

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, June 8, 1993

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

Attendance: Mr. Stanley Swartz, Acting Chairman; Mr. Bernard Samples; Mr. Scot Stone; Mr. Peter McMahon; Mr. James Durham.
Absent: Mr. Robert Hosfeld; Mr. Arthur Foland. Also present: Mr. Alan Schwab, City Planner; Mr. Steve Feverston, Assistant City Planner.

MOTION: Mr. Durham moved to excuse Mr. Hosfeld and Mr. Foland from the meeting as each gave notice to staff. Mr. McMahon seconded the motion. The motion was approved unanimously 5-0.

Approval of minutes:

MOTION: Mr. Stone moved to approve the Planning Commission minutes of March 30, 1993, as written. Mr. Durham seconded the motion. The motion was approved unanimously 5-0.

MOTION: Mr. Samples moved to approve the Planning Commission minutes of April 27, 1993, as written. Mr. Stone seconded the motion. The motion was approved 4-0-1 with Mr. Durham abstaining.

COMMUNICATIONS

Mr. Schwab stated that the law firm representing Ameritech Mobile Communications is requesting a work session with the Planning Commission to discuss the siting of a cellular antenna within the City. One proposed site is Loop Road and SR 48. The purpose is to discuss possible variances that would be required for installation at this site.

Mr. Durham stated that he wanted staff to review the current ordinance to determine whether the standards in the ordinance should be changed. He stated further that he wanted staff to discuss this issue with Council so that the Planning Commission would have the benefit of their thoughts.

A work session was scheduled to be held in conjunction with the regular meeting on June 29, 1993.

Mr. Samples indicated that he would not be present for the June 29, 1993, meeting.

PUBLIC HEARINGSWendy's Restaurant - Variance/Planning Commission Special Approval

Mr. Schwab reviewed the Variance and Special Approval applications for Wendy's Restaurant to be located on the northwest corner of Wilmington Pike and Clyo Road. The zoning on the 1.217 acre parcel is B-PD, Business Planned Development. The variance being requested for this particular site is to locate the dumpster in the front yard. This site is part of a major use development plan approved for the Society Bank property. The number of parking spaces required for the construction of the fast food restaurant is 52 spaces and that is the number proposed on the plan. The design of the building is basically the same as the Wendy's Restaurant on South Main Street, brick on all sides and carried through and enclosing the storage areas behind the building. The drive-thru area will be on the south side of the building. The Wilmington Pike access will be limited to right-in/right-out with a raised median to be constructed with the Wilmington Pike improvement and one (1) full movement access located on Clyo Road. The dumpster, which is the subject of the variance, is a brick enclosure with the gates on the south side. Staff feels that this site has a unique situation to warrant a variance for the dumpster because it will have two (2) front yards--one (1) to Clyo Road and one (1) to Wilmington Pike. In order to allow corner clearance at the intersection, the proposed location of the dumpster is reasonable.

Staff recommended that the Variance requested be approved and the Special Approval application be approved subject to the following conditions:

1. The requested variance to permit the dumpster to be located in the front yard of the property be approved by the City.
2. The screening of the dumpster shall be subject to approval by the Planning Department.
3. Money be paid to the City in a manner approved by the City Attorney in an amount approved by the City Engineer to pay for an additional lane of pavement, curb, gutter, sidewalk and stormwater drainage along Wilmington Pike before a zoning or building permit is issued to allow construction of the restaurant.
4. A record plan be approved by the City and recorded with Montgomery County dedicating the right-of-way and assuring the construction of the new public street along the west side of the applicant's property before a building or zoning permit is issued to allow construction of the restaurant.

5. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the Stormwater Drainage Control Ordinance. Off-site retention may be approved by the City Engineer.
6. Plans for all exterior lighting shall be approved by the Planning Department.
7. Any sign shown on this application shall not be considered approved as a part of this application.
8. Final building elevations including materials and colors must be approved by the City Planning Department.

Mr. Swartz opened the public hearing.

Mr. John Houck, representing Wendy's Restaurant, stated that the staff recommendations were forwarded to him prior to the meeting and they are in agreement with these suggested conditions for approval.

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

MOTION: Mr. Durham moved to approve the Variance application to allow the dumpster location to be in the front yard as indicated on the site plan. Mr. Samples seconded the motion. The motion was approved unanimously 5-0.

MOTION: Mr. Durham moved to approve the Planning Commission Special Approval application for Wendy's Restaurant subject to the following conditions:

1. The requested variance to permit the dumpster to be located in the front yard of the property be approved by the City.
2. The screening of the dumpster shall be subject to approval by the Planning Department.
3. Money be paid to the City in a manner approved by the City Attorney in an amount approved by the City Engineer to pay for an additional lane of pavement, curb, gutter, sidewalk and stormwater drainage along Wilmington Pike before a zoning or building permit is issued to allow construction of the restaurant.

4. A record plan be approved by the City and recorded with Montgomery County dedicating the right-of-way and assuring the construction of the new public street along the west side of the applicant's property before a building or zoning permit is issued to allow construction of the restaurant.
5. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the Stormwater Drainage Control Ordinance. Off-site retention may be approved by the City Engineer.
6. Plans for all exterior lighting shall be approved by the Planning Department.
7. Any sign shown on this application shall not be considered approved as a part of this application.
8. Final building elevations including materials and colors must be approved by the City Planning Department.

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

Mr. Durham stated that he wanted the minutes of this meeting to reflect that he made the motion to approve the variance application.

NEW BUSINESS

Nestle Creek II, Section 3 - Record Plan

Mr. Schwab reviewed the Record Plan for Nestle Creek II, Section 3, located on the east side of Bigger Road north of Alex-Bell Road. The zoning on the 7.681 acre parcel is R-1c and will provide 20 single-family residential lots. The park area is in the wooded area of the site and has already been dedicated to the Park District. A detention basin is located on the northwest corner of this section.

Staff recommended to approve the Record Plan subject to the following conditions:

1. 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.

2. Erosion control during construction shall be in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
3. An easement shall be required to the retention basin to allow emergency access by the City.
4. The street name "Blue Stream" Court shall be a single word.

Mr. Gregg Taylor, John Black Enterprises, was present for the review of the project.

MOTION: Mr. Stone moved to recommend approval of the Record Plan for Nestle Creek II, Section 3, to Council subject to the following conditions:

1. 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.
2. Erosion control during construction shall be in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
3. An easement shall be required to the retention basin to allow emergency access by the City.
4. The street name "Blue Stream" Court shall be a single word.

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

Washington-Centerville Library - Record Plan (Replat)

Mr. Schwab reviewed the Record Plan to replat the 4.302 acre site to create one (1) lot for the future Washington-Centerville Library on West Spring Valley Road. This Record Plan arises from the Montgomery County Sanitary Department's requirement for separate stubs for sewer for each individual lot. The first reason for the replat is to erase the interior lot lines and create one (1) parcel. The second reason is there are easements within and along the interior lot lines which are being proposed to be vacated. This vacation of the easements will require an ordinance by the Council to be passed in conjunction with the replat being approved. Copies of the plan and a letter were sent to each of the utility companies asking them to respond in writing as to whether or not they have any problems with vacating any of these easements. To the best of staff's knowledge, there would be no reason why any of the utility companies would object to this request.

Staff recommended to approve the Record Plan with the following condition:

1. All utility easements shown to be vacated on the Record Plan must be approved by any and all utility companies who have existing facilities and/or right of access to those easements before the City enacts legislation vacating the aforementioned easements.

MOTION: Mr. Durham moved to recommend approval of the Record Plan for Washington-Centerville Library to Council subject to the following condition:

1. All utility easements shown to be vacated on the Record Plan must be approved by any and all utility companies who have existing facilities and/or right of access to those easements before the City enacts legislation vacating the aforementioned easements.

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

Mr. Durham asked if the Century 21 sign on West Franklin Street conforms to the Sign Ordinance.

Mr. Schwab stated that the sign is in conformance as it is not located within the Architectural Preservation District.

Mr. McMahon stated that the noise level of the public address system at Black Oak Swim Club is annoying and asked that it be checked for conformance to the noise level standards in the Zoning Ordinance.

Mr. Schwab stated that the problem will be given to the Zoning Inspector.

There being no further business, the meeting was adjourned.

Al Kalow 7/13/93