

CENTERVILLE PLANNING COMMISSION  
Regular Meeting Minutes  
J. V. Stone Council Chambers, 100 W. Spring Valley Road  
Tuesday, August 30, 2022

At 7:00 p.m., Chairperson Paul Clark called the meeting to order.

**ATTENDANCE**

Members Present: Chair Paul Clark, Vice-Chair Kevin Von Handorf, Jim Durham, Bill Etson, Amy Korenyi-Both, Bob Muzechuk, 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, and Assistant Clerk of Council Donna Fiori.

**APPROVAL OF MINUTES**

Minutes of the Planning Commission work session and regular meetings on July 26, 2022, had been distributed prior to this meeting.

MOTION: Mr. Etson made a motion to approve the July 26, 2022, Planning Commission regular meeting minutes as distributed; seconded by Mr. Muzechuk. The motion passed 5-0 with Mr. Durham and Mr. Stewart abstaining.

MOTION: Ms. Korenyi-Both made a motion to approve the July 26, 2022, Planning Commission work session minutes as distributed; seconded by Mr. Von Handorf. The motion passed 5-0 with Mr. Durham and Mr. Stewart abstaining.

**OPENING STATEMENT**

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

**PUBLIC HEARINGS**

**P-2022-0012 – Variances  
Vanessa Norman, Vantage LLC on behalf of Outback Steakhouse  
5181 Cornerstone North Boulevard**

Mr. Yandrick presented the staff report with a presentation of the property description, application summary, background, standards of approval, and staff analysis. The applicant is requesting the following two (2) variances:

1. To permit 441 square feet of total permitted wall sign area.
2. To permit a dumpster enclosure within a front yard.

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

Mr. Yandrick stated based on the building frontage, the proposed site is permitted to install 240 square feet of wall signage. This request is to install five (5) wall signs for a total wall sign area of 441 square feet around the entire building; this includes two (2) large Australia logos on the west and east facades of the building that aligns with the company's branding. Mr. Yandrick assessed the proposed Australia logos classify as signage and not works of art based on the Unified Development Ordinance (UDO) definition of a sign.

August 30, 2022

Planning Commission Minutes

Page 2 of 8

Additionally, the site is unique in that it fronts three (3) public streets on Wilmington Pike, Village Center Drive, and Cornerstone North Boulevard. The building's location was approved as part of the Final Development Plan (P-2018-0010) and the only area of the site that is not considered front yard is the necessary drive aisle to access and exit the site. There is a physical hardship based on these parameters to be able to place the dumpster in a side or rear yard.

Mr. Von Handorf questioned the size of the Australia logo. Mr. Yandrick verified the Australia logo is 137 square feet which excludes the small Tasmania piece.

Mr. Clark opened the public hearing.

Tasha Bailey, GDP Group on behalf of Outback Steakhouse, addressed the Planning Commission and noted the 159 square footage they submitted on the Australia map included the Tasmania area. She discussed the concessions made to the Australia map to comply with regulations including removal of all text and branded graphics. Ms. Bailey stated the proposed map is to be illuminated and have gradient coloring but any trade dress to Outback itself has been removed and asserts it as a graphic and not signage.

Mr. Durham inquired of Mr. Liberman if it was his opinion that the Australia map is a sign. Mr. Liberman restated the UDO definition of a sign and asserted it was his opinion under the ordinance it is a sign.

Ms. Bailey expressed the desire for signage or graphics to be on the east facade for attraction from the right of way stating they would be amenable to removing illumination to reduce any distraction from the public right of way.

Greg Nowak, Vantage Properties, St. Petersburg, Florida, addressed Planning Commission discussing the dumpster variance request and noted they have agreed to adding brick to the bottom of the dumpster enclosure.

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

Mr. Durham spoke in support of the dumpster variance but spoke against the sign area variance based on there being no practical difficulty or hardship and it would give a benefit no one else has.

Mr. Von Handorf inquired if sign area on the map could be calculated without the bounding rectangle. Mr. Liberman noted the UDO specifies how sign area is calculated and any request for measurements outside of that would require a variance.

Mr. Etson inquired what would make the map a graphic instead of a sign. Mr. Yandrick noted the possibility if it was part of the architecture which this is not. Mr. Liberman reiterated the definition of a sign noting it is a visual communication device.

MOTION: Mr. Durham made a motion to approve P-2022-0012 variance #1; seconded by Mr. Etson. The motion passed 7-0.

MOTION: Mr. Durham made a motion to approve P-2022-0012 variance #2; seconded by Mr. Etson. The motion failed 0-7.

**P-2022-0014 – Variances**  
**Brian M. Sharp, Agave and Rye**  
**11 North Main Street**

Mr. O'Brien presented the staff report with a presentation of the property description, proposed site work, application summary, standards of approval, Unified Development Ordinance (UDO) text amendment considerations, and staff analysis. The applicant is requesting the following three (3) sign variances:

1. To permit total wall sign area of 1,875 square feet.
2. To permit signage on a non-frontage (north and south facades).
3. To permit signage higher than the bottom of a second story window.

Mr. O'Brien noted staff only provides analysis and not a recommendation on variances.

Mr. O'Brien stated the applicant is requesting these variances to install 1,875 square feet of wall signage throughout the four (4) frontages with portions of the signage taller than the bottom of the second story window for this new restaurant.

Mr. O'Brien provided a summary of the proposed signs as follows:

East Façade

**Sign 1:** 22.5-square foot projecting sign proposed on the southeast corner of the building. The top of the proposed sign will be located slightly under the existing roof overhang.

South Façade

**Sign 2:** 33-square foot channel letter sign proposed on the middle of the façade.

**Sign 3:** 115 square foot channel letter sign proposed on the eastern side of the façade.

North Elevation

**Sign 4:** 114.5-square foot channel letter sign proposed on the eastern side of the façade.

**Sign 5:** 1,012-square foot painted sign proposed on the middle of the façade.

West Elevation

**Sign 6:** 280-square foot painted logo sign proposed to surround the existing door.

**Sign 7:** 96-square foot A & R mural proposed south of the existing door.

If approval is granted staff recommends the following condition:

1. Any signage proposed to be internally illuminated shall not be illuminated until APD signage regulations in Article 9.51 allow for internal illumination in the Unified Development Ordinance.

Mr. Yandrick noted two items: (1) The requests in the proposal will still exceed allowances being proposed in the UDO amendments. (2) The proposed "Save the Bees" mural is aligned with Agave & Rye branding and imaging and therefore determined to be a sign and not a work of art.

Commission members inquired if based on the proposed UDO amendments if any of the variances would no longer be required. Mr. Yandrick stated all the variances would still be required even with the passage of the proposed UDO amendments.

Mr. Clark opened the public hearing.

August 30, 2022

Planning Commission Minutes

Page 4 of 8

Brian Sharp, 432 Pike Street, South Lebanon, representing Agave & Rye spoke about the mural and the artist. Mr. Sharp contended although the mural is a bee it is not their logo. He discussed the attractiveness of other Agave & Rye storefronts, some signage can be painted in lieu of channel letters, and the desire to have signage on parking lot frontage. Mr. Sharp expressed the owners desire to be in Centerville and they would be amenable to work with the City.

Mr. Sharp spoke about the Covington location building at the request of Mr. Clark.

Mr. Durham and Mr. Sharp discussed the potential for a mural with color and not a bee to classify it as a work of art instead of a sign. Mr. Sharp was amenable to exploring options.

Commission members, staff, and applicant discussed the large amount of square footage being requested even if the mural was eliminated, lack of practical difficulty or hardship for the entire package, options available related to tabling the variance, appealing to City Council on a denial, reapplying, and timelines.

David Beyerle, 49 West Franklin Street, owner of dt Design in Uptown spoke in support of the proposed variances, stated the mural should not be categorized as a sign and asserted the sign on the north façade gable should be permitted for visibility.

Soloman Gomez, 22 South Main Street, spoke in support of Agave & Rye, noting the compatibility of the restaurant for Uptown, and expressed appreciation to the Commission and the applicant.

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

Mr. Sharp inquired if a portion of the variances could be voted on specifically the blade sign and others tabled. Mr. Yandrick expressed it is possible based on the summary of proposed signs. Commission members, staff, and applicant discussed the blade sign, UDO amendments, conditions, timeline, and construction schedules.

MOTION: Mr. Durham made a motion to approve the variance for the projecting blade sign with the following three conditions:

1. Projecting blade sign shall not extend higher on the wall than the top height of any second story window.
2. Projecting blade sign not to exceed 22.5-square feet.
3. Any signage proposed to be internally illuminated shall not be illuminated until APD signage regulations on Article 9.51 allow for internal illumination in the Unified Development Ordinance.

Seconded by Mr. Stewart. The motion passed 7-0.

MOTION: Mr. Durham made a motion to table the three (3) variance requests to no later than the October 25, 2022 meeting; seconded by Ms. Korenyi-Both. The motion passed 7-0.

Mr. Clark rearranged the published agenda to review the Major Site Plan application, delaying the Unified Development Ordinance Text Amendment Public Hearing until later in the meeting.

August 30, 2022

Planning Commission Minutes

Page 5 of 8

**NEW BUSINESS**

**P-2022-0006 – Major Site Plan  
Olivia Nole, Vantage Properties on behalf of Outback Steakhouse  
5181 Cornerstone North Boulevard**

Mr. Yandrick presented the staff report with a presentation of the property description, application summary, changes since work session, site plan, architecture, standards of approval, staff analysis, and staff recommendation. The applicant requests to construct a new one (1) story, 4,936 square foot Outback Steakhouse restaurant. The proposed site is the last undeveloped parcel within the Cornerstone Phase III development, known as Villages of Cornerstone.

Staff recommends approval of the Major Site Plan with the following three (3) conditions:

1. The dumpster enclosure shall include a Elderado Stone base to match the principal building.
2. Signage is not approved with this application and must be applied in a separate zoning permit pending any variance decision.
3. The applicant will screen any rooftop mechanicals from adjacent properties and the right-of-way via parapet or other measure. This must be shown in the zoning certificate submission to the satisfaction City Planner.

Mr. Durham inquired about the lack of landscaping along the driveway.

Mr. Clark opened the meeting for public comment.

Greg Nowak, Vantage Properties, St. Petersburg, Florida, addressed Planning Commission detailing the limited available space for landscaping along the driveway.

Zach Borchers, Choice One Engineering, clarified for the commission the strip along the sidewalk and the building is about 24" wide proposed to have a river rock base, and noted the no build site line restrictions on the property have limited the planting areas.

Mr. Nowak noted the changes made since the work session.

There being no other questions or comments from the public or Commission Mr. Clark asked for a motion.

MOTION: Mr. Durham made a motion to approve application P-2022-0006 with the three (3) conditions as recommended by staff; seconded by Mr. Muzechuk. The motion passed 7-0.

**PUBLIC HEARINGS** (continued)

**P-2022-0011 – Unified development Ordinance (UDO) Text Amendment  
City Initiated – City Planner Mark Yandrick  
100 West Spring Valley Road**

Mr. Yandrick presented the staff report outlining items to be recommended to City Council for amendments to the UDO, including changes since Planning Commission work session. He noted they are

August 30, 2022

Planning Commission Minutes

Page 6 of 8

grouped into categories, including Code Enforcement, Uptown, Development Process, and Miscellaneous amendments. The recommended amendments include:

### **Code Enforcement**

Article 9.29.B(2)(b)(ii): Parking and Loading Standards

- Staff recommends a UDO amendment to mirror changes to the Municipal Ordinances related to Property Maintenance Code for commercial vehicle size allowance.

Mr. Yandrick noted the following Uptown recommendations are based on feedback from the Uptown Action Plan consultants and the steering committee to help achieve the goals of Uptown.

### **Uptown**

Article 9.53.D: Supplemental Standards for the Architectural Preservation District (APD)

- Staff recommends four (4) Supplemental Standards in this section be amended to align with the goals and strategies of the Uptown Action Plan and current best practices provided by MKSK.

Article 9.53.D(2)(e): General Design Requirement for Exterior Building Architectural Elevations

- Staff recommends an amendment to the general design requirements to permit and encourage architectural features on the rear of the building adjacent to public parking lots and public spaces to provide an additional architectural focus often found primarily on the front of the buildings.

Article 9.05, Table 9.0, Table of Minimum Standards

Article 9.53.D(2)(g), APD Supplemental Standards, Number of Stories

- Staff recommends an amendment to increase the building height to 48' within the Table of Minimum of Standards and amend regulations for Number of Stories in the APD Supplemental Standards.

Article 9.51.H. Signs in the Architectural Preservation District

- Allowing businesses the flexibility to add a second wall or projecting sign on the façade of the building fronting parking lot and public spaces. This aligns with the creation of the common Uptown Parking Area and the new focus on entrances and enhancements to the rear of Uptown properties.
- Increasing the wall or projecting area to four-tenths (4/10) of a square foot for a wall or projecting sign with a maximum of 32 square feet. These amendments align with the design elements for business and property owners in the Uptown Action Plan to increase additional sign area for a second sign on the rear of buildings adjacent to public parking area and public spaces.
- Amending the top elevation of a wall or projecting sign up to the top of a second story window. Currently is limited to bottom of the second story window. The proposed change allows better sign placement on a building for scale of taller buildings in the district.
- Allowing for metal or aluminum signs when the material compliments the architectural profile of the building. This requires a special approval by the Board of Architectural Review on a case-by-case basis.

August 30, 2022

Planning Commission Minutes

Page 7 of 8

- Allowing internally illuminated signs in the APD. These would be subject to the approval of the Board of Architectural Review on a case-by-case basis, considering the scale, scope, design that compliments the building and the surrounding environment. The maximum luminance of any approved sign would be 50 nits at the night, which is appropriate for neighborhood scale development and would limit the impact to the historic district

Article 9.53.D(2)(k)(ii)(5)(a), Types of Siding Prohibited in APD

- Staff recommends reclassifying aluminum, metal, and related siding from prohibited materials to permitted with approval of BAR on a case-by-case basis for complimentary buildings and applications in Uptown using the guidelines of the Design Review Criteria. Vinyl will remain a prohibited material.

Article 9.29.F. Number of Parking Spaces Required

- Staff recommends language be added to the UDO to exempt businesses and land uses on premises where the properties are a party to the Uptown Parking District.

Article 9.53.D(2)(i) Roofs in the Architectural Preservation District

- Staff recommends to allow flat and shed roofs in the APD. These styles must align with the architecture of the building under the Design Review Criteria.

### **Development Process**

Article 5.13.G, Development Review Submittal Requirements Update Development and Plan Application Timeline

- Staff recommends an amendment that codifies a change of a Preliminary or Final Development Plan application being due eight (8) weeks before the hearing date instead of the previous six (6) weeks.

Article 5.09.N, Site Plan - Major

- Currently, the thresholds that trigger review of a Major Site Plan by either Planning Commission or BAR are relatively low. Staff recommends these thresholds be modified City wide for consistency. Any project that does not qualify under the proposed standards would be a Minor Site Plan, which is an administrative staff approval.

### **Miscellaneous Amendments**

Article 9.05, Table 9.01, Land Use Classification

- Staff recommends an amendment differentiating Pet Grooming and Kennels as separate land use classifications.

Article 9.43, Home Occupations

- Staff recommends an amendment prohibiting Pet Grooming and Doggy Daycare as a home occupation in a residential-zoned district to align with the Centerville Municipal Code.

Article 9.39.C(16) Gazebo and Open-Air Accessory Structure Size

- Staff recommends increasing the maximum size of gazebos and trellises to 400 square feet.

Article 9.51.D(12), General Sign Provisions

- Staff recommends an amendment limiting the number and size of window signs.

Article 11.02, Definitions

- Staff recommends adding and modifying definitions for Gazebo, Halo lighting, Kennel, Pet Groomer, Public Space, Rear of Building, Trellis, Uptown Parking District, Works of Art, and Vias.

Commission and staff discussed wall sign regulations pertaining to permitting greater sign area allowances and permitting wall signage on frontages facing public spaces, heights of signs, the role of Planning Commission and City Council related to enforcing the UDO, and further evaluation of the UDO as an ongoing project to stay abreast of development trends.

Mr. Clark opened the public hearing and seeing no speakers, closed it.

Mr. Liberman noted the draft ordinance included with the packet did not include tables 9.0 and 9.1 which will be included in the final ordinance going forward to City Council.

MOTION: Mr. Durham made a motion to recommend approval of the revisions to the UDO included in application P-2022-0011, with the condition that the wall sign regulations be redrafted by staff consistent with comments made from Planning Commission to the City Council. Mr. Stewart seconded the motion. The motion passed 7-0.

**COMMUNICATIONS**

Mr. Norton-Smith shared information about 25 acres of city owned property at the Munger House on Yankee Street. He expressed the desire to rezone the property as part of the strategic plan for underutilized properties. He noted prior deed restrictions have been lifted which creates the opportunity to proceed with evaluating the best rezoning/overlay options to move forward. Mr. Norton-Smith indicated he would present the analysis to Planning Commission at a future work session or meeting.

Mr. Yandrick spoke about:

- Cornerstone Park nearing completion.
- Zoning Certificate issued for Speedway/7Eleven training center at 50 W. Spring Valley Road.
- Kettering Health Network sign permits approved for 1023 S. Main Street; paving and landscaping forthcoming.
- Football Fan Fest at Stubbs Park September 3; Volunteer Salute September 13; and Community Leadership Forum October 8.

**ADJOURNMENT**

Seeing no further business, Mr. Clark adjourned the meeting at 9:09 p.m.

Submitted By: Donna Fiori

Paul Clark  
Approved – Chairperson

9/28/2022  
Date