

Centerville City Council
Work Session Meeting
May 5, 1997

TIME: 7:30 P.M.
PLACE: Centerville Municipal Building, Law Library
PRESENT: Deputy-Mayor C. Mark Kingseed
Councilmembers Brooks Compton
Susan Lienesch
James Reppert
J. V. Stone
James Singer
Clerk of Council Marilyn McLaughlin
Assistant Clerk of Council Peggy Whisman
City Manager Gregory Horn
Assistant to the City Manager Judith Gilleland
Public Works Director Steve Weaver
City Planner Steve Feverston
Municipal Attorney Robert Farquhar
Chief of Police Steve Walker

Mr. Horn reviewed revenues generated from the use of facilities at Yankee Trace. Due to the fact that monies generated at The Golf Club at Yankee Trace are weather driven, year-to-date receipts are difficult to compare. Mr. Horn advised that Vice President and Treasurer James Sullivan of Great Traditions Land & Development Company has communicated the fact that the \$100,000.00 Guaranteed Access Fee currently due the City of Centerville will not be forthcoming. Council concurred that Mr. Horn, after consultation with Attorney Bob Curry and Mr. Farquhar, advise Great Traditions that they are in default of their Agreement with the City, this will activate the 30 day breach period.

Mr. Horn advised that revenue generated from City Income Tax is approximately 2½ % above projections. Year end receipts should be between 3-5% above budget figures.

Mr. Horn reported that Requests for Proposals are being solicited for engineering services for the preparation of a warrant study for traffic signalization at three intersections: North Main Street/Elmwood Drive, North Main Street/Zengel Drive, South Main Street/Martha Avenue. \$50,000.00 was included in the 1997 budget for traffic signalization. The fact that the intersection of East Franklin Street and Westpark Road is a T intersection, a light will probably not be warranted. The City will request that proposals be submitted prior to the last day of May, 1997. The study will probably take approximately 2-2 ½ months to complete.

Mr. Feverston outlined a Planning Commission Special Approval Application for the erection of mini warehouses to be constructed at the northeast corner of Bigger and Clio Roads. Three other applications concerning this property are currently before the Planning Commission: Rezoning Request submitted by Hills Real Estate Group for a zoning change from I-1 (Light Industrial) to B-2 (General Business); a Rezoning Request submitted by the City for a zone change from I-1 to O-S (Office-Service); and a Major Use Special Approval

Application for the construction of a Revco retail building, a 12,000 square foot general retail shopping center, and a two story 12,600 square foot medical professional building. The majority of Council concurred that the City move as quickly as possible to rezone various areas in the City to more appropriate zone classifications.

Mr. Horn outlined a recent meeting held involving Steve Feverston, Steve Walker, and Robert Farquhar relative to locations and regulations for adult entertainment establishments. All pros and cons were reviewed during this meeting. It was the conclusion of staff members present that areas not be specifically designated for this type of facility, that perhaps the Zoning Ordinance be changed to permit this type Conditional Use in B-PD (Business-Planned Development) zoned areas only, and changes be made to other codes to make this type facility less desirable, ie: no smoking in public places, increase lighting requirements, require certain applications, etc. Council concurred that legislation be drafted addressing different issues and changes be made to codes at different times.

Mr. Feverston reviewed a Replat for Nestle Creek Three, Section Two: the division of 2.886 acres located east of Bigger Road, north of Alexandersville-Bellbrook Road, into three lots. The property in question was not included on the Record Plan for Nestle Creek Three. The Planning Commission recommended approval of this Replat subject to the following conditions:

1. A covenant shall be placed on the Record Plan stating that lot number 23 and 24 cannot be subdivided unless specifically approved by the City of Centerville.
2. A covenant shall be placed on the Record Plan stating that lot number 24 cannot be sold independently from lot number 23. This covenant shall be extinguished only at such time when a principal permitted use is to be established on lot 24 or the existing accessory buildings on this lot are removed. The language of said covenant shall be subject to approval by the City Attorney.

In addition, City Staff recommended that the lot line between lots 23 and 24 be deleted from the Record Plan to prevent the sell-off of lot number 24 until the future use has been determined.

Mr. Feverston reviewed a Replat for Yankee Trace, Section Three, property located west of Yankee Street and south of Silverlake Drive. Proposed is the replat of 5 lots and a reserve area on 20.5744 acres of land for the reconfiguration of lot lines to provide for the construction of side entry drives. The Planning Commission recommended approval of this Replat to City Council subject to the following conditions:

1. Reserve Area AF shall be increased in area by .057 acres to equal the acreage of the original reserve area subject to approval by the City Planner.
2. All side and rear yard building setbacks for all lots affected by this Replat shall be in accordance to the setback plan approved by the Planning Commission.

Mr. Feverston reviewed a Record Plan for Yankee Trace, Section Twelve, the division of 11.797 acres of land into 16 lots. This Record Plan provides for the extension of Yankee Trace Drive east of Yankee Street and north of Charter Place. The Planning Commission recommended approval of this Record Plan subject to the following conditions:

1. The minimum building setback shall be in accordance to the Residential Cluster Development Plan approved by the Planning Commission.

2. A final grading plan shall be subject to approval by the City Engineer.
3. A covenant shall be placed on the Record Plan that grants the City of Centerville the right to establish a public right-of-way through reserve area AE that provides vehicular access to Yankee Trace Drive from adjoining lands situated east of reserve area AE. The language of this covenant shall be subject to approval by the City Attorney.
4. In lieu of completion of the required improvements prior to the recording of the plat, a Performance Bond in an amount acceptable to the City Engineer shall be posted by the develop with the City of Centerville and a Subdivider's Agreement entered into with the City by the developer.

Mr. Feverston reviewed a Conditional Use Request submitted by Leisure Entertainment Corporation to locate a commercial entertainment center at 175 East Alexandersville-Bellbrook Road in the Cross Pointe Shopping Center. The zoning of the property is B-PD (Business Planned Development). Proposed is the establishment of a game room for an indoor laser tag game and up to 15 electronic games. The Planning Commission recommended approval of this Conditional Use Request to City Council subject to the following conditions:

1. The approval of this Conditional Use shall be limited to only those uses proposed by this application. Specifically, this approval shall only permit a game room(s) for an indoor laser tag use and a game room for a maximum of 15 coin operated electronic games. Any expansion of this indoor commercial entertainment facility, as described in the application, shall require a separate Conditional Use application to be filed with the City and subject to approval by the City Council.
2. Any change in use that would create or add a new Conditional Use shall require a separate Conditional Use application to be filed with the City and subject to approval by the City Council.
3. No sign shown on the plans shall be approved as part of this application.

Mrs. Lienesch briefly outlined activities of the Aircraft Noise Task Force. This issue is currently in a fact finding stage. She reviewed a meeting held this date between Task Force members, airport personnel, cargo carriers personnel and representatives from the office of United States Representative Tony Hall.

Mr. Horn briefed Council on relationships between the City of Centerville and Great Traditions Land & Development Company, and financial issues currently being addressed.



Marilyn J. McLaughlin
Clerk of Council

Approved:

Mayor

