map be changed to designate the vacant 68+ acres bounded by Paragon Road to the west, Sheehan Road to the east, and Social Row Road to the south, as R-1c, Single-Family, rather than the R-1e, Single-Family, classification.

4. Delete the two (2) paragraphs concerning Consent Agenda (Section 3.05, G. and 5.11, C., 8.) from the document.
5. Staff and the City Attorney shall make formatting, spelling, and punctuation corrections to the document prior to City Council's Public Hearing.

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

Mr. Clark recognized the members of staff in guiding the Planning Commission members through the lengthy process of creating the UDO to forward on to City Council.

UNFINISHED BUSINESS

Tim Donut US, Ltd. - Variance and Planning Commission Special Approval Applications

Mr. Lee stated the applicant has not contacted staff concerning their applications tabled at previous meetings and it is staff's assumption they want the applications to remain on the table.

Mr. Clark stated these applications have been on the table since April with no revisions submitted in accordance with the direction the Planning Commission has given to the applicant. The members concurred the applications are to be removed from the table at the next regular meeting for appropriate action.

The members agreed a change in the Planning Commission Rule of Procedure should be made to allow an application to be tabled for a period of 90 days. If an extension is needed after that time period, the applicant should be required to come before the Planning Commission and request an extension.

Mr. Durham suggested the members give the time period for an application some thought and the issues of tabling applications should be listed on the agenda as a separate item for discussion at a future meeting.

COMMUNICATIONS

Mr. Clark stated a major change was made to the site plan for Kroger Marketplace in terms of the location of the retention area which will most likely now be underground in order to create an additional outlot for use by Grismer Tire. During the Council Meeting, Mr. Lyle Swan expressed his appreciation of the Planning Commission and staff for their consideration in addressing the concerns of the surrounding neighborhood.

Mr. Clark congratulated Mr. Briggs on his reappointment to the Planning Commission for another 4-year term.

There being no further business, the meeting was adjourned.

