

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, September 25, 1984

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

Attendance: Mr. Elmer C. Tate, Jr.; Mr. Brian Bergsten; Mr. Robert Looper; Mrs. Marian Simmons. Absent: Mr. David Hall; Mr. Robert Chappell. There is currently one vacancy on the Planning Commission. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Steve Feverston, Planner; Mr. Jon Bormet, Administrative Assistant.

Approval of the minutes of August 28, 1984:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of August 28, 1984, with the following changes:

On Page 4, the 5th paragraph shall read in its entirety as follows:

"Mr. Samples stated that it is visualized that the major use of the ordinance will be through a complaint process, although review can be done based on observation of an inspector."

On Page 5, 2nd paragraph, item #3 shall read as follows:

"3. Appeal processes are available through discussion with the Health District and through the Board of Health, and could eventually be forwarded to a court."

On Page 6, 4th paragraph, the sentence "Mrs. Simmons was concerned with some of the provisions under the fire safety section", shall be changed to read as follows:

"Mrs. Simmons was concerned with some of the provisions under the fire safety section, stating that approvals cannot be given for burning in incinerators without a permit from RAPCA."

Mr. Looper seconded the motion. The motion was approved unanimously 4-0.

SETTING OF PUBLIC HEARINGS

The following items were set for Public Hearing for Tuesday, October 23, 1984, at 7:30 P.M., in the City Building:

Marshall's, Inc. - Sign Variance

Location: Northeast corner of Alex-Bell Road and SR 48 (Cross Pointe Center)

Rehabilitation Institute of Ohio (MVH) - Sign Variance

Location: 6236 Far Hills Avenue

An Ordinance Amending Ordinance No. 15-61, The Zoning Ordinance And All Amendments Thereto, By Amending The Provisions Which Pertain To Signs And Penalties For Violations Of The Ordinance For All Zoning Districts Within The City.

COMMUNICATIONSTom Harrigan Olds - Temporary Sign

Mr. Schwab reviewed the temporary sign request by Tom Harrigan Olds to be located on Loop Road. This project was tabled at the previous Planning Commission meeting in order to gain more information as to the ownership of the land on which the sign would be placed. Mr. Schwab stated that he investigated the question of ownership and found that the land is not under the ownership of the applicant. The applicant does have an arrangement to lease or an option of purchase that property. The current property owner has indicated to Mr. Harrigan that they would not object to the placement of this sign. Mr. Schwab further advised that the sign has now been erected on the site without approval or proper permits.

The consensus of the Planning Commission was to have the zoning inspector contact Tom Harrigan and he should be ordered to have the sign removed.

The request is to remain on the table.

UNFINISHED BUSINESSAlex-Bell Veterinary Clinic - Site Plan

Mr. Schwab reviewed the site plan for the Alex-Bell Veterinary Clinic to be located north of Alex-Bell Road and east of Loop Road. The zoning on the one (1) acre parcel is B-2. The required number of parking spaces for the project is 9 spaces and 25 spaces are proposed.

Mr. Schwab reviewed a slide of a concept plan for the area, this being the same plan submitted to Council at the time the rezoning request was made. With a favorable approval of this concept by Council, the rezoning application was approved with deed restrictions to assure that the development of this area would not create numerous access points and would be developed in the concept that was presented to Council. The concept plan agreed to by Council made references to one (1) public street off of Loop Road, a maximum of 2 curb cuts onto Loop Road between the public street and the intersection of Alex-Bell Road and Loop Road with the stipulation that neither of the 2 curb cuts be closer than 400 feet to the intersection.

The proposed site plan for the veterinary clinic was recommended for approval by staff with the following conditions:

1. A 5 ft. wide concrete sidewalk, of a design approved by the City Engineer, be constructed in the public right-of-way along Loop Road across the front of the property.
2. A fire hydrant approved by the Washington Twp. Fire Department shall be constructed.
3. A detailed plan for storm water retention, including erosion control, approved by the City Engineer, shall be required.
4. A revised site plan must be submitted and approved by the City Planner which reduces the potential vehicular conflicts at the common curb cut to Loop Road.

The developer of the property has made some changes to the plan which include changing the size of the building to add more area to the parking area, and adding a 5 ft. wide sidewalk to the front of Loop Road.

Mr. Schwab stated that with the changes that are proposed, staff still has a great concern about the design and location of the curb cut in the manner in which it interfaces with the parking area. He stated that the Fire Department has reviewed the need for a fire hydrant and determined that the project still requires a hydrant since the closest one to the area is over 400 ft. away.

Mr. Schwab stated that there had been some contact with an engineering firm that had done some development for Mr. Woods in the past. That engineering firm obtained a copy of the proposed site plan for the veterinary clinic and, in studying that plan, have some concerns that the design of the curb cut will create some problems to the development of the remainder of the property in the future.

MOTION: Mrs. Simmons moved to remove the site plan for the Alex-Bell Veterinary Clinic from the table. Mr. Bergsten seconded the motion. The motion was approved unanimously 4-0.

Mr. Ben Allbery, attorney for the applicant, stated he did not know the standards by which the Fire Department required hydrants and they would install a hydrant if it is, indeed, necessary; however, he reserved the right to disagree with the requirement.

Mr. Bergsten stated, in his opinion, it would be in the best interests of the City to have that curb cut serve the entire corner. The current owner does not seem to have the same opinion which makes the situation an impasse. He stated that he is inclined to move on the application unfavorably.

Mr. Looper stated that the applicant seems to have done everything he can to make the proposed plan work.

Mr. Looper and Mrs. Simmons agreed that the plan should be sent to Council with a notation of the inability of the Planning Commission to solve the problem.

MOTION: Mr. Bergsten moved to recommend denial of the Alex-Bell Veterinary Clinic Site Plan to Council. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

NEW BUSINESS

Cahill Appraisal, Inc. - Site Plan

Mr. Schwab reviewed the request to relocate an existing house in Washington Township to a vacant parcel on Iron Gate Park Drive in the APD. The use of the building would be an office use which would require 5 parking spaces. Six (6) parking spaces are being proposed. This vacant parcel is located just east of the Centerville Service Center and west of the Atelier Design building. The applicants are proposing a common driveway along the west property line of Atelier Design.

Staff recommends approval with the following conditions:

1. A 12 ft. wide driveway shall be located along the east property line to create a common 20 ft. driveway between this parcel and 15 Iron Gate Park Drive. The proper cross easements should be recorded between the adjoining property owners to assure the right of access in the future, maintenance agreements, etc.
2. The building shall be setback a minimum of 50 ft. from the public right-of-way.
3. Brick sidewalks shall be constructed along Iron Gate Park Drive.
4. An overall parking plan shall be submitted to staff for approval.
5. A stormwater drainage plan shall be submitted to the City Engineer for approval.
6. Screening along the north property line shall be submitted to staff for approval.

Mr. Mike Moorehead and Mr. Mike Cahill, applicants, were present for the review of the project. Mr. Moorehead submitted a revised site plan to the members of the Planning Commission. He stated that the revised plan has used 10 ft. along each property to create the 20 ft. common driveway as recommended by staff. He stated that approximately 3/4 of the way back from the front of the property, the driveway narrows to 18 ft. in width in order to save some trees between the two properties. Evergreen trees will be added along the rear property line to provide screening. The building was moved back to 50 ft. as recommended by staff. Mr. Moorehead stated that they have also included the use of brick sidewalks in their revised plan and the location of this sidewalk can be determined by staff. He stated that all the staff recommendations have been addressed with the exception of the stormwater drainage plan. He indicated there would be no objection to that or any of the recommendations made by staff.

Mr. Tate asked the advantage of moving the building instead of constructing a new one.

Mr. Moorehead stated that although they will have a great amount of money invested in moving this building, there will be less expense in moving this type of building rather than constructing it. He stated that they feel the existing building has a lot of character and it will be a better building than if it were constructed by modern standards.

Mr. Schab stated that it should be mentioned that the structure was constructed for residential use in the Township. He stated that when it is moved into the City as an office use, it will be required to meet certain code requirements. He suggested that possibly some inspections should be made prior to the relocation of this building so the applicants are aware of what will be required.

MOTION: Mr. Bergsten moved to recommend approval of the site plan for Cahill Appraisal, Inc., to Council with the following conditions:

1. A 12 ft. wide driveway shall be located along the east property line to create a common 20 ft. driveway between this parcel and 15 Iron Gate Park Drive. The proper cross easements should be recorded between the adjoining property owners to assure the right of access in the future, maintenance agreements, etc.
2. The building shall be setback a minimum of 50 ft. from the public right-of-way.
3. Brick sidewalks shall be constructed along Iron Gate Park Drive.
4. An overall parking plan shall be submitted to staff for approval.
5. A stormwater drainage plan shall be submitted to the City Engineer for approval.
6. Screening along the north property line shall be submitted to staff for approval.

Mr. Looper seconded the motion. The motion was approved unanimously 4-0.

Station House Acres - Conditional Use/Preliminary Plan

Mr. Schwab stated that this plan was filed as a conditional use application and, secondly, a preliminary plan assuming that the conditional use application would be approved. The conditional use application involves a residential development plan which allows flexing of lot sizes as well as the average minimum lot size for the particular zoning district in which it is located. In this case, the development is to be located in a R-1 zoning district which requires 20,000 sq. ft. per lot on the average. This plan proposes the average lot size to be 22,400 sq. ft. per lot. Thirty-three (33) total lots are proposed for this plan to be located on 19.99 acres. As a part of the preliminary plan, thoroughfare improvements will be required to Centerville Station Road.

The location of this subdivision is south of Centerville Station Road between Forest Field and Black Oak South. The lots will be situated around one (1) street in the development which travels back into a large loop. This loop area will contain 6 lots. Sidewalks are proposed along Centerville Station Road. Centerville Station Road is proposed to be widened with the dedication of 43 ft. of right-of-way.

Staff recommends approval of the conditional use/preliminary plan with the following conditions:

1. Approval of the preliminary subdivision plan be contingent on approval of the conditional use for Residential Development Plan.
2. Access driveways to lots #1 and #27 be restricted to Station House Road.
3. Sidewalks shall be constructed along both sides of all streets.
4. A 10 ft. public walkway easement labeled on the Record Plan drawing and a 2 ft. concrete walk within the walkway easement for park access be constructed at a location approved by the Centerville-Washington Park District along the east side of this plat.

5. The Washington Twp. Fire Department shall approve the layout of fire hydrants within the plat.
6. The City Engineer shall approve a plan for stormwater detention and erosion control prior to construction of the project.

Mr. Ralph Amos, Miami Associates, stated they would like the recommendation to not require sidewalks on both sides of the street in order to remain consistent with the other developments in the area.

Mr. Looper stated that according to the adopted Policy Plan, sidewalks on both sides are an absolute necessity.

MOTION: Mrs. Simmons moved to recommend approval of the conditional use/preliminary plan for Station House Acres to Council with the following conditions:

1. Approval of the preliminary subdivision plan be contingent on approval of the conditional use for Residential Development Plan.
2. Access driveways to lots #1 and #27 be restricted to Station House Road.
3. Sidewalks shall be constructed along both sides of all streets.
4. A 10 ft. public walkway easement labeled on the Record Plan drawing and a 2 ft. concrete walk within the walkway easement for park access be constructed at a location approved by the Centerville-Washington Park District along the east side of this plat.
5. The Washington Twp. Fire Department shall approve the layout of fire hydrants within the plat.
6. The City Engineer shall approve a plan for stormwater detention and erosion control prior to construction of the project.

Mr. Looper seconded the motion.

Mr. Bergsten asked that the motion be amended to exclude sidewalks on the 6 lots on the interior of the loop area.

There being no agreement with the exclusion of these sidewalks, the original motion was approved unanimously 4-0.

Centre Engraving Company - Site Plan Amendment

Mr. Schwab reviewed the request to install a new parking area and new garage by Centre Engraving Company located at 269 North Main Street in the APD. Eight (8) parking spaces are required for the property and the applicant has proposed 8 spaces. A 25 ft. wide driveway is proposed to feed into the parking area. The proposed garage is to be 24 ft. by 24 ft. and would maintain the same side yard setback as the house does currently.

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

1. A stormwater drainage plan incorporating retention or detention approved by the City Engineer be submitted prior to the issuance of building permits for the project.

The applicant stated that there is a possibility of constructing the garage to be 24 ft. by 30 ft.

MOTION: Mr. Looper moved to approve the request for a site plan amendment by Centre Engraving Company with the following conditions:

1. A stormwater drainage plan incorporating retention or detention approved by the City Engineer be submitted prior to the issuance of building permits for the project.
2. The garage shall not exceed 24 ft. by 30 ft., and shall maintain the same side yard setback as the existing house.

Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

Rules of Procedure

Mrs. Simmons stated she would like to reconsider some of the language in the Rules of Procedure.

On Page 2, paragraph F, shall read in its entirety as follows:

"F. Voting. All members shall vote on any case or question before the Commission unless such member excuses himself or herself, by reason of a personal or private interest in the matter under consideration."

On Page 2, Article 3, paragraph B, the word "comprehends" shall be changed to "contains".

MOTION: Mrs. Simmons moved to adopt these changes as stated. Mr. Bergsten seconded the motion. The motion was approved unanimously 4-0.

There being no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to be 'R. J. ...', is written over the bottom of the page. The signature is cursive and somewhat stylized.

RULES OF PROCEDURE FOR THE CENTERVILLE CITY PLANNING COMMISSION

Article I - Officers and Their Duties

At the first meeting of the year following the first day of June and the following officers shall be elected from the Commission: Chairman, Vice-Chairman and Secretary.

The Chairman shall be elected first and shall hold office for one year, unless re-elected. He shall preside at all meetings or in his absence, the Vice-Chairman shall preside. The Chairman, subject to these rules, shall decide all points of procedure according to Roberts Rules of Order, unless otherwise directed by a majority of the Commission, in attendance at the meeting, shall see that the minutes are prepared and shall preserve order and decorum and perform all other duties by law, these rules or by resolution.

The Vice-Chairman shall be elected by the members of the Commission immediately after election of the Chairman and shall hold office for one year, unless re-elected. The Vice-Chairman shall perform all of the duties of the Chairman during the absence or disability of the Chairman.

The Secretary shall be elected following election of the Vice-Chairman and shall hold office for one year, unless re-elected. The Secretary shall keep, or cause to be kept, all records, generally supervise the clerical work of the Commission, including the sending of all notices required by law, resolution or these rules, or as requested by law, resolution, or these rules of the Commission. All requisitions against appropriation items shall be signed by the Secretary or, in his absence, the Chairman of the Commission and approved by the City Manager.

Minutes of the meetings shall be prepared, or caused to be prepared, by the Secretary for submission to City Council at its regular monthly meeting and to members of the Commission.

Article II - Meetings

Regular meetings of the Centerville Planning Commission shall be held on the last Tuesday of each month in the Municipal Building from 7:30 P.M. until 11:30 P.M.

Special meetings shall be called by the Chairman at his discretion or as the Commission may determine, or, upon written notice of two members to the City Manager.

Conduct of Meetings

- A. All meetings of the Commission shall be open to the public.
- B. Hearings may be held at regular or special meetings.
- C. Four (4) members of the Commission shall constitute a quorum, except that five (5) members shall constitute a quorum for action on amendments to the Zoning Ordinance.

D. Order of Business:

1. Roll.
2. Approval of minutes of previous meeting(s).
3. Public Hearings.
4. Unfinished Business.
5. New Business.
6. Adjournment.

E. All actions of the Commission shall have the concurrence of a majority of the Commission members present.

F. Voting. All members shall vote on any case or question before the Commission unless such member excuses himself or herself, by reason of a personal or private interest in the matter under consideration.

Article III - Rules of Order

A. All motions shall be placed before the Commission for its considerations only upon a second thereto. When a motion is made and seconded, it shall be stated by the presiding officer before any debate shall be in order. Any such motion, and any amendment thereto, may be withdrawn by the mover thereof with the consent of second at any time before decision.

B. Any member may call for a division of the question, or the presiding officer may direct the same. In either case, the question shall be divided if it contains questions so distinct that if one is taken away, the other will stand as an entire question for decision.

C. The order of precedence of motions shall be as follows:

When a question or proposition is before the Commission or under debate:

- a. To adjourn.
- b. To lay on the table.
- c. For the previous question.
- d. To postpone to a certain day.
- e. To commit.
- f. To amend.
- g. To postpone indefinitely.

D. No Commission member shall, while the Commission is in session, engage in debate or discussion with anyone except another member of the Commission, or some person who has been granted by the presiding officer the privilege to address the Commission. All such debate or discussion shall be governed by Robert's Rules of Order.

Article IV - Applications

A. All matters to be considered by the Commission must be submitted to the City Manager on a regular application form at least ten (10) days prior to the date on which the matter is to be considered. The City Manager, in the case of an emergency, may waive the ten (10) day requirement.

Matters Pending Before the Commission

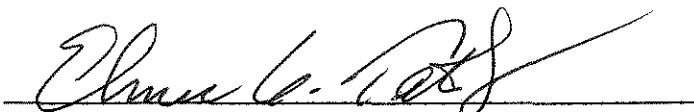
Every matter on which the Commission is authorized or requested to act, brought before the Commission by a person, official, organization or agency, shall be presented in writing and shall include all information necessary for a clear understanding and intelligent action by the Commission. Such information, when requested by the Commission shall include maps, surveys, drawings, plans, charts, or other descriptive data, in addition to normal requirements under the terms of the Zoning Ordinance.

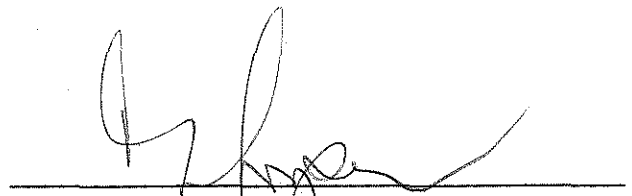
Article V - Hearings

- A. Once the application is filed and fees paid to the Finance Department, the Planning Commission shall set a date for a public hearing which shall not be more than sixty (60) days from the filing date. The Planning Commission shall, within thirty-five (35) days (or a later time agreed to by the applicant) after such hearing, recommend the approval or some modification thereof and submit such recommendation to the City Council in ordinance form.
- B. Notice of hearing shall be given by public notice in five (5) prominent places within the City and shall state the purpose of the hearing and place and time at which the application, including text and maps, may be examined. The Commission shall give notice of the time, place and purpose of the public hearing to be held by it, on proposed amendments to the Zoning Ordinance by mailing a notice not less than ten (10) days prior to the date of hearing, to the owners of all properties lying within five hundred (500) feet of any part of the property proposed to be changed, if it involves ten (10) or less parcels.
- C. Hearings shall be open to the public, but the Commission may go into executive session in discussing matters before it or for arriving at decisions, to the extent allowed by law. The affirmative vote of a majority of the members present shall be necessary on a motion for an executive session. The applicant of any matter brought before the Commission may appear in his own behalf at any hearing. In the absence of any personal appearance by either the applicant, presenter, or any other authorized agent at a hearing, the Commission will proceed to dispose of the matter before it.

Article VI - Amendments to Rules

The foregoing rules of procedure, or any part thereof, may be amended at any meeting of the Commission, after not less than three (3) days notice has been given to all members of the Commission and a copy of the proposed amendments sent with the notice, provided, however, it shall require the concurring vote of not less than four (4) members to make any amendments of change in these rules or procedures.


Chairman


Secretary

Approved and Adopted August 28, 1984

