

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, October 31, 1989

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

Attendance: Mr. Robert Hosfeld, Chairman; Mr. James Durham; Mr. Arthur Foland; Mr. Scot Stone; Mr. Peter McMahon. Absent: Mr. Stanley Swartz. There is currently one (1) vacancy on the Planning Commission. 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 26, 1989:

MOTION: Mr. Stone moved to approve the Planning Commission minutes of September 26, 1989, as written. Mr. Foland seconded the motion. The motion was approved unanimously 5-0.

COMMUNICATIONS

Mr. Schwab stated that the Miami Valley Planning and Zoning Workshop will be held on December 8, 1989, at Sinclair Community College. The City will make reservations for those members interested in attending the workshop.

PUBLIC HEARINGS

City Initiated Rezoning - R-1d to APD

Mr. Schwab stated that at the direction of the Planning Commission, staff had prepared a rezoning application for the property located at 252/262 West Franklin Street, which was also the subject of a rezoning application submitted by Charles L. Backus for review at the previous Planning Commission meeting. The original application requested an Office-Service, O-S zoning classification which was recommended for denial. The members of Planning Commission felt that Architectural Preservation District, APD, zoning would be a more appropriate zoning classification based on surrounding zoning.

These particular lots extend along West Franklin Street from Gershwin Drive west to the City corporation line and contain two existing single-family houses. The land uses to the north are vacant, residential and commercial; to the south is single-family residential; to the east are a church and school; and to the west are vacant, agricultural which extends into commercial further to the west. Mr. Schwab stated that one advantage of APD zoning would allow the same type of development on the south side of the street as on the north side of the street. This would also maintain signage continuity along both sides of West Franklin Street.

Mr. Hosfeld opened the public hearing.

Mr. Robert Nida, 61 Gershwin Drive, was concerned with the additional traffic flow compounding an existing problem from Gershwin Drive to Franklin Street should the zoning be changed to APD.

Mr. Walter Buchanan, representing the owners of the property, stated that they prefer the properties to be zoned O-S rather than APD, however, the rezoning should be approved based on the trend of development along West Franklin Street. Further, it is not economically feasible to continue a residential use at this location.

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

Mr. Durham asked if there would be a difference in the traffic flow pattern based on the zoning classification.

Mr. Schwab stated that the difference would be in the parking. The APD zoning would allow side yard parking only on a corner lot and the O-S zoning would allow front yard parking with a 10 ft. setback requirement.

MOTION: Mr. Durham moved to recommend approval of the City initiated rezoning application to Council for the property located at 252/262 West Franklin Street from R-1d to APD. Mr. McMahon seconded the motion. The motion was approved 4-0-1 with Mr. Hosfeld abstaining.

Mr. Hosfeld stated that the concerns of the surrounding property owners in regard to traffic flow will be addressed at the time of development should the properties be rezoned.

#### UNFINISHED BUSINESS

##### Ronald E. Kincaid - Planning Commission Special Approval

MOTION: Mr. Foland moved to remove the application submitted by Ronald E. Kincaid from the table. Mr. McMahon seconded the motion. The motion was approved unanimously 5-0.

The members of Planning Commission discussed the proposal in order to familiarize the new members which were not on the Planning Commission at the time this application was originally reviewed.

MOTION: Mr. Foland moved to deny the Planning Commission Special Approval application submitted by Ronald E. Kincaid for property located at 8431 Clyo Road. Mr. Durham seconded the motion. The motion was approved unanimously 5-0.

NEW BUSINESSDavid Holzen Plat - Release of Performance Bond

Mr. Schwab explained the this subdivision is located in Washington Township and is one of the last that was approved by the City under three-mile jurisdiction which, therefore, requires the Planning Commission to release the performance bond.

The City Engineer recommended that the performance bond be released based on the satisfactory completion of the plat improvements and acceptance approval by Washington Township. Due to the amount of time the improvements have been in place, no further maintenance bond is recommended.

MOTION: Mr. McMahon moved to release the performance bond for the David Holzen Plat. Mr. Stone seconded the motion. The motion was approved unanimously 5-0.

BP Oil

The members of the Planning Commission discussed the letter drafted by Mr. Durham reviewing the events of the rezoning application by BP Oil.

MOTION: Mr. McMahon moved to adopt the letter concerning the events of the BP Oil rezoning application review as written with the exception that the name "Tim" Rickert be changed to "David" Rickert. With that change, the letter should be forwarded to City Council. Mr. Stone seconded the motion. The motion was approved unanimously 5-0.

Non-Conforming Signs

During the previous meeting, Staff was directed to prepare a report as to the number of signs, sign locations and property conditions located throughout the City in order to explore the applicability of a court case in an Ohio decision which upheld the removal of legally nonconforming signs in that community. The Council is interested in receiving input from the Planning Commission regarding possible adoption of an ordinance of this type.

Mr. Schwab made a slide presentation of existing signs located in the City.

Mr. Durham stated that the existence of nonconforming signs in deteriorated areas of the City do not seem to have the relationship necessary to adopt such an ordinance.

The members of Planning Commission felt that nonconforming signs within the City have gradually decreased over the years and that process should continue to address the problem.

October 31, 1989

PC

Page 4

Mr. Farquhar stated that currently the City allows a nonconforming sign to regain its status for up to a 2-year period. The State statute has changed and now allows a nonconforming sign to regain its status for up to 6 months. The City does have the ability to decrease its time period if that is the desire of Council.

The members of Planning Commission felt that the time period should be decreased to 6 months, and directed staff to prepare a recommendation for their review and adoption in order to forward it to Council.

There being no further business, the meeting was adjourned.

*Approved 11/28/89*  
*R. J. Hatfield*