

CENTERVILLE CITY COUNCIL
WORK SESSION MEETING
AUGUST 13, 1990

TIME: 7:00 P.M.
PLACE: Centerville Municipal Building, Law Library

PRESENT: Mayor Shirley Heintz
Councilmembers J. V. Stone
C. Mark Kingseed
Mark Beasley
James Singer
Sally Beals
Clerk of Council Marilyn McLaughlin
Administrative Assistant Michael Haverland
Administrative Assistant Judith Gilleland
City Planner Alan Schwab
Municipal Attorney Robert Farquhar

Mr. Haverland reviewed for Council cost figures concerning the Austin Road Tennis Barn: potential operating costs and income. Figures indicate a break even basis. Discussion followed relative to correspondence received by Mayor Heintz from Washington Township Trustee Terry Blair in response to her letter addressing their consideration of a joint Recreation District. Council concurred that Mayor Heintz meet with Mr. Blair to discuss this issue further and report back to Council. The majority of Council concurred not to enter into an option to purchase the Tennis Barn with the current owner at the present time.

Mr. Farquhar outlined various paragraphs which have been changed and/or added to the proposed Community Development Block Grant Contract with Montgomery County. Language used raise certain concerns for the City of Centerville.

Mrs. Kathy Fedler, Community Development Block Grant Coordinator, advised that paragraphs 6 and 13 are entirely new and have been included to satisfy HUD requirements, they cannot be deleted. Paragraphs 12 and 14 contain new language but can be changed to read as the previous Contract if that is the desire of the City of Centerville. She explained the fact that in consideration of paragraph 13, Centerville is very low on the priority list for additional federal housing. If Centerville does not enter into a Contract with Montgomery County for this program, the amount of money received by Montgomery County will be reduced. Upon request of City Council, Ms. Fedler will respond to Mr. Farquhar's concerns for Council's consideration. Execution of this Contract is necessary prior to September 4, 1990.

Mr. Farquhar outlined for Council the procedure he suggests be followed during the Public Hearing concerning the proposed Marathon petroleum Service Station at the southwest corner of Wilmington Pike and Whipp road.

Discussion followed relative to expiration and amortization of non-conforming signs. Mr. Farquhar suggested that the Zoning Ordinance be amended to allow non-conforming signs to regain their status for up to six months instead of the two years now provided, and that amortization of signs not be considered at this time. Council concurred that legislation be drafted to provide for this change in the Zoning Ordinance.

Mr. Schwab reviewed for Council a Major Use Special Approval Application submitted by Hills Building & Construction Services Number 3, Inc. for property owned by Dave Meeker, Rialo, Inc., and Ralph Woodley, located east of Bigger Road, and south of Thomas Paine Parkway. Requested is the construction of 208 condominiums, a clubhouse, swimming pool, a tennis court and other improvements. The Plan includes a public street off Bigger Road into the development, and road improvements to future Clyo Road, with private streets throughout the project. The Planning Commission, by a 6-0 vote, recommended approval of this Major Use Special Approval Application to City Council, subject to the following conditions:

1. Prior to the approval of this Major Use Special Approval Plan by the City Council, the 4.8662 acre Phase II portion of the proposed development must be rezoned to R-PD, Residential Planned Development. This land is currently zoned R-1c, single-family residential and does not permit the construction of double or multi-family units.

2. The City Council shall specifically approve a variance to increase the density of the development to 6.25 dwelling units per acre. Phase I has a density of 6.0 dwelling units per acre. The developer has requested that the density (38 dwelling units) from the 4.8 acre portion of Thomas Paine Settlement south of Clyo Road be transferred to the Phase II portion of this development.

- a. Notwithstanding conditions 1 and 2, unconditional approval is given to the Phase I, as described tonight and incorporated in the print submitted tonight, that is not predicated upon the rezoning being granted.

3. The property owner shall petition the City to be assessed for a portion of the cost to construct Clyo Road through their development.

4. The property owner shall dedicate the full right-of-way for Clyo Road across their property.

5. A deed restriction shall be placed on the multi-family zoned acreage located north of future Clyo Road requiring this land to be maintained as open space and prohibit the development of this land. This restriction shall be subject to the approval of the City Attorney.

6. All private streets shall be constructed to City standards subject to approval by the City Engineer.

7. The interior street layout shall be revised subject to the approval of the City Planning Department to incorporate the following:

- a. The plan shall provide a minimum intersection sight distance of 200 feet at all intersections within the development;

b. A minimum sight distance of 200 feet shall be maintained on the street circling the lake, particularly, the curve located at the northeastern part of the street;

c. All streets shall intersect perpendicularly to other streets;

d. A minimum street offset of 125 feet shall be provided for the two streets intersecting the main driveway situated west of the lake; and

e. Blisters of pavement shall be provided at the ends of all parking areas to allow vehicles to conveniently exit from the end parking stalls.

8. All sidewalks shall be setback a minimum of 4 feet from the curb on the private streets.

9. All walkways shall be designed in a manner that eliminates all angled turning movements subject to approval by the Planning Department.

10. The main entrance from future Clyo Road shall be redesigned to widen the "throat" area of the street subject to the approval of the City Engineer.

11. The proposed public street located south of the development shall intersect Bigger Road directly across from the driveway to the Village of Willow Creek subject to the approval of the City Engineer.

12. Sidewalks, 4 feet wide, shall be constructed on both sides of the public street. The sidewalks shall be located at the edge of the right-of-way and not abutting the curb.

13. Bigger Road has a right-of-way of 55 feet measured from the centerline. The plan shows a 43 foot right-of-way. All buildings and the tennis court shall be moved to the east a minimum of 12 feet to maintain the required 50 foot building setback. No variance shall be granted to permit a reduced setback.

14. 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.

No stormwater drainage plan nor preliminary stormwater drainage calculations were submitted with this application. In addition, no preliminary grading plans were submitted showing the elevation of the building pads in relation to the elevation of the lake. Some buildings around the existing lake at its current elevation are within 2 feet from the surface and situated within 10 feet from the edge of the water. The City Engineer has stated that the elevation of the lake, if used as a detention basin, shall be lowered and the area regraded to provide a 6:1 slope from the buildings to the basin and a 3:1 within the basin. All buildings shall be setback a minimum of 15 feet from the basin.

15. Adequate covenants approved by the City Attorney shall be recorded to provide for the future private maintenance of the proposed stormwater detention/retention basins.

16. An easement shall be required to the retention basin to allow emergency access by the City.

17. Prior to the issuance of any building permit by the

City, the developer shall dedicate 1.802 acres of parkland within this development in accordance with the provisions of City Ordinance 15-86, the City Parkland Dedication Ordinance. In lieu of this parkland dedication, the developer, at their option, may dedicate 1.802 acres of parkland on land currently owned by the developer and adjacent to this development subject to the approval of the City Council.

18. All dumpsters shall be screened subject to approval by the City Planning Department.

19. Exterior lighting shall be approved by the City Planning Department.

20. All street names shall be approved by the City Planning Department.

21. Garage and parking spaces explicitly meet all zoning requirements and that the print be changed to reflect the issue.

22. With consultation of the Fire Department, streets and radii be subject to discussions between the Fire Department and approval of the Planning Department.

Mr. John Koverman, Attorney for the Applicant, advised that the option remains open for the donation of land north of Cloy Road to the City or the Park District; however if this is not the desire of either entity, the land will remain the ownership of the Condominium Association. He explained the fact that they presently are asking for final approval of Phase I with conditional approval for Phase II.

Mayor Heintz reviewed conversation she recently had with owners of the property located along the south side of State Route 725 just west of Centerville's Corporation Line. They have indicated a desire to develop the land and perhaps annex it to the City of Centerville. Council concurred that this matter be explored in a future Council Work Session Meeting.

Mrs. McLaughlin advised that the term of B. Scott Feldmaier as Chairman of the Board of Architectural Review will expire September 15, 1990. Discussion followed relative to the intent to rotate Chairmanships on various City Boards and Commissions. Council concurred that Mayor Heintz contact Charles Graham to assume this Chairmanship; if he declines James Presbaugh will be asked to assume this responsibility. These contacts will be made after Mayor Heintz has had conversation with Mr. Feldmaier.


Marilyn J. McLaughlin
Clerk of Council

Approved: _____

Mayor 