

CENTERVILLE PLANNING COMMISSION
Regular Meeting Minutes
Police Department Training Room, 155 W. Spring Valley Road
Tuesday, June 27, 2023

At 7:00 p.m., Acting Chairperson Jim Durham called the meeting to order.

ATTENDANCE

Members Present: Acting Chair Jim Durham, Bill Etson, Amy Korenyi-Both, Craig Moyer, and Don Stewart.

Also present were City Planner Ian Vanness, Development Director Erik Collins, Municipal Attorney Scott Liberman, and Assistant Clerk of Council Donna Fiori.

Members Absent: Paul Clark and Kevin Von Handorf

EXCUSE ABSENT MEMBERS

Mr. Clark and Mr. Von Handorf communicated they would be unable to attend the meeting.

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

APPROVAL OF MINUTES

Minutes of the Planning Commission's regular meeting on April 25, 2023 and work session minutes from May 23, 2023 had been distributed prior to this meeting.

MOTION: Mr. Stewart made a motion to approve the April 25, 2023 Planning Commission regular meeting minutes as distributed; seconded by Ms. Korenyi-Both. The motion passed 4-0 with Mr. Etson abstaining.

MOTION: Ms. Korenyi-Both made a motion to approve the May 23, 2023 Planning Commission work session minutes as distributed; seconded by Mr. Stewart. The motion passed 5-0.

PUBLIC HEARINGS

**1180 East Alex Bell Road
Unified Development Ordinance (UDO) Text Amendment P-2023-0010
South Dayton Presbyterian Church**

Mr. Vanness presented the staff report providing an application summary, a description of the single-family residential (R-1b) zoning district with locations, standards of approval, and staff analysis. The applicant proposes a text amendment to the Unified Development Ordinance (UDO) to add the Institutional, Civic, and Recreational Use of "Day Care Center" as a Conditional Use in the R-1b zoning district and add a footnote stating that a day care center, "shall be located on a thoroughfare". Mr. Vanness noted the conditional use process and establishing the standard that a day care in an R-1b zoned property shall be located on a thoroughfare provides additional review and oversight to ensure harmonious development. He explained E. Alex Bell Road is the only thoroughfare adjacent to R-1b zoned properties per Centerville's Official Thoroughfare Plan. Staff recommends approval with no conditions. Mr. Vanness stated the applicants Erich Schubert, Bill Lee and Associates, and Bruce Page, South Dayton Presbyterian Church were present to answer any questions.

Mr. Durham opened the public hearing. With no one requesting to speak Mr. Durham closed the Public Hearing.

The commission noted the applicants have satisfactorily addressed remarks from the work session.

Mr. Liberman noted that thoroughfare is specifically defined in the UDO and would not include any residential roads in the Black Oak neighborhood.

With no further discussion on this matter, Mr. Durham called for a motion.

MOTION: Mr. Stewart made a motion to recommend approval of the revisions to the UDO included in application P-2023-0010, with no conditions as recommended by staff to the City Council. Mr. Etson seconded the motion. The motion passed 5-0.

NEW BUSINESS

**P-2023-0013 – Major Site Plan
Brian Schwieterman, ESM Architects, Inc.
900 East Franklin Street**

Mr. Vanness presented the staff report with a presentation of the property description, adjacent zoning, application summary, changes since the work session, site plan, architecture, trash collection facility, landscaping, standards of approval, staff analysis, and staff recommendation. The applicant, Brian Schwieterman of ESM Architects, Inc., on behalf of Archalite Outdoor Lighting, requests to redevelop the property. This includes renovating the existing structure into 3,100 square feet of office space and storage areas for Archalite Outdoor Lighting, constructing a second new one (1) story, 1,700 square foot commercial structure containing three office studios, and completing associated site work. Staff recommends approval of the Major Site Plan with six (6) conditions:

1. All review comments from public and utility review agencies shall be incorporated into final construction documents to the satisfaction of the City Planner.
2. The trash collection facility shall be relocated outside of all utility easements in the final construction drawings.
3. Final construction documents shall include additional landscaping on front (north & east) and side (west) buffer yards to comply with minimum buffer yard standards defined in UDO Table 9.6.
4. Final construction documents shall include a Final Lighting Plan that complies with minimum lighting standards defined in UDO Article 9.27 (C).
5. Ground mounted mechanical equipment shall be screened to the satisfaction of the City Planner.
6. The existing property maintenance code violations of broken glass (Code 304.13.1), peeling paint (Code 304.2), and rotten wood (Code 304.2) shall be remedied to the satisfaction of the Zoning and Code Enforcement Inspector within 30 days of Major Site Plan approval.

Ms. Korenyi-Both inquired if the 30 days in condition #6 was typical. Mr. Vanness stated that this is longer than typically permitted by the Code Enforcement Officer however this aligns with the enforcements already in place.

Mr. Durham noted the applicant has satisfactorily addressed remarks from the work session.

Brian Schwieterman, ESM Architects, Inc, inquired about having to move the dumpster enclosure out of the utility easement for condition #2. He indicated this location in the easement creates the best access for the trash truck.

Mr. Durham inquired of Mr. Liberman about what concerns are there with having a dumpster enclosure on an easement. Mr. Liberman explained that if easement access was needed, they would have to rip out the enclosure. Mr. Durham pointed out that this would really be at the risk of the property owner. Mr. Durham asked the applicant if they knowingly wanted to take this risk. Mr. Schwieterman indicated it would be a risk they are willing to take. He stated the reason is due to limited space, a need for all the parking spaces, and the alternate dumpster location would be tight and risk the trash trucks causing damage to the landscaping and aprons.

Mr. Vanness explained that according to the UDO, the city planner cannot approve a structure in an easement. He recommended that if the utility company gave written permission for the structure to be located in the easement that could avoid conflict and protect planning staff when issuing the zoning permit.

Commissioners and staff discussed potential revisions to condition #2 to include options for utility company approval or a variance. It was noted if the dumpster location was moved to the front yard it would require a variance.

The applicant expressed concern with condition #2 slowing down the process. Mr. Durham expressed that if approved this evening with a revised condition #2 they can still move forward with the development process. He noted the dumpster is the last thing in a project so there would be time to find a resolution. Mr. Vanness concurred.

Mr. Schwieterman requested clarification on condition #5. Mr. Durham explained that if the applicant is dissatisfied with the staff decision on the screening, they can appeal that decision to the Planning Commission. Mr. Durham further explained if they are dissatisfied with that decision, it can then be appealed to City Council.

With no further discussion on this matter, Mr. Durham called for a motion.

MOTION: Mr. Stewart made a motion to approve application P-2023-0013 with the six (6) conditions as recommended by staff and revising condition #2 as follows:

2. The trash collection facility location needs to be either approved by the utility company or by the grant of a variance.

Seconded by Ms. Korenyi-Both. The motion passed 5-0.

COMMUNICATIONS

Mr. Vanness spoke about:

- Planning Commission is invited to the City Council work session for the annual review with boards and commission on July 17, 2023 at 5:30 p.m. in the Police Department Training Room.

Mr. Etson communicated he would not be able to attend next month's meeting.

ADJOURNMENT

There being no further business, Mr. Durham adjourned the meeting at 7:36 p.m. The next Planning Commission meeting is scheduled for Tuesday, July 25, 2023.

Submitted By: Donna Fiori

Kevin Von Handorf
Approved – Acting Chairperson

7/28/2023
Date