

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, June 26, 1984

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

Attendance: Mr. Elmer C. Tate, Jr.; Mr. Robert Looper; Mrs. Marian Simmons; Mr. Harry Williams; Mr. Dave Hall (where noted). Absent: Mr. Robert Chappell; Mr. Brian Bergsten. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Jon Bormet, Administrative Assistant.

Approval of the minutes of May 29, 1984, Planning Commission Regular Meeting:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of May 29, 1984, as written. Mr. Looper seconded the motion. The motion was approved unanimously 4-0.

SETTING OF PUBLIC HEARINGS

The following item was set for Public Hearing for Tuesday, July 31, 1984, at 7:30 P.M., in the City Building:

Ahern, William and Susan - Variance of Setback Requirements  
Location: 1153 Deer Run Road

UNFINISHED BUSINESS

Leona M. King nka Leona M. Mowery - Variance of Side Yard Requirement

MOTION: Mrs. Simmons moved to remove the variance application submitted by Leona M. King nka Leona M. Mowery from the table. Mr. Williams seconded the motion. The motion was approved unanimously 4-0.

Mr. Tate stated that in viewing the area, there are several accessory buildings located on properties in this same plat. He asked the status of the accessory building located immediately south of the applicant's property which was constructed concurrently with the applicant's.

Mr. Schwab stated that the accessory building south of the applicant's property was constructed under the same circumstances as the one in question. The inspector approved the location originally, but finding that approval in error, has contacted that resident as well as the applicant. The resident to the south of the applicant indicated they would wait to see the outcome of this application first.

Mr. Tate stated that it is evident that the City is not looking at an isolated case.

Mr. Schwab stated that if a survey were taken around the City, it would conclude that this is true. He stated that it is not unusual to have these accessory buildings constructed over a weekend.

Mrs. Simmons stated that it should be clarified to the residents of the City that certain requirements have to be maintained when constructing any type of accessory building.

Mr. Williams pointed out that this application represents the exact purpose of the Zoning Task Force. The Zoning Task Force is reviewing the zoning classifications and will recommend that all zoning classifications be adopted which will maintain City standards in order to avoid confusion with Township standards.

Mrs. Simmons stated that in walking the area, she determined that many of the accessory buildings are probably not in compliance with City standards. It is, therefore, not fair to make one person move their building and not make the others move their buildings as well.

Mr. Williams stated that in driving through the area where the applicant's home is located, the property owners to each side of the applicant has an accessory building on their property. He stated that the applicant's accessory building is not objectionable to him.

MOTION: Mr. Williams moved to approve the variance request submitted by Leona M. King nka Leona M. Mowery, particularly as a result of the applicant's attempt to comply with the rules of the City. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

Mr. Schwab stated that the Zoning Task Force will be reviewing these types of situations and their requirements as to whether they are realistic with what people want in the community.

Mr. Schab stated that if any accessory building is constructed with a foundation, a permit is required. In order to issue a permit, a drawing must be submitted to the City and it is determined if the proposed location is correct according to the standards and not within an easement.

#### D'Amico & Manzo's Restaurant - Additional Parking

Mr. Schwab stated that this application is also being reviewed by the BAR. At the last BAR meeting, the applicant agreed to table the application until such time as they submit amended plans that show the expansion to the building.

Staff recommends that the application be left on the table until those revised plans are submitted for review.

Mr. John Reese, Reese Paving Company, stated that D'Amico agreed to use parking blocks in the parking area other than the metal posts. He stated that D'Amico wants to move forward on the parking concept.

Mr. Tate asked when the owner intends to build the expansion.

Mr. Reese stated that he did not know.

Mr. Schwab stated that there is actually one application before the Planning Commission and BAR for the additional parking. A concept plan was submitted to the BAR for their review at their last meeting. The BAR responded to the concept plan at their last meeting for changes to that plan, but indicated that they thought that the parking application should be tabled until the concept plan was finalized and the two plans should be reviewed together. The restaurant owner agreed to that tabling.

Mr. Tate pointed out that the minutes of the BAR meeting indicated that D'Amico requested that the application be tabled.

Mr. Reese stated that D'Amico indicated to him that they should proceed with the parking application in a conversation they had the following day.

Mr. Tate stated that the application will be left on the table since that was D'Amico's intent at the BAR meeting.

Mr. Hall arrived at this time.

#### NEW BUSINESS

##### Pet Shop/Grooming Shop - Additional Parking

Mr. Schwab reviewed the application for additional parking to be located at 158 South Main Street in the APD. The building is a residence being converted to a business property. Nine (9) parking spaces are required and the applicant is proposing 9 parking spaces. This project is being reviewed jointly by the Planning Commission and the BAR. The application is requesting a common driveway which will be located between 150 and 158 South Main Street since both properties are now in common ownership. The driveway will be 19 ft. wide and will lead back to the proposed 9 parking spaces.

Staff recommends approval of the application with the following conditions:

1. A grading plan and storm water drainage plan acceptable to the City Engineer be submitted prior to construction.
2. The pyramidal arborvitae screening be relocated adjacent to the east side of the new parking lot. Also, pyramidal arborvitae screening shall be added adjacent to the new parking area along the south lot line.
3. The southernmost new parking space be deleted and a new space added north of the northernmost new parking space.

Mr. Schwab stated that the last proposed parking space to the south did not allow easy access, however, a "T" of pavement should be left in place to allow easier backing.

Mr. Al Snyder, applicant, asked who had responsibility for the replacement of the sidewalk. He indicated he would prefer that the sidewalk be done with the brick construction.

Mr. Schwab stated that the sidewalk construction is the responsibility of the property owner, however, the City does furnish the brick.

Mr. Snyder questioned the type of drainage that would be required.

Mr. Schwab stated that when more detailed drawings were submitted for review, he could be specific, however, he indicated that some type of retention would be required.

Mr. Tate pointed out there were 10 parking spaces proposed on the plan and since this would more than meet the requirement, condition #3 would not be necessary. He stated that the last proposed parking space could remain and if someone desired to park in that space, it would be their problem to back from it.

MOTION: Mrs. Simmons moved to approve the application for the Pet Shop/Grooming Shop to be located at 150 and 158 South Main Street with the following conditions:

1. A grading plan and storm water drainage plan acceptable to the City Engineer be submitted prior to construction.
2. The pyramidal arborvitae screening be relocated adjacent to the east side of the new parking lot. Also, pyramidal arborvitae screening shall be added adjacent to the new parking area along the south lot line.
3. The southernmost new parking space be deleted and a new space added north of the northernmost new parking space.

The motion died as a result of a lack of a second.

MOTION: Mr. Looper moved to approve the application for additional parking to 158 South Main Street subject to the following conditions:

1. A grading plan and storm water drainage plan acceptable to the City Engineer be submitted prior to construction.
2. The pyramidal arborvitae screening be relocated adjacent to the east side of the new parking lot. Also, pyramidal arborvitae screening shall be added adjacent to the new parking area along the south lot line.

Mr. Williams seconded the motion. The motion was approved unanimously 5-0.

#### Woodbourne Library - Site Plan Amendment

Mr. Schwab reviewed the proposed site plan amendment submitted by Woodbourne Library located at 6060 Far Hills Avenue. The request is to expand the building 6,918 sq. ft. which would make a total of 18,918 sq. ft. for the library. The parking required for the total building would be 63 spaces and 68 spaces have been proposed which more than meets the minimum parking requirement. The existing building is a steel type building and this architecture will be continued throughout the addition. Landscaping and screening will be placed along the south and east property lines. The proposed parking will be along the back of the existing drainage swale which abuts the property.

Staff recommends approval of the site plan amendment with the following conditions:

1. A detailed storm water drainage plan incorporating detention and erosion control be submitted by the applicant which meets the approval of the City Engineer.
2. A fire hydrant be added at a location approved by the Washington Township Fire Department.

Mr. Bill Yeck, representing the library, stated that the construction will be similar to what is existing. The existing structure is pre-fabricated metal sandy construction with a finished inside wall and outside wall.

MOTION: Mr. Hall moved to recommend approval of the site plan amendment for Woodbourne Library to Council with the following conditions:

1. A detailed storm water drainage plan incorporating detention and erosion control be submitted by the applicant which meets the approval of the City Engineer.
2. A fire hydrant be added at a location approved by the Washington Township Fire Department.

Mr. Looper seconded the motion. The motion was approved unanimously 5-0.

Mr. Tate stated that the library is well used and extended his compliments on the facility and service.

Mr. Yeck indicated he would pass on the words of appreciation of the Planning Commission to those at the library.

#### Centerville Mill - Site Plan Amendment

Mr. Schwab stated that this particular site plan amendment was to add a propane storage and sales facility to the Centerville Mill to be located actually on the railroad right-of-way behind the Centerville Mill at 7991 Clyo Road. He stated that as the Planning Commission is aware, there have been a number of discussions over the past several years concerning this property. There has not been a total resolution of all the issues to date, however, on this particular application, staff's recommendation is to table it for two reasons:

1. There is not sufficient detail on the plan to really review anything which was the comment of the Fire Department as well;
2. In talking with the applicant, it was his indication that they are possibly considering having a portable site where it could be moved to different locations on the site. There are a lot of requirements with this type of application and nothing on the plan would allow one to do any more than say at a certain location retail sales of propane and use is being proposed.

Based on those reasons, and the fact that the site plan that was submitted is not actually the current site plan, staff would recommend tabling until more detailed information is submitted.

Mr. Looper asked if the site plan that was received by each Planning Commissioner is the same plan the Planning Department received for their review.

Mr. Schwab stated each Planning Commissioner received the same information as did the Planning Department.

Mr. Hall asked if the applicant will be notified that the application has been tabled.

Mr. Schwab stated that he will be notified of any action taken by the Planning Commission.

MOTION: Mrs. Simmons moved to table the site plan amendment requested by Centerville Mill. Mr. Looper seconded the motion. The motion was approved unanimously 5-0.

Walnut Hills Estates II, Sec. 2 - Conditional Use/Record Plan Replat

Mr. Schwab briefly explained that the original conditional use application submitted for Walnut Hills Estates II, Sec. 2, was approved with 29 lots. At the time Council reviewed the application, the applicant requested that the intent was to have 30 lots, however, there was an error in the submitted plan. Council indicated to the applicant that although they did not see a problem with a 30 lot concept, it would have to be reviewed by Planning Commission before Council reviewed it. Based on Council's remarks that they had no objections to 30 lots, the applicant has submitted a revised record plan requesting an increase from 29 to 30 lots.

The minimum average lot size required is 20,000 sq. ft. If 29 lots are permitted, the minimum average lot size would be 20,332 sq. ft.; and if 30 lots were approved, a minimum average lot size would be 19,654 sq. ft.

Staff recommends that the application be denied based on the fact that there are no unique situations presented which would warrant varying the minimum average lot size.

Mr. Tate stated he did not agree with dropping the minimum average lot size below 20,000 sq. ft. since park dedication was not involved.

MOTION: Mr. Hall moved to recommend denial of the conditional use/record plan replat for Walnut Hills Estates II, Sec. 2, to Council. Mr. Looper seconded the motion. The motion was approved unanimously 5-0.

Dayton Power & Light - Conditional Use

Mr. Schwab reviewed the request for a conditional use submitted by the Dayton Power & Light Company to install a pad for the use of a heliport. The proposed heliport is to be located at the new DP&L Service Center at 6500 Clyo Road. The zoning on the property is I-1 which does allow the use of a heliport as a conditional use.

The Service Center will be situated in a wooded area and will remain wooded north of the facility which will provide screening to the existing Woods Apartments. Dayton Power & Light has requested that the City assess them for their construction cost of the section of Clyo Road that will serve their facility. The City is preparing the final construction drawings for Clyo Road and is moving forward with legislation to meet DP&L's request for assessment.

Mr. Schwab stated that according to the letter submitted with the conditional use application, the use of this heliport will be very limited.

Staff recommends approval with the following conditions:

1. The heliport shall not be used as a construction site or for the transportation of repair or construction materials except in an emergency situation.

2. The heliport shall be used for a maximum of one landing and one take-off per day except in an emergency situation.

Mrs. Simmons asked how binding the conditions would be.

Mr. Schwab stated that should DP&L wish to use the facility more than what was approved, they would have to apply for another conditional use.

Mr. Williams stated that the location for this use is surrounded by residential zoning and, therefore, this use does not seem appropriate.

Mrs. Simmons asked if there were other conditions that would have to be met other than the two suggested by staff.

Mr. Schwab stated that additional requirements are required, however, those are FAA regulations. He stated that the zoning ordinance has a condition that states all state and federal regulations must be met. If these regulations are not met, they would be in violation of the zoning ordinance.

Mr. Hall asked if the residents will be notified of this request.

Mr. Schwab stated that the property owners within 500 ft. will be notified of the public hearing before City Council.

Mr. Williams stated that with a limited number of times for usage, the facility does not seem to be of real necessity and would be a detriment to the residential area. He stated that by putting a heliport in that location, it totally changes the character of the area.

Mr. Looper stated that he did not have any concern about the safety aspect because helicopters fly over this area all the time.

Mrs. Simmons agreed, stating that if a helicopter would crash, it cannot choose the place where it does so.

Mr. Williams stated that he would not want a heliport landing outside his home and that potential exists since the facility is surrounded by residential zoning.

MOTION: Mr. Looper moved to approve the request by DP&L for a heliport with the following conditions:

1. The heliport shall not be used as a construction site or for the transportation of repair or construction materials except in an emergency situation.
2. The heliport shall be used for a maximum of one landing and one take-off per day except in an emergency situation.

The motion died due to the lack of a second.

MOTION: Mr. Williams moved to deny the request by DP&L for a heliport. Mr. Hall seconded the motion. The motion was denied 2-3 with Mr. Tate, Mrs. Simmons and Mr. Looper voting no.

MOTION: Mrs. Simmons moved to approve the request by DP&L for a heliport with the following condition:

1. The heliport shall not be used as a construction site or for the transportation of repair or construction materials except in an emergency situation.

The motion died due to the lack of a second.

MOTION: Mr. Looper moved to approve the request by DP&L for a heliport with the following conditions:

1. The heliport shall not be used as a construction site or for the transportation of repair or construction materials except in an emergency situation.
2. The heliport shall not be used for any flights on a regular schedule.

The motion died due to the lack of a second.

Mr. Hall stated he is not willing to vote for the "space age" for the proposed location at this time. He stated that if DP&L could give them more reasons why the heliport is necessary, he might be able to better justify its need.

FINAL MOTION: Mr. Hall moved to recommend denial of the request for a heliport by DP&L. Mr. Williams seconded the motion. The motion was approved 4-0-1 with Mr. Looper abstaining.

There being no further business, the meeting was adjourned.

*Elmer Tate 7/31/84*