

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, January 26, 1982

Mr. Tate called the meeting to order at 7:30 p.m.

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

Approval of minutes of December 15, 1981, Planning Commission Regular Meeting:

MOTION: Mr. Horvath moved to approve the Planning Commission minutes of December 15, 1981, as written. Col. Morrow seconded the motion. The motion was approved unanimously.

SETTING OF PUBLIC HEARINGS

The following items were set for public hearing for Tuesday, February 23, 1982, at 7:30 p.m. in the City Building:

Imperial Foodtown - Variance for Outside Storage
Location: 9051 Lebanon Pike

Montessori School of Centerville - Variance on Sign Setback
Location: 16 Elmwood Avenue

NEW BUSINESS

Centerville Cycle Company - Site Plan Amendment

Mr. Schwab reviewed the proposed site plan amendment for the Centerville Cycle Company located at 264 North Main Street in the A-P District. The parking area provides 18 existing spaces. Screening is required along the east property line, however, it is not in place. Mr. Schwab stated that the required screening was part of an approved application submitted over one (1) year ago. The request is to allow the storage and rental of U-Haul type trailers at the rear and north sides of the building. He stated that the provisions in the A-P District are a little different than those provisions in other zoning districts. They are simply site plan amendments, and variances from those site plan amendments can be given by the BAR, City Council or Planning Commission depending on the application where unique circumstances are present. Those variances in the A-P District do not require the formal notification or public hearings. The regular standards that are listed in the Zoning Ordinance in general do not apply to the A-P District.

In this particular application, what is being asked for is a use variance. If the parcel in question was a regular B-1 zoned property and not in the A-P District, it would not permit trailers to be stored on the property for rental purposes. This use would only be permitted in a B-2 district or an industrial district. What is being asked for in the proposed application in the form of a site plan amendment, is more technically a use variance.

In reviewing the variance checklist, staff determined that granting this variance would confer a special privilege to the property as well as violate the spirit of the ordinance. Mr. Schwab stated that a use variance is generally construed to be a non-legislative rezoning of a property.

Staff recommendation is to deny the request due to the following:

1. Proposed additional use qualifies as a B-2 use and is not permitted in the A-P District.
2. Proposed additional use qualifies as an outside storage use and is not permitted in the A-P District.
3. Granting of a use variance effectively constitutes a non-legislative rezoning of the property to B-2.

Mr. Horvath stated that he feels it is very clear that the application request should be denied because the property should not be rezoned without going through the process.

MOTION: Mr. Horvath moved to deny the site plan amendment for Centerville Cycle Company as presented. Mr. Samples seconded the motion. The motion was approved unanimously.

Dr. Dave Ellinger Building - Site Plan Amendment

Mr. Schwab made a slide presentation of the site plan amendment to the Dr. Dave Ellinger Building located at 107 East Franklin Street in the A-P District. Six parking spaces are provided on the amendment which more than satisfies the required 5 spaces. The request is to expand the existing building to accommodate both office and residential uses. The proposed screening is a combination of fencing, evergreens, trees and shrubbery surrounding the parking area and driveway. The driveway will be widened to two (2) lanes and curbing to the driveway on the east property line.

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

1. Driveway and parking lot shall be paved.
2. The side yard variance on the west side of the property shall not waive any building or fire codes.

Mr. Schwab stated that it has come to the attention of the fire and building inspectors that if a 6 foot side yard variance on the west side of the property is used, a fire-rated wall will be required. Staff would suggest that if the Planning Commission wishes to approve this application, that they allow staff to make some very minor approvals in slight adjustments of this building location if it proves advantageous to meet those codes.

Mr. Jim Owens, architect for the project, stated that the proposed addition can be shifted to the east by approximately 9 feet to allow for a proper side yard setback and thus, alleviate the construction of a fire wall.

MOTION: Mr. Horvath moved to recommend approval to Council on the site plan amendment for the Dr. Dave Ellinger Building located at 107 East Franklin Street with the following conditions:

1. Driveway and parking lot shall be paved.
2. The side yard variance on the west side of the property shall not waive any building or fire codes.
3. Staff be given the authority to approve adjustments within the building plan to allow for the fire wall requirements.

Col. Morrow seconded the motion. The motion was approved unanimously.

Citizens Federal Savings and Loan - Site Plan Amendment

Mr. Feverston made a slide presentation of the site plan amendment for Citizens Federal Savings and Loan located at 1033 South Main Street in the Centerville Place Shopping Center. The zoning on the parcel is B-3. The 52 existing parking spaces would not be altered. The site plan amendment proposes the creation of a third drive-thru teller lane and a new 5 foot barrier island.

Staff recommends approval of the site plan amendment for Citizens Federal Savings and Loan as presented.

Mr. Tate asked if the canopy would be extended over the third lane.

Mr. Feverston stated that it would be extended to the south.

MOTION: Mr. Chappell recommended approval to Council of the site plan amendment for Citizens Federal Savings and Loan located in the Centerville Place Shopping Center as presented. Mr. Bergsten seconded the motion. The motion was approved unanimously.

Centerville Mill - Site Plan Amendment

Mr. Feverston made a slide presentation of the site plan amendment for Centerville Mill located at 7991 Clyo Road in the City of Centerville. The zoning on the parcel is I-1. The required parking for the site is 59 spaces. The proposed parking is 76 on-site spaces and 17 off-site spaces for a total of 93 spaces. The site plan amendment requests the creation of a defined outdoor sales and storage areas both on-site and off-site; and the redesign of the parking layout. The on-site outside storage area will be an area 5 feet deep along the front of the metal building and the retail sales building. The off-site storage area will be in the northeast corner of the site which will provide space for mulch, railroad ties, trailers, etc. On the northern part of the building, the proposal is to extend the area out to allow outdoor sales of Christmas trees and plantings. Seventeen (17) new parking spaces are proposed behind the building in the railroad right-of-way. The northern parking area will have 2 horizontal parking bays with parallel parking spaces adjacent to the off-site storage area. The Fire Department has requested that the proposed parallel parking spaces in front of the metal building be eliminated for fire purposes and have "no parking" signs placed in that area.

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

1. Deletion of those parking spaces that are signified by an "X".
2. The southwest corner of the off-site storage area be removed to allow for 9 feet of circulation and maneuvering area for parking spaces No. 20 through 23.
3. Provide lane striping or arrows to designate traffic circulation.

Mr. Horvath stated that as a point of clarification, outside storage is permitted at this site since it is zoned industrial other than a business zone.

MOTION: Mr. Bergsten moved to recommend approval to Council of the site plan amendment to Centerville Mill with the following conditions:

1. Deletion of those parking spaces that are signified by an "X".
2. The southwest corner of the off-site storage area be removed to allow for 9 feet of circulation and maneuvering area for parking spaces No. 20 through 23.
3. Provide lane striping or arrows to designate traffic circulation.

Mr. Horvath seconded the motion. The motion was approved unanimously.

Brams Hill - Record Plan Replat

Mr. Feverston made a slide presentation of the requested replat of Lots 2, 3 and 4 in Brams Hill located west of Essington Circle and south of Brams Hill Drive in Washington Township. He stated that the request is to divide the area into two (2) lots instead of three (3). All streets, curbs and gutters are in place. The Washington Township Zoning Office was contacted and the replat does meet the zoning requirements.

MOTION: Mr. Samples moved to approve the record plan replat for Brams Hill as presented. Mr. Bergsten seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

Elmer [Signature]

2/23/82