

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, June 28, 1983

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

Attendance: Mr. Elmer C. Tate, Jr., Mr. Dallas Horvath, Mr. Robert Chappell, Col. Stanley Morrow, Mrs. Marian Simmons. Absent: Mr. David Hall and Mr. Brian Bergsten. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Steve Feverston, Planner; Mr. Robert N. Farquhar, City Attorney.

Approval of minutes of May 31, 1983:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of May 31, 1983, as written. Mr. Horvath seconded the motion. The motion was approved 4-0-1. Col. Morrow abstained.

SETTING OF PUBLIC HEARINGS

The following item was set for Public Hearing for Tuesday, July 26, 1983, at 7:30 P.M., in the City Building:

Bob Ross Buick - Sign Variance

Location: 85 Loop Road

PUBLIC HEARINGS

Franklin Street Baptist Church - Variance on Setback Requirements

Mr. Schwab made a slide presentation of the requested variances for the Franklin Street Baptist Church located at 200 West Franklin Street. The zoning on the property is R-2. The application actually is requesting four (4) different variances which include the following:

	<u>Required</u>	<u>Proposed</u>
Minimum Lot Area:	5 acres	3 acres
Minimum Front Setback:	100 ft.	89 ft.
Minimum Side Yard:	40 ft.	27 ft.
Parking Setback:	25 ft.	12 ft.

The proposal is to extend the front of the church out toward Franklin Street approximately 12 ft. Additional parking is also proposed to the west of the existing parking area at the rear of the church. A proposed drive will provide access from Gershwin Drive. Mr. Schwab pointed out that if this church were constructed under the current ordinance, screening would be required to buffer the affects of the church from the residential neighborhood. He stated that some of the residential property owners have already erected fences to provide screening from the parking area because the parking area is at a higher elevation than the residential properties to the rear.

In reviewing the guidelines for granting a variance, staff felt that the situation was unique and some, but not all, of the requested variances should be granted. It is, therefore, the recommendation of staff to approve the variance application with the following conditions:

1. The parking setback variance not be approved.

It seems there is ample room to allow parking without granting the parking variance.

2. A planting screen along the entire south property line shall be required.

Staff feels that a primary consideration of granting any of these variances ought to be that this lot line be screened in accordance with the normal requirements in the existing ordinance.

Mr. Tate opened the public hearing.

Mr. Marvin Talmage, 21 Lynn Rae Circle, stated that in the first two to three years he resided at his residence, approximately two cars rolled out of the parking area and through his fence. Mr. Talmage suggested that some kind of barrier be constructed to prohibit cars from rolling down the hill.

Ms. Nancy Trimbach, 31 Lynn Rae Circle, stated she wouldn't like to see the parking area extend any further to the south than what presently exists. Ms. Trimbach stated that they currently have a drainage problem with storm water coming into their yards from the existing parking area and also that from Magsig School. She stated that if the parking area is extended, it will take away more of the grass area that is presently absorbing some of the water, and the net result will be more of a problem than what they now have.

Mr. Jack Reilly, resident on Gershwin Drive, stated his concern is how far west as well as how far to the south is the variance being requested. He also asked how soon the access drive to Gershwin Drive is being proposed and what protection will be provided to the property at 20 Gershwin Drive.

Mr. Schwab stated that the church has a right to construct the parking area within 25 ft. from the property line. He stated that the drive would have to be reviewed as to the location in relation to the property line and what type of screening would be required; however, it appears on the submitted drawings that the drive could be constructed in the configuration they have proposed. Mr. Schwab stated that in addressing the storm drainage, when the church puts in the parking area, the Engineering Department would review the storm drainage plans.

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

Mr. Horvath stated he is definitely against granting the 12 ft. variance for the setback for the parking area. He stated he would agree that it should be required to provide additional screening along the west property line wherever it abuts residential property. Mr. Horvath further stated that a curb of some type should be required along the south end of the parking area to prohibit cars from rolling into adjacent properties.

MOTION: Mr. Horvath moved to approve the variance request submitted by the Franklin Street Baptist Church with the following conditions:

1. The parking setback variance not be approved.
2. A planting screen along the entire south property line shall be required and also in the adjacent spaces along the west property line.
3. Some type of curb be required along the south side of the parking area to prevent cars from rolling onto other properties. The type of curb used is subject to review and approval by City Staff.

Mrs. Simmons seconded the motion. The motion was approved unanimously.

#### UNFINISHED BUSINESS

#### An Ordinance Amending Ordinance 15-1961, The Zoning Ordinance By Providing For And Regulating Outdoor Sales Or Displays

MOTION: Mr. Horvath moved to take the Outdoor Sales Ordinance off the table. Col. Morrow seconded the motion. The motion was approved unanimously.

Mr. Schwab reviewed the status of the Outdoor Sales Ordinance stating that during the public hearing in front of the Planning Commission, the consensus of the Planning Commission was that they were not in favor of the proposed ordinance. The direction of the Planning Commission at that time in tabling that ordinance, was for the staff to look at some of the concerns that were raised by the Planning Commission and perhaps develop a revised ordinance. Staff, in looking at that, would have to say that the concerns of the Planning Commission were of such magnitude, that it seems almost impossible to do so. Staff would, therefore, recommend that the existing Temporary Outdoor Sales Permit mechanism be left in place. Planning Commission should make a recommendation to Council so Council can make the final decision.

Mr. Tate stated a recommendation should be sent to Council stating that the present ordinance, in the Planning Commission's opinion, is satisfactory and that the ordinance as proposed is not necessary.

MOTION: Mr. Horvath moved to recommend to the City Council to retain the present ordinance, as the present ordinance for Outdoor Sales serves to keep the City of Centerville a quality place in which to live; and, the proposed ordinance sent to the Planning Commission for review seems to be addressing the minority and not the majority of the people who are willing to abide by the present ordinance. It is, therefore, the recommendation of the Planning Commission that the proposed ordinance not be adopted. Mrs. Simmons seconded the motion. The motion was approved unanimously.

#### NEW BUSINESS

#### Dentist Office - Site Plan Amendment

Mr. Schwab made a slide presentation of the proposed site plan amendment for a Dentist Office located at 2 East Franklin Street (southeast corner

of Main and Franklin Streets) in the APD. This application is a Procedure 3 review which requires joint review of the BAR and the Planning Commission. The BAR approved the architectural changes to the building and the lighting with some conditions. The site plan elements that relate to parking layout, curb cuts, etc. are before the Planning Commission for review. Any action of the Planning Commission will finish the approval process.

The request is to renovate the existing parking area on the site plan. The parking required is 7 spaces, however, 28 spaces are proposed. There are 4 curb cuts to the existing site. The proposal is to close off the existing service bays at the rear of the building with a wall and to take the plate glass windows out of the front of the building and replace those with siding that is compatible with what is currently on the building. The existing light fixtures that were left on the property are proposed to remain. Some portions of concrete will be removed in order to provide more green space along South Main Street and East Franklin Street.

Staff recommends to approve the site plan amendment for the Dentist Office, Scheme 1A, with the following conditions:

A revised plan be approved by staff which incorporates the following changes:

1. The alley entrance off South Main Street be widened to 24 ft. to the building front setback line.

Mr. Schwab stated that the 15 ft. alley would work as a curb cut, but being used for 2-lane traffic needs to be widened as was done for the MedFirst property.

2. The approach to the alley off South Main Street be improved to remove the bump and improve the turning radius.
3. Parking spaces 21 and 22 be eliminated and replaced by a planting area.

There is no access to those spaces should spaces 23 and 24 be occupied.

4. Parking spaces 23-28 be replaced by four (4) 60-degree angle parking spaces.

Mr. Schwab stated there is not much space to back out of spaces 23-28 since the alley is a narrow 15 ft. in width. To make enough room to use these spaces and to provide better site distance for backing in and out of these spaces, staff recommends angling those spaces.

5. The rear planter area adjacent to the alley be removed.
6. Parking space 17 be eliminated and the curbed planter area be extended to replace the space.

Space 17 is located dangerously close to the throat of the curb cut and space 17 also contains a light fixture which would allow more clearance for that fixture.

7. Parking space 9 be eliminated with parking spaces 1-8 to be 10 ft. wide and perpendicular to South Main Street.
8. A curbed planter be constructed between parking space 8 and the new wider alley entrance off South Main Street.
9. All removed concrete sidewalk be replaced by brick sidewalk.

Mr. Schwab stated that the Ordinance is specific that only concrete sidewalk that is removed must be replaced by brick. He stated that the City does supply the brick. Staff recommends replacing the sidewalk on the entire property with brick instead of piecing it, with the exception of the corner area.

Mr. Tom Edge, architect, stated that they had no objections to conditions 1, 2, 5, 6, and 8. Regarding condition #3, the elimination of spaces 21 and 22, Mr. Edge stated those are logical spaces to put employee parking. He stated it is their feeling that they need as much parking as possible. He stated that is also the case for condition #4, replacement of spaces 23-28 with 4 angled spaces. Mr. Edge stated Dr. Wilson intends to back into space 28 and the remainder of those spaces are employee spaces--to they will drive in in the morning and leave at night. Spaces 21-28 will be marked "employee parking". Mr. Edge stated that regarding condition 7, elimination of space 9 and widening of spaces 1-8, they would rather leave the width of those spaces at 11 ft. instead of 10 ft., to provide additional turning space. He stated that regarding condition 9, brick sidewalks, they do not intend to remove any of the concrete as it will not be necessary.

Mr. Tate stated that if brick has to be removed for any reason, it will have to be replaced by brick. He stated that if the parking at the rear of the building is all employee parking, he has no objection to the proposed layout.

Mr. Horvath stated that he has a problem with spaces 21 and 22. He stated it does not seem like good planning to block cars in.

MOTION: Col. Morrow moved to approve the site plan amendment for the Dentist Office located at 2 East Franklin Street, Scheme 1A, subject to the following conditions:

1. The alley entrance off South Main Street be widened to 24 ft. to the building front setback line.
2. The approach to the alley off South Main Street be improved to remove the bump and improve the turning radius.
3. Parking space 17 be eliminated and the curbed planter area be extended to replace the space.
4. Parking space 9 be eliminated with parking spaces 1-8 to be 11 ft. wide and perpendicular to South Main Street.
5. A curbed planter be constructed between parking space 8 and the new wider alley entrance off South Main Street.
6. All removed concrete sidewalk be replaced by brick sidewalk.

7. Parking spaces 21-28 should be clearly marked "Reserved for Employee Parking".

Mr. Chappell seconded the motion. The motion was approved 4-1. Mr. Horvath voted no.

Col. Morrow stated that this renovation will certainly enhance the center of town.

Mr. Chappell stated he would like to see the brick sidewalks put in voluntarily since the rest of the area is done in brick.

There being no further business, the meeting was adjourned.

*Elmer Tate* 7/26/83