

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, March 30, 1999

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

Attendance: Mr. James Durham, Chairman; Mr. Patrick Hansford; Mr. Richard Pluckebaum; Mr. Rand Oliver; Mr. Richard Tompkins. Absent: Mr. Jack Kostak. There is currently one (1) vacancy on the Planning Commission. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Robert N. Farquhar, City Attorney.

MOTION: Mr. Pluckebaum moved to excuse Mr. Kostak from the meeting as he prior notice to Planning staff. Mr. Hansford seconded the motion. The motion was approved unanimously 5-0.

Approval of minutes:

MOTION: Mr. Pluckebaum moved to approve the Planning Commission Work Session minutes of March 9, 1999, as written. Mr. Tompkins seconded the motion. The motion was approved unanimously 5-0.

MOTION: Mr. Hansford moved to approve the Planning Commission Regular Meeting minutes of March 9, 1999, as written. Mr. Tompkins seconded the motion. The motion was approved unanimously 5-0.

COMMUNICATIONS

Mr. Feverston introduced the newest member of the Planning Commission, Mrs. Cheri Williams-Alvarado, to be sworn in at the next Council Meeting.

PUBLIC HEARINGS

Miami Valley Cable Council - Variance for Satellite Dish Antenna

Mr. Feverston reviewed the Variance application from Miami Valley Cable Council, 1195 E. Alex-Bell Road, requesting a total of four (4) ground-mounted satellite dish antennas. The ordinance permits one (1) dish per site and two (2) additional ground-mounted dishes and one (1) roof-mounted dish have been approved by previously approved variance application. The last variance, reviewed and approved by the Planning Commission in January, permitted the installation of a third ground-mounted dish on the west side of the property and a roof-mounted dish to be centered on the roof structure to minimize the impact of the dish to the surrounding properties. Additionally, landscaping was to be added to provide a focal point away from the dish structures subject to approval by the Planning Department.

Mr. Feverston stated that the applicant is seeking approval of a ground-mounted dish to be located on the southeast portion of the property rather than installation of the roof-mounted dish. Existing trees along Olde Greenbrier Lane will provide some screening of the dish which is approximately two (2) meters in diameter and ten (10) feet in height.

Staff recommended approval of the Variance subject to the following condition:

1. No dish antenna greater than one (1) meter in diameter shall be installed on the roof of the building.

Mr. Feverston explained that a dish as described in the recommended condition can be regulated by the FCC only and not local governments agencies.

Mr. Durham opened the public hearing.

Mr. Kent Bristol, representing the applicant, stated their request to substitute the roof-mounted dish with a ground-mounted dish was the result of concerns of the Building Inspection Department and whether the roof would hold the load of the weighted dish structure as proposed.

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

When asked by Mr. Durham, Mr. Terrence Wright, Penney Satellite, stated that the proposed dish is the smallest possible to rebroadcast the signal to cable viewers.

Mr. Hansford expressed concern that the dishes were being split out over the site rather than contained in one (1) zone on the property. He suggested that should the dish be located on the eastern side of the property, perhaps it should take on a sculptural design based on the use of the facility.

The members of Planning Commission felt the dish structures should be located in a zone on the west side of the building, with one (1) being moved somewhat south to allow the proper eastern signal.

MOTION: Mr. Hansford moved to approve the Variance application submitted by the Miami Valley Cable Council, 1195 E. Alex-Bell Road, subject to the following conditions:

1. No dish antenna greater than one (1) meter in diameter shall be installed on the roof of the building.
2. The final location of the dish shall be located west of the building. Should that location not be possible for technical reasons, the eastern location as proposed shall be approved subject to staff review.

Mr. Pluckebaum seconded the motion. The motion was approved unanimously 5-0.

City of Centerville - Rezoning from I-PD to O-PD

Mr. Feverston reviewed the rezoning application submitted by the City of Centerville to rezone 21.11 acres of land located on the north side of Clyo Road extending from Bigger Road to Centerville Business Parkway from Industrial Planned Development, I-PD, to Office Planned Development, O-PD. The existing uses on the property are a medical office, a public utility

and undeveloped land. The surrounding uses include industrial and residential to the north; professional offices to the east; residential to the south and vacant office-service land to the west.

Mr. Feverston reviewed the following points of the staff analysis:

1. The proposed rezoning to O-PD is not consistent with the City's Comprehensive Plan. The Comprehensive Plan considered industrial development as the highest and best use for this land given its proximity to I-675 and the rail lane which existed to the west.
2. Portions of this land and most of the surrounding lands north of Clyo Road have developed primarily as professional office, research and testing uses rather than traditional light industrial uses or have been zoned for office uses. Additionally, all of the land south of Clyo Road has been developed as residential.
3. The proposed rezoning is compatible with the surrounding land uses and provides a transition to the residential zoned lands south and north of this property.

Based on the above analysis, staff recommended the rezoning application be approved.

Mr. Durham opened the public hearing. There being no speakers, Mr. Durham closed the public hearing.

MOTION: Mr. Hansford moved to recommend approval of the City initiated Rezoning application from I-PD to O-PD to Council. Mr. Oliver seconded the motion. The motion was approved unanimously 5-0.

UNFINISHED BUSINESS

Lamon, Thomas II - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval submitted by Thomas Lamon II for property located at 121 South Main Street in the Architectural Preservation District, APD. The request is to construct a parking lot to satisfy the 7 parking spaces required for the proposed business. The applicant received approval by variance for 5 parking spaces to be located in the front yard of the property. Two (2) driveway spaces will be used and a separate entrance to the additional 5 spaces will be located on Westerly Lane. No existing trees will be disturbed by the construction of the detention area and possibly 2 trees will be removed for the actual parking lot construction. Picket fencing material will be used in the front yard and a solid fencing material, with no gap areas, will be used in the rear yard.

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

1. A final grading and stormwater drainage plan shall be approved by the City Engineering Department in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

2. A detailed screening plan for the parking plan and the west property line shall be subject to approval by the Planning Department.
3. 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.

MOTION: Mr. Pluckebaum moved to remove the Special Approval application for Thomas Lamon II from the table. Mr. Tompkins seconded the motion. The motion was approved unanimously 5-0.

Mr. Richard Carr, attorney representing the applicant, stated that the site plan and screening proposal is based on direction of the Planning Commission during review of the Variance application. He stated that only one (1) existing tree should require removal for construction of the parking lot.

Mr. Oliver suggested that the fence at the front parking lot be shifted to allow more space for maintenance.

The landscaping materials proposed on the landscaping plan were acceptable to the members of Planning Commission, however, should substitutions be necessary, they gave staff direction to approve any changes in plant material.

MOTION: Mr. Hansford moved to approve the Special Approval application submitted by Thomas Lamon II for property located at 121 South Main Street subject to the following conditions:

1. A final grading and stormwater drainage plan shall be approved by the City Engineering Department in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
2. A detailed screening plan for the parking plan and the west property line shall be subject to approval by the Planning Department.
3. 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.

Mr. Pluckebaum seconded the motion. The motion was approved unanimously 5-0.

NEW BUSINESSYankee Trace, Parcel 13 - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application seeking approval of a residential cluster development for Yankee Trace, Parcel 13, located along Yankee Trace Drive south of Wedgestone Court. The zoning on the 13.3128 acres is R-1c, Single-Family Residential. There are 31 lots proposed for this parcel with an overall density of 2.33 dwelling units per acre. The approved Master Plan for Yankee Trace established the density for Parcel 13 not to exceed 2.5 dwelling units per acre.

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

1. The northernmost lot situated on the east side of Yankee Trace Drive shall have a minimum side yard of 5 feet.
2. The lot situated west of the intersection of Yankee Trace Drive and Villa Vista Place shall have a rear yard measured parallel to and approximately 100 feet from the Yankee Trace Drive west right-of-way line subject to approval by the City Planner.
3. The lots that abut the property owned by Fran and Sharon Marsh shall have a minimum building setback of 40 feet.
4. A covenant shall be placed on the record plan that prohibits direct vehicular access from any corner lot or eyebrow lot to Yankee Trace Drive with the language of this covenant subject to approval by the City Attorney.
5. The design of the eyebrow street shall be subject to approval by the City Engineer.

Mr. Jim Kiefer, Great Traditions, stated that the staff recommendations for approval were acceptable as discussed.

Mr. Durham suggested that a reserve area 10 feet wide extend back to the golf course from Villa Vista Way to provide a view to the course from the neighborhood as has been provided in other sections of Yankee Trace.

MOTION: Mr. Pluckebaum moved to approve the Special Approval application for Yankee Trace, Parcel 13, subject to the following conditions:

1. The northernmost lot situated on the east side of Yankee Trace Drive shall have a minimum side yard of 5 feet.
2. The lot situated west of the intersection of Yankee Trace Drive and Villa Vista Place shall have a rear yard measured parallel to and approximately 100 feet from the Yankee Trace Drive west right-of-way line subject to approval by the City Planner.

3. The lots that abut the property owned by Fran and Sharon Marsh shall have a minimum building setback of 40 feet.
4. A covenant shall be placed on the record plan that prohibits direct vehicular access from any corner lot or eyebrow lot to Yankee Trace Drive with the language of this covenant subject to approval by the City Attorney.
5. The design of the eyebrow street shall be subject to approval by the City Engineer.
6. A 10 foot wide reserve area be created from the back of Villa Vista Way to provide a view to Fairway #4.

Mr. Hansford seconded the motion. The motion was approved unanimously 5-0.

Draft Ordinance Concerning Procedural Requirements in the APD

Mr. Oliver explained that the APD Task Force, on which he serves as the Planning Commission representative, is reviewing the procedures for approval of projects within the APD. One change being considered is to allow the Board of Architectural Review (BAR) or staff to take action on all applications rather than some phases of a project being reviewed by the Planning Commission. The Task Force is seeking input from the Planning Commission on this change in procedure.

The members of Planning Commission felt that, with the exception of Variance applications, all issues should be reviewed by the BAR with appeals of their decisions to be forwarded directly to City Council. It was the feeling of Planning Commission that one body should act as the Board of Zoning Appeals to consider all Variance applications.

There being no further business, the meeting was adjourned.

