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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session on Monday, June 2, 1986 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman 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 Brooks Compton
 Councilmembers Bernard Samples
 James Singer
 Jeffrey Siler
 Charles Taylor
 J. V. Stone
 City Manager Darryl Kenning
 City Planner Alan Schwab
 City Engineer Karl Schab
 Municipal Attorney Robert Farquhar
 Administrative Intern Michael Haverland
 Fire Chief Randall Staley
 Acting Clerk of Council Constance Cooper

ORDINANCE NUMBER 9-86 ZONING ORDINANCE AMENDMENT BETHANY

The Public Hearing was held concerning Ordinance Number 9-86, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 83.92 Acres, More Or Less, From Washington Township R-4 And Washington Township SU Classification To Centerville Entrance Corridor Classification. Mr. Schwab reviewed this Rezoning Request submitted by Lutheran Social Services of the Miami Valley and located the subject property on a map, being that land situated along the west side of State Route 48, approximately 50 feet north of the intersection of Loop Road with State Route 48. He identified land use of surrounding area as predominately single family residential. The Planning Commission, by unanimous vote, recommended approval of this Rezoning Request to City Council. Mr. Schwab pointed out the fact that the City's Master Plan designates quasi-public or private land use for this parcel. The elderly housing retirement complex expansion as proposed, is in accordance with this land use designation. The City Policy Plan directs the City to cooperate with administrator/owners of facilities providing for the special needs of elderly citizens.

Mr. John Judge, John W. Judge Engineering Company and representing the Applicant, explained the fact that this Rezoning would provide the same zone classification for the entire acreage owned by Lutheran Social Services of the Miami Valley in this particular area.

Upon question of Mr. Taylor, Mr. Schwab advised that the proposed zoning is consistent with the new Zoning Ordinance for the City of Centerville and with the R-PD zoning proposed for the subject property.

Mr. Samples sponsored Ordinance Number 9-86, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 83.92 Acres, More Or Less, From Washington

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Township R-4 And Washington Township SU Classification To Centerville Entrance Corridor Classification, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

LUTHERAN SOCIAL SERVICES OF THE MIAMI VALLEY CONDITIONAL USE

The Public Hearing was held concerning a Conditional Use Request filed by Lutheran Social Services of the Miami Valley for property which was subject to the above Rezoning Request. Mr. Schwab reviewed this request to construct 32 garden homes for the elderly: 10 single-family, 7 two-family, and 2 four-family buildings. The cottages will be similar to those now in existence at Bethany Lutheran Village. Mr. Schwab reviewed the Planning Commission's unanimous recommendation for approval subject to the following conditions:

1. Emergency vehicular access and pedestrian access to Brookway Road shall be provided. The emergency access road shall be a 10 foot wide asphalt lane capable of supporting a 75,000 pounds/square foot load and blocked by a locked gate (openable by bolt cutters) at the end of Brookway Road.

2. All proposed street names shall be approved by the Washington Township Fire Department.

3. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.

4. Detailed storm water drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

5. The plan for all exterior lighting shall be subject to the approval of the City Planner.

6. Dumpster location and screening shall be subject to the approval of the City Planner.

7. A detailed screening landscape plan approved by the City Planner shall be submitted.

In consideration of Council's previous discussion concerning emergency access into the development from Brookway Road, Fire Chief Staley recommended that, if only one access onto Far Hills Avenue is provided, another emergency access is necessary; this access off Brookway Road should be constructed in accordance with fire lane standards. He identified problems with the construction of inadequate emergency accesses in the past, multiple accesses are needed into this type development in emergency situations.

Mr. Judge indicated their intent to maintain three paved accesses off State Route 48 in the future, for this reason he did not believe that the Brookway Road access was necessary. Discussion followed relative to the construction of a paved access or a grass access with adequate base to support a fire truck.

Mr. Karl Zengel, 6416 Rosa Linda Drive, offered no objection to the Conditional Use as presented as long as the residential atmosphere is maintained. He saw no need for additional screening along the property line abutting the single-family

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residential area.

Mr. Kenning pointed out the fact that approval of this Conditional Use should be conditioned upon the Rezoning of the subject land becoming effective.

Mr. Compton moved that this Conditional Use Request submitted by Lutheran Social Services of the Miami Valley be approved, in accordance with the recommendation of the Planning Commission subject to all conditions outlined by the Planning Commission except that the access to Brookway Road shall be a 10 foot wide grass lane with base capable of supporting a 75,000 pounds/square foot load and blocked by a locked gate (openable by bolt cutters); subject also to Lutheran Social Services of the Miami Valley maintaining at least two accesses off State Route 48; to the effective date of the rezoning for said property; and subject to Lutheran Social Services providing screening between this development and residents on Rosa Linda Drive who desire screening. Agreements shall be coordinated by Lutheran Social Services between Bethany and those residents not desiring screening from this development. Mr. Taylor seconded the motion. The motion passed by unanimous vote.

Councilman J. V. Stone left the Meeting at this time due to a potential conflict of interest in the next agenda items.

ORDINANCE NUMBER 10-86 ZONING ORDINANCE AMENDMENT BLACK

The Public Hearing was held concerning Ordinance Number 9-86, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 46.25 Acres More Or Less, From Centerville R.O.I. Classification To Centerville Entrance Corridor Classification. Mr. Schwab reviewed this Rezoning Request submitted by John G. Black Communities, Inc., for property located along the west side of Clyo Road, south of the intersection of Clyo Road and Fallenoak Trace. Uses of adjacent land are single-family residential, multi-family and industry to the south. The Planning Commission unanimously recommended approval of this Rezoning Request based upon the following rationale:

1. The adjacent railroad has been abandoned which was a major factor in the industrial zoning of this land.
2. Large tracts of vacant industrially zoned land exist within the City.
3. The remaining vacant industrially zoned land would be predominately situated along the I-675 corridor where industrial development would more likely occur.
4. The Entrance Corridor zoning classification would permit more flexibility and control in the development of this unique parcel of land situated in the center of the current City limits.
5. The Entrance Corridor zoning classification would permit consideration to be given to by the City to residential development of this land.

Mr. Greg Taylor, representing the Developer, explained their intent for this to be more consistent with the overall area.

Mr. Taylor sponsored Ordinance Number 10-86, An Ordinance

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Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 46.25 Acres More Or Less, From Centerville R.O.I. Classification to Centerville Entrance Corridor Classification, and moved that it be passed. Mr. Siler seconded the motion. The motion passed unanimously.

JOHN G. BLACK COMMUNITIES, INC. CONDITIONAL USE

Mr. Schwab reviewed the Conditional Use Request submitted by John G. Black Communities, Inc. for the property subject to Rezoning located west of Clyo Road and south of Fallenoak Trace. Two Plans have been submitted as follows:

Plan A - 42.2 acres

210 single family condominiums at a density of 4.98 dwelling units per acre.

Plan B - 46.2 acres

225 single family condominiums at a density of 4.87 dwelling units per acre.

The Plans include one dedicated street, all other streets being private. The Planning Commission unanimously recommended approval of either Plan to City Council subject to the following conditions and subject to the Rezoning being granted:

1. Deer Run Road traversing the project from Clyo Road toward Zengel Drive shall be a public dedicated street and shall be recorded prior to the issuance of a zoning certificate for this project.
2. Buildings located adjacent to Clyo Road shall be setback a minimum of 50 feet from the right-of-way line.
3. Building located adjacent to Deer Run Road (the public street) shall be setback a minimum of 30 feet from the right-of-way line.
4. Building located adjacent to the outside property lines of the tract shall be setback a minimum of 30 feet from that property line.
5. Buildings shall be setback a minimum of 20 feet from the edge of pavement of any internal private street.
6. The Developer shall at his cost construct a Clyo Road median break and left turn stacking lane at the northern entrance drive to the development. The design of this improvement shall be approved by the City Engineer.
7. Private streets within the development shall be a minimum of 26 feet wide where no raised curbs are present and shall be a minimum of 28 feet wide when raised curbs are present. This width will allow parking on both sides of the street and one through lane between cars parked on each side of the street.
8. A minimum 78 foot in diameter turn-around shall be required at the end of each roadway cul-de-sac.
9. All proposed street names shall be approved by the Washington Township Fire Department.
10. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
11. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control

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during construction shall be approved by the City Engineer.

12. The fire codes which are in effect at the time of the issuance of building permits are to determine the need of fire walls based on the required amount of separation between buildings.

Mr. Schwab reviewed a Revised Plan which has been submitted for this development since the Planning Commission Meeting and dated June 2, 1986 which includes a reconfiguration for Deer Run Road. The revised street layout includes two public streets: Deer Run Road and Zengel Drive, and a portion of a unnamed street which will connect the two streets to provide access to the development from the west and the east, this design will avoid an obvious cut through street. The Plan includes sidewalks on both sides of the dedicated streets and an internal sidewalk system through the development to provide good pedestrian traffic flow. Setback lines have been redrawn to provide 30 feet along the outside property lines except for along Clys Road which will be 50 feet.

Mr. Jim Beard, 7182 Tamarind Trail, expressed concern with anticipated bright lights from this complex visible on Clys Road. Mr. Greg Taylor explained how lights will be placed to avoid this anticipated brightness.

Mr. Raymond Smith, 7137 Fallenoak Trace, expressed concern with the maintenance and breeding of insects in the retention basins. Mr. Schwab advised that it has not been determined whether these basins will be lakes or whether they will be a recessed grass area, maintained by the Condominium Association. Mr. Greg Taylor advised that ponds of this type properly treated are very attractive in this type development.

Mr. Arthur Foland, 7111 Fallenoak Trace, encouraged the retention of the current wooded area between the Whispering Oaks development and this development along the abandoned railroad right-of-way area. Mr. Greg Taylor advised that they intend to retain this right-of-way undisturbed as much as possible, at least half of the current 66 feet, primarily that portion in Whispering Oaks.

Mr. Karl Zengel, Zengel Construction Company, expressed concern with run off control onto this development when new construction takes place on Zengel's property to the west; he suggested that provisions be made now for water flow control between buildings. Mr. Greg Taylor explained how the stream of water will be directed into their drainage system.

Mr. Siler expressed concern with the potential proliferation of this type development throughout Centerville in future years.

Mr. Compton stated dissatisfaction with the minimum square footage per dwelling unit as proposed.

Mr. Singer moved that the Conditional Use Request submitted by John G. Black Communities, Inc. be approved as recommended by the Planning Commission, including their recommended conditions, being Plan B Revised and dated June 2, 1986, and subject to the following:

Approval of this Conditional Use is subject to the effective date of the Request for Rezoning, Ordinance Number 10-86.

Earth mounding with a minimum height of 3 feet plus

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landscaping, shall be provided along the east side of this property to provide a screen buffer between the buildings and Cloyo Road.

The wooded area along the abandoned railroad right-of-way, at least 33 feet in width, shall not be disturbed.

Private streets shall be constructed in accordance with City Street Specifications except for width.

Attempts shall be made to minimize bright lights from reflecting onto Cloyo Road from this development.

Mr. Samples seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Siler abstained, Mr. Compton voted no.

Councilman J. V. Stone returned to the Meeting at this time.

TAX BUDGET 1987

Mr. Kenning advised that the Tax Budget for fiscal year ending December 31, 1987 to be submitted to the Montgomery County Auditor has been prepared and is ready to be set for Public Hearing before Council. Mr. Siler moved that the 1987 Tax Budget be set for Public Hearing on June 16, 1986. Mr. Taylor seconded the motion. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved: *Shirley F. Heintz*
Mayor

ATTEST:

Marilyn M. Saughel
Clerk of Council