

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, September 25, 1979

Mr. Tate called the meeting to order at 7:40 p.m.

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

SETTING OF PUBLIC HEARINGS

The following items were set for public hearings to be heard on Tuesday, October 30, 1979 at 7:30 p.m. in the City Building:

- A. Winchester Management Company
Re: Sign Variance
Location: SR 48 and Loganwood Drive
- B. AN ORDINANCE AMENDING CHAPTERS 1113, 1115, 1117 AND 1121 OF THE CENTERVILLE MUNICIPAL CODE BY PROVIDING FOR THE COLLECTION OF FEES FOR PREPARATION OF SUB-DIVIDERS, AGREEMENTS AND PERFORMANCE BONDS; PROVIDING FOR PERFORMANCE BONDS FOR PRIVATE STREETS AND PROVIDING THAT PRIVATE STREETS MUST BE CONSTRUCTED IN ACCORDANCE WITH CENTERVILLE STREET SPECIFICATION.
- C. Minnis, Gary W.
Re: Variance on Sign Area and Setback
Locaiton: 168 West Franklin Street

COMMUNICATIONS

Mr. Schwab stated that since the last Planning Commission meeting in August, the City Council has taken action on three items that were sent to them by Planning Commission.

The first item that Council took action on was the Farmer's Market located in Centerville Square. The site plan amendment for Centerville Square was approved.

Second, was the conditional use application for the Betty Litsakos property located at 7266 Far Hills Avenue. Mr. Schwab stated that the conditional use application was approved subject to additional evergreen screening being planted at the rear of the property. Also, due to concern of the number of curb cuts along this area, the plan was approved subject to a single curb cut in the center of the property instead of two.

Third, Walnut Hills Estates, Section 2 was approved after much discussion by members of Council.

PUBLIC HEARINGS - none

UNFINISHED BUSINESS

An Ordinance Amending Ordinance Number 15-61, The Zoning Ordinance, As Amended By Ordinance Number 28-73, To Include Regulations Concerning Signs And To Provide Definitions Therefor, Within the Architectural Preservation District

Mr. Schwab stated that staff is still working on this ordinance and the recommendation is that it remain tabled.

MOTION: Mr. Horvath moved to table the ordinance. Mr. Bergsten seconded the motion. Motion approved unanimously.

Burger King Restaurant - Site Plan

Mr. Schwab reviewed the site plan for the Burger King project located east of SR 48 (South Main Street) and north of Spring Valley Road in the existing Goldman parking area. The zoning for the parcel is B-2.

The building size is approximately 2,400 square feet. The parking required is as determined by the Planning Commission. In the original site plan, the requested number of parking spaces was 27 spaces. The amended site plan does show 28 spaces for an increase of one (1) space. Staff recommendation remains that 42 spaces or 17 spaces per each 1,000 square feet of Gross Floor Area be provided. No additional curb cuts are being requested. Also, the signage is not submitted as part of this application.

During the last Planning Commission meeting, two issues of concern were the dumpster facing onto SR 48 with a curb cut as an access to that area and the number of parking spaces. The revised plan shows the dumpster area reversed 180 degrees and would then open to the eastern side of the site. The number of parking spaces has only been increased by one (1) space. It is still staff's recommendation that 42 spaces be provided.

The contract or proposed lease agreement has been filed with staff which includes an agreement of cross easement parking between the Burger King facility and the Goldman Shopping Center.

Staff recommendation is that the parking spaces be shown on the site; the dumpster be reversed as shown on the revised plan; and the fire hydrant be provided on the site. Also, an amended overall site plan of the Goldman Shopping Center be supplied.

Mr. Schwab stated that an overall site plan was given to staff, however, it did not contain detailed information showing traffic circulation patterns around the facility.

Mr. Samples asked if the lease agreement stated that there is additional property you can use for parking.

Mr. Farquhar stated that there is nothing wrong with the common parking if Planning Commission wishes to accept it.

Mr. Horvath asked if there is a formula for parking for Goldman's itself and if so, are they giving up to much area. He stated that he does not want to be in conflict with granting Burger King parking in an area that is provided just for Goldman's.

Mr. Schwab stated that it will be close, but he has nothing to look at as far as layout of the parking.

Mr. Tate asked if because the applicant is the cause of a site plan amendment, is he responsible to submit an amended site plan to the City.

Mr. Farquhar stated that one should definitely be required and it would probably be Goldman's responsibility to submit it. He stated that the City should simply say that this plan is required and let Burger King and Goldman work it out for themselves.

Mr. Walter Zahn, representing Burger King Corporation, stated that the restaurant is not a traffic generator and peak business is not at noontime, but during the evening meal. He stated that their business generates from the cars already on the road.

Mr. Tate stated that is not what the Planning Commission is questioning. What they are questioning is that the plan provides 28 parking spaces and the recommendation is 42 parking spaces. In the future is Goldman leases additional space there might not be adequate parking area.

Mr. Zahn stated that they are not looking into the future, they are asking for right now. What Goldman does in the future, that will come before the Planning Commission for approval at that particular time. Burger King does not feel that that should be a factor to hold them up at this time.

Mr. Samples asked Mr. Farquhar if it would be advised not to proceed with this project until the amended site plan has been submitted.

Mr. Farquhar stated that the Planning Commission can do that or approve it subject to receipt by staff of a satisfactory amended site plan. The plan should, however, be submitted at some point before final approval.

Mr. Tate stated that Burger King should not be held up and Goldman should be held responsible for the submitting of the amended site plan.

Mr. Farquhar stated that before the zoning certificate is issued, the amended site plan should be received by staff.

Mr. Schwab pointed out the project will go to Council and there is a possibility that Council will not look at it without the amended site plan being submitted.

Mr. Cash stated that concerning cross easement parking, it will depend on the layout of the parking spaces as if it is satisfactory on an amended site plan.

Mr. Schwab stated that in the past when we have a situation like this, we review the amended site plan as part of the application.

Mr. Tate asked if we have requested an amended site plan from Goldman's.

Mr. Schwab stated no.

Mr. Tate stated that would probably be the first thing to do.

Mr. Farquhar stated that somewhere along the line before the Burger King application has final approval, an amended site plan should be supplied because this is the application that has triggered the need for it. If that means holding up Burger King, then somebody is going to have to hold up Burger King.

Mr. Samples asked who should ask Goldman's for the amended site plan.

Mr. Farquhar stated probably Mr. Schwab.

MOTION: Mr. Samples moved to approve the site plan for Burger King contingent upon stamped receipt of an acceptable revised site plan to be submitted by Goldman's. Also this approval does not constitute any sign request. Approval is subject to a fire hydrant being placed on the site and that the dumpster area be reversed to the east side of the enclosure.

Mr. Cash asked if it will be left to staff to see that the parking on the amended site plan is satisfactory and if not it will come back to Planning Commission.

Mr. Tate stated that is the right way to do it. The site plan is more for the future than it is now.

Mr. Horvath stated that he disagrees with that because without the amended site plan, he does not know what the parking is now for Goldman's and how is that going to blend in with Burger King and how is Burger King going to blend in with the traffic pattern on the Goldman site.

Mr. Bergsten seconded the motion. The vote was 4-1. Mr. Horvath voted no. Motion approved.

Ponderosa Steakhouse - Site Plan Amendment

Mr. Schwab made a slide presentation of the project located at the northeast corner of Far Hills Avenue and North Village Drive. The zoning on the project is E-C. The required parking spaces for the project is 44 spaces. Currently, there are 67 spaces. The change to the exterior of the building will eliminate 2 spaces for a total of 65 spaces.

The permitted signage on the site is 50 square feet. The existing signage included one (1) freestanding sign of 168 square feet and one (1) wall mounted sign of 60 square feet. The total existing signage is 228 square feet.

The proposed change to the exterior will include a new wall mounted sign of 64 square feet. The freestanding sign (168 square feet) has no proposed changes and will remain as it is. The total of proposed signage is 232 square feet. It is evident that the signage is way over in sign area.

The basic change will be to enclose the existing porch area and change the facade with angled rough wood. There will be a trim edge around the windows. The only real change to the site plan is the elimination of two (2) parking spaces. The rest of it is a architectural change and signage change.

Staff recommendation is that given the current sign ordinance, that no identification sign be given on the wall of the building. The freestanding sign alone already is three (3) times bigger than the sign ordinance allows.

Mr. Bernie Setty, representing Ponderosa Systems, stated he does not know why they have so much more signage, however, they do have some letters for the wall mounted sign that are smaller. He stated that without the signage on the building, it loses its aesthetic effect.

MOTION: Mr. Horvath moved to accept the Ponderosa Steakhouse site plan as amended excluding any signage on the building. Mr. Cash seconded the motion. Motion approved unanimously.

State Route 48 - Record Plan (Street Dedication)

Mr. Schwab stated that the record plan is being reviewed for a street dedication located along SR 48 across from the new traffic light at Centerville Place Shopping Center on the east side of the roadway north of Marco Lane and south of Spring Valley Road. The acreage involved in the dedication is .85 acres. Thoroughfare improvements would be required on this dedicated piece of property.

What is being proposed is to dedicate co-terminusly with the eastern access road line that right-of-way which will be improved with a 20 ft. wide strip of pavement and appropriate catch basins in that area.

Mr. Schwab stated that the requirement for this access road stems from a zoning decision by the Township back in the 1960's that put the access road a condition upon business zoning being granted all along SR 48 in that area.

City staff has worked closely with the Township on this layout.

Staff recommendation is that sidewalks be placed on the eastern side of SR 48 to tie into the four (4) foot sidewalk along Marco Lane. Staff also recommends this record plan should be approved

subject to receipt of a performance bond.

Mr. Schab stated that at this time the drainage pattern is only adequate to drain itself.

Mr. Steve Ellis, representing E.G.S. Investments, stated that they have worked with staff at some length on this project. He stated that the engineers came up with this "bubble" concept and even though they are giving away more land, they believe it is a good design. On the subject of sidewalks, there are no sidewalks in the immediate area other than Marco Lane and as a matter of this precedence, he feels as though this request is not justified.

One acre of the property has been sold to McDonald's on the southwest corner. If at the time of their site plan review, if they are asked for sidewalks, that is up to them.

Mr. Ellis stated that as a matter of record, the curb cuts shown on the layout have not been determined.

Mr. Schab stated that the performance bond amount should be \$21,000 including the streets and storm sewers and an inspection fee of \$120.

Mr. Tate asked how much that will relieve the water problem.

Mr. Schab stated that it will not relieve the water problem. The road will not add to the problem itself. At the time of future development, the need in the way of drainage will be re-evaluated.

MOTION: Mr. Horvath moved to accept the dedication as presented of the Street Dedication along SR 48 north of Marco Lane and south of Spring Valley Road subject to a performance bond of \$21,000 and an inspection fee of \$120. Mr. Samples seconded the motion. The vote was 4-1. Mr. Cash voted no. The motion was approved.

There being no further business, the meeting was adjourned.

