

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held October 24, 1994 19

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 24, 1994 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilmember James Singer, and the Pledge of Allegiance to the Flag with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

- Deputy Mayor J.V. Stone
- Councilmembers C. Mark Kingseed
- Brooks Compton
- Sally Beals
- James Singer
- Mark Beasley
- Clerk of Council Marilyn McLaughlin
- City Manager Gregory Horn
- Assistant City Manager Michael Haverland
- Assistant City Engineer Mary Lou Pence
- Assistant to the City Manager Judith Gilleland

TAMARRON CORPORATION MAJOR USE SPECIAL APPROVAL APPLICATION

The Public Hearing was held concerning a Major Use Special Approval Application submitted by the Tamarron Corporation to construct a condominium development on 24.92 acres of land located south of Alexandersville-Bellbrook Road and east of Pelbrook Farm Drive. Mr. Schwab reviewed the Major Use Special Approval Application, located the subject property on a map, and identified uses and zoning of adjacent land. Proposed is the construction of a 150 unit condominium development consisting of 114 attached units and 36 detached units at a density of six dwelling units per acre. The zoning of the tract of land is R-PD, Residential Planned Development. Recommendations of the Planning Commission include monies in lieu of improvements to Alexandersville-Bellbrook Road and parkland dedication. Mr. Schwab reviewed the overall plan for this development which includes a single access onto Alexandersville-Bellbrook Road and many areas located throughout the development for stormwater retention purposes. The Planning Commission, by a vote of 4-1, recommended approval of this plan to City Council subject to the following conditions:

1. The property owner shall dedicate to the City, at no cost to the City, 60 feet of roadway right-of-way from the centerline of Alex-Bell Road across the full width of property proposed to be developed in this application.
2. In lieu of adding an additional lane of pavement, curb, gutter, sidewalk and roadway stormwater drainage improvements to the south side of Alex-Bell Road, the applicant shall pay an amount of money to the City approved by the City Engineer that represents an estimate of the cost of the previously itemized improvements to Alex-Bell Road. This money shall be used by the City for the future improvement of Alex-Bell Road which is currently being designed by an engineering consultant hired by the City.

RECORD OF PROCEEDINGS

144

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held October 24, 1994 continued

19

3. Pelbrook Farm Drive shall be improved by removing the presently constructed street approach across from LaChappel and rebuilding a raised curb and sidewalk across the removed street approach. The City Engineer shall approve the design of this improvement.
4. The access drive from the proposed Springbrook Condominiums Community Building parking lot to Pelbrook Farm Drive shall be eliminated with the revised plan to be approved by the City Planning Department.
5. All private streets shall be constructed to City Standards excepting the width of the street as shown on the applicant's plans, subject to approval by the City Engineer.
6. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance. Particular attention shall be given to the design of the stormwater drainage by the applicant to minimize the impact of this development on the adjacent single family residential properties abutting this property.
7. Adequate covenants approved by the City Attorney shall be recorded to provide for the future private maintenance of the proposed stormwater detention/retention basins.
8. An easement shall be required to the retention basins to allow emergency access by the City.
9. The grading plan and stormwater drainage plan shall comply with the City Flood Prevention Ordinances as approved by the City Engineer.
10. A fee in lieu of the dedication of parkland shall be paid by the applicant in accordance with the City Parkland Ordinances.
11. Approval of this plan is contingent on a review by the City finding no conflict between any portion of this land proposed to be developed and any land potentially designated as a landmark under the City Landmark Preservation Ordinance of the Henry Opdyke-Eliezer Williamson House and Farm located on this land at 7155 Wilmington Pike.
12. Exterior lighting shall be approved by the City Planning Department.
13. All street names shall be approved by the City Planning Department.
14. The screening plan shown between this multi-family residential zoned property and the adjacent single family zoned residential properties to the west and south of the subject property does not meet the City screening requirements. A revised plan that complies with the City screening requirements must be submitted to and approved by the City Planning Commission.
15. No signage submitted with this application is considered to be approved as part of this application.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held October 24, 1994 continued

19

16. The design of any roadway bridge shown on the plans be subject to the approval of the City Engineer even if located on a private street.
17. The parking areas and driveways between the street and parking in front of the garages shown on the plans be a minimum of 18 feet wide and 20 feet long. Any 90 degree single loaded parking space and access drive must be at least 42 feet wide and any doubled spaces must be at least 60 feet wide. The location of building numbers 1&2, 2&3, 7&8, 17&18, 20&21, 27&28 and 71&72 must be adjusted to allow separate access to each parking apron in front of the garage. Plans incorporating all the above changes must be approved by the City Planning Department.
18. No fence heights in the front yard in excess of four(4) feet shall be approved as part of this plan with the exception of that fencing around the pool area proposed in the front yard of this project which shall meet those fencing requirements outlined in the Zoning Ordinance.
19. Only single-family detached units shall be built along areas where they abut single-family zoning and the buffering and screening will extend along all areas where the site abuts single-family zoned land.

Mr. James Hickey, Vice President of the Tamarron Corporation, reviewed a modification to the plan as presented to reduce the attached units to 31 three unit buildings and 51 single family units for a total of 144 units. He stated their concurrence with all conditions as recommended by the Planning Commission.

Mr. Lonnie Holloway, 7511 James Bradford Drive, representing the adjacent neighborhood, outlined their concerns with the type of development and density proposed. He believes the overall area is over developed. The units are not compatible with units in other adjacent residential neighborhoods. The neighbors are not opposed to the development but are concerned with the impact this project will have upon the total Centerville community and upon their own property values.

Mrs. Janet Bednarek, 7507 James Bradford Drive, thanked the Planning Commission and the developer for addressing concerns and making adjustments in this overall development to the satisfaction of the adjacent neighborhood. She asked the City to monitor closely the construction of this project in consideration of all conditions of approval.

Mr. Hickey assured the neighbors that they will adhere to all requirements of the City of Centerville. Mr. Schwab briefly outlined procedures for any amendments to an approved plan.

Mr. Philip Deppenschmidt, 2447 East Alexandersville-Bellbrook Road, expressed his concern with the density permitted on the subject property and with the potential increase of traffic accessing Alexandersville-Bellbrook Road. He questioned the possibility of an access onto Wilmington Pike from the development. Mayor Heintz pointed out the fact that the original application included the extension of John Elwood Drive through to Wilmington Pike but was changed upon the request of Black Oak residents. Following discussion relative to an additional access for the Tamarron development, Mr. Schwab reviewed different concepts

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held October 24, 1994 continued 19

considered during the meeting of the Planning Commission; the extension of an access to Wilmington Pike through the property immediately to the east is not a consideration at this time. Mr. Hickey explained how they have attempted to provide that each of these areas have their own identity.

Mr. Harold Morgan, 7592 Pelbrook Farm Drive and Mr. Ronald Neustein, 2141 Pelwood Drive, suggested that an access be considered from this development to Wilmington Pike at the time the commercial property to the east is developed.

Upon question of Mr. Terry O'Brien, 7550 Pelway Drive, Mr. Hickey advised that the price of the units would range from \$100,000 to \$150,000.

Mayor Heintz clarified the fact that the density proposed is that which has been permitted for this designated area for several years. City Council is not permitted legally to address costs and demographics when considering this type project.

Upon question of Mr. Singer, Mrs. Bednarek advised that residents in the Black Oak Estates area do not want John Elwood Drive to continue into this Residential Development Plan. Mr. Schwab pointed out the fact that a access from the Tamarron development to Wilmington Pike could again be addressed when Landmark Designation is considered for the historical homestead.

Mrs. Beals stated her concern with the proposed fence dividing this development from the neighborhood to the west and with only one access into and out of the proposed development in consideration of emergency vehicles and school buses.

Mr. Compton pointed out the fact that the developer has attempted to satisfy all desires of the adjacent neighbors. Neighbors have had the opportunity to have much input in this project. The development of this parcel as proposed provides an excellent transition between the single family residents to the west and commercial development to the east.

Mr. Beasley expressed disappointment in the fact that neighbors have requested a fence dividing neighborhoods and that there will be only one access into and out of this parcel. However, he views this as a quality development.

Upon question of Mr. Stone, Mr. Schwab referred to condition number 14 as recommended by the Planning Commission which requires that the screening plan (fence) between the multi-family residential zoned property and the adjacent single family zoned property be revisited by the Planning Commission for approval.

Mr. Kingseed stated his concurrence with the plan as presented.

Mr. Stone moved that the Major Use Special Approval Application submitted by the Tamarron Corporation for property owned by the James G. Karras Family Trust Et.Al., for the construction of a condominium development south of Alexandersville-Bellbrook Road and east of Pelbrook Farm Drive, be approved as recommended by the Planning Commission, subject to all conditions as outlined previously. Mr. Kingseed seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RECORD OF PROCEEDINGS

147

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10MB

Held October 24, 1994 continued

19

RESOLUTION NUMBER 60-94 SOUTH MAIN STREET

Mr. Horn reviewed a proposed Resolution to accept the dedication of a .663 acre tract of land from Centerville Associates II Limited Partnership as right-of-way necessary in the South Main Street widening project as a donation. He located said property on a map being situated along the west side of South Main Street south from Centerville Lanes. Mr. Compton sponsored Resolution Number 60-94, A Resolution Accepting The Dedication Of A .663 Acre Tract Of Land From Centerville Associates II Limited Partnership For The Widening Of State Route 48 In The City Of Centerville, Ohio, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

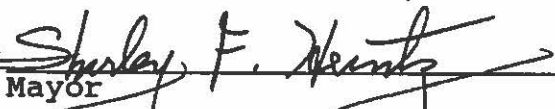
RESOLUTION NUMBER 61-94 SOUTH MAIN STREET

Mr. Horn reviewed a proposed Resolution to accept the dedication of a .765 acre tract of land in front of the Elder Beerman Department Store as right-of-way for the widening project of South Main Street. Mr. Beasley sponsored Resolution Number 61-94, A Resolution Accepting The Dedication Of A .765 Acre Tract Of Land From Centerville Associates III Limited Partnership For The Widening Of State Route 48 In The City Of Centerville, Ohio, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.


Marilyn J. McLaughlin
Clerk of Council

Approved:


Shirley F. Wentz
Mayor