

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, July 28, 1981

Mr. Horvath called the meeting to order at 8:00 p.m.

Attendance: Mr. Elmer C. Tate, Jr. (where noted), Mr. Dallas Horvath, Mr. Brian Bergsten, Mrs. Marian Simmons, Col. Stanley Morrow. Absent: Mr. Bernard Samples, Mr. Robert Chappell. Also present: Mr. Alan C. Schwab, City Planner; Ms. Gail Young, Legal Counsel.

Approval of minutes of June 30, 1981, Planning Commission Regular Meeting:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of June 30, 1981, as written. Mr. Bergsten seconded the motion. The motion was approved 3-0-1. Mr. Horvath abstained.

COMMUNICATIONS

Ellis, Steve - Lot Split

Mr. Schwab explained that the site of the proposed lot split is located on the east side of SR 48 across from the Centerville Place Shopping Center. The existing lot has frontage on SR 48, however the lot split would create a lot in the rear of the existing parcel and the new lot would not have any frontage on SR 48. The proposal is to create a 25 foot access easement which would serve the new lot. The Township zoning ordinance does not require any frontage for a business zoned lot, but it is required that a lot have access through at least a 25 foot easement.

Staff recommends to approve the lot split for this lot subject to a 25 foot access easement being part of the deed.

Mr. Tate arrived at this time.

MOTION: Mr. Bergsten moved to direct staff to stamp the deed subject to a 25 foot access easement being part of the deed. Col. Morrow seconded the motion.

Col. Morrow asked if there is an improvement planned for that intersection because of the traffic problem that now exists.

Mr. Schwab stated that at this time nothing is planned.

Mr. Horvath asked if a blister could be required in that area as was done for Taco Bell.

Mr. Schwab stated that he did not think it could be required as part of a lot split.

There being no further discussion, the Motion was approved 4-0-1. Mr. Tate abstained.

Plan. Com.

Centerville Cycle Company - Variance for Outside Display

Mr. Schwab reviewed the variance application from the Centerville Cycle Company located on the southeast corner of SR 48 and Bradstreet Road in the Architectural Preservation District (APD). He stated that the request is to allow a permanent display of bicycles and 2-wheel vehicles in the parking lot area. There have been a number of 3-day sidewalk sale permits issued to this applicant over the last several months. The City Manager and staff are getting more reluctant to issue these temporary permits because of the number previously issued. This permanent approval is the mechanism by which the applicant is proposing to alleviate that problem.

Staff recommendation is that the application be denied based on the fact that other applications of this type have been reviewed and denied. Further, the applicant has submitted no information that would indicate that a unique situation does exist specifically to him in comparison to other businesses in the APD as well as outside the APD. Mr. Schwab pointed out that another bicycle shop exists in the Centerville Plaza Shopping Center and they do not have an outside display nor did the bicycle shop that was formerly located on West Franklin Street.

Mr. Tate stated that it is his impression that the outside display has been effective or the request would not have been submitted.

Mr. Bruno Meyer, co-owner of Centerville Cycle, stated that they do have a shortage of space inside and they often need to move bicycles outside. He stated that their building sets back on the lot and it is not easily seen by northbound traffic. He stated that when they do have an outside display, more traffic is generated inside the store. Mr. Meyer stated that the variance is only being requested until September 15, 1981, instead of being permanent. He stated that people do not recognize that a bicycle shop is there and particularly in the first year of operation, they need people to know that bicycles are sold there. Once people are aware that the bicycle shop is there, it should not be a problem.

Mr. Tate stated that he was personally in favor of allowing the variance to get the business going provided it is for a set period of time.

Col. Morrow asked if the request could be granted with the provision that the display be set back a certain distance from the sidewalk area. He stated in this way, the Planning Commission would be granting this because it is a unique case.

MOTION: Mr. Tate moved to approve the variance for Centerville Cycle Company which would allow an outside display of bicycles to be placed at least twenty (20) feet back from the sidewalk area, until September 15, 1981. Mrs. Simmons seconded the motion. The motion was approved 3-2. Mr. Horvath and Mr. Bergsten voted no.

Plan. Com.

PUBLIC HEARINGSAn Ordinance Amending Ordinance Number 15-61, The Zoning Ordinance, And Ordinance Number 48-70, By Changing Definitions And Requirements For Educational Facilities And Churches In The City Of Centerville, Ohio.

Mr. Schwab gave a brief explanation of the proposed ordinance to change the definitions and requirements for educational facilities. He stated that a prior draft of the ordinance went to Council with the recommendation for approval by the Planning Commission. Council, in reviewing that draft, directed staff to make several changes which were significant enough to require the Planning Commission to review it again. The primary change to the ordinance is in regards to permitting nurseries, kindergartens, and day care operations as conditional uses in R-1 and R-2 zoning districts. Council's feeling was that those uses in R-1 and R-2 districts even as conditional uses are not appropriate in those districts.

Other changes include the deletion of the definitions for a private school and trade or business school. A definition for a church was added which permits nurseries, kindergartens, day care and compulsory schools so those will not be classified as a conditional use. The new definition for a school is divided into four (4) subsections those being :

- A. School: Nursery, Kindergarten, Day Care
- B. School: Compulsory (Grades 1-12)
- C. School: College, University, or Seminary
- D. School: Trade, Business, or Other

Additional requirements were added to compulsory schools (grades 1-12) and to college, university, or seminary, as well as some additional parking requirements. Mr. Schwab stated that those are the basic changes to the ordinance that was previously reviewed by the Planning Commission.

Mr. Tate opened the public hearing.

There being no speakers for or against the subject of the proposed ordinance, Mr. Tate closed the public hearing.

MOTION: Mr. Horvath moved to recommend approval of the ordinance changing the definitions and requirements for educational facilities and churches as revised. Mrs. Simmons seconded the motion. The motion was approved 5-0.

Woods Apartments - Sign Setback Variance

Mr. Schwab made a slide presentation of the variance request submitted by Richard Rogers for the Woods Apartments located at 6355 Bigger Road. The request is for a sign setback variance. There are two (2) conflicting setback requirements for this project since it is located in the E-C zoning district. Under the E-C zoning, there is a general requirement that all structures (a sign is technically a structure under the ordinance) must be set back 160 feet from the centerline of any adjacent thoroughfare. The second setback requirement is that under the Sign Ordinance. It is a general requirement that all signs be set back 25 feet from the right-of-way. The existing sign would be moved to the proposed location and with the addition of an exact sign would be placed to form a "V" configuration. This additional signage is permitted under the ordinance.

Mr. Schwab stated that staff has worked with the applicant to find a location for the sign. In reviewing the submitted drawing, he stated that the median actually extends further out than what is indicated on the drawing. He stated that this intended location is not to be within the State right-of-way. The State has acquired approximately 60 feet from centerline for the I-675 project. The intent is not to permit these signs within the State right-of-way.

Staff recommendation in this instance is that the 160 foot setback not be required as it is primarily meant for buildings. In reviewing the variance standards in the ordinance, staff feels that enough options are open on this property that it is not absolutely necessary to vary from the setback requirements. Therefore, staff recommends to waive the 160 foot setback but only to the extent to allow the sign to be setback a minimum of 25 feet from the State right-of-way.

Mr. Tate opened the public hearing.

Mr. Richard Rogers, applicant for the Woods Apartments, stated that they are trying to beautify the entrance of the apartment complex. He stated that the problem is visibility. Over the past nine years, the trees and such have grown to the extent that they block the view of northbound traffic. At the present time, the sign is 95 feet back from the centerline and there is a tree in the median in the 90 foot area which blocks the sign. Mr. Rogers stated that they have worked closely with staff and were careful not to place the sign within the State right-of-way line.

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

Mr. Tate stated that he agreed that the sign is hard to see, however, he asked if the changes in the sign will help business or only serve as a marker for where the Woods Apartments are located.

Mr. Rogers stated that they think it will help the rental situation and this area is to be the focal point of the project. He stated that an elementary rule of apartment management is to make the entrance the focal point of the project.

MOTION: Mr. Bergsten moved to approve the sign setback requirement variance for the the Woods Apartments one (1) foot from the State right-of-way line. Mrs. Simmons seconded the motion. The motion was approved 4-1. Mr. Horvath voted no.

#### NEW BUSINESS

##### K-Mart - Site Plan Amendment

Mr. Schwab stated that this site plan amendment for K-Mart is a small change to the site plan that was reviewed by the Planning Commission a few months ago. The K-Mart facility will be located on the northeast corner of SR 48 and Spring Valley Road. The zoning on the parcel is B-2. The site plan amendment involved a change to the doors on the south elevation to the building. The addition of an overhead door will be constructed basically for a customer service pickup location. Although some unloading will be done at this new location, the rear doors will be utilized for the major portion of deliveries.

Staff recommends approval of this site plan amendment even though it is not desirable to have a loading door facing a major street; however, given the existing configuration of the building, it would be too difficult for customers to negotiate the ramp for the loading door in the rear of the building.

Mr. Schwab pointed out that this is an architectural change to the site plan and will not require Council approval.

Mr. Bergsten asked if there would be a conflict with the parking area just south of the proposed overhead door area.

Mr. Schwab stated that this was a concern of staff as well and the K-Mart people indicated that this warehouse door is very low volume. The primary doors will be those in the rear of the building.

MOTION: Mr. Bergsten moved to approve the site plan amendment for K-Mart as requested. Col. Morrow seconded the motion. The motion was approved unanimously.

#### Connemara, Sec. 2 - Bond Reduction

Mr. Schwab reviewed the recommendation of the City Engineer for a bond reduction for Connemara, Sec. 2 located at the intersection of Rahn Road and Alex-Bell Road in Washington Township. A bond in the amount of \$71,000 was posted to insure the installation of the drainage system and the roadway. He stated that the interior part of the plat is complete, but certain adjustments and corrections are still outstanding. Also, the widening of Alex-Bell Road and sections of Rahn Road have not yet been done.

Staff recommendation is to reduce the performance bond of \$71,000 to \$20,000 to guarantee the installation of the outstanding improvements as shown on the construction drawings.

Mr. Horvath asked if \$20,000 will cover the installation of the improvements if it must be done under the bond.

Mr. Schwab stated that it is the City Engineer's opinion that \$20,000 will be more than adequate.

MOTION: Mr. Horvath moved to approve the reduction of the performance bond for Connemara, Sec. 2, from \$71,000 to \$20,000 as recommended by the City Engineer. Col. Morrow seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

*Chas. Tate 8/25/81*

