

**CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, March 31, 1998**

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

Attendance: Mr. Arthur Foland, Acting Chairman; Mr. James Durham; Mr. Patrick Hansford; Mr. Jack Kostak; Mr. Richard Tompkins; Mr. Richard Pluckebaum. There is currently one (1) vacancy on the Planning Commission. Also present: Mr. Steve Feverston, City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Norbert Hoffman, City Engineer; Mr. William Stamper, Economic Development Administrator; Mr. Ryan Shrimplin, Planner.

Approval of the minutes of March 10, 1998, Regular Meeting:

MOTION: Mr. Pluckebaum moved to approve the Planning Commission minutes of the March 10, 1998, Regular Meeting, with the addition of his name listed in attendance. Mr. Kostak seconded the motion. The motion was approved unanimously 6-0.

COMMUNICATIONS

Mr. Durham expressed his appreciation for the excellent service and leadership by Mr. Scot Stone in his role as the chairman of the Planning Commission. No longer being a resident of the City, Mr. Stone resigned his position earlier this month.

Mr. Feverston stated that Routsong Funeral Home has submitted new plans for their location on North Main Street which will be reviewed by the Board of Architectural Review and the Planning Commission in April.

Mr. Feverston stated that RETS Technical Center has been scheduled for public hearing on April 14th. Notification notices were not properly advertised and, therefore, the project had to be delayed until that date.

Mr. Feverston stated that the rezoning application submitted by Robert Arnold was approved by Council. The applicant has notified staff that a Special Approval application will be filed for review next month.

Mr. Feverston stated Planning Commission will meet in Work Session on April 14th to discuss the Lifestyle Community Ordinance. If Planning Commission is satisfied with the Ordinance at that time, action could be taken during the regular meeting to immediately follow the work session.

Mr. Feverston stated that the information requested by the Planning Commission during their review of the DeSaro rezoning tabled at the last meeting was forwarded to each member in the last information packet. The application will be a work session agenda item on April 14th.

PUBLIC HEARINGSCity of Centerville for Dennis Hoertt - Rezoning from WT Agriculture to R-1c, Single-Family Residential

Mr. Feverston reviewed the rezoning application submitted by the City of Centerville for Dennis Hoertt to rezone a 32.374 acre parcel from Washington Township Agriculture to Centerville R-1c, Single-Family Residential. The property is located on the west side of Paragon Road north of Social Row Road. The purpose of this rezoning application is to establish a City zoning classification on the property since its annexation into the City in 1996.

Staff recommended approval of the application based on the following analysis:

1. The rezoning of this parcel to R-1c, Single-Family Residential, is consistent with the City Comprehensive Plan.
2. Surrounding properties have developed or are developing as single-family residential.

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

MOTION: Mr. Durham moved to recommend approval of the rezoning application for the Dennis Hoertt property from Washington Township Agriculture to Centerville R-1c, Single-Family Residential, to Council. Mr. Hansford seconded the motion. The motion was approved unanimously 6-0.

Allied Sign Company for Rite Aid Pharmacy - Sign Variance

Mr. Feverston reviewed the Sign Variance submitted by the Allied Sign Company for Rite Aid Pharmacy located on the northeast corner of South Main Street (SR 48) and Spring Valley Road. The zoning on the property is B-2, General Business. The applicant has requested four (4) variances which include the number of ground signs; sign area for ground signs; sign area for directional signs; and wall signage to be used on multiple building frontages. The number of ground signs are proposed to be 2 rather than the permitted 1; the ground sign area is proposed to be 131.26 square feet total rather than the permitted 65.63 square feet for each sign; the directional sign area is proposed to be 8 square feet total rather than the permitted 4 square feet for each sign; and, the wall signs are proposed to be on more than one (1) building wall.

The staff analysis stated that the property being a corner property is neither unique nor poses any hardship to the property. The parcel slopes slightly away from South Main Street, however, the grade poses no visibility limitations that would warrant the requested sign variance. It was, therefore, the staff recommendation to deny all requested variances.

Mr. Foland opened the public hearing.

Mr. Stanley W. Young, III, Allied Sign Company, was present for the review of the variance application. He stated that the purpose of the request is to provide adequate advertising to make the pharmacy successful as it has stiff competition in the area. He hoped the Planning Commission would look at his request as being reasonable.

Mr. Don Teboe, Rite Aid Corporation, stated that the sign package proposed for this location is less than other sites in the area. He stated that a lot went into the design of this building as it was approved with specific architecture that required a custom design. He stated that advertising is critical in their business and if advertising is not made possible, it would be a strike against their success. Mr. Teboe stated that removing the gas station from the corner and constructing a new structure with professional landscaping in that location is a definite improvement to the City. With that improvement in mind, he requested the City consider the proposal as reasonable.

Mr. Dale Pleimann, 293 Annette Drive and owner of property on East Spring Valley Road, stated that this location has no hardship and no unique situation. He stated that the property is no different than other properties in the area, with the exception that it has more exposure being a corner property. He stated that the intersection has no sign clutter and there is no reason to approve something which would result in such a situation.

Mr. Richard Duncan, President of Miami Valley Sports Foundation, stated that the City had worked very hard to develop a sign ordinance with reasonable standards and felt the staff recommendation was appropriate. He stated that the location of the new building is a prominent location and the structure itself is identification. Mr. Duncan stated that the developers of the site were not sensitive to his building directly behind the Rite Aid in terms of its encroachment. He stated it would be unfair to other businesses in the City to grant the applicant double the signage permitted.

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

Mr. Hansford stated that he did not feel there was any uniqueness to the property that would justify a variance.

Mr. Pluckebaum asked if there was a hardship based on the construction materials.

Mr. Young stated that his company has a manufacturing contract for Rite Aid's signs used throughout the State. He stated that anything other than what is included in their design packages would require custom signs and, therefore, would be more expensive.

Mr. Kostak stated that there would be no competitive hardship with the requirement to satisfy the standards in the sign ordinance.

Mr. Durham stated that he appreciated the development improvement made to the corner, however, there is no unique circumstance that justifies granting a variance.

MOTION: Mr. Durham moved to deny the Variance application submitted by Allied Sign Company for Rite Aid Pharmacy. Mr. Hansford seconded the motion. The motion was approved unanimously 6-0.

Mr. Foland stated that the applicant did have the right to appeal this decision to City Council.

An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Establish Architectural Design, Massing, And Building Material Regulations And Procedures For All Non-Residential Uses.

Mr. Feverston stated that the proposed Ordinance is a product of research and studying of various ordinances that address massing and design of non-residential structures. This Ordinance was originated by City Council with their desire to regulate big box structures, massing, architectural design and layout of large primarily retail buildings. This Ordinance evolved into a design review ordinance for all commercial properties in order to require certain standards for architectural design. Some items in the Ordinance include a sidewalk requirement; establishes building design, size and massing; language to permit turned-metal roof structures; entrance and window design standards concerning size and shape; the parking requirement being reduced with a requirement that fifty (50) percent or less of the total parking can be located on each side of the building; minor changes in wording to reflect requirements in a positive manner rather a negative manner; and, building color.

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

Mr. Durham complimented the staff with the proposed Ordinance. He stated that one (1) change in wording should be made. Page 9, paragraph D, 4., should be changed to delete the words "the front building" at the end of the sentence and "on any facade fronting on a public street" be added.

Mr. Feverston stated one (1) issue that perhaps should be discussed further is the use of E.I.F.S. as a permitted building material.

Mr. Durham stated that he felt the Planning Commission were not ready to permit E.I.F.S. as an approved building material and should be approved on a case-by-case basis only.

The members of Planning Commission agreed that E.I.F.S. building materials should be approved on a case-by-case basis since it is appropriate in some areas of the City, but not in others.

Planning Commission felt that the requirements included in the Ordinance to regulate color were appropriate as well.

MOTION: Mr. Durham moved to recommend approval of the Ordinance to Council with the following change:

Page 9, paragraph D, 4., should be changed to delete the words "the front building" at the end of the sentence and "on any facade fronting on a public street" be added.

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

An Ordinance Amending Section 32, Variance, Of Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio

Mr. Feverston stated that the City Attorney had recommended a minor change to the Variance section of the Zoning Ordinance as a result of a decision made by the Ohio Supreme Court that an applicant for a variance need only to show practical difficulties and not establish unnecessary hardship. The change recommended is in section F., Standards for Variance, paragraph 2., the words "and unnecessary hardship" shall be deleted.

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

MOTION: Mr. Kostak moved to recommend approval of the Ordinance to Council as written. Mr. Hansford seconded the motion. The motion was approved unanimously 6-0.

UNFINISHED BUSINESS

City of Centerville for Joseph and Mary DeSaro - Rezoning from WT-SU to O-S

MOTION: Mr. Hansford moved to continue the Rezoning for the Joseph and Mary DeSaro property on the table. Mr. Pluckebaum seconded the motion. The motion was approved unanimously 6-0.

NEW BUSINESS

Yankee Trace, Section 16 - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application for Yankee Trace, Section 16, requesting approval for a Residential Cluster Development located southeast of Waters Edge Drive between the #4 and #5 golf greens. The 14.181 acre parcel is zoned R-1c, Single-Family Residential on which 43 lots are proposed. Primarily, the lots will develop with the Dunnington-Koepfer product with some slightly larger lots to establish a mixture of products. The three (3) southernmost lots that bend against the 4th fairway seem to be somewhat tight and staff would prefer to have those lots moved approximately 10 feet to the east, however, Mr. Feverston stated that would be a decision of the Planning Commission.

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

1. The driveways for the flag lots on the cul-de-sac shall be labeled on the record plan as a public utility and private driveway easement.
2. The area labeled as open space shall be designated as a reserve area on the record plan.
3. All street names shall be subject to approval by the Planning Department.

Mr. Jim Kiefer, Great Traditions, stated that the three (3) lots against fairway #4 could be adjusted to the east to allow more area for golf play.

Mr. Durham stated that driveway access should be prohibited to Yankee Trace Drive from the corner lots of this section as has been restricted on previous sections. He stated further that this an incomplete plan as it does not show how the stub street will tie into the future development to the south.

Mr. Kiefer stated the stub street was temporarily terminated at the point shown to allow location flexibility to be determined by the possibility of acquiring additional property to the east.

Mr. Durham suggested the application be tabled and alternative plans be submitted showing the possible roadway design depending on the land utilized for this particular area of the overall development. He stated that the three (3) lots on the southwest corner need to be modified to protect those homes from the play area.

Mr. Kostak asked the distance of rough from the fairway.

Mr. Feverston stated there is approximately 60 to 70 feet of rough from the fairway to the back property line.

Mr. Kiefer stated that he has played many golf courses and Yankee Trace and the play area is very generous compared to others.

Mr. Hansford stated that landscaping with a tree line along the lots in question could help. He stated that he did not like lots with shared driveways and no street frontage. He stated that previous plans were approved with turnarounds, but were not constructed as presented to the Planning Commission. For that reason, he stated that he was inclined not to approve of that design again.

Mr. Kiefer stated that the reserve area to the east could be narrowed to allow the shift of those lots to the east.

MOTION: Mr. Kostak moved to approve the Planning Commission Special Approval application for Yankee Trace, Section 16. Mr. Pluckebaum seconded the motion. A roll call vote resulted in Mr. Pluckebaum, Mr. Kostak and Mr. Foland voting in favor; Mr. Durham and Mr. Hansford voting against; and Mr. Tompkins abstaining.

There being no further business, the meeting was adjourned.

J. H. Foland 4/14/98

