

PLANNING COMMISSION  
Regular Meeting  
Council Chambers  
100 W. Spring Valley Road  
Tuesday, July 11, 2017

Due to a lack of quorum for the meeting scheduled on June 27, 2017, Mr. Clark and Mr. Rodney polled Planning Commission and the applicants and opted for a special meeting on this date. After Mr. Clark called the meeting to order at 7:00 p.m. Mr. Rodney thanked the applicants for their flexibility in working with the City to adjust the meeting schedule.

ATTENDANCE

Present: Paul Clark, Amy Korenyi-Both, Jim Durham, Bill Eton, Robert Muzechuk, Don Stewart and Kevin Von Handorf. Also present were City Planner Andrew Rodney, Intern Jennifer Lumpkin, Municipal Attorney Scott Liberman and Assistant Clerk of Council Julie Weaver.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Planning Commission meeting of May 23, 2017.

MOTION: Mr. Eton made a motion for approval of the minutes of the Planning Commission meeting of May 23, as distributed. Mr. Muzechuk seconded the motion. The motion passed 5-0-2 with Mr. Von Handorf and Ms. Korenyi-Both abstaining.

OPENING STATEMENT

Mr. Clark read the Opening Statement concerning protocol for public hearings.

PUBLIC HEARINGS

Application P-2017-0027: Variance to Permit a Side Yard Setback of 8'  
7790 Stanley Mill Drive, Richard Van Vleck

Mr. Rodney presented the staff report for the variance Mr. Richard Van Vleck requested for an 8' setback instead of the required 12' side yard setback in order to build a 170 sq. ft. addition to his home at 7990 Stanley Mill Drive in an area zoned R-1c. Using photos and an aerial view, Mr. Rodney demonstrated the lack of an alternate site for the addition. Hardships included a 3 to 1 slope near the house at the rear of the property and the wedge-shaped lot. He used a site plan to show 80% of the addition would be behind the setback line and projected a contour map, photos and an aerial view to show existing conditions. He also mentioned that the trees in the rear yard should remain to continue stabilizing the slope. Staff was unaware of any opposition. The Planning Department recommended approval of the variance without conditions.

Mr. Clark opened the public hearing and invited the applicant to the podium.

Mr. Richard Van Vleck, the owner of 7790 Stanley Mill Drive, referred to the photo to show the neighbors on the project side of the home had only one window facing the addition. These neighbors, Roger and Mary Jean Breitenstein, had sent a letter to the City recommending approval of the variance. In response to a question, Mr. Van Vleck pointed out the location of the addition on a photograph and reiterated that only the front corner of the addition would encroach into the setback.

Mr. Rodney noted copies of the the letter from the impacted neighbor were in the Planning Commission's packets and the departmental file.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Ms. Korenyi-Both moved to approve Application P-2017-0027, the variance to permit an 8' side yard setback. Mr. Muzechuk seconded the motion. The motion passed 7-0.

#### OLD BUSINESS

Application P-2017-0012: Major Site Plan, Linear Architecture  
Wendy's Restaurant, 6199 Wilmington Pike

MOTION: Ms. Korenyi-Both made a motion to remove Application P-2017-0012 from the table for consideration. Mr. Von Handorf seconded the motion. The motion passed 7-0.

Mr. Rodney gave the staff report for the Major Site Plan for the renovation of the 1990's era Wendy's Restaurant at the corner of Clio Road and Wilmington Pike in an area zoned B-PD, Business-Planned Development. Using an aerial map and photographs, he described existing conditions and noted the façade changes were the only exterior updates. As he shared the plan for the renovation, he voiced concern the whole of the large red blade on the northeast corner of the building topped with the Wendy's logo was actually a sign. Upon learning the UDO required earthtones for buildings, Linear Architectural had scaled back the traditional red Wendy's color to a darker more muted "pomegranate." Mr. Rodney compared photos of a newly renovated Wendy's on Edwin C. Moses Boulevard and photos of two out-of-state Wendy's Restaurants which used muted natural materials for a large portion of the blade wall, instead of colored E.I.F.S. The City Planner's question for Planning Commission centered on whether the whole of the blade wall was a sign. The UDO included color in the definition of a sign when the major function of the color was to attract attention from the right-of-way.

The Planning Department recommended approval of the Major Site Plan, subject to the following four (4) conditions:

1. This approval does not include any signage.
2. The blade on the east façade shall be an earth-tone color or masonry material approved by the City Planner.
3. The base of the blade on the east façade shall be constructed with natural materials such as stone, block or brick.

4. The E.I.F.S., metal panels and tile shown in this proposal are specifically approved by Planning Commission.

Mr. Clark opened the public hearing.

Ms. Irma Reiner of Linear Architecture, residing at 703 Ashley Ct., Highland Village, TX, represented Wendy's at the meeting. Ms. Reiner pointed out grey panels would be added to the roof to screen mechanicals. Sharing a material sample board, she noted the darker red approved by corporate as an alternate color was no longer a primary red, but could be considered to be a more naturally occurring earthtone. The blade was a major branding element; research showed it improved business by aiding identification of the brand. The stone on the two other stores was approved for only a few particular cases following special reviews. She respectfully requested consideration of the sample board, as submitted.

When Mr. Clark asked Ms. Reiner about the conditions, she stated that Condition #3 was the most problematic. The monolith was seen by corporate as an architectural feature used for an anchoring effect. Mr. Clark verified the red blade wall had a brick base of about eight inches and a cap feature.

Mr. Etson asked Ms. Reiner about Condition #2. She said she was agreeable to Condition #2 as long as pomegranate was determined to be an earthtone.

Mr. Clark closed the public hearing and asked for discussion.

Mr. Von Handorf felt the major question was whether pomegranate was an earthtone. Mr. Rodney stated the pomegranate was not a typical earthtone. Ms. Korenyi-Both felt the color blended well with the brick. She suggested striking Condition #3. Mr. Durham returned the conversation to whether the pomegranate was an earthtone; if the color was not an earthtone, the monolith was a sign.

Mr. Jim Moll, Director of Development for Wendy's Restaurants in Dayton and Cincinnati, asked to speak, and Mr. Clark invited him to the podium. Mr. Moll stated neither the red monolith nor the pomegranate color appeared in any Wendy's advertising. Therefore, he saw the monolith as an architectural element, rather than a sign. Ms. Korenyi-Both verified the lighting for the wall was only on the logo. Mr. Durham stated the entire area of the North Carolina example with the majority of the wall in natural stone clearly was not a sign, but the upper red expanse could be considered signage. He felt the pomegranate red should be toned down further to a more natural color. Whether Planning Commission liked one look more than the other was not the issue. The issue was sign area. He suggested making the color and design of the blade wall subject to the approval of the City Planner.

**MOTION:** Mr. Durham made a motion to approve the Major Site Plan for the renovation of the Wendy's Restaurant on Wilmington Pike, subject to Condition #1, 2 and 4, with Condition #2 reworded to say the design, color and material to be used for the blade on the east façade shall be subject to the approval of the City Planner.

Ms. Reiner asked for clarification of the motion. She said she was hoping for acceptance of the color chart, as requested—as a variance, if necessary. Mr. Durham and Mr. Rodney explained the options and noted the variance process could be done simultaneously with negotiations with the City Planner on the color, if the company wished to pursue a variance that would come back to Planning Commission.

Mr. Durham repeated his motion, and Mr. Stewart seconded it. The motion passed 7-0.

The conditions were as follows:

1. This approval does not include any signage.
2. The design, color and material of the blade on the east façade shall be subject to the approval of the City Planner.
3. The E.I.F.S., metal panels and tile shown in this proposal are specifically approved by Planning Commission.

## NEW BUSINESS

### Application P-2017-0024: Major Site Plan for Demolition of the Building and Expansion of the Parking Lot at the Acura Used Car Sales Lot, 2 Loop Road

Mr. Robert Humason of ATA Beilharz Architects submitted a Major Site Plan for a used car sales storage lot at 2 Loop Road for the adjacent Acura dealership. Mr. Rodney gave the staff presentation for changes adding 70 parking spaces, making the total vehicle storage capacity 163. He used photos to show existing conditions. Because impervious surface was not increasing, changes for stormwater retention were not required. The improvements included demolishing the existing building, adding the vehicle parking spaces, improving the landscaping and revamping the lighting plan. Drive aisle widths and the overall size of spaces did not meet UDO general standards, but exceptions could be made for vehicle storage lots. Mr. Rodney stated the lighting plan was satisfactory and the changes to landscaping were being made to improve aesthetics, rather than to meet requirements. The Planning Department recommended approval of the Major Site Plan without conditions.

Mr. Clark asked about the lack of requirements for stormwater retention and landscaping. Mr. Rodney explained the site was grandfathered under the old zoning code, and the Engineering Department determined the improvements were not required for the current plan, since any additional impervious area was insignificant. Mr. Etson asked about the landscape islands, Mr. Rodney stated landscaping was sufficient and would be similar to the improvements at 1 Loop Road.

When Mr. Clark opened the floor for public comment, Mr. Robert Humason of ATA Beilharz Architecture said he would be happy to answer questions, but none followed.

Seeing no other speakers, Mr. Clark closed the public comment for the changes at 2 Loop Road.

MOTION: Mr. Von Handorf made a motion to approve Application P-2017-0024, the Major Site Plan for the Acura used car sales lot at 2 Loop Road. Mr. Stewart seconded the motion. The motion passed 7-0.

Application P-2017-0028: Major Site Plan, Accessory Structure at 93 Compark Road  
James P. Smith of Assistive Solutions

Mr. Rodney presented the staff report concerning the construction of a 30' x 24' metal accessory building at 93 Compark Road in an area zoned I-1, as requested by James Smith for Assistive Solutions, who leased about half of the 12,000 sq. ft. main building. The City Planner used an aerial view and photos to show current conditions. The addition would be well hidden and only visible from Compark Road through a very narrow sight corridor. An exposed dumpster for the Doggie Daycare next door was present on the parcel and will have to be moved in order to maintain access for removal of the trash.

In general, staff had no objections to the plan. The structure would not add impervious surface since the area was paved at the present time. The plan met the standards for industrial architecture. The Planning Department recommended approval of the Major Site Plan with the following one (1) condition:

1. The dumpster shall be enclosed with an opaque fence or wall in accordance with City standards.

Mr. Clark verified that the site consisted of one parcel with two addresses. When he asked about use of the overhead doors on the existing building. Mr. Rodney deferred the response to Mr. Smith.

When Mr. Clark opened the public comment, Mr. Jim Smith, Assistive Solutions, 93 Compark Road. stated he allowed fourteen feet of clearance between the buildings to allow use of the garage door by a forklift or a truck. He stated setbacks were met, and the design of the building was consistent with the existing buildings. When asked about the dumpster, Mr. Smith stated it belonged to the Doggie Daycare, but he was open to screening it with stockade fencing. He and Mr. Von Handorf talked about the metal roofing and the removal of ash trees.

Seeing no other speakers, Mr. Clark closed the public comment.

MOTION: Mr. Muzechuk made a motion to approve Application P-2017-0028, the Major Site Plan for an accessory building at 93 Compark Drive, subject to the one condition for screening the dumpster, as recommended by staff. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

Application P-2017-0029: Major Site Plan for the Far Hills Center, Expansion of Parking for  
Elsa's Restaurant, 6300 Far Hills Aveune

Mr. Rodney presented the staff report for the Major Site Plan for the additional parking spaces at Elsa's Restaurant at the corner of Far Hills Avenue and Fireside Drive in an area zoned B-2, General Business, as requested by Mr. Michael Kerr of MAKSSolve. The Far Hills Center was

formerly a quad of 2-story offices and shops; Elsa's Restaurant remains along with some parking lot lighting and landscaping. Since the majority of the complex was demolished, the interim plan would be to expand the parking lot to 171 spaces. Mr. Rodney used photos to show current conditions. Other improvements included some bufferyard landscaping, a revised lighting plan, the improvement of the slope up to Epiphany Lutheran Church and the cleaning/painting of the south façade of the building.

Because the standards of approval could be met, the Planning Department recommended approval of the Major Site Plan, subject to the following one (1) condition:

1. The existing parking lot shall be repaired, sealed and restriped.

Mr. Clark opened the floor for public comment.

Mr. Michael Kerr, ATA Beilharz Architects, 261 Regency Ridge Drive, was present to answer questions. He responded in the negative when Mr. Clark asked if had any issues with the condition.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Ms. Korenyi-Both made a motion to approve Application 2017-0028, the Major Site Plan for the parking lot expansion at the Far Hills Center, 6300 Far Hills Avenue, subject of the one condition recommended by staff as shown above. Mr. Stewart seconded the motion. The motion passed 7-0.

#### COMMUNICATIONS

Mr. Rodney introduced Jennifer Lumpkin, the summer intern in the Planning Department, before mentioning upcoming applications for Planning Commission consideration at the end of July would include the new Preliminary Development Plan for the Gateway Lofts complex in Chardonnay Valley and the Final Development Plan for Savannah Place along Yankee Street. Mr. Rodney gave brief updates on the Woodland Greens record plan, The Allure and the hotel at Cornerstone North.

Mr. Liberman reported that, during a special meeting on Monday, July 10, Council had appointed Mr. Wayne Davis as the new City Manager for Centerville, effective August 21, 2017.

The next meeting of the Centerville Planning Commission will be in the Council Chambers at 7:00 p.m. on July 25, 2017. Mr. Clark adjourned the meeting about 8:15 p.m.

  
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Paul Clark, Chair