

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, November 13, 1990

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

Attendance: Mr. Arthur Foland, (Acting Chairman until Mr. Hosfeld's arrival); Mr. Scot Stone; Mr. James Durham; Mr. Bernard Samples; Mr. Peter McMahon; Mr. Stanley Swartz; Mr. Robert Hosfeld (where noted). Also present: Mr. Alan C. Schwab, City Planner; Mr. Steve Feverston, Assistant City Planner; Mr. Robert N. Farquhar, City Attorney.

Approval of the minutes of September 25, 1990:

MOTION: Mr. Samples moved to approve the Planning Commission minutes of September 25, 1990, as written. Mr. Swartz seconded the motion. The motion was approved unanimously 6-0.

COMMUNICATIONS

Mr. Schwab stated that a letter had been received by the City from Mr. John Koverman, attorney representing Dr. Ronald Goenner, concerning his property located at 7244 North Main Street. Mr. Schwab explained that the property owner is requesting a reconsideration of a variance denied by the Planning Commission in February concerning a parking and paving setback along the east property line. He stated that the Zoning Ordinance does not allow an applicant to apply for the same variance within a one (1) year period unless the Planning Commission agrees to allow the resubmission.

Mr. Koverman was present and stated that the project is now underway and as it has progressed, there is a concern of appearance. The parking area abuts the building and it is not as visually appealing as it would be if there were a green space were separating the building and the asphalt. In order to address that particular problem as well as eliminate some of the tightness in the parking area, it would be necessary to move the parking lot back into the setback area.

Mr. Durham stated that he felt there would be no basis for granting a variance since the applicant started construction of a new building from plans that were submitted and approved based on the lot size.

The majority of the Planning Commission members agreed they would be willing to schedule a work session to review an alternative parking layout and to further determine if it could be submitted as a variance application prior to the expiration of the one (1) year period.

Mr. Hosfeld arrived at this time.

PUBLIC HEARINGSSt. Leonard Center, Inc. - Major Use Special Approval

Mr. Schwab reviewed the Major Use application submitted by St. Leonard Center, Inc., requesting approval to construct an additional 33 residential cottage units on their site located south of Centerville Station Road and east of Clyo Road. The zoning on the property is Residential Planned Development, R-PD. This particular application is primarily a site plan amendment for the purpose of changing the original concept of construction a three (3) story building in this location and replace it with the cottage units.

Staff recommended to approve the application subject to the following conditions:

1. All proposed street names shall be subject to approval by the Planning Department.
2. All private streets within the development shall be constructed to City Specifications except roadway width.
3. A sidewalk, five (5) feet in width, shall be constructed along the entire frontage of Centerville Station Road.
4. A revised sidewalk plan shall be approved by the City Planner that includes sidewalk to be constructed to Seminary View Drive and to Centerville Station Road.
5. A revised 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.
6. A storm sewer shall be constructed along Centerville Station Road subject to approval by the City Engineer.
7. Building elevations shall be subject to approval by the Planning Department.

Mr. Schwab explained that the conditions regarding the sidewalk and storm sewer along Centerville Station Road were included at this time based on a recommendation of the City Engineer. These original conditions placed on the approval of the total project would seem reasonable to require at this particular time so that costs could be spread over the remainder of the project. The City Engineer feels that a stormwater runoff problem does current exist in this area and should be improved as a part of this phase.

Mr. Hosfeld opened the public hearing.

There being no speakers, Mr. Hosfeld closed the public hearing.

MOTION: Mr. Foland moved to approve the Major Use Special Approval application subject to staff recommendations. Mr. Samples seconded the motion.

Mr. Samples asked Dr. Brian Forschner, representing St. Leonards Center, Inc., if the staff conditions were acceptable.

Dr. Forschner requested that the sidewalk and storm sewer improvements be postponed until the project expanded to the point that it would necessitate those improvements. The requirement to include these improvements at this time would clearly be a financial hardship on St. Leonards at this time.

Mr. Samples asked if, during the next phase, St. Leonards would request the same postponement.

Dr. Forschner indicated that they would most likely request postponement again.

Mr. John Haley, Lockwood, Jones and Beals, stated a stormwater drainage study is being completed for the entire project area.

Mr. Foland withdrew his motion and Mr. Samples his second.

Mr. Durham stated that he did not feel it would be unreasonable to require the sidewalk and stormwater improvements at this time since major construction had taken place on the property. He stated that the project has progressed without significant improvements toward the betterment of the entire community. He stated if this project were a shopping center, these improvements would have been required prior to occupancy.

MOTION: Mr. Foland moved to recommend approval of the Major Use Special Approval application to Council subject to the following conditions:

1. All proposed street names shall be subject to approval by the Planning Department.
2. All private streets within the development shall be constructed to City Specifications except roadway width.
3. A revised sidewalk plan shall be approved by the City Planner that includes sidewalk to be constructed to Seminary View Drive and to Centerville Station Road.
4. A revised 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.

5. Building elevations shall be subject to approval by the Planning Department.

Mr. McMahon seconded the motion. The motion was approved 6-1 with Mr. Durham voting no.

Mr. Durham stated that he felt the improvements should be made based on the existing stormwater problem in that area currently, as well as the increased traffic which is hazardous to pedestrian traffic.

Mr. Hosfeld pointed out that this would simply be a delay in the required improvements.

Mr. Durham stated that is if the project is successful and they continue to enlarge. There is no guarantee of that, as they have acknowledged that the market they have anticipated is not there and they have changed their marketing strategy.

Pizza Hut, Inc. - Sign Variance/Planning Commission Special Approval

Mr. Schwab reviewed the Sign Variance and Special Approval applications submitted by Pizza Hut, Inc., for their facility located at 897 South Main Street. The zoning on the property is B-2, General Business.

The Sign Variance application requests the placement of two (2) roof signs, each 31.5 square feet in sign area. Roof signs area specifically prohibited in the Zoning Ordinance.

The Special Approval application is requesting approval of the exterior remodeling of the existing building which includes building materials, slight design changes to the windows and changes in the color scheme to the building. Mr. Schwab stated that the revised plans submitted for this particular application, and being reviewed at this time, do not at this time include the use of dryvit which was used in the first concept for the remodeling.

Mr. Schwab pointed out that the Planning Commission needs to specifically approve the proposed red roof color. During the original site plan review of the Pizza Hut project, the most controversial issue was that of the roof color and roof design for the restaurant. The City at that time, refused to allow the bright red color which, therefore, resulted in the existing brown color and design.

Staff recommended to deny the Sign Variance.

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

1. The Planning Commission specifically approves the red color proposed for the roof of the building. The City prohibited the Pizza Hut from having a bright red roof when the original restaurant plans were approved by the City.
2. Dryvit or any stucco-like material shall be prohibited on any part of the exterior of the building.

Stucco is a concrete siding material which the Zoning Ordinance generally deems inappropriate in commercial zoning districts in the City and requires the Planning Commission to approve as a siding material on a case-by-case basis.

Mr. Hosfeld opened the public hearing.

Mr. Ben Lore, representing Pizza Hut, stated that they do not feel there is any way to install wall signage on the base of the building that would be effective which only leaves the roof area as an alternative. He pointed out that Centerville Square located directly to the west has roof signage for each tenant.

Ms. Gussie Anderson, representing Revere Village Apartments, stated that the owner of the complex was present at the original meetings for consideration of the Pizza Hut restaurant. At that time, they were assured that no roof signage would be permitted and requested that restriction be continued.

There being no other speakers, the public hearing was closed.

Mr. Foland stated that at the time of the original review of the site plan, one of the things the City considered was that the red roof color itself was a sign since it was a trademark of the Pizza Hut image.

Mr. Schwab stated that was a possibility, however, the red roof should be considered an architectural feature and not a sign.

Mr. Foland stated that the new Pizza Hut located outside the City limits on East Whipp Road did not have roof signs, but used wall signage.

MOTION: Mr. Durham moved to deny the Sign Variance requested by Pizza Hut, Inc., for their facility located at 897 South Main Street. Mr. McMahon seconded the motion. The motion was approved unanimously 7-0.

The members of Planning Commission compared different hues of red colors to determine what should be permitted as the roof color.

MOTION: Mr. Durham moved to approve the Planning Commission Special Approval application submitted by Pizza Hut, Inc., for their facility located at 897 South Main Street, subject to the following condition:

1. The exterior color scheme shall be restricted to the three (3) colors submitted with the application and are specifically to be used as follows:

Color "C" to be used as the red roof color is Benjamin Moore, #1323 Base 6".

Color "A" to be used as the beige building trim color is Benjamin Moore, "Richmond Bisque".

Color "B" to be used as the dark green building trim color is Sherwin Williams, "Park Bench #SW1462".

Mr. Samples seconded the motion. The motion was approved 6-1 with Mr. Foland voting no.

#### NEW BUSINESS

##### Nestle Creek, Section 1 - Record Plan

Mr. Schwab reviewed the Record Plan submitted for Nestle Creek, Section 1, located along the east side of Bigger Road, north of Alex-Bell Road. The zoning on the 4.2187 acre parcel is R-1c, Single-Family Residential. The number of lots proposed for this first section is 8.

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

1. Plat covenant No. 22 shall be changed from 1300 to 1400 square feet as the minimum floor area of a single-family dwelling.
2. Plat covenant No. 34 shall be changed to show the minimum rear yard as 25 feet, and the minimum side yard as 5 feet. However, no buildings may be constructed closer than 20 feet from each other regardless of the minimum side or rear yard dimensions.
3. The record plan and construction drawings shall be changed, subject to the approval of the City Engineer, to show a 4 foot wide sidewalk in the public right-of-way on the north side of Baldwin Drive from the sidewalk on the east side of Bigger Road to the eastern stub of Baldwin Drive.
4. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

5. 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.
6. Prior to the signing of the record plan by the City, the developer shall dedicate parkland in accordance with the residential cluster plan for Nestle Creek approved by the City and the provisions of City Ordinance #15-86, The City Parkland Dedication Ordinance.

Mr. Gregg Taylor, representing the developer John G. Black Enterprises, had no objections to the staff recommendations.

MOTION: Mr. Durham moved to recommend approval of the Record Plan for Nestle Creek, Section 1, subject to the following conditions:

1. Plat covenant No. 22 shall be changed from 1300 to 1400 square feet as the minimum floor area of a single-family dwelling.
2. Plat covenant No. 34 shall be changed to show the minimum rear yard as 25 feet, and the minimum side yard as 5 feet. However, no buildings may be constructed closer than 20 feet from each other regardless of the minimum side or rear yard dimensions.
3. The record plan and construction drawings shall be changed, subject to the approval of the City Engineer, to show a 4 foot wide sidewalk in the public right-of-way on the north side of Baldwin Drive from the sidewalk on the east side of Bigger Road to the eastern stub of Baldwin Drive.
4. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.
5. 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.
6. Prior to the signing of the record plan by the City, the developer shall dedicate parkland in accordance with the residential cluster plan for Nestle Creek approved by the City and the provisions of City Ordinance #15-86, The City Parkland Dedication Ordinance.

Mr. Stone seconded the motion. The motion was approved unanimously 7-0.

There being no further business, the meeting was adjourned.

*Approved 1/8/91 R. Taylor*

