

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, November 28, 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; 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 October 31, 1989:

MOTION: Mr. Stone moved to approve the Planning Commission minutes of October 31, 1989, as written. Mr. McMahon seconded the motion. The motion was approved unanimously 5-0-1 with Mr. Swartz abstaining.

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 is still able to make reservations for those members interested in attending the workshop.

Mr. Schwab stated that the letter drafted by staff was included in the information packet to each Planning Commission member for review concerning the issue of nonconforming signs.

The members of Planning Commission agreed that the letter expressed their views on the issue and directed staff to forward it to Council.

PUBLIC HEARINGS

Hills Developers - Rezoning

Mr. Schwab reviewed the Rezoning application submitted by Hills Developers for the 97.4 acres located east of Bigger Road, south of Thomas Paine Parkway and north of Alex-Bell Road. The purpose of the request is create the proper zoning to construct a multi-family residential condominium complex. The current zoning on the property is 30.4 acres of Residential Planned Development, R-PD and 67.0 acres of Single-Family Residential, R-1c (20,000 sq. ft. lots). The proposed zoning classifications would include 30.3 acres of R-PD, 59.9 acres of R-1c and 7.2 acres of Light Industrial, I-1. The surrounding land uses to the north and west are industrial and multi-family residential; and, to the south and east are vacant and agricultural.

The Master Plan for the City indicates low density single-family residential south of proposed Clio Road and research or restricted industrial park north of Clio Road.

The adopted Policy Plan states that the character of the community will be maintained as predominately low-density single-family residential, with open space for community use and environmental preservation; the development of industrially zoned land shall be encouraged, however, the predominately single-family residential character of Centerville shall be maintained; and, to discourage rezoning of land from residential to industrial uses.

Mr. Schwab reviewed the development trends of single-family residential in comparison to multi-family residential units from 1960 to the present. The existing ratio of units indicates that the number of single-family to multi-family is approximately 1-1.

The applicant submitted a hypothetical layout of the site which locates R-PD zoning to surround the lake to be a part of the condominium project. Mr. Schwab pointed out that this layout is not binding for development.

Staff recommended to deny the application. It was further recommended to amend the application to:

1. Reduce the total proposed R-PD zoning by 7.2 acres to a total of 23.2 acres; and,
2. Change the proposed 7.2 acres of I-1 land to I-PD, Industrial Planned Development.

The proposed change of the 7.2 acres of the land north of proposed Clyo Road to I-1 is logical because it abuts industrial land to the north and across Bigger Road to the west. The I-PD classification was recommended instead of I-1 because the master site plan required under I-PD zoning before the tract could be developed would assure coordinated vehicular access to Clyo Road. Also, the 100 foot buffer requirement in the I-PD zoning classification would better protect the Thomas Paine Condominium residents from the impact of industrial development. Further, staff could see no logic in reducing the amount of single-family residential zoned land on this tract.

Mr. Hosfeld opened the public hearing.

Mr. John Koverman, representing Hills Developers, stated that of the 97 acres, they are only requesting a 10 percent change in the zoning classifications. He stated that the arrangement of zoning classifications as his client has proposed are based on the factors of Bigger Road to the west and the configuration of proposed Clyo Road which divides the property. Mr. Koverman stated that the success of the Willowcreek development has prompted Hills Developers to seek approval of this request in order to continue these types of developments that are in demand. Mr. Koverman stated that the configuration of the zoning lines to zone the existing lake area in the multi-family rather single-family zoning is desired in order to maintain the lake under the condominium

association. Should the lake area be surrounded by single-family units, access would have to be made through easements which would hinder its maintenance. Mr. Koverman stated that if the area north of Clyo Road were to remain R-PD, 60 units could be constructed on that acreage, however, it would not offer the homeowners a good condominium package in the way of amenities. He stated that the people living in Centerville do not necessarily want the housing trend that demands single-family lots. Mr. Koverman stated that it seems that the message the City's policy gives is living in condominium developments are less desirable than living in a typical single-family subdivision.

Mr. Byron Hall, 6424 Little John Circle, was concerned with the percentage of owner-occupied units in comparison to rental units.

Mr. Koverman stated that the Willowcreek project developed by Hills Developers is 95% owner-occupied and felt that the proposed development would offer the same type of situation.

Mr. Jim Schweller, resident of Thomas Paine, asked the difference between the I-1 zoning proposed and the I-PD zoning suggested by staff.

Mr. Schwab explained that the I-PD zoning is more restrictive and would require the developer to submit a master plan for the entire site in order to create specific access points to Clyo Road. A buffer zone would also be required which would further protect the residential developments in the immediate area.

Mr. Joe Hager, President of Thomas Paine Woods Homeowners Association, stated that he felt the course of the Master Plan and Policy Plan adopted by the City should be maintained by retaining the amount of single-family zoning currently in place.

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

Mr. Durham stated that his concern was the single-family zoning north of Clyo Road which would seem to be unmarketable. He stated that this small vacant piece of land would become an isolated pocket of single-family land that would eventually be the subject of another rezoning application.

Mr. Koverman stated that the intent of making that small area single-family is to maintain a certain amount of single-family zoning which seems to be the desire of the City.

Mr. Foland asked if the applicant was aware of the recent change to the City Zoning Ordinance which increased the parking requirements for single and multi-family residential dwelling units.

Mr. Koverman stated that they were aware of the increase and would satisfy the parking requirements in the Zoning Ordinance.

Mr. McMahon asked if the Park District may be interested in the lake area to satisfy the parkland dedication which will be required as a part of this project.

Mr. Schwab stated that issue will be determined at the time of site plan review, however, the Park District usually desires to obtain land in the area of other park land.

Mr. Foland stated that he did not like the isolated single-family zoning north of Clyo Road.

Mr. Hosfeld stated that he shared the decrease of single-family zoning, but felt that placing single-family zoning north of Clyo Road would not be an answer to that concern. He also stated that he agreed that the I-1 zoning should be I-PD in order to gain more control on its development.

Mr. Durham stated that he would like to see the R-PD zoning reduced south of Clyo Road and R-1c increased at that location.

Mr. Koverman stated that he and his clients would like to review and discuss their options in a work session with the Planning Commission.

MOTION: Mr. Foland moved to table the Rezoning request submitted by Hills Developers. Mr. Stone seconded the motion. The motion was approved 5-0-1 with Mr. Swartz abstaining.

Miller Valentine Group - Rezoning

Mr. Swartz removed himself from the meeting at this time due to a conflict of interest.

Mr. Schwab reviewed the Rezoning application submitted by the Miller-Valentine Group for 187.99 acres of property located east of Bigger Road, south of I-675, north of Alex-Bell Road and west of Wilmington Pike. The existing land use on the property is agricultural and vacant. The surrounding land uses include I-675 to the north; Bigger Road and multi-family to the west; industrial, multi-family, agricultural and vacant to the south; and, church, Wilmington Pike and commercial to the east.

The Rezoning application, specifically, is requesting the current the existing 63.520 acres of B-PD and B-1 zoning change to 107.020 acres; the existing 62.490 acres of I-PD zoning change to 32.190 acres; the existing 4.034 acres of O-S zoning change to 8.330; the existing 25.209 acres of R-PD and R-3 zoning change to 11.510; and, the existing 32.738 acres of R-1c zoning change to 28.940 acres.

The Master Plan signifies this area to be low density single-family residential south of proposed Clyo Road and research or restricted industrial park north of Clyo Road. The southwest corner of I-675 and Wilmington Pike north of Clyo Road is designated General or Highway Service Commercial.

The adopted Policy Plan states that the character of the community will be maintained as predominately low-density single-family residential, with open space for community use and environmental preservation; the development of business/commercial uses which serve the needs of the community while maintaining the single-family character of the City will be encouraged; discourage rezoning from non-business to business use; the development of industrially zoned land shall be encouraged, however, the predominately single-family residential character of Centerville shall be maintained; and, to discourage rezoning of land from residential to industrial uses.

Staff recommended to deny the application. It was further recommended to amend the application to:

1. Maintained the current alignment of proposed Clyo Road per the present construction drawings;
2. Rezoned the are shown on the applicant's land use plan as medical to O-PD, Office Planned Development (this change would need to be accompanied by a change to the City Zoning Ordinance to allow a major medical use to be a potentially permitted use in this district);
3. Rezoned all of the Rippe tract south of the St. Francis Church to R-1c, Single-Family Residential;
4. Maintained the present Office-Service zoning district boundary south of proposed Clyo Road;
5. Maintained the present zoned total acreage of single-family residential zoned land with all the zoned land located south of proposed Clyo Road; and,
6. Maintained the present zoned total acreage of multi-family residential zoned land with all the zoned land located south of proposed Clyo Road.

This application proposed a large increase in the amount of commercial zoned land (B-PD and O-S) and a large decrease in industrial and residential (I-PD, R-PD R-3 and R-1c) zoned land. Large amounts of vacant commercial land exist along Wilmington Pike in this area. The amount of industrial land available in the City is more limited.

While the applicant proposed medical use for a large part of the industrial land requested to be rezoned commercial, the B-PD classification allows the entire list of uses permitted in the B-PD zoning district. The City cannot restrict the land proposed to be rezoned to B-PD to only permit medical use. Office use is a permitted use in both industrial and business zoned land; hence, the logic for the staff proposed O-PD classification.

The zoning boundaries proposed in this application hinge on shifting the alignment of proposed Clyo Road to the south. A major affect of this shift is to reduce the residential zoned land south of Clyo Road and increase the non-residential zoned land north of Clyo Road.

There is no logic in the City Master Plan or Policy Plan that supports reducing the amount of single-family or multi-family residential zoned land on the Rippe tract of land.

Rezoning the two parcels of land zoned R-3 and B-1 south of the St. Francis Church to R-1c would be desirable.

Mr. Hosfeld opened the public hearing.

Mr. Bob Archdeacon, of Woolpert Consultants representing the applicants, stated that he had worked with staff for some time on this particular submittal and thought it was acceptable until this time. He stated that the present alignment of Clyo Road was the subject of a previous application which was approved by the City. Mr. Archdeacon felt that if the curve was reduced along proposed Clyo Road it would be more acceptable to the traffic engineer as well as create the zoning boundary. He stated that they would encourage a work session with Planning Commission and staff to determine the future development of the area.

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

Mr. Foland stated that he was pleased to see the work done in the preparation of this application and would support a work session.

Mr. Archdeacon stated that they are open to the alignment of Clyo Road which will be an issue of discussion at the work session.

Mr. Denny Whitehead, representing Miller Valentine Group, stated that they would be anxious to schedule the work session in order for their application to go forward.

Mr. Durham stated that he did not like the alignment of proposed Clyo Road as approved as it appeared to be another Whipp Road curve situation. He requested that the City Engineer review the plans and determine if there will be a problem with that alignment.

MOTION: Mr. Foland moved to table the Rezoning request submitted by the Miller-Valentine Group. Mr. McMahon seconded the motion. The motion was approved unanimously 5-0.

Mr. Swartz returned to the meeting at this time.

Blue Parrot - Appeal

Mr. Schwab reviewed the Appeal application submitted by the Blue Parrot, 8 West Franklin Street requesting a reversal of the Board of Architectural Review's (BAR) decision concerning a sign for the establishment. He stated that the BAR made a condition of approval for the signs which stated that the background color be changed to a non-gloss, whitish color.

Mr. Schwab pointed out that the signs were repaired, repainted and installed without the approval of the BAR. The original application was submitted to do nothing other than satisfy the zoning violation. The subject of the appeal is the applicant's disagreement with the BAR to change the background color.

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

Mr. McMahon asked if the BAR had an approved color chart for signs.

Mr. Feverston stated that an approved color chart was adopted by the BAR for building color which is also used for signs. The BAR is currently looking at adopting a separate sign color chart.

Mr. McMahon stated that the minutes of the BAR meeting sound as though the BAR will say what the applicant cannot do, however, there is nothing specific saying what can be done.

Mr. Durham stated that his preference is to affirm the BAR's decision, however, there are no specific standards adopted by the BAR.

MOTION: Mr. McMahon moved to overturn the decision of the BAR concerning the Sign for the Blue Parrot, 8 West Franklin Street.

There was no second to the motion.

MOTION: Mr. Foland moved to affirm the decision of the BAR concerning the Sign for the Blue Parrot, 8 West Franklin Street. Mr. Swartz seconded the motion. The vote was 3-2-1 with Mr. McMahon and Mr. Stone voting no and Mr. Durham abstaining. The vote did not constitute a majority of the membership of the Planning Commission and, therefore, the decision of the BAR will stand.

NEW BUSINESSHarrigan Infiniti - Planning Commission Special Approval

Mr. Schwab reviewed the Special Approval application submitted for Harrigan Infiniti to be located on the south side of Loop Road, east of the Voss Auto Dealership, and north of I-675. The zoning on the 3.444 acre tract is Business Planned Development, B-PD. The intent of the application is to construct a dealership building and a separate service building on the property. Mr. Schwab stated that the curb cut location was approved as a part of the Major Use application reviewed by the City previously.

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

1. The parcel shall be graded to create the required intersection sight distance at the driveway subject to approval by the Planning Department.
2. A revised landscaping plan shall be submitted, subject to approval by the Planning Department, that includes the following:
 - a. All proposed trees located within the required intersection sight distance area of the site shall be eliminated.
 - b. Additional landscaping shall be incorporated into the parking lot. The site plan shows approximately 3.5 percent of all parking or paved areas as landscaped. The Zoning Ordinance requires a minimum of 5 percent of these areas to be landscaped.
3. A sidewalk, 5 feet in width, shall be constructed along the entire Loop Road frontage, replacing the existing temporary sidewalk.
4. Architectural elevations for the west and north side of the body shop and the west side of the sales building shall be subject to approval by the Planning Commission.
5. The Planning Commission specifically approves the stucco-like (dryvit) siding materials proposed.

Stucco is a concrete siding material. The Zoning Ordinance generally considers this material 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.

6. All dumpster pads shall be concrete and of a dimension to allow the front wheels of the trash disposal truck to rest on the pad while emptying the dumpster.
7. Screening of the dumpster shall be subject to approval by the Planning Department.
8. A detailed lighting plan showing all exterior lighting shall be subject to approval by the Planning Department.
9. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineering Department.

Mr. Roy Deroy, representing the applicant, questioned the requirement of 5 foot sidewalks.

Mr. Schwab stated that 5 feet is the standard which is to be maintained in the area of Loop Road.

Mr. Deroy stated that the building as proposed is the same proposal used in all locations of the new dealership chain. He understood that the materials proposed have had some concern in the City, however, it has to be used in each of the facilities.

MOTION: Mr. Durham moved to approve the Special Approval application for Harrigan Infiniti to be located on Loop Road subject to the following conditions:

1. The parcel shall be graded to create the required intersection sight distance at the driveway subject to approval by the Planning Department.
2. A revised landscaping plan shall be submitted, subject to approval by the Planning Department, that includes the following:
 - a. All proposed trees located within the required intersection sight distance area of the site shall be eliminated.
 - b. Additional landscaping shall be incorporated into the parking lot. The site plan shows approximately 3.5 percent of all parking or paved areas as landscaped. The Zoning Ordinance requires a minimum of 5 percent of these areas to be landscaped.

3. A sidewalk, 5 feet in width, shall be constructed along the entire Loop Road frontage, replacing the existing temporary sidewalk.
4. Architectural elevations for the west and north side of the body shop and the west side of the sales building shall be subject to approval by the Planning Commission.
5. The Planning Commission specifically approves the stucco-like (dryvit) siding materials proposed.
6. All dumpster pads shall be concrete and of a dimension to allow the front wheels of the trash disposal truck to rest on the pad while emptying the dumpster.
7. Screening of the dumpster shall be subject to approval by the Planning Department.
8. A detailed lighting plan showing all exterior lighting shall be subject to approval by the Planning Department.
9. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineering Department.

Mr. McMahon seconded the motion. The motion was approved 5-1 with Mr. Foland voting no.

Centerville Woods - Planning Commission Special Approval

Mr. Schwab reviewed the Special Approval application submitted for Centerville Woods located south of Spring Valley Road, west of Centerville Place Shopping Center and north of Joy Elizabeth Drive. The request is to construct 19 lots on the 7.638 acre tract zoned R-1d, Single-Family Residential. Road improvements will be required as a part of this development to Joy Elizabeth Drive where the project will begin, continuing north where the street will cul-de-sac. A fee-in-lieu of parkland dedication will also be required.

Staff recommended to approve the Special Approval subject to the following conditions:

1. The developer shall improve Joy Elizabeth Drive to standards in the Subdivision Regulations including the installation of curbing, storm sewers, and sidewalk. A final plan shall be approved by the City Engineer.
2. Sidewalks shall be installed along both sides of Sarah Elizabeth Court.

3. 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 City Stormwater Drainage Control Ordinance.
4. Lots 1 and 19 are corner lots and shall have a 30 foot minimum building setback from Joy Elizabeth Drive.
5. In lieu of completion of the required improvements prior to 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.
6. Prior to the signing of the record plat by the City, the developer shall pay a fee-in-lieu of dedicating parkland in accordance with the provisions of the City Parkland Dedication Ordinance.

Mr. Durham stated that he felt consideration should be given to tie in this development to the development to the north. He stated that the length of the proposed cul-de-sac creates a problem for movement of safety equipment.

Mr. McMahon stated the traffic engineer may have a preference for the street connecting straight through the site.

Mr. Ed Simpson, developer of the project, stated that the established neighborhood would object to the through traffic created by the development of his project if the street were not cul-de-saced.. Further, the established neighborhood to the north seems to need maintenance and the success of his project would be affected by opening up an old neighborhood into a new one.

Mr. Durham stated that April Lynn Drive stubbing into the back yards of single-family lots would be compounding a mistake already in place.

Mr. Hosfeld stated that he was not in favor of disturbing the established neighborhood by allowing through traffic.

Mr. Stone and Mr. Foland shared the concern of the length of the cul-de-sac, however, felt also that the neighborhood should not be disturbed.

MOTION: Mr. Stone moved to approve the Planning Commission Special Approval application submitted for Centerville Woods subject to the following conditions:

1. The developer shall improve Joy Elizabeth Drive to standards in the Subdivision Regulations including the installation of curbing, storm sewers, and sidewalk. A final plan shall be approved by the City Engineer.

2. Sidewalks shall be installed along both sides of Sarah Elizabeth Court.
3. 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 City Stormwater Drainage Control Ordinance.
4. Lots 1 and 19 are corner lots and shall have a 30 foot minimum building setback from Joy Elizabeth Drive.
5. In lieu of completion of the required improvements prior to 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.
6. Prior to the signing of the record plat by the City, the developer shall pay a fee-in-lieu of dedicating parkland in accordance with the provisions of the City Parkland Dedication Ordinance.

Mr. Swartz seconded the motion. The motion was approved 5-1 with Mr. Durham voting no.

Mr. Foland requested that a Work Session be scheduled in the near future to discuss the subject of the use of building materials, specifically, dryvit which has become the subject of many applications being reviewed by the Planning Commission.

Providing a meeting room is available, the Planning Commission will hold a Work Session on December 5, 1989, at 6:30 P.M., to discuss the tabled rezoning applications.

There being no further business, the meeting was adjourned.

Approved by [Signature] 1/30/90