

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, May 14, 1991

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

Attendance: Mr. Arthur Foland, Acting Chairman; Mr. Peter McMahon; Mr. James Durham; Mr. Scot Stone; Mr. Stanley Swartz; Mr. Bernard Samples. Absent: Mr. Robert Hosfeld. Also present: Mr. Alan C. Schwab, City Planner; Mr. Dave Eubank, Legal Counsel.

Approval of the minutes of April 9, 1991:

MOTION: Mr. McMahon moved to approve the Planning Commission Special Meeting minutes of April 9, 1991, as written. Mr. Swartz seconded the motion. The motion was approved unanimously 6-0.

PUBLIC HEARINGS

Society Bank, Trustee - Major Use Special Approval

Mr. Schwab reviewed the Major Use Special Approval application submitted by Society Bank, Trustee, for a 98.8 acre tract of land located on the southwest corner of Wilmington Pike and I-675. The major portion of the property is zoned Business Planned Development, B-PD; however, a small portion on the northwest corner is zoned Industrial Planned Development, I-PD. The request involves primarily a street layout for the entire acreage which will include improvements for the widening of Wilmington Pike as well as the construction of Clyo Road along the frontage of the subject property. The Clyo Road extension project is, however, a separate project.

The purpose of the request is to provide professional office and commercial development on the site. The project is bounded to the west by the Thomas Paine Condominium complex, South Metro Industrial Park and I-675 to the north, future Clyo Road to the south, and Wilmington Pike to the east. There is a heavily wooded area adjacent to the Thomas Paine complex which will be retained in an undisturbed fashion as a buffer between the properties.

Two (2) curb cuts along Wilmington Pike will access the entire 98.8 acres, and 2 curb cuts along future Clyo Road are spaced to create a loop street to the site. Three (3) detention areas are proposed for the site. This plan is proposing a flexible street layout that would allow a tie in street to South Metro Industrial Park should the property owners come to terms to an agreement. All streets proposed within this development are to be public dedicated streets using the industrial street standards of 60 ft. right-of-way.

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

1. The developer shall dedicate to the City 60 ft. of road right-of-way from centerline along the west side of Wilmington Pike across the entire eastern portion of the property.
2. The applicant shall add an extra lane of pavement, curb, gutter, stormwater drainage, and sidewalk along the portion of the applicant's property to be developed along Wilmington Pike. In lieu of some or all of this improvement, the City Engineer may require an amount of money equivalent to the cost of any improvement not required by the City Engineer to be made at the time of the applicant's development to be placed in escrow by the applicant to go toward the future improvement of Wilmington Pike.
3. The alignment of the two (2) streets intersecting Wilmington Pike shall be directly opposite the existing driveways on the east side of Wilmington Pike with the opposing lanes aligned in accordance with Plans approved by the City Engineering Department.
4. In lieu of the applicant constructing the portion of proposed Clyo Road adjacent to the applicant's property, the applicant must petition the City to be assessed for a portion of the cost of the construction of Clyo Road (this petition is already on file with the City).
5. The alignment of the new easternmost street along proposed Clyo Road must be directly opposite the approved driveway to the B.P. Oil parcel in the south side of proposed Clyo Road with the opposing lanes aligned in accordance with plans approved by the City Engineering Department.
6. All new streets shown within the applicant's development are to be 60 ft. wide public streets built to City Subdivision Regulations standards, including a minimum curve radius on centerline of 225 ft. and sidewalks on both sides of each street.
7. Either one of the two alignments shown on the plan to connect the loop street within this development with the South Metro Parkway (Woodley Development) to the west is acceptable.
8. The interior lot lines shown on this plan are to be considered conceptual and the applicant with the approval of the Planning Department may adjust these lines to fit the needs of a potential purchaser of the lot.
9. The required 100 ft. buffer strip adjacent to the Thomas Paine Condominium Residential Development shall remain in its natural condition. Removal or clearing of any existing vegetation (other than normal maintenance of the vegetation) or grading or regarding of any land within the required buffer strip shall be prohibited. The Planning Department may

require the installation of screening or other improvements within the buffer strip which increase the effectiveness of the buffer strip in protecting adjacent from potentially adverse impacts. Vehicular access across the buffer strip shall be prohibited.

10. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

Mr. Foland opened the public hearing.

Mr. Dale Chandler, agent for the property owner, stated that in order to develop the total acreage with good planning principles, they felt that a plan should be approved to allow all property owners in the area to understand where the major access points would be located. In this way, design and marking can work around these points in an orderly fashion.

Mr. Gary Mount, Trustee of Hope United Methodist Church located at 5980 Wilmington Pike, asked where the surface water would flow.

Mr. Schwab stated that detention areas are shown on the plan submitted for review, however, final acceptance of detention plans would be granted by the City Engineer. He stated that the amount of runoff from this site would not be permitted to increase after the development of the project.

Mr. Mount stated that he had yet to see a detention area maintained properly and asked who would oversee its maintenance.

Mr. Schwab stated that again would be the responsibility of the City Engineer.

Mr. Mount asked if a curb cut to the subject property would be constructed to match the curb cut to their church property and if so, would a traffic signal be installed.

Mr. Schwab stated that the curb cut areas would match, however, a traffic signal is not recommended by the City Engineer based on the signal spacing making a progressive flow along Wilmington Pike. Restrictive movement will have to be considered as the properties in the area develop.

Pastor Thomas McGranor asked where the appropriate locations would be for a traffic signal and what turn restrictions would be used.

Mr. Schwab stated that the City Engineer would have to review the traffic volumes after development takes place to determine if an additional signal would be necessary. At this time, the Engineer does not feel that any signal should be installed which might create a potential progressive flow problem.

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

Mr. Foland asked if the location of Clyo Road was fixed.

Mr. Schwab stated that the Clyo Road intersection is fixed with the location of the constructed portion on the east side of Wilmington Pike.

Mr. Durham asked if the location of the proposed curb cuts for the project was in accordance with the plan adopted by the Wilmington Pike Task Force.

Mr. Schwab stated that these locations are to be full movement intersections as adopted by the Task Force.

MOTION: Mr. McMahon moved to recommend approval of the Major Use Special Approval application submitted by Society Bank, Trustee, to City Council subject to the following conditions:

1. The developer shall dedicate to the City 60 ft. of road right-of-way from centerline along the west side of Wilmington Pike across the entire eastern portion of the property.
2. The applicant shall add an extra lane of pavement, curb, gutter, stormwater drainage, and sidewalk along the portion of the applicant's property to be developed along Wilmington Pike. In lieu of some or all of this improvement, the City Engineer may require an amount of money equivalent to the cost of any improvement not required by the City Engineer to be made at the time of the applicant's development to be placed in escrow by the applicant to go toward the future improvement of Wilmington Pike.
3. The alignment of the two (2) streets intersecting Wilmington Pike shall be directly opposite the existing driveways on the east side of Wilmington Pike with the opposing lanes aligned in accordance with Plans approved by the City Engineering Department.
4. In lieu of the applicant constructing the portion of proposed Clyo Road adjacent to the applicant's property, the applicant must petition the City to be assessed for a portion of the cost of the construction of Clyo Road (this petition is already on file with the City).

5. The alignment of the new easternmost street along proposed Clyo Road must be directly opposite the approved driveway to the B.P. Oil parcel in the south side of proposed Clyo Road with the opposing lanes aligned in accordance with plans approved by the City Engineering Department.
6. All new streets shown within the applicant's development are to be 60 ft. wide public streets built to City Subdivision Regulations standards, including a minimum curve radius on centerline of 225 ft. and sidewalks on both sides of each street.
7. Either one of the two alignments shown on the plan to connect the loop street within this development with the South Metro Parkway (Woodley Development) to the west is acceptable.
8. The interior lot lines shown on this plan are to be considered conceptual and the applicant with the approval of the Planning Department may adjust these lines to fit the needs of a potential purchaser of the lot.
9. The required 100 ft. buffer strip adjacent to the Thomas Paine Condominium Residential Development shall remain in its natural condition. Removal or clearing of any existing vegetation (other than normal maintenance of the vegetation) or grading or regarding of any land within the required buffer strip shall be prohibited. The Planning Department may require the installation of screening or other improvements within the buffer strip which increase the effectiveness of the buffer strip in protecting adjacent from potentially adverse impacts. Vehicular access across the buffer strip shall be prohibited.
10. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

Mr. Samples seconded the motion. The motion was approved 4-0-2 with Mr. Swartz and Mr. Durham abstaining.

NEW BUSINESSNestle Creek, Section 2 - Record Plan

Mr. Schwab reviewed the Record Plan for Nestle Creek, Section 2, located along the east side of Bigger Road north of Alex-Bell Road. The 5.6982 acre parcel is zoned R-1c, Single-Family Residential, and will provide 13 lots as proposed. Construction has already begun on Section 1 with its entrance directly across from the main entrance to the Willowcreek Condominium complex along the west side of Bigger Road.

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

1. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.
2. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond for \$94,000 shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer. The amount of the inspection fee shall be \$556.20.

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

MOTION: Mr. Samples moved to recommend approval of Nestle Creek, Section 2, to City Council subject to the following conditions:

1. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.
2. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond for \$94,000 shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer. The amount of the inspection fee shall be \$556.20.

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

Ashland Oil Company (SuperAmerica) - Planning Commission Special Approval

Mr. Schwab reviewed the Special Approval submitted by the Ashland Oil Company for a SuperAmerica facility to be located on the northwest corner of Wilmington Pike and Whipp Road. The zoning on the property is B-2, General Business. The request is to approve the site plan layout for the gas station/convenience store which is a permitted use in a B-2 zoning district.

The elevations propose the use of brick with large glass display windows and sandwiched metal banding around the top of the building. The roof is flat in comparison to the pitched roof required on the Speedway station to be constructed on the opposite corner in the near future. A canopy will cover the pump areas and dumpster is placed in a screened enclosure with in the front.

Pine trees are to be planted 12 feet apart along the north and west property lines to satisfy the screening requirements since the property abuts residential zoning. All the appropriate setbacks are for building, parking and paving, etc. are incorporated into this plan.

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

1. The applicant shall add an extra lane of pavement, curb, gutter, stormwater drainage, and sidewalk along the portion of the applicant's property to be developed along Wilmington Pike. In lieu of some or all of this improvement, the City Engineer may require an amount of money equivalent to the cost of any improvement not required by the City Engineer to be made at the time of the applicant's development to be placed in escrow by the applicant to go toward the future improvement of Wilmington Pike.
2. The Whipp Road driveway nearest to the intersection of Whipp Road and Wilmington Pike and the driveway on Wilmington Pike are to be limited to right turn into and right turn out of vehicular turns.
3. The driveways to Wilmington Pike and the easternmost driveway to Whipp Road must be moved farther away from the intersection of Wilmington Pike and Whipp Road in accordance with revised plans approved by the City Engineering Department.
4. No approval is being given to any sign shown on the application drawings.
5. The Planning Department must review and approve revised plans for the building that incorporate a pitched roof instead of a flat roof on the building.
6. Detailed plans for the screening of the trash enclosure must be approved by the Planning Department.
7. All exterior lighting, including lighting under the canopy, must be approved by the Planning Department.
8. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

Mr. Schwab stated that an alternative plan was submitted tonight to simply inform the City that the applicant would be contacting residents in the area to propose that would perhaps satisfy those property owners to a greater degree. He stated that the applicant is still requesting approval of the application as submitted; however, if the property owners prefer more intense landscaped and mounding areas, as well as a pitched roof on the building in exchange for building setback variances, they would apply for such a application. Mr. Schwab stated that this idea of an alternative plan was being presented to the Planning Commission so that should a variance application be filed, it would not come as a complete surprise.

Mr. John Koverman, attorney representing Ashland Oil, Mr. Jim DeSelms of Ashland Oil, and Mr. Jim Finke, property owner, were present to review the application.

Mr. Koverman stated that the alternative plan was being discussed for information only, however, he stated Ashland Oil will be constructing one of the plans. In reviewing the staff recommendations for approval, Mr. Koverman had concern for the amount of money which may be required to be placed in escrow towards the road improvement to Wilmington Pike. He stated that he was not comfortable with agreeing to that particular condition without knowing the cost involved. He also requested that the extra lane of pavement be required at the time of the Wilmington Pike improvement project since the elevations are not available for the future roadway.

Mr. Koverman stated they also would have difficulty in moving the Whipp Road curb cut further to the west since that would access traffic to the site at a perpendicular angle into the pump island. He stated also that he did not feel the City could require the building to have a pitched roof. The gas station on the opposite corner is zoned Business Planned Development, B-PD, in which the City has architectural control. The zoning for the Ashland Oil property is zoned B-2 and the applicants are proposing a plan which meets the requirements of the Zoning Ordinance and requests no variances. It is the desire of the applicant to construct a flat roof on the building.

Mr. Swartz stated that he would be reluctant to alter the first condition of the staff recommendations as the intersection improvement is in place and, therefore, the elevations for Wilmington Pike should be set.

Mr. Koverman stated that they would have no problem doing the improvement as long as the cost would not be devastating to the project. At this point in time, the cost has not been determined as they do not know if the traffic controller box and utility lines have to be relocated, etc.

Mr. Swartz stated that he felt the proposed screening along the north and west property lines for pine trees to be planted 12 feet apart was inadequate even though it meets the standards in the Ordinance.

Mr. Stone asked if the buildings could be moved further to the west to accommodate the moving of the curb cut as described in the staff recommendations.

Mr. Schwab stated he would not like to see the building and canopy moved from its proposed location. He stated that the curb cut as now proposed has during the discussion of the project prior to the submission of the plan has been shifted to the west in comparison to the original proposal.

Mr. Foland stated that he felt the building should be constructed with a pitched roof.

MOTION: Mr. Durham moved to approve the Planning Commission Special Approval application for Ashland Oil Company for SuperAmerica to be located on the northwest corner of Wilmington Pike and Whipp Road subject to the following conditions:

1. The applicant shall add an extra lane of pavement, curb, gutter, stormwater drainage, and sidewalk along the portion of the applicant's property to be developed along Wilmington Pike. In lieu of some or all of this improvement, the City Engineer may require an amount of money equivalent to the cost of any improvement not required by the City Engineer to be made at the time of the applicant's development to be placed in escrow by the applicant to go toward the future improvement of Wilmington Pike.
2. The Whipp Road driveway nearest to the intersection of Whipp Road and Wilmington Pike and the driveway on Wilmington Pike are to be limited to right turn into and right turn out of vehicular turns.
3. The driveways to Wilmington Pike and the easternmost driveway to Whipp Road must be moved farther away from the intersection of Wilmington Pike and Whipp Road in accordance with revised plans approved by the City Engineering Department.
4. No approval is being given to any sign shown on the application drawings.
5. The Planning Department must review and approve revised plans for the building that incorporate a pitched roof instead of a flat roof on the building.
6. Detailed plans for the screening of the trash enclosure must be approved by the Planning Department.

- 7. All exterior lighting, including lighting under the canopy, must be approved by the Planning Department.
- 8. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

Mr. McMahon seconded the motion. The motion was approved 4-2 with Mr. Samples and Mr. Swartz voting no.

There being no further business, the meeting was adjourned.

Approved
R. H. Hefel 5/28/91