

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, July 29, 2003

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

Attendance: Mr. Paul Clark, Chairman; Mr. Patrick Hansford; Mr. Joe Weingarten; Mr. Jim Briggs; Mr. James Durham; Mr. Jim Brunner. Absent: Mr. Robert St. Pierre;. Also present: Mr. Steve Feverston, City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Norbert Hoffman, City Engineer.

Motion to Excuse:

MOTION: Mr. Briggs moved to excuse Mr. St. Pierre from the meeting. Mr. Weingarten seconded the motion. The motion was approved unanimously 6-0.

Approval of Minutes:

MOTION: Mr. Weingarten moved to approve the Planning Commission Regular Meeting minutes of June 24, 2003, with a change in the motion concerning the Friends of Benham's Grove on Page 3 to reflect the vote was denied unanimously 0-6 rather than 6-0. Mr. Briggs seconded the motion. The motion was approved 5-0-1 with Mr. Brunner abstaining.

MOTION: Mr. Weingarten moved to approve the Planning Commission Work Session minutes of July 15, 2003, as written. Mr. Briggs seconded the motion. The motion was approved 5-0-1 with Mr. Brunner abstaining.

MOTION: Mr. Briggs moved to approve the Planning Commission Special Meeting minutes of July 15, 2003, as written. Mr. Weingarten seconded the motion. The motion was approved 5-0-1 with Mr. Brunner abstaining.

COMMUNICATIONS

Mr. Feverston asked that any comments concerning the draft ordinance included in the information packet be forwarded to his office as soon as possible as the ordinances will be set for public hearing in the near future. The subject of these draft ordinance include shifting all required internal landscaping in vehicle storage parking areas to the perimeter of the parcel to provide more screening as well as protect vehicles from environmental issues; and, increasing the maximum ground floor area of a building from 5,000 to 10,000 square feet in O-S and B-1 zoning districts.

Mr. Feverston advised the members that Fifth Third Bank had filed an application for a new banking facility to be located on one of the outlots on South Main Street. This application will be reviewed at the next regular meeting.

Staff is working with Kee Hee Lee, owner of the Wind Gallery on North Main Street, to redevelop two lots on the northeast corner of West Franklin Street and Normandy Lane.

Mr. Feverston informed the members that Uno's Pizza will file an application in the near future for minor modifications to the former Frisch's Restaurant building on Dayton-Lebanon Pike.

PUBLIC HEARINGS

Bob Ross Motorcars, Inc. - Variance of the Location of Required Landscape

Mr. Hansford left the meeting at this time due to a possible conflict of interest.

Mr. Feverston reviewed the Variance application filed by Bob Ross Motorcars, Inc., 80 Loop Road, requesting approval to change the location of the required parking lot interior landscaping to the north side of the proposed parking lot.

The Planning Commission discussed this issue in a work session and felt it was a reasonable request. They further suggested an ordinance be drafted to amend the Zoning Ordinance to allow the location of landscaping to be changed for vehicle storage lots as no customers would be using these areas.

Mr. Feverston reviewed the following points included in the staff analysis:

1. The undeveloped portion of the site slopes down toward the north. There is a 17 foot drop in grade from the back edge of the existing pavement to the north property line.
2. The Planning Commission met in a Work Session with representatives of Bob Ross Motorcars, Inc., to discuss a proposed parking lot and required landscaping on the property. The discussion focused on the following facts:
 - A. The property parking lot is to be used as a vehicle inventory lot.
 - B. Only employees of Bob Ross Motorcars will be permitted to park or maneuver vehicles in this lot.
 - C. Internal landscaping would be impractical for such a lot and creates a practical difficulty for the property.
 - D. Placing the required landscaping on the perimeter of such a parking lot is a means of effectively landscaping and relieving the practical difficulty.
 - E. The amount of landscaping will not be reduced.

3. The Planning Commission concluded they would support a variance to move the required landscaping to the north edge of the proposed parking lot to better screen adjacent properties.
4. The applicant has stated in their variance request that the proposed parking lot will be a vehicle inventory lot that will be used only by company employees and the required landscape area will not be reduced.
5. The Planning Commission also directed the Planning Department to draft an amendment to the Zoning Ordinance to provide an option for businesses with vehicle inventory lots to shift their required parking lot landscaping to the perimeter.

Based on that analysis, staff recommended approval of the Variance request.

Mr. Clark opened the public hearing.

Mr. Brad Judge, representing the applicant, stated he was available for technical questions or comments as staff had thoroughly reviewed the request.

Mr. Ed Donovan, 360 South Village Drive, asked who would benefit from this location change of the landscaping.

Mr. Judge stated the property owner to the north would benefit as the added landscaping along the north property line would provide additional screening.

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

Mr. Briggs asked how many vehicles would be moved to and from the lot.

Mr. Jerry Canine, employee of Bob Ross Motorcars, stated the lot will store approximately 43 cars and movement will be determined by the market, however, movement of vehicles will be restricted to employees.

MOTION: Mr. Briggs moved to approve the Variance application submitted by Bob Ross Motorcars, Inc., 80 Loop Road, based on the points outlined in the staff analysis. Mr. Brunner seconded the motion. The motion was approved unanimously 5-0.

Mr. Hansford returned to the meeting at this time.

UNFINISHED BUSINESS

Centerville Place, Final Phase - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application submitted by the Beerman Realty Company for the final phase of the Centerville Place Shopping Center located on South Main Street north of SteinMart and south of the Centerville Municipal Building. The zoning on the

21.037 acre property is Business Planned Development, B-PD. Phase 1 of this portion of the shopping center was recently constructed with 36,000 square feet devoted to the SteinMart retail space and 16,000 square feet of additional retail space. This final Phase 2 is proposed to provide an additional 13,858 square feet of retail space. This proposed expansion conforms with the overall Special Approval Plan approved by the Planning Commission in April, 2002.

This application was tabled at the last regular meeting pending architectural revisions to the northern tenant space. A work session was held to review the revised architecture and the majority of the members concurred the use of decorative stone was acceptable on the north elevation as depicted in the first submission. They concurred that the placement of doors and windows should have a symmetrical location.

The architectural elevations currently propose the decorative stone material to be used on the northern tenant space, but with a symmetrical design consistent with that used on the other portion of the Final Phase.

Mr. Hansford stated the use of the decorative stone as proposed is contrary to the provisions in the Zoning Ordinance. He stated he would approve the design, however, he would not support the use of the amount of decorative stone.

Mr. Durham disagreed stating the design does comply with the provisions in the Zoning Ordinance. The symmetrical design and the decorative stone material defines the north tenant space to a visual end to the center.

Mr. Weingarten was unsure if a canopy was proposed over the arch window at the entrance and wanted assurance no canopy or lighting fixtures would be installed without specific approval by the Planning Commission.

MOTION: Mr. Briggs moved to approve the Special Approval application submitted for Centerville Place, Final Phase, located along South Main Street north of SteinMart and south of the City Municipal Building, subject to the following conditions:

1. The architecture of the North Retail Center submitted and identified as the Third Submission is approved.
2. No canopy or lighting fixtures are approved as a part of the northern tenant space. Specific approval must be given by the Planning Commission prior to any intended installation of stated architectural elements.

Mr. Weingarten seconded the motion. The motion was approved 5-1 with Mr. Hansford voting no.

NEW BUSINESSThe Links at Yankee Trace, Sec. 2 - Record Plan

Mr. Feverston reviewed the Record Plan submitted for The Links at Yankee Trace, Sec. 2, located east of Paragon Road and west of Shawnee Trail. The zoning on the 10.625 acre parcel is R-1c, single-family residential, that is part of the Residential Lifestyle Community approved by Council. Forty-three (43) lots are proposed for this section for a plat density of 4.05 dwelling units per acre. Planning Commission reviewed the Residential Cluster Development Plan in October, 2002, and approved the lot configuration and street width/layout. This record plan conforms to the provisions of the approved cluster plan.

Each unit will have its own separate lot and the cart path must be reworked to located it within the reserve area and not on any lots within the development. An emergency access will be provided from Shawnee Trail to the cul-de-sac bulb of Legendary Way.

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

1. The minimum building setbacks shall be in accordance to the Residential Cluster Development Plan approved by the Planning Commission.
2. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
3. Landscaping and a earthen mound shall be installed in reserve area "I" to the rear of Lots 75 through 79 and to the east side of Lot 79 subject to approval by the City Planner.
4. An emergency access drive having a minimum width of 10 feet shall be constructed to link Shawnee Trail and Legendary Way as conditioned by the approved Residential Cluster Development Plan with the final design subject to approval by the City Engineering Department.
5. The emergency access drive shall be setback a minimum of 5 feet from the north property line and from Lot 74.
6. A 4 foot wide concrete sidewalk shall be constructed to link the existing sidewalk from Shawnee Trail to the hiker/biker path.
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.

9. A covenant shall be placed on the record plan that grants the City of Centerville the right to establish a public right-of-way through Reserve Area "I" to provide vehicular access to Legendary Way from adjoining lands situated east of Reserve Area "I". The language of this covenant shall be subject to approval by the City Attorney.
10. A portion of Reserve Area "I" that includes the golf cart path linking Hole #6 and #7 shall be deeded to the City for the purpose of golf course access subject to approval by the City Planning Department.
11. In lieu of completion of the required improvements prior to the recording of this plat, a performance bond in an amount acceptable to the City Engineering Department 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 project. He stated they agreed with all conditions with the exception of #9 which would allow the City to establish a right-of-way to create a roadway from adjoining vacant land in the future. He stated that people buying into The Links are not anticipating a potential access point and it could create concern for them when development occurs in the future. Mr. Kiefer stated this is the first time this subject has been discussed and he did not feel it was appropriate to require the potential access at this point.

Mr. Jack Kindler, 9719 Greenside Court, asked if a landscaping plan was a part of this approval process and who would be responsible for maintenance of such areas.

Mr. Kiefer stated The Links would primarily have a separate association to maintain the reserve areas within that development, however, the areas along Paragon Road and the main entrance would be maintained by the overall association.

Mr. Hansford stated the City would have no control over the responsibility for maintenance of the reserve areas.

Mr. Weingarten asked the status of the second swimming pool to be constructed for the Yankee Trace development.

Mr. Kiefer stated a reserve area has been created for a second swimming pool and it is anticipated the shell of the pool will be installed this year.

Mr. Hansford stated he understood staff's desire to have the tools in place to create an access point from the vacant land east of this project to Legendary Way, however, it was not a point of discussion until this meeting.

Mr. Weingarten stated the roadway would not be built unless it was determined necessary in the future. The condition would allow that to occur without complicating the issue further.

Mr. Durham stated that even though this issue was not discussed previously, it is a great planning idea and is consistent with other sections of Yankee Trace.

Mr. Hansford stated condition #7 should be changed to read "The location of fire hydrants shall be subject to approval by the Washington Township Fire Department."

MOTION: Mr. Hansford moved to recommend approval of the Record Plan for The Links at Yankee Trace, Sec. 2, to Council, subject to the following conditions:

1. The minimum building setbacks shall be in accordance to the Residential Cluster Development Plan approved by the Planning Commission.
2. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
3. Landscaping and a earthen mound shall be installed in reserve area "I" to the rear of Lots 75 through 79 and to the east side of Lot 79 subject to approval by the City Planner.
4. An emergency access drive having a minimum width of 10 feet shall be constructed to link Shawnee Trail and Legendary Way as conditioned by the approved Residential Cluster Development Plan with the final design subject to approval by the City Engineering Department.
5. The emergency access drive shall be setback a minimum of 5 feet from the north property line and from Lot 74.
6. A 4 foot wide concrete sidewalk shall be constructed to link the existing sidewalk from Shawnee Trail to the hiker/biker path.
7. The location of fire hydrants shall be subject to the approval by 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.
9. A covenant shall be placed on the record plan that grants the City of Centerville the right to establish a public right-of-way through Reserve Area "I" to provide vehicular access to Legendary Way from adjoining lands situated east of Reserve Area "I". The language of this covenant shall be subject to approval by the City Attorney.
10. A portion of Reserve Area "I" that includes the golf cart path linking Hole #6 and #7 shall be deeded to the City for the purpose of golf course access subject to approval by the City Planning Department.
11. In lieu of completion of the required improvements prior to the recording of this plat, a performance bond in an amount acceptable to the City Engineering Department 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. Briggs seconded the motion. The motion was approved unanimously 6-0.

There being no further business, the meeting was adjourned.



