

**CENTERVILLE PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, August 8, 2000**

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

Attendance: Mr. Patrick Hansford; Mr. James Briggs; Mr. Joseph Weingarten; Mr. Richard Pluckebaum; Mr. Rand Oliver; Mr. Jack Kindler. Absent: Mr. James Durham. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Norbert Hoffman, City Engineer.

Motion to Excuse:

MOTION: Mr. Briggs moved to excuse Mr. Durham from the meeting as he gave notice of his absence at the last regular meeting. Mr. Pluckebaum seconded the motion. The motion was approved unanimously 6-0.

Approval of Minutes:

MOTION: Mr. Kindler moved to approve the Planning Commission minutes of July 25, 2000, Regular Meeting, as written. Mr. Briggs seconded the motion. The motion was approved unanimously 6-0.

Mr. Hansford took this opportunity to clarify a comment he made and publicly apologize for any misunderstanding of his inability to articulate his concerns which he may have created regarding the City's Zoning Ordinance requirements for a Master Plan. He indicated he has always felt an illustrative plan should be included with an application to reflect the general definition of a Master Plan and show information such as possible building sizes, possible street locations, parking lots, etc., giving a full picture of proposed developments. A requirement to submit an Illustrative Plan as part of an application would avoid confusion to citizens as well as Planning Commission trying to visualize the concepts being discussed by the developer. He stated it was not his intention to imply that Great Traditions was not being open about their proposal as they have always been very professional with the Planning Commission and City Staff and, again, apologized to all parties involved.

**PUBLIC HEARINGS**

**Washington Township Trustees - Variance of Fence Height/Fence Type**

Mr. Feverston reviewed the Variance request submitted by the Washington Township Trustees seeking approval to install a 6 to 7 foot vinyl coated chain-link fence in the front yard of 8109 Clys Road known as Yard 2 established in 1958. The standard in the Zoning Ordinance for this Light Industrial, I-1, zoned property allows a fence height of 4 feet and a fence type of picket, split-rail or wrought iron in the front yard. This particular property has a front yard along Clys Road, South Suburban Road and Dimco Way. There are two buildings located on the Yard 2 site. The eastern building has two overhead doors located on the east side of the building and the western building only has entrances on the east side.

The fence previously situated on the site was a chain-link fence approximately 7 feet in height and topped with barbed wire which was legally non-conforming. This fence was voluntarily removed in June, 2000, and as a result of its removal, all legal non-conformities with regard to the fence were eliminated from the property. The fence situated on the north property line remains in place.

Mr. Feverston explained that the property owner began installation of a new 6 to 7 foot high, chain-link fence installed within one (1) foot of the previous fence location without a permit. Work was stopped by the City pending the decision of the Planning Commission on the variance issues.

The fence height permitted on this property allows a front yard maximum fence height of 4 feet. A 6 foot fence height may be placed behind the south and west building walls of the western building and the east wall of the eastern building without a variance. The overhead doors of the eastern building do create practical difficulties for the owner to secure the area in front of this building. This practical difficulty does deprive the owner reasonable use of the property. The placement of a 6 foot high fence at the location of the original fence location would remedy this situation. There are no other practical difficulties associated with this property that deprive the property owner reasonable use of the property if the requested fence height variance along South Suburban Road and Dimco Way are not granted.

No practical difficulties exist regarding the type of fence in the front yard that deprive the owner reasonable use of the property. A chain-link fence may be placed behind the south and west building walls of the western building and the east wall of the eastern building without a variance. Should the Planning Commission approve a variance for fence height for any front yard of this site, a picket or split rail fence which are permitted fence types, would be impractical. Another fence type, wrought iron, would be a practical solution.

The Staff recommendation was as follows concerning the requested variances:

1. Deny the requested variances to construct a chain-link fence at a height of 6 feet in the front yards of South Suburban Road and Dimco Way.
2. Approve the requested variance to permit a maximum fence height of 6 feet in the front yard along Clyo Road where the previous fence was located.
3. Deny the variance request to construct a chain-link fence in the front yard along Clyo Road.

Mr. Hansford opened the public hearing.

Mr. Bill Johnson, Washington Township Public Works Director, was present for the review of the Variance request. He stated the site is no longer actively used, however, it is used for storage of Township, service organizations, and Fire Department equipment. The City has utilized the site, as well, when their parking area at the South Suburban Road location is being serviced. He stated the project will enhance the appearance of the property as to what previously existed. The fence structure along the north property line will remain in place as it is well screened by the existing vegetation from the adjoining property.

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

Mr. Kindler asked if permitted fence materials had been considered by the applicant.

Mr. Johnson indicated an estimate was received for wrought iron fencing at a cost of \$35,000 to \$40,000 in comparison to \$16,000 for the vinyl coated fencing including two (2) entrance gates. If the fence was installed maintaining the required setbacks, the storage area would be greatly reduced and it is possible the service organizations would have to remove their equipment from the site.

Mr. Pluckebaum stated his calculations indicated the overall lot size with current setback requirements reduces the usable space by approximately one-third which would be a hardship.

Mr. Briggs asked if there was a history of theft from the property.

Mr. Johnson indicated there has been little theft or vandalism since 1976.

Mr. Hansford stated he agreed with the staff recommendation concerning the fence along Clyo Road and that the fence along Dimco Way could be moved closer to the street. He stated the Planning Commission needs to determine what the minimum variances should be to alleviate the hardship for the applicant.

Mr. Pluckebaum stated he did not have a problem with allowing the vinyl coated chain link fencing material as proposed by the applicant.

MOTION: Mr. Oliver moved to approve the Variance application submitted by the Washington Township Trustees for property located at 8109 Clyo Road, the site of Yard 2, subject to the following conditions:

1. The Variance request to permit a black vinyl-coated chain link fence, 6 to 7 feet in height in the front yard along South Suburban Road is denied.
2. The Variance request to permit a black vinyl-coated chain link fence, 6 to 7 feet in height in the front yard along Dimco Way is approved.

3. The Variance request to permit a black vinyl-coated chain link fence, 6 to 7 feet in height in the front yard along Clio Road is approved.
4. Landscaping shall be installed in front of the fence along South Suburban Road, subject to approval by the City.

Mr. Weingarten seconded the motion. The motion was approved unanimously 6-0.

#### NEW BUSINESS

##### Yankee Trace, Sec. 23 - Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 23, located east of Yankee Street and south and west of Yankee Trace Drive. The zoning on the property is R-1c, Single-Family Residential, which was approved by Council to be a Residential Lifestyle Community. Sixty-six (66) lots are proposed, 32 "Courtyard" lots and 34 "Villa" lots, on the 30.676 acres included in this Section for a density of 2.15 dwelling units per acre. The hiker/biker trail will extend from Yankee Trace Drive west through a reserve area and eventually connect to the Yankee Trace Clubhouse. This plan also replats a small portion of Section 20 which enlarges a couple of lots to create space for a "Villa" style lot and an area to provide an extension to a future section of the development. A reserve area has been proposed to separate the "Villa" lots from the "Courtyard" lots.

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

1. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
2. 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.

Mr. Hansford stated it is evident that Great Traditions and staff have worked very hard to make this section of Yankee Trace one of the most exciting portions of the development.

Mr. Pluckebaum stated he though there was to be a view corridor from Club View Drive.

Mr. Feverston indicated the view corridor was moved to Yankee Trace Drive.

MOTION: Mr. Oliver moved to recommend approval of the Record Plan for Yankee Trace, Sec. 23, to Council subject to the following conditions:

1. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
2. 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. Pluckebaum seconded the motion. The motion was approved unanimously 6-0.

Rainbow Rascals Learning Center, Inc. - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application submitted for Rainbow Rascals Learning Center, Inc., located on Clio Road east of Bigger Road and north of Lexington Meadows Condominiums. The request is to construct a day care facility which is a permitted use on the 1.22 acre parcel of land zoned Office-Service, O-S. The applicant has proposed 33 parking spaces for the project which satisfies the 29 space requirement. Building materials will consist of brick and E.I.F.S.

Mr. Feverston stated the Planning Commission granted a Variance for this property on June 13th to permit a building with a ground floor area of 7,000 square feet. The Zoning Ordinance requires a maximum ground floor area of 5,000 square feet.

This property is a part of a larger development parcel owned by Hills Communities. Hills has submitted a concept plan for the overall development including the site plan for Rainbow Rascals. The purpose of this plan is to show how the Rainbow Rascals development will be integrated into the larger parcel with respect to traffic access and circulation, stormwater detention, and other site issues affecting the entire property. The lots, buildings, parking, and internal access shown on the overall plan are conceptual only and are not to be reviewed at this time. This application is for the Rainbow Rascals site plan only.

Staff recommended approval of the Special Approval application subject to the following conditions:

1. The parking area shall be modified to accommodate the maneuvering of emergency vehicles subject to approval by the City Engineering Department.
2. The dumpster shall be relocated out of the front yard. The new location and design of the dumpster shall be subject to approval by the Planning Department.

3. A final grading and stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating detention and/or retention and erosion control during construction, in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
4. The final landscaping and screening plan shall be subject to approval by the City Planning Department.
5. A performance bond or other construction guarantee shall be posted by the developer for all landscape, screening, or bufferyard improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four of the Code of Ordinances.
6. A detailed exterior lighting plan shall be subject to approval by the Planning Department.
7. The final building colors and finishes shall be subject to approval by the Planning Department.
8. No sign depicted shall be approved as a part of this application.
9. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided during construction.

Mr. Doug Budden, Rainbow Rascals, was in attendance for the review of the application stating he had no objection to the staff recommendations.

Mr. Pluckebaum asked where the HVAC units would be located.

Mr. Budden stated the units would be located along the east and west sides of the building, and enclosed with a fence.

MOTION: Mr. Weingarten moved to approve the Special Approval application for Rainbow Rascals Learning Center, Inc., subject to the following conditions:

1. The parking area shall be modified to accommodate the maneuvering of emergency vehicles subject to approval by the City Engineering Department.
2. The dumpster shall be relocated out of the front yard. The new location and design of the dumpster shall be subject to approval by the Planning Department.

3. A final grading and stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating detention and/or retention and erosion control during construction, in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
4. The final landscaping and screening plan shall be subject to approval by the City Planning Department.
5. A performance bond or other construction guarantee shall be posted by the developer for all landscape, screening, or bufferyard improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four of the Code of Ordinances.
6. A detailed exterior lighting plan shall be subject to approval by the Planning Department.
7. The final building colors and finishes shall be subject to approval by the Planning Department.
8. No sign depicted shall be approved as a part of this application.
9. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided during construction.

Mr. Briggs seconded the motion. The motion was approved unanimously 6-0.

#### COMMUNICATIONS

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

#### Lamar Company - Clarification of Condition for Approval of Sign Variance

Mr. Feverston explained that a Condition for Approval of a Sign Variance submitted earlier this year by the Lamar Company for the shopping center located on the northeast corner of South Main Street (SR 48) and Spring Valley Road required an existing ground sign for Auto Zone to be removed prior to an identification sign for the shopping center could be installed. An existing lease agreement considers the property as two (2) parcels for zoning purposes and, therefore, the City Attorney has determined the Lamar Company has no control to remove the existing ground sign. The entire property will come under the ownership of the Lamar Company in approximately 12 to 18 months which will give them the right to remove the Auto Zone sign at that time.

The Planning Commission concurred that Lamar can install the ground sign provided that the Auto Zone sign be removed at the time Lamar takes ownership of the leased parcel.

There being no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to be "J. B. [unclear]", written in a cursive style.