

CENTERVILLE PLANNING COMMISSION
Regular Meeting Minutes
J. V. Stone Council Chambers, 100 W. Spring Valley Road
Tuesday, May 24, 2022

At 7:04 p.m., Chairperson Paul Clark called the meeting to order.

ATTENDANCE

Members Present: Chair Paul Clark, Vice-Chair Kevin Von Handorf, Jim Durham, Amy Korenyi-Both, and Don Stewart.

Also present were City Planner Mark Yandrick, Municipal Attorney Scott Liberman, Assistant City Planner Joey O'Brien, Development Director Michael Norton-Smith, Economic Development Intern Cameron Scholler, and Councilmember John Palcher.

EXCUSE ABSENT MEMBERS

Mr. Etson and Mr. Muzechuk previously communicated with staff they were unable to attend the meeting.

MOTION: Mr. Stewart made a motion to excuse Bill Etson and Bob Muzechuk from the meeting; seconded by Mr. Von Handorf. The motion passed 5-0.

APPROVAL OF MINUTES

Minutes of the Planning Commission work session and regular meetings on February 22, 2022, had been distributed prior to this meeting.

MOTION: Ms. Korenyi-Both made a motion to approve the February 22, 2022, Planning Commission work session minutes and regular meeting minutes as distributed; seconded by Mr. Stewart. The motion passed 5-0.

OPENING STATEMENT

Mr. Clark read an opening statement concerning protocol for public hearings.

PUBLIC HEARINGS

**P-2022-0003 – Variance (Temporary Real Estate off-premise sign)
Oberer Land Developers LTD, Robert Hall III
Parcel Number L49000100010004000 (Brown Road)**

Mr. Yandrick presented the staff report with a presentation of the property description, application summary, background, standards of approval, and staff analysis. Applicant is requesting the following variance:

- To allow one temporary off-premise sign for Cornerstone Villas within the sign easement at Brown Road at Wilmington Pike.

Mr. Yandrick stated the Cornerstone Villas development currently has two (2) on-premise temporary real estate signs along the frontages of Brown Road and Interstate 675. The property owner has provided an email agreeing to allow the off-premise, temporary real estate sign within the easement on

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the subject property. Mr. Yandrick noted staff only provides analysis and not a recommendation on variances.

Mr. Clark opened the public hearing.

Applicant Robert Hall, Oberer Land Developers, 3445 Newmark Drive, Miamisburg, addressed Planning Commission detailing the need for an off-premise real estate sign citing the distance of the development from the main thoroughfare as limiting the visibility to potential purchasers. Mr. Hall described the significantly lower number of leads for this development in the same time period compared to Washington Trace development.

Mr. Clark inquired what timeframe is anticipated for the temporary sign. Mr. Hall stated two to three years.

With no one else requesting to speak on this matter, Mr. Clark closed the public hearing.

Mr. Durham commented the Williamsburg single-family development across the street on Brown Road was even more hidden and had rapid growth without the use of off-premise signs in a worse market.

MOTION: Mr. Durham made a motion to approve the variance request; seconded by Ms. Korenyi-Both. The motion failed 0-5.

P-2022-0005 – Variance (Front Yard Building Setback)

**S. Zak Hallock
6239 Wilmington Pike**

Mr. Yandrick presented the staff report with a presentation of the property description, application summary, concept plans, background, standards of approval, and staff analysis. Applicant is requesting the following variance:

- To allow a new building for the property at a ten-foot (10') front yard setback instead of the required fifty-foot (50') setback.

Mr. Yandrick explained the applicant requests the variance to construct a second office building on the site of an existing Landmark building (Manor House), which has a porch located at a zero-foot (0') setback on the Wilmington Pike right-of-way line. The existing building would obscure the visibility of the proposed building and create an awkward parking lot and driveway arrangement if the new structure was required to conform to the fifty-foot (50') setback. Mr. Yandrick discussed required throughfare and easement setbacks. He noted staff only provides analysis and not a recommendation on variances.

Mr. Von Handorf inquired of Mr. Yandrick what the minimum number of parking spaces he would approve for this since it is shared parking. Mr. Yandrick indicated he would need additional information on hours of operation, use, and size of both operations to make that determination.

Mr. Clark and Mr. Yandrick discussed curb cut restrictions and easement requirements if the lot to the south at 6245 Wilmington Pike was built on.

Mr. Clark opened the public hearing.

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Applicant Zak Hallock, DMD, Wilmington Family Dental, Kettering, addressed Planning Commission expressing the desire to find a property on Wilmington Pike to locate the practice. Dr. Hallock described project noting the need for more parking spaces, benefit of parking in the rear, disagreement with ability to have parking in front which would require burying a retention pond and is cost prohibitive, limitations with expanding on the Manor House, failed attempts to purchase the lot to the south, and uniqueness of the lot. Dr. Hallock shared concerns with the lot for his needs and expressed acceptance of whatever the Commissions decides.

Commission members, staff, and applicant discussed architecture cohesiveness, inability to enlarge or extend a nonconformity, lot configuration options, setback requirements, concerns for streetscape, visual impact on historic house, reconfiguration of detention pond, and tabling the case until further site design is done. Dr. Hallock expressed the desire for a decision and not to table.

A majority of commission members expressed the desire to see a sit plan with a true minimum setback need based on parking and building size stating the setback should be 25' to 30' to keep the building complementary to the landmark structure not competing with it. Commission cited the lack of a practical difficulty with what was presented for a 10' setback.

Options available of tabling the item, appealing to City Council on a denial, or reapplying with a different setback request were discussed.

Bob Caperna, 7965 Brainard Woods, Real Estate agent for Dr. Hallock addressed Planning Commission noting the 10' setback is already precluded by the existence of a Montgomery County waterline which would put the setback closer to 13'-15'. Mr. Caperna recommended an approval with the condition of the owner granting and egress easement with the property to the south to address any future issues.

Mr. Durham stated easements are a matter of private negotiation between property owners. Mr. Liberman concurred, and Mr. Yandrick stated it would have to be part of a record plat.

Mr. Caperna noted the applicant is working to have a building that would be architecturally complementary to the existing building.

With no one else requesting to speak on this matter, Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion to approve the variance request; seconded by Mr. Stewart. The motion failed 1-4.

OLD BUSINESS

P-2021-0001 – Major Site Plan (Request for 12-month extension)

P-2021-0014 – Variance (Request for 12-month extension)

Daniel Wilson, Centerville Climate Control Storage

7991 Clio Road

Mr. Yandrick provided a summary of the requests for a twelve (12) month extension of approvals for a Major Site Plan and Variance that were approved by Planning Commission at the June 8, 2021, meeting. He explained Major Site Plans and Variances expire after twelve (12) months if a zoning certificate is not issued and construction does not begin. The company is seeking to secure building materials and a

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contractor and anticipate construction will commence in Spring 2023. Mr. Yandrick noted If this extension is granted, the application would still be valid under the previous self-storage regulations.

Mr. Durham inquired if the Unified Development Ordinance (UDO) addresses the length of extensions. Mr. Liberman indicated no guidance is given through the UDO, although the applicant requested twelve months which is the timeframe of the original approval.

Mr. Clark invited the applicant to speak.

Stephen Butler, Community Civil Engineers 2440 Dayton-Xenia Road, Suite B, representing owner Dan Wilson presented himself to the commission. Mr. Butler discussed difficulties faced with the project noting a building fire suppression requirement, securing a contractor and materials. Construction documents are complete, but construction is not ready.

MOTION: Mr. Durham made a motion to approve a twelve (12) month extension for major site plan P-2021-0001; seconded by Ms. Korenyi-Both. The motion passed 5-0.

MOTION: Mr. Durham made a motion to approve a twelve (12) month extension for variance P-2021-0014; seconded by Mr. Stewart. The motion passed 5-0.

COMMUNICATIONS

Mr. Yandrick spoke about:

- Thanked Mr. Durham and Mr. Von Handorf for attending the City Council work session to review recommendations for Uptown streetscape elements.
- Thanked Mr. Clark, Mr. Durham, and Mr. Von Handorf for their involvement in the Create The Vision evaluation committee. Recommendation to City Council was to replace the comprehensive plan.
- June Planning Commission work session for UDO and Uptown code updates.
- Introduced Economic Development intern Cameron Scholler.

Mr. Clark congratulated Mr. Etson on being reappointed to the Planning Commission.

Mr. Clark inquired where citizens can email questions related to Uptown. Mr. Norton-Smith stated they can be sent to him and indicated the website will be updated with the latest Uptown maps and images. Mr. Yandrick noted the public can sign up for email updates for Uptown through the website.

ADJOURNMENT

Seeing no further business, Mr. Clark adjourned the meeting at 8:25 p.m.

Submitted By: Donna Fiori

Paul Clark
Approved – Chairperson

6/29/2022
Date