

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, May 27, 1980

Mr. Tate called the meeting to order at 7:44 p.m.

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

Approval of minutes of April 29, 1980, Planning Commission Meeting:

MOTION: Mr. Samples moved to approve the Planning Commission minutes of April 29, 1980, as written. Mr. Bergsten seconded the motion. The motion was approved 4-0-1. Mr. Horvath abstained.

SETTING OF PUBLIC HEARINGS

The following item was set for public hearing on Tuesday, June 24, 1980 at 7:30 p.m. in the City Building:

An Ordinance Amending Ordinance Number 15-61 And Repealing Ordinances Numbers 80-71, 20-73, 70-72 And 36-79 By Changing The Powers Of The Planning Commission And Board Of Architectural Review.

COMMUNICATIONS

Mr. Schwab reported that the preliminary plan for Springstone Lea was approved by Council leaving the street width and the improvements to Centerville Station Road a subject for discussion.

Mr. Schwab stated that the sign variance application that was set for public hearing to be held tonight was withdrawn (Fulmer's).

Mr. Schwab stated that a request for temporary signs has been submitted for the Homearama to be located in Nutt Road Estates. The attraction will be held from June 15 through June 29, 1980. Mr. Schwab stated that these temporary signs will be located at the main intersections throughout the City.

MOTION: Mr. Horvath moved to approve the temporary signs for Homearama as requested for a period not to exceed July 3, 1980. Mr. Bergsten seconded the motion. The motion was approved unanimously.

Kistler, Arthur - Lot Split

Mr. Schwab made a slide presentation of the lot split request for the property located at 7665 Clyo Road. The applicant is requesting that the existing 40,000 square foot lot with a frontage of 189.74 feet be divided into two (2) parcels. The first parcel would be a 30,000 square foot lot with a frontage of 100 feet. The second lot would be a 10,000 square foot lot with a frontage of 89.74 feet. The length of the lot will be 112 feet.

Mr. Schwab stated that there will be an additional 8 feet of right-of-way taken from the front of the property as part of the Clyo Road Improvement Project. With this in mind, staff recommends that the lot split be granted with a 120 foot length instead of 112 feet. This will allow for the additional 8 feet to be taken as right-of-way for Clyo Road.

The proposed property line goes down the center of the existing driveway. The intent is to have the driveway serve as a common driveway between what would become a residential house that may be sold to another individual in the future and continue to operate the business that now exists from the pole barn to the rear of the parcel. Because of the Clyo Road Improvement Project, Mr. Kistler is unsure whether he will wish to continue his residence at this location in question.

Staff recommendation is to approve the lot split request with a lot depth of 120 feet with a condition on the deed that the driveway serve as a common driveway for both parcels at such time as it is split off.

Mr. Tate asked Mr. Kistler if the additional depth to the lot would be satisfactory.

Mr. Kistler stated that it would be satisfactory.

MOTION: Mr. Horvath moved to approve the lot split with a depth of 120 feet and with a condition that the driveway serve as a common driveway for both parcels. Mr. Samples seconded the motion. The motion was approved unanimously.

PUBLIC HEARINGS

Fox, Richard - Variance on Addition to a Non-Conforming Use

Mr. Schwab made a slide presentation of the variance request for an addition to a non-conforming use to a residence located at 7555 Clyo Road. He stated that the applicant is requesting the variance in order to construct a 12' x 16' bedroom addition to the existing residence.

Mr. Schwab stated that after the improvement to Clyo Road is complete, the right-of-way will be approximately 20 feet from the present house. Mr. Fox is concerned because the existing bedroom is located at the front of the house and noise from the roadway being closer may affect his sleep.

Staff recommendation is to approve the variance request as submitted.

Mr. Tate opened the public hearing.

There being no speakers for or against the issue, Mr. Tate closed the public hearing.

MOTION: Mr. Horvath moved to approve the variance request as submitted. Col. Morrow seconded the motion. The motion was approved unanimously.

Greenbrier Commons - Sign Variance

Mr. Schwab made a slide presentation of the Greenbrier Commons sign variance request to place an advertising sign off of the site. The sign is currently in place with a zero (0) foot setback from the right-of-way for Alex-Bell Road as shown on the Thoroughfare Plan. The project signage including the wall signs, the sign located in the central median of Olde Greenbrier Lane, and the sign in question, is all within the limit of permitted signage. The sign is now located to close to Alex-Bell Road and is on another owners property.

Staff recommendation is to approve the sign variance subject to the receipt by staff of a letter from the property owner of the parcel on which the sign is located permitting the existence of the sign.

Mr. Schwab pointed out that when the applicant located the sign on the parcel, they were not aware that the sign was located on property other than their own.

Mr. Tate opened the public hearing.

There being no speakers for or against the issue, Mr. Tate closed the public hearing.

Mr. Horvath stated that he does not see how the Planning Commission can approve anything without the approval of the property owner of the parcel on which the sign is located.

Mr. Bergsten asked if the sign is approved and in the future when SR 725 is widened, what will happen with the sign.

Mr. Farquahr stated that when additional right-of-way is acquired, the State will have to pay for the sign.

Mr. Tate asked if there could be a condition on the approval that when additional right-of-way is acquired, the sign will come down at the expense of the Greenbrier Commons owners.

Mr. Farquhar stated that any reasonable conditions can be placed on the approval of a variance.

MOTION: Col. Morrow moved to table the variance request. Mr. Samples seconded the motion. The motion was approved unanimously.

UNFINISHED BUSINESS

Mr. Tate stated that the amendment to the Zoning Ordinance should remain on the table as well as Shadybrook which was tabled at the request of the developer.

NEW BUSINESSThird National Bank - Site Plan Amendment

Mr. Samples stated that he is currently engaged in consulting work with Third National Bank and would remove himself from the meeting at this time.

Mr. Schwab made a slide presentation of the site plan amendment for Third National Bank located south of Spring Valley Road and west of SR 48. He stated that the project was approved by Planning Commission and Council earlier this year. The proposed amendment will reduce the building size and change the architectural design. The action by the Planning Commission will be final because it is architectural review and will not be required to go before Council for reapproval.

Staff recommendation is to approve the site plan amendment as submitted.

Mr. Horvath stated that the signage is not an issue at this time.

MOTION: Mr. Horvath moved to approve the site plan amendment for Third National Bank with the stipulation that no signage is being approved at this time. Col. Morrow seconded the motion. The motion was approved unanimously.

Mr. Samples returned to the meeting.

#### Cassano's - Site Plan Amendment

Mr. Schwab made a slide presentation of the proposed site plan amendment for the Goldman Shopping Center to relocate the Cassano's Restaurant to the existing Goldman store north of Spring Valley Road and east of SR 48. The zoning on the parcel is B-2, Roadside Business. Mr. Schwab stated that there will be only a single opening to the facility facing SR 48. A canvas awning is being proposed around the entrance with bevel wood siding on the facade.

Staff recommends that as, per the recommendation of the Washington Township Fire Department, if this restaurant is to be relocated in this location of the Goldman's building, a fire hydrant should be added along Spring Valley Road at the entrance to the shopping center with that location to be approved by the Fire Department. Currently, there is no hydrant within 300 feet of this section of the building.

Also, the Health Department made a request to place a fence along the existing north asphalt edge of the Goldman Shopping Center in order to catch debris from entering the vacant field adjacent to the Goldman Shopping Center. This area has had a rodent problem in the past and the Health Department would like to see that the problem is not added to. At a future date, when the north properties develop further, perhaps a fence could be added to further reduce the problem.

Staff recommendation is to approve the addition as submitted with the two (2) conditions that were addressed.

Mr. Horvath asked where the dumpster is going to be located and will it be enclosed.

Mr. Pat Zinkhon, representing Cassano's, stated that the dumpster will be located behind the Goldman store near the southeast corner of the building. The dumpster is normally enclosed, but that will have to be discussed with the landlord which is Mr. Goldman as to what area will be provided for Cassano's.

Mr. Tate asked what type of signage is being proposed.

Mr. Zinkhon stated that the signage is only in the preliminary stages. What is being proposed at this time are two (2) box signs which will be located at each corner of the building. They will be internally lighted. Also, a logo non-lighted sign will be on the entrance.

Mr. Tate asked if they will conform to the sign ordinance.

Mr. Zinkhon stated that the sign people normally submit the signage request--he is here only for building approval for the usage itself.

Mr. Tate stated that the last time Cassano's changed a sign they were not given approval and went ahead and changed it anyway. It is recommended that the sign people of Cassano's be made aware that no signage is being approved tonight.

Mr. Schwab stated that a plan should be submitted for the dumpster area and screening treatment since the facility backs up to multi-family residences. This plan can be approved by staff.

Mr. Horvath asked if landscaping should be considered.

Mr. Zinkhon stated that the current landscaping would be maintained.

MOTION: Mr. Horvath moved to approve the site plan amendment for the Goldman Shopping Center to locate the Cassano's restaurant within the shopping center with the following conditions:

1. A fire hydrant be added along the entrance to Spring Valley Road from the shopping center at a location approved by the Washington Township Fire Department.
2. A minimum four (4) foot high fence be located starting from the rear of the present Cassano's parking area and continuing along the existing north asphalt edge of the Goldman Shopping Center to the property line east.
3. No signage is being considered at this time.
4. A dumpster area be identified and a location for this dumpster area be shown on the site plan. The dumpster area should be addressed as to how it will be enclosed and what screening will be around it. This should be submitted for staff approval.

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

#### Domino's Pizza - Site Plan

Mr. Schwab made a slide presentation of the proposed site plan for Domino's Pizza to be located north of Franklin Street and west of Compark Road. The parcel is zoned I-1. The required parking is eight (8) spaces. The proposed parking spaces are seven (7) or thirteen (13) spaces based on the two proposed site plans. One (1) curb cut is permitted; two (2) curb cuts are being proposed.

Mr. Schwab stated that two (2) site plans were submitted. One (1) plan shows the Domino's building and the other plan shows the addition of an office building as an option at a later date.

Mr. Schwab reviewed the site plan addressing several suggestions staff had regarding their concerns.

It is recommended that one two-way curb cut be constructed to serve the site. It is recommended that the curb cut be restricted to a right-in, right-out or that a blister of pavement be added to the opposite side of the street to allow the traffic to move freely. The centermost large tree within the City right-of-way should remain. The curb cut should be realigned to match up with the driveway across the street. The curb cut should be widened to 25 feet to provide for a minimum two-way traffic width. The tree on the southwest corner of the property located in the City right-of-way should be permitted to be removed as it has been damaged. The dumpster should be located at right angles to the rear of the property so that the dumpster doors do not swing wide open facing Franklin Street. The traffic circulation should be reversed to have a counterclockwise movement pattern. Staff recommends that the Domino's building be shifted to the western side of the lot in order to preserve a large tree on the site. This would make a potential green area with little cost to the developer. At a later date when the office building is constructed, this tree can then be removed. The existing sidewalk location should be unaltered.

Mr. Theo Arnovitz, representing Domino's Pizza, stated that the business that the Domino's people provide is most unique. Ninety-five (95) percent of the product is delivered to the home. There is no inside seating. He stated that City staff's suggestion to reverse the placement of the building in order to save the large tree on the site would be possible. The idea of one (1) curb cut can be done. There is no problem in changing the one (1) curb cut to a 25 foot width.

Mr. Arnovitz stated that they would like to limit the amount of blacktop to just the front parking area of the building and back to the dumpster area. At such time the area is further developed, the site will be blacktopped in order to provide a curcular traffic flow around the building. He stated that the dumpster will be enclosed. He stated that the facility does not have as much trash as you would think a restaurant would have because their product goes out to people's homes.

Mr. Arnovitz stated that he didn't think the additional paving across the street from the facility is necessary. If it were on the property that might be a different matter, but in this case they would be making an improvement for the City.

Mr. Horvath stated that usually the Planning Commission considers lighting, landscaping and screening at this stage and nothing has been submitted concerning these subjects.

Mr. Arnovitz stated that these items will be submitted to staff. The lighting will be used from the shopping center plus lighting installed to provide enough for security.

Mr. Tate asked if signage has been submitted.

Mr. Schwab stated that signage has not been submitted and is not being considered at this time.

MOTION: Mr. Horvath moved to recommend approval to Council of the site plan for Domino's Pizza subject to the conditions as follows:

1. Only one of the two site plans be approved.
2. The existing sidewalk location be unaltered.
3. The western curb cut be deleted.
4. The eastern curb cut be aligned with the existing curb cut across from it on Franklin Street and the curb cut be widened to 25 feet.
5. The eastern curb cut be limited to right in and right out movement or a blister of pavement across the street be added whose design is approved by the City Engineer.
6. The centermost large tree next to Franklin Street within the City right-of-way be preserved.
7. The applicant be permitted to remove the sycamore tree at the southwest corner of the property.
8. The Domino's building be relocated to the western side of the property to preserve a large existing tree on the site.
9. The dumpster be relocated at a 90 degree angle so that the door opening is not visible from Franklin Street and the 6 ft. high fencing be wooden or brick surrounding the dumpster.
10. A drainage plan for the site be approved by the City Engineer.
11. The lighting plan to be submitted and approved by staff.
12. No signage is being approved at this time.

A revised site plan should be submitted to Council that reflects these recommendations of staff. Col. Morrow seconded the motion. The motion was approved 3-2. Mr. Bergsten and Mr. Samples voted no.

#### Nutt Road Estates-Two - Preliminary Plan

Mr. Schwab made a slide presentation of the preliminary plan for Nutt Road Estates-Two located north of Social Row Road, south of Nutt Road and east of SR 48 in Washington Township. The plan has a proposed sixty-one (61) single-family lots with one (1) park lot. The arceage is approximately forty-two (42) acres. There will be improvements to Social Row Road required. The park lot is located to the north of the parcel adjoining the park lot in the Polo Club Estates subdivision.

Staff recommends that the intersection of Walnut Valley Lane and Social Row Road be moved east to approximately the west lot line of Lot #130 in order to avoid a possible misalignment of two (2) streets when the property to the south develops.

The existing pattern shows two (2) cul-de-sacs. In order to facilitate development to the east, staff recommends that the northernmost cul-de-sac be changed to a stub street to the east. The major reason for this is because there is no stub street coming from the adjoining subdivision (Polo Club Estates).

Staff further recommends that two (2) park access walkways be added between Lots #139 and #140 and between Lots #142 and #143. This will be addressed at the record plan stage.

Mr. Bob Archdeacon, representing the developer, stated that the Planning Commission in the past has created a north-south traffic pattern and not an east-west traffic pattern. The Township required the 30,000 sq. ft. lots adjoining the estate property on the east of the parcel. He stated that he sees no need to change the cul-de-sac to a connection. There is ample room to put a street in when this property develops. If the location of the intersection of Walnut Valley Lane and Social Row Road is moved east, the development will lose two (2) lots. Because Social Row Road is scheduled to be a thoroughfare, Mr. Archdeacon stated that he thinks cross traffic should be discouraged.

Mr. Archdeacon stated that he is requesting that the Planning Commission consider the plan as it has been presented and to consider whether the changes requested by staff are worth the \$100,000 that it will cost the developer in the loss of two (2) lots and approximately 300 feet of street to construct. He stated that he does not think that the changes accomplish enough to justify that expenditure.

Mr. Schab stated that he had received a letter from Mr. Bill Johnson, Washington Township Service Director. In the letter Mr. Johnson stated that he agrees that it would be a better pattern to have Walnut Valley Lane come into the subdivision to the west side of Lot #130. The cul-de-sac running between Lots #101 and #150 should be a through street in order to alleviate maintenance problems and the confusion that this is a through street for emergency equipment.

Mr. Tate suggested that Lots #150 and #151 are very large lots which could be cut down. At that point all the lots could be shifted down and a through street could be constructed.

Several alternatives were suggested and reviewed by the Planning Commission and staff. After much discussion, it was agreed by Planning Commission and Mr. Archdeacon that the plan should be tabled until the next Planning Commission meeting.

MOTION: Mr. Horvath moved to table the preliminary plan Nutt Road Estates-Two with the consent of Mr. Archdeacon, representing the developer. Mr. Bergsten seconded the motion. The motion was approved unanimously.

#### Yankee Station - Preliminary Plan

Mr. Schwab stated that prior to 1974, the Township had reviewed this area of land and approved a layout plan in accordance with the Special Use zoning. This was during the time period when Montgomery County and the City of Centerville were negotiating the three-mile jurisdiction.



As a result of some of that switch over, the original preliminary plan for Yankee Station was submitted last year to Montgomery County instead of the City of Centerville. It should have been submitted to the City of Centerville. The County approved the original preliminary plan last year for this whole section in error. Subsequent to this action, the County has also reviewed one (1) of the streets in the record plan and approved that street. Now what the City of Centerville is reviewing, is an amendment to the preliminary plan that was already approved by the County and the recording of the street that is being amended in that revised preliminary plan. The County has discovered this situation at this particular stage of review.

After consulting legal counsel, the City has determined that it will enter into the review process at this time and honor the actions that the County has taken up to this point. In staff's opinion, this is the only solution. It should be noted that staff sees no problem with what the County has approved at this point.

Mr. Schwab stated that the preliminary plan for Yankee Station will first be reviewed and that will be followed by the record plan for Section 2.

Mr. Schwab made a slide presentation of the preliminary plan for Yankee Station located south of SR 725, north of Lyons Road and east of Yankee Street in Washington Township. The acreage for the area is 37.7 acres. The zoning on the parcel is commercial. Thoroughfare improvements are required on Yankee Street. There is a zoning condition on the land that only allows one (1) access point lining up with another access point on the north side of SR 725 and that access point is Washington Village Drive. This access is in conjunction with the approved Dayton Mall Thoroughfare Plan. A forty-five (45) foot right-of-way is required along Yankee Street. The revision to the preliminary plan involves a change in the layout of Yanks Court.

Staff recommendation on the preliminary plan for Yankee Station is to approve as submitted.

#### Yankee Station, Section 2 - Record Plan

Mr. Schwab reviewed the location of the record plan for Yankee Station, Section 2, south of SR 725, north of Lyons Road and east of Yankee Street in Washington Township. The proposal is to construct Yanks Court up to the State right-of-way line and plat one (1) lot which would be the corner lot for Washington Village Drive and SR 725. The construction drawings show a street continuing across the State owned property over to existing Yankee Street and tying in.

Staff recommends that sidewalks be added to both sides of Yanks Court. A roadway cross-section of permanent design specifications be approved by the City Engineer for the link between Yanks Court and existing Yankee Street. A storm drainage system for the area traversed by the roadway link between Yanks Court and Yankee Street be approved by the City Engineer. Also, any approval be subject to receipt of a performance bond and inspection fee of an amount approved by the City Engineer.

Staff recommends approval with the conditions as outlined above.

Mr. Schab stated that he received a letter concerning Yankee Station from Mr. Bill Johnson, Washington Township Service Director. It is believed by the Township that the roadway link between Yanks Court and existing Yankee Street should be made permanent with curbs and gutters.

Mr. Schab stated that the recommendation from the State states that the design as indicated on the construction drawings is acceptable. With this connection being in the State right-of-way, we should have to go by the State's recommendation.

Mr. Tate asked Mr. Bob Archdeacon, representing the developer, why this connection was done in this way.

Mr. Archdeacon stated that this connection is being placed temporarily until Yankee Street is relocated. This street is being built to the same standard as far as base and pavement is concerned. The pavement has been narrowed to 24 feet. The only reason the streets are proposed with a 37 foot width is to provide parking to the commercial area. The 24 foot section will be torn up at the time relocated Yankee Street is completed.

MOTION (Yankee Station - Preliminary Plan): Mr. Horvath moved to approve the preliminary plan for Yankee Station as revised and presented. Col. Morrow seconded the motion. The motion was approved unanimously.

MOTION (Yankee Station, Sec. 2 - Record Plan): Mr. Horvath moved to approve the record plan for Yankee Station, Section 2, with the following conditions:

1. Sidewalks be added to both sides of Yanks Court.
2. A roadway cross-section of permanent design specifications be approved by the City Engineer for the link between Yanks Court and existing Yankee Street and included in the construction drawings and bond figure.
3. A storm drainage system for the area traversed by the roadway link between Yanks Court and Yankee Street be approved by the City Engineer and included in the construction drawings and bond figure.
4. Approval be subject to receipt of a performancy bond in the amount of \$63,200 and inspection fee in the amount of \$204. as approved by the City Engineer.

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

#### McEwen Road Extension - Release of Performance Bond

Mr. Schab stated that McEwen Road approximately 600 feet south of SR 725 was extended under the plat which was called Montgomery County Building and Loan Association for a distance of 20 feet. We required in 1976 a bond of \$3,780.30. The street is in and it has been accepted by the Township.

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It is the recommendation of staff that the bond should be released for Montgomery County Building and Loan, Plat #1.

MOTION: Mr. Horvath moved to release the performance bond for Montgomery County Building and Loan, Plat #1, as recommended by the City Engineer. Mr. Bergsten seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

June 24, 1980  
Elmer [Signature]

