

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, January 13, 1987

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

Attendance: Mr. Elmer Tate Jr., Chairman; Mr. Robert Looper; Mrs. Marian Simmons; Mr. Robert Chappell; Mr. Robert Hosfeld; Mr. Stanley Swartz; Mr. Dave Hall (where noted). Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Steve Feverston, Planner.

Approval of the minutes of the December 9, 1986, Meeting:

MOTION: Mr. Looper moved to approve the Planning Commission minutes of December 9, 1986, as written. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0-2, with Mr. Swartz and Mr. Hosfeld abstaining.

Mr. Hall arrived at this time.

COMMUNICATIONS

Woodley Development Company - Lot Split

Due to a possible conflict of interest, Mr. Hall withdrew from the meeting at this time.

Mr. Schwab reviewed the request by Woodley Development for a lot split of the parcel located on the northeast corner of Bigger Road and Thomas Paine Parkway. The lot in question is to be utilized by Storage Inns of America with a separate lot located immediately to the east which will be developed as a street to serve the vacant land to the north. Mr. Schwab stated that Woodley Development also owns the land to the north and, therefore, staff recommended that should the split be approved, the parcel to become the street should be combined with the parcel to the north. In this way, the lot created for the street area could not be sold and developed separately.

MOTION: Mr. Looper moved to approve the lot split requested by Woodley Development subject to the condition that the second lot created for the street area become a part of the property to the north. Mr. Chappell seconded the motion. The motion was approved unanimously 6-0.

Mr. Hall returned to the meeting at this time.

PUBLIC HEARINGSGerhardt, Donald and Phyllis - Side Yard Setback Variance

Mr. Schwab reviewed the variance application submitted by Donald and Phyllis Gerhardt requesting a side yard variance for the purpose of constructing a room addition to their residence at 5000 Lausanne Drive. The side yard setback required is 12 feet and the applicant is requesting 5 feet. The lot is located along the south side of Lausanne Drive and is the last developed lot on this stub street.

Staff recommended that the variance application be denied based on the fact that nothing is unique about the property.

Mr. Tate opened the public hearing.

Mr. Donald Gerhardt, applicant, stated that the proposed location for the room addition is the only possible location. He stated that the purpose of the room is to add some openness to the west side of their home. Currently, the home has only one small window which does not allow the applicants to appreciate the wooded area adjacent to their lot.

Mr. Don Canter, contractor, presented photographs of the site to the members of Planning Commission. A brick wall along the entire rear property line would not allow the applicants to enjoy the scenery, and the garage is located on the opposite side of the house. He stated that there would be no infringement on any of the neighbors except possibly the future neighbor along that particular property line who would be aware of the situation since it would exist prior to the development of the lot. Mr. Canter stated that the applicant is not asking for something that would be a detriment to the area. The construction would be mostly of glass material in order to create a room where the applicants could enjoy the wooded area to the west and allow light to come into the house.

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

Mr. Looper stated that since the area to the west was not developed, he saw no problem in granting the variance.

Mr. Hosfeld stated he agreed with Mr. Looper and shared the idea that the openness and beauty of the area should be enjoyed by the applicant.

Mr. Chappell suggested that an option was to purchase a strip of the land to the west in order to maintain the proper side yard setback requirement.

MOTION: Mr. Looper moved to approve the Variance Application submitted by Donald and Phyllis Gerhardt to allow a 5 foot side yard setback for the property located at 5000 Lausanne Drive as requested. Mr. Chappell seconded the motion. The motion was approved unanimously 7-0.

Ashland Oil Company - Variance/Planning Commission Special Approval

Mr. Schwab reviewed the Variance and Special Approval Applications submitted by Ashland Oil Company for their property located at 113 North Main Street in the Architectural Preservation District (APD). The Variance Application is requesting four (4) different variances. Those variances requested include the re-establishment of a non-conforming use; front and side yard parking; front yard building setback of 114 feet instead of a 92 foot setback; and a sign area of 64 square feet instead of the permitted 32 square feet. These variances are being requested in order to demolish the existing structure and rebuild the site with a convenience store facility along with the gasoline product. The site is bounded on the north and west by residential uses; to the east by North Main Street; and, to the south by a mixed use.

The structure is to be of brick construction with a pitched roof. The proposed location of the sign is to be along the north property line. Mr. Schwab stated that the lighting plans indicate that 16 fixtures will be used under the canopy as well as additional lighting on the site. The modern lighting proposed gives a great amount of light and in comparison, many service stations do appear to use less lighting. The APD regulations indicate that the lighting should be a soft, subdued affect.

Staff recommended to deny the Variance Application based on the fact that the request is to re-establish a non-conforming use.

Mr. Schwab stated that should the Planning Commission approve the Variance Application, the staff recommendation for the Special Approval Application be approved subject to the following conditions:

1. Planning Commission approve the requested Variance to permit the re-establishment of a non-conforming use.
2. If the other requested Variances should not be granted, a revised set drawings shall be submitted, subject to approval by the City Planner, incorporating all requirements of the Zoning Ordinance.
3. The northern edge of pavement on the site shall be setback a minimum of ten (10) feet from the north property line.

4. An additional two (2) parking spaces shall be shown on the development plan subject to approval by the City Planner.
5. Outdoor storage, sales or display shall be prohibited.
6. The proposed canopy sound system shall be eliminated from the plan.
7. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.
8. A fire hydrant be installed on the northern area of the site to be approved by the Washington Township Fire Department.

The Board of Architectural Review recommended approval of the Special Approval Application to Planning Commission with the following conditions:

1. Drawings detailing the west and south building elevations and all elevations of the canopy shall be submitted, subject to approval by the City Planner.
2. All exterior colors for the building and canopy shall be subject to approval by the BAR.
3. A revised detailed lighting plan showing all exterior lighting shall be submitted, subject to approval by the BAR. This revised plan shall significantly reduce the proposed light intensity within the paved area and underneath the canopy.
4. The proposed sign shall be moved to the center planting area between the two driveways.
5. Materials used for the sign face shall subject to approval by the City Planner.
6. A row of evergreens shall be planted along the western edge of the parking lot and behind the proposed building to screen the adjacent residential properties subject to approval by the City Planner.
7. All existing vegetation located on the western portion of the site and out of the area of construction shall remain undisturbed.
8. The sign portion of this application be referred back to the BAR for approval.
9. The Planning Commission be cognizant that proposed use, when established, would be non-conforming in the Architectural Preservation District.

10. A complete study on the lighting by an independent agency to determine the effect on neighbors and the Architectural Preservation District in general. The premises shall be safely lit but not obtrusive to the neighbors.

Mr. Tate opened the public hearing.

Mr. Louis Schuette, representing Ashland Oil Company, introduced his associates in attendance as Mr. Kirk Elder, Mr. Dick Hoesy, Mr. Jim Deselms, and Mr. Dave Childs.

Mr. Schuette stated that his company, over the last year or more, has been working with the BAR and City Council to redevelop their site at 113 North Main Street. He stated that they wanted to modernize their facility in order to meet the needs of the community. Mr. Schuette stated that their was concern expressed at the BAR Meeting as to the additional runoff that would occur as a result of the redevelopment of the site. He stated that the redevelopment would actually improve the drainage that have been a problem to the entire area for years. The drainage, as a result of regrading of the property, will flow away from the residential area. Mr. Schuette stated that the sign location is proposed to the northern edge of the property based on studies that indicate that 95% of the business they have is right turn-movement.

Mr. Schuette stated that even though technically approval of their application would be expanding a non-conforming use, the proposal is decreasing the number of gasoline pumps on the site. He stated that approving the application would really not be a problem to the surrounding area.

Mr. Schuette stated that the design of the sign would not be effective should it be required to be smaller than the proposed 64 square feet. The sign construction would match that of the brick used in the construction of the building.

Mr. Schuette stated that the lighting proposed for the site was designed by lighting professionals that determined what the needs for the site were. He stated that what they are proposing is not out of character for that type of 24 hour facility.

Mr. Don Gerhardt, owner and operator of Gerhardt's Sohio, stated that he personally liked the character of the existing Payless Station. He stated that the APD does not need larger signs and bright lights--the District needs to maintain its quaintness.

Mr. Robert Perkins, 32 W. Ridgeway, stated that approving a non-conforming use would not be in the best interest of the City. He stated that although the design of the proposed building is very nice, the signage and lighting should be strictly enforced. He stated another concern is the drainage that has been a problem for years. Mr. Perkins stated that currently there is a traffic problem along Main Street and expanding this use will only add to its congestion.

Mrs. Tieber, property owner west of the site, stated her three main concerns with the project were the drainage, the odor of gas, and the lighting. She indicated that until the foliage matured after many years, she could read a newspaper during the evening hours by using the light spillage from the Payless Station. Further, she stated that only on one occasion has the landscaping buffer been maintained by Payless.

Mr. Elder pointed that they many advantages of redeveloping the site included additional green space, reduced signage from what exists, improved drainage to the surrounding area, and a new fuel system. He stated there is a great number of items to gain over the preexisting conditions.

Mr. Schuette stated that the sound system proposed for the facility is a requirement by the State. He indicated that it could be used only emergency situations should that be the desire of the City.

Mr. Hall asked what they estimated the increase of sales would be.

Mr. Deselms stated that this particular location is one of their highest volume facilities. He stated that they predict that the gasoline sales will remain approximately the same, however, the increase, of course, will be in the grocery sales. He stated their purpose of the improvement to this site is to give their customers what they need and want.

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

Mr. Looper stated that in looking at their facilities at other locations in the area there is a great deal of signage and outdoor storage. He indicated that Centerville strictly enforces any violations of this type.

Mr. Deselms stated that if a community allows them to utilize outdoor storage and signage, they do so; however, if it is not permitted, they conform to those regulations.

Mr. Swartz indicated that he approved of the design of the building, however, he did not understand how a use variance could be granted. Further, he stated if the site were redeveloped, the facility should meet all requirements of the ordinance. He stated with an essentially undeveloped lot, once the demolition is complete, meeting the requirements of the ordinance should not be as complex as if trying to work with an existing situation.

MOTION: Mr. Looper called for a division of the question. Mr. Hall seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mrs. Simmons moved to approve the variance request to re-establish a non-conforming use. Mr. Hosfeld seconded the motion. The motion was approved 6-1 with Mr. Hall voting no.

MOTION: Mrs. Simmons moved to table the other requested variances and the special approval application. Mr. Hall seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mrs. Simmons moved to remove the other requested variances and the special approval application from the table. Mr. Hall seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mr. Hall moved to deny the requested variances for sign area and front and side yard parking. Mrs. Simmons seconded the motion. The motion was approved 6-1 with Mr. Hosfeld voting no.

MOTION: Mr. Hall moved to approve the variance request for a building setback of 114 feet. Mr. Looper seconded the motion. The motion was approved unanimously 7-0.

MOTION: Mr. Looper moved to approve the Planning Commission Special Approval request subject to the following Conditions:

1. Planning Commission approve the requested Variance to permit the re-establishment of a non-conforming use.
2. If the other requested Variances should not be granted, a revised set drawings shall be submitted, subject to approval by the City Planner, incorporating all requirements of the Zoning Ordinance.
3. The northern edge of pavement on the site shall be setback a minimum of ten (10) feet from the north property line.
4. An additional two (2) parking spaces shall be shown on the development plan subject to approval by the City Planner.
5. Outdoor storage, sales or display shall be prohibited.

6. The proposed canopy sound system shall be permitted only if required and to be used only for emergency communications.
7. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.
8. A fire hydrant shall be installed subject to approval by the Washington Township Fire Department.
9. Drawings detailing the west and south building elevations and all elevations of the canopy shall be submitted, subject to approval by the City Planner.
10. All exterior colors for the building and canopy shall be subject to approval by the BAR.
11. A revised detailed lighting plan showing all exterior lighting shall be submitted, subject to approval by the BAR. This revised plan shall significantly reduce the proposed light intensity within the paved area and underneath the canopy.
12. The proposed sign shall be moved to the center planting area between the two driveways.
13. Materials used for the sign face shall subject to approval by the City Planner.
14. A row of evergreens shall be planted along the western edge of the parking lot and behind the proposed building to screen the adjacent residential properties subject to approval by the City Planner.
15. All existing vegetation located on the western portion of the site and out of the area of construction shall remain undisturbed.
16. The sign portion of this application be referred back to the BAR for approval.
17. The Planning Commission be cognizant that proposed use, when established, would be non-conforming in the Architectural Preservation District.
18. A complete study on the lighting by an independent agency to determine the effect on neighbors and the Architectural Preservation District in general. The premises shall be safely lit but not obtrusive to the neighbors.

Mrs. Simmons seconded the motion. The motion was approved unanimously 7-0.



NEW BUSINESS

Lutheran Social Services of the Miami Valley - Special Approval

Mr. Schwab reviewed the Special Approval Application submitted by Lutheran Social Services of the Miami Valley for the purpose of constructing 3 additional units at they Bethany Lutheran Village complex. The 3 additional units will consist of one (1) single-family unit and one (1) two-family unit, and will provide 3 garage spaces and 3 spaces in front of the garage area.

Staff recommended to approve the Special Approval Application subject to the following condition:

1. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

MOTION: Mrs. Simmons moved to approve the Special Approval Application requested by Lutheran Social Services of the Miami Valley subject to the following condition:

1. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

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

The members of Planning Commission briefly discussed the APA Conference to be held in New York City in April. Mr. Tate suggested that the members review the information supplied for the Conference and contact the Planning Department should anyone be interested in attending.

There being no further business, the meeting was adjourned.



