

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, March 28, 1989

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

Attendance: Mr. Robert Looper, Vice-Chairman; Mrs. Marian Simmons; Mr. Arthur Foland; Mr. Robert Hosfeld; Mr. Stanley Swartz; Mr. Robert Chappell (where noted). Absent: Mr. Elmer C. Tate, Jr. 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 March 14, 1989:

MOTION: Mr. Foland moved to approve the Planning Commission minutes of March 14, 1989, as written. Mr. Hosfeld seconded the motion. The motion was approved 3-0-2 with Mr. Hosfeld and Mr. Swartz abstaining.

COMMUNICATIONS

Ryan Homes - Request for Placement of Sales/Construction Trailer

Mr. Schwab explained that the developers of Cheltenham have requested approval of a sales/construction trailer to be located on Lot #3 of that subdivision. The sales area will be moved to a model home on Lot #14 when its construction is complete sometime in early to mid-summer. At that time, the trailer is proposed to be used as a construction trailer.

A representative of Ryan Homes indicated that they would like to place the trailer on Lot #3 and place trees and shrubs around the units as well as add a wood deck to enter the office. Off-street parking will be provided on the lot with a gravel drive to access the property.

MOTION: Mr. Swartz moved to approve the request by Ryan Homes to place a sales/construction trailer on Lot #3 of Cheltenham as outlined in their letter dated March 20, 1989. Mr. Hosfeld seconded the motion. The motion was approved unanimously 5-0.

PUBLIC HEARINGS

Centerville City Schools - Sign Variance

Mr. Schwab reviewed the application submitted by Centerville City Schools requesting a variance of sign area for five (5) temporary signs, one (1) each to be located at Centerville High School, Magsig Middle School, Tower Heights School, Stingley Elementary School and Cline Elementary School. The zoning on each of these properties is R-1d, Single-Family Residential. The sign area permitted for each of these locations is 12 square feet per sign face for a total sign area of 24 square feet for each sign. The variance requested is to allow 15 square feet per sign face or 30

square feet of total sign area for each sign. The length of time permitted for each sign to be posted is 30 days for each evenly divided quarter of the calendar year.

Mr. Schwab indicated that according to the letter submitted with the variance application, it appears the applicants were under the impression that a maximum sign area of 6 square feet per sign face, 12 square feet of total sign area, would be permitted.

Staff recommended to deny the request based on no unique situation exists on these properties. Because the variance is only 3 square feet, it is reasonable to maintain the 12 square feet standard.

Mr. Looper opened the public hearing.

Mr. Frank DePalma, Director of Personnel of Centerville City Schools, stated that it was a misunderstanding concerning the permitted sign area for the sites described in the application. At the time the applications was submitted, he stated they felt that a 2 by 3 foot sign was too small for the size of lots on which the signs would be placed. Because the signs will be placed in both the City and Township, they wanted the signs to be uniform and, therefore, requested a 3 by 5 foot sign which is permitted in the Township. Mr. DePalma stated if they were aware that a 3 by 4 foot sign were permitted, they would have complied with that restriction. He stated that because they were not aware of staff's recommendation to deny the application, the 3 by 5 foot signs had been ordered.

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

Mr. Chappell arrived at this time.

Mr. Hosfeld stated that the request was a very minimal variance and he did not object to it.

MOTION: Mr. Hosfeld moved to approve the variance request submitted by Centerville City Schools to allow the placement of five (5) temporary 3 by 5 foot signs to be located on the specific school properties as stated in the application. Mrs. Simmons seconded the motion. The motion was denied 2-3-1 with Mr. Swartz, Mr. Foland and Mr. Looper voting no. Mr. Chappell abstained from the motion.

Mr. Looper reminded the applicants they did have a right to appeal this decision to City Council.

Mr. DePalma indicated they would conform to the requirements of the Ordinance.

Ronald E. Kincaid - Variance/Planning Commission Special Approval

Mr. Schwab reviewed the Variance and Special Approval applications submitted by Ronald E. Kincaid for the property located at 8431 Clys Road. The proposed use for the I-1, Light Industrial, zoned property is to construct a boat and recreational vehicle (RV) storage area. The variances requested are to permit the parking area and driveways serving the parking areas in the vehicle storage area to be non-paved (gravel) surfaces, and to allow a paving setback on the north, south and east property lines to be 10 feet rather than the required 25 feet.

Mr. Schwab explained that although the surrounding properties are zoned I-1, the uses remain residential and, therefore, the 25 foot setback is required. If the properties were developed as industrial, 10 feet of setback would be acceptable under the requirements of the Zoning Ordinance.

Staff recommended the following action be taken on the Variance application:

1. The recommendation of the staff is to deny the variance to reduce the parking and paving setback along the north, west and south property lines from 25 feet to 10 feet.
2. The recommendation of staff is to approve the variance to allow the vehicle storage area inside the chain link fence to be non-paved (graveled). This variance shall be conditioned on the use of the parking area being for long-term storage of recreational vehicles.

Mr. Schwab stated that a unique situation seemed to exist since the use of the gravel area would be less intensive and, therefore, that the non-paved area would improve the stormwater drainage situation since more water would be retained on the site. Stormwater retention will, however, be required on the site.

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

1. The variances are approved as recommended by the Planning Department.
2. A minimum of 5 percent of the parking area shall be landscaped. A landscaping plan shall be submitted and is subject to approval by the Planning Department.
3. All exterior lighting must be approved by the Planning Department.
4. Screening shall be subject to approval by the Planning Department.

5. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineering Department.
6. Prior to the issuance of any permits by the City allowing the construction of the proposed site plan, the applicant shall submit written proof acceptable to the City Attorney showing that the improvements shown on property not owned by the applicant will be permitted by those owners to be constructed in accordance with the plans submitted by the applicant.

Mr. Schwab explained that in order to make the improvements necessary to access the property, the existing one (1) lane drive would have to be widened. In this area where the property is accessed, the additional width of the drive would be located on property under a different ownership. He stated that an agreement has not been reached by the two property owners, and condition #6 would protect the City as to being assured that the improvements will be made.

Mr. Looper opened the public hearing.

Dr. Edward Thomas, owner of the adjacent property, stated there is a legal question as to exactly who owns what portions of the property that is the subject of this application. He stated that the property the applicant would be required to improve for the driveway is for sale, however, nothing has been negotiated at this point in time. Dr. Thomas stated, further, that they are opposed to the setback variance and urge that the Planning Commission require the 25 foot setback. He stated that he had no objection to the gravel material proposed for the storage area, although he pointed out that the proposed 200 parking spaces hardly seemed minimal to the access of Clyo Road.

Mr. Randy Norfleet, representing the applicant, stated that his client is willing to revise some things on the plan to make them acceptable to the City. He stated, however, that a right to access the property does and has existed for many years prior to the sale of the railroad right-of-way property to Dr. Thomas. Mr. Norfleet stated that although a change in ownership of the property has occurred, it would not have changed his client's right to access. He stated that revisions would be made to change the need for the setback variance on the north and east side of the property, however, a variance would still be requested along the south side. A 20 foot strip of property exists along the south property line in which building cannot occur. That 20 foot strip along with the requested 10 foot setback would provide a 30 foot setback along the south property line.

Mr. Steve Varmussa, 1511 Ole Quaker Court, voiced his concerns about the development of the proposed RV storage facility. He felt that this particular area should be developed consistently with the surrounding properties. He stated that even though the property is zoned for industrial uses, the best use of the property would be better suited for residential development. Another of his major concerns was that of safety. The additional traffic generated by this use will further increase the accident rate along the "S" curve on Clyo Road. Mr. Varmussa submitted two letters to the Planning Commission from other residents on Ole Quaker Court voicing some of these same concerns and requesting that the variances be denied.

Mr. Looper asked when the property in question was zoned industrial.

Mr. Schwab stated it was zoned industrial for many years, and was zoned in that classification prior to the development of the Ole Quaker Court subdivision.

Mr. Schwab stated that in walking the property, the site distance at the access point was good. He stated that additional traffic accessing the facility will, of course, create some obstruction of traffic.

Mr. Ron Kincaid, applicant, stated that all paving for the project will take place on his property only. He stated that the facility will not be visible from the roadway since the property sets further to the west. Mr. Kincaid stated that approving the variance request for the 10 foot setback on the south side of the property is critical to his project.

Dr. Brian Forschner, St. Leonard Center, stated that with the expansion of their community as approved by the City, they feel that the current traffic situation is less than desirable at this time and will only be compounded by this development. He was also concerned with the additional stormwater drainage that will increase as a result of further development. Dr. Forschner stated that he felt that the area should be developed in such a way that it is more compatible with the surrounding uses.

Mr. Dan Heintz, 1549 Ole Quaker Court, was opposed to the use based on the potential traffic accidents which would be created by slow moving vehicles accessing the site.

Ms. Jeanne Smith, 1510 Ole Quaker Court, stated her concern is the traffic safety factor since the foliage blocks visibility in this area along Clyo Road. She stated that a development of this type would be unsightly for the neighboring residents.

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

Mr. Foland asked if the proposed use was a permitted use.

Mr. Schwab stated that the use is permitted in an I-1 zoning classification and is not a question of the application. He stated all that is in question is the requested variances and the specific layout of the site plan.

The members of Planning Commission agreed that there were legal problems concerning the ownership of the property and those would have to be resolved prior to their action on the Special Approval application since it will affect the layout of the site plan.

MOTION: Hosfeld moved to deny the request for a parking and paving setback variance as requested by Ronald E. Kincaid for property located at 8431 Clyo Road. Mr. Chappell seconded the motion. The motion was approved 5-1 with Mr. Swartz voting no.

MOTION: Mrs. Simmons moved to approve the request to allow a non-paved (graveled) surface for the parking area and driveway serving the parking areas in the vehicle storage area submitted by Ronald E. Kincaid for property located at 8431 Clyo Road. Mr. Foland seconded the motion. The motion was approved unanimously 6-0.

Mr. Kincaid agreed to table the Special Approval application pending the access questions concerning ownership rights.

MOTION: Mr. Chappell moved to table the Special Approval application submitted by Ronald E. Kincaid for property located at 8431 Clyo Road until such time that the applicant can produce evidence that the issues of access are resolved with the adjacent property owner. Mrs. Simmons seconded the motion. The motion was approved unanimously 6-0.

There being no further business, the meeting was adjourned.

