

CENTERVILLE PLANNING COMMISSION  
WORK SESSION  
Tuesday, August 12, 1980

Mr. Horvath, acting chairman, called the meeting to order at 7:30 p.m.

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

Mr. Schwab stated the Planning Department has circulated through the businessmen the latest draft of the APD Ordinance. Some reviews have been gotten from persons other than staff including Mr. Loren Gannon, Director of Preservation Services, Montgomery County Historical Society.

Mr. Schwab stated that this draft ordinance is an attempt to say that we recognize that it is a legitimate goal in the community to preserve historical buildings and to control the design of buildings around those buildings that are located within our City. This ordinance tries to lay out in a more compatible, specific fashion what types of design as far as what specific elements would be generally compatible and what types would not be. All the general areas are covered with specific standards so that it is much easier for persons regulated under the ordinance, as well as persons administering the ordinance, to all know generally the goals and the specific criteria that we are looking for within this district.

Staff has taken the opportunity within the last week or so to review some of the previous efforts of the businessmen in regards to some of the prior drafts to change the APD Ordinance. At that time, it was the idea of the businessmen that the standards were to general and to difficult to understand. This particular draft seeks to lay out in a more clear fashion and a more readable, workable, implementable fashion, the different rules and regulations that are spelled out.

The important features of this draft ordinance are the four (4) different approval procedures. This allows staff to look at the application and determine what is needed instead of having to send everything to the BAR. Mr. Schwab stated that regarding the signage, staff will as soon as possible, draft at least a new section if not a total revision of the existing sign ordinance with a chapter that would apply to the APD.

Mr. Horvath stated that Planning Commission would like to hear specific items from the ordinance other than discussing theory. The ordinance was reviewed with comments and questions taken on a page by page basis.

Mr. Andy Kleinhenz asked if a survey of the time period in which the homes in the district were build was ever done. He stated that there seems to be a mixture of buildings built from the 1800's to the early 1900's.

Mr. Schwab stated that the attempt of the ordinance is not to try to create a colonial atmosphere or rebuild Williamsburg. He stated that

the Design Review Criteria was an attempt to find common elements that allow other buildings to be constructed in a unified design. Mr. Schwab stated that we really do not have an historic district--we really have a design review district. There are some buildings in the district that are of some unique character for the whole area and there are homes of a much more modern vintage. It is the hope of staff that this ordinance will permit construction that is more in time with now that will reflect modern materials and design. Staff feels that this district can be added to and modified in time so that it will stay in step with time with each new generation of buildings respecting and being somewhat compatible with the past generation of buildings.

Mr. Horvath stated that a survey was done by the City determining the design of the buildings in the APD and not by the year they were constructed. This survey resulted in the Design Review Criteria.

Mr. Will Frazee stated that regarding curb cuts (page 6), the BAR originally was created to form a variance body that would allow the older structures to be successfully converted to a business use. Bringing curb cuts back to the responsibility of Planning Commission is another flaw. Planning Commission's statement that curb cuts throughout the City should be consistent presupposes that a curb cut in another part of the City is related to a curb cut in the APD.

Mr. Kleinhenz stated that regarding sidewalks (page 7), he feels that the character of the era is cement sidewalks and not brick sidewalks. He stated that he does not think that brick sidewalks are necessary.

Mr. Minner stated that brick sidewalks have been a policy of the APD for many years and have gained the support of many business people in the district. He stated that the City has made an effort to assist the APD business person realizing that there is some additional cost with brick sidewalks over cement sidewalks. The City does provide the brick for the sidewalk construction.

Mr. Will Frazee stated that brick sidewalks do have a unified effect on the district where we do have a great deal of diversity. Anything that visually unifies it tends to improve it. He stated when the sidewalks become continuous, they will be a very outstanding feature.

Mr. Frazee (regarding page 8; 8a. Parallel or Perpendicular to Street) stated that there are several buildings which violate this requirement. He stated that the building fronts along East Franklin Street are approximately 4° off.

Mr. Schwab stated that the intent of this requirement is to regulate the placement of newly constructed buildings in the APD.

Mr. Frazee stated that he is not interested in intent, he is interested in what the requirement says. He stated that he is trying to point out that there are variances in the district and they do not detract from the district. He stated that we really do not need all the cleanness and clarity to have a nice district.

Mr. Frazee (regarding page 8; 9. Building Visual Compatibility with Surrounding Buildings) stated that you can have two (2) highly similar buildings next to each other and this would create less charm and less appeal to the district. The very thing you are trying to stamp out is the hallmark of the architectural highlights of the district. He stated that the ordinance says the district will become uniform and it will lose its appeal. You are, in the process of preserving the district, going to destroy the district.

Mr. Schwab stated that under the basic standards of the ordinance, most of the existing buildings would meet the criteria.

Mr. Frazee stated that he does not think you can or should regulate visual compatibility. He stated that this section (#9) should be deleted from the ordinance.

Mr. Tom Ross stated that regarding page 10, 12a. Design and Styles, under Roof Styles, the word prohibited makes the ordinance sound to negative.

Mr. Schwab stated that staff will try to change the language so that it does not sound so harsh. However, if it is made to general, it will not be legally sound if it ever is challenged in court. He stated that the variance procedures do allow the consideration of prohibited items.

Mr. Kleinhenz asked if the section section Loss of Architectural Features Prohibited (page 10) would effect the loss of architectural features through decay.

Mr. Minner stated that the intent of this section is to prohibit removal of perfectly good architectural features simply to change the appearance.

Mr. Horvath stated this prohibits someone from destroying an architecturally beautiful building by stripping it down because they do not like it. He stated that if the owner does want to do this, the application can be made and reviewed the BAR.

Mr. Kleinhenz stated that concerning the siding width, 4" to 6" siding does not fit the era of the buildings in the district.

Mr. Schwab stated that Mr. Gannon suggested that 4" to 6" should be deleted from the ordinance. This section should read "Narrow width siding shall be used".

Mr. Schwab stated that regarding page 14, 15d. Portion of the Building Front Wall Plane Area Devoted to Wall Openings (Doors and Windows), Mr. Gannon recommended that display windows on ground floors of commercial store fronts be specifically permitted. Mr. Gannon felt that this treatment was appropriate in the Centerville district.

Mr. Jim Rauch asked if a building has a commercial and residential use, which use would the building be considered.

Mr. Schwab stated that it would be considered commercial but it should be specifically spelled out in the ordinance when there is a mixture of uses.

Mr. Kleinhenz asked if a business use changes to a residential use, will screening be required.

Mr. Schwab stated that it would be a nonconforming use and screening would not be required by the business use that was already in existence when the residential use was taken back. However, if the existing business use makes alterations in their building, screening requirements may be needed. The City Attorney will be asked how this would be handled.

Mr. Schwab stated that regarding the Staff Approval Procedure, Mr. Gannon stated that the idea of having staff disapprove an application was a mistake. He stated that the staff should refer the application to the BAR if they are uncomfortable with it.

Mr. Ross questioned the idea of having Council review some of the applications of the BAR.

Mr. Schwab stated that the idea of the BAR is to review the architecture of buildings and not get into curb cuts, parking, and areas where expertise is not focused. This procedure is only used in the construction of new buildings.

Mr. Kleinhenz stated that there is a strong feeling in the APD that Council should not be involved in the approval process.

Mr. Jim Rauch stated that the sections on Composition and Residency (page 34) are an excellent addition to the ordinance.

Mr. Ross stated that regarding the Composition of the BAR, the three (3) members (other than the four being business persons) should be given first consideration if they are residents of the APD.

Mr. Schwab stated that the variance powers must be worked on to avoid someone coming in and being able to piecemeal a site plan through the variance procedures.

There being no further questions or comments, the meeting was adjourned.

*Chua Tate 9/7/80*