

Held May 15,

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SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, May 15, 1972 at 8:00 P.M. at the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: John McIntire, Charles McQueeney, Leonard Stubbs, John Davis, J. V. Stone, City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of May 1, 1972 had been distributed prior to this Meeting. Mr. Davis moved that the Minutes of the Meeting of May 1, 1972 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Ronald H. Janetzke was sworn into office as a Member on the Personnel Appeals Board by Mr. Farquhar.

Mr. Thomas Turner, Chairman for the Centerville Youth Board explained the establishment of a Centerville-Washington Township Youth Activities Center and outlined proposed future activities. The Youth Board recommended to Council that the City make a grant to the treasurer of the Board and Vice Chairman for the Center Mrs. Susan Kush to be used as a continuing fund until such time as the Center becomes self sustaining. Mr. Turner introduced teenager Britt Cummings, Chairman of the Youth Advisory Committee, who answered various questions concerning the program. The center will be open on weekends and two or three afternoons during the week. Chaporones will be used during open periods. Memberships will be set up and open only to Washington Township and Centerville residents, registered guests will be permitted. The Youth Advisory Committee is currently the governing body of the Center, a Board of Directors will eventually be established.

Mr. Bob Petrovas, assistant to Dr. Vogel and representing the Montgomery County Combined General Health District, explained the services which the Board of Health provides the City of Centerville as well as throughout Montgomery County. Expenditures during this year in Centerville for health services will amount to approximately \$1.40 per capita. Services are 75% mandated by State Law. The number of complaints constitute frequency of inspections to eating establishments, inspections are made a minimum of twice per year.

Councilman Russell Sweetman entered the Meeting at this time.

The Public Hearing was held concerning An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-zoning 92.523 Acres, More Or Less, From Washington Township R-3 Classification To Centerville R-1, R-3 And B-2 Classifications.

The Notice of Public Hearing was read by the Clerk of Council.

Mr. Smith located the subject property on a map; it is located on the east side of Clio Road, south of Alexandersville-Bellbrook Road and north of Centerville Station Road.

Mr. Farquhar reviewed the permitted uses in the various proposed zoned districts: B-2 = roadside business including local business uses, R-3 = lowest density multi-family, R-1 = lowest density single-family.

Mr. Robert Archdeacon from the Ralph L. Woolpert Company and representing the Applicant explained the requested change. Proposed is a change of 12.4 acres to R-1 providing for 23 single-family lots, 70.8 acres to R-3

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to provide for 330 condominium home owned units, 11.7 acres dedicated as a public park, 10.7 acres of open space to remain as open space and maintained by a Home Owners Association, and 9.4 acres to B-2, however, if it is deemed objectionable to change the northwestern 1.4 acres to B-2, the Applicant would agree to place a covenant to require this land to be developed under R-3 zoning. The price range would be: single-family = \$40,000.00 and up, condominiums from \$25,000.00 to \$50,000.00. This is considered as a concept plan, it would require preliminary and final approval by the Planning Commission and Council. Clio Road would be developed in its entirety from the north side of the Hill-Smith Property across the Weller Property through the entire frontage of this Rezoning Request as a part of the commitment of Black Oak to this zoning.

Mr. George Kush, 1401 Ambridge Road, questioned the termination of Ambridge Road on this property. Mayor Hoy advised that thorough study will be given this matter by the Planning Commission and Council prior to Plat approval.

Mrs Lila Lanik, 1510 Ambridge Road, felt that nothing further should be approved for the Black Oak Development Company until present drainage problems are rectified in Black Oak Estates.

Mr. Roland McSherry, 1443 Ambridge Road, complimented the Planning Commission for supporting the Master Plan in making their recommendation relative to this Rezoning. He was concerned with the potential traffic hazard on Alexandersville-Bellbrook Road if Ambridge Road is continued through. He was also concerned with the future use of the Weller Farm of which the Black Oak Property surrounds.

Mr. James Singer, 1408 Ambridge Road, sees no difference in the appearance of condominiums vs multi-family. He felt the Planning Commission denied the Request on good grounds.

Upon request of Councilman Russell Sweetman, Mr. Archdeacon further reviewed the proposed park land, the undeeded and deeded areas to the Park District. Banks of the ravines through the open space vary from 10 to 20 feet, they drain approximately 1300 acres. The overall density on the Weller Farm as proposed on this plan will be 3.5 units per acre for a total of 429 units. The streets in the R-3 area are planned to be private streets and totally maintained by the Home Owners Association.

Mr. Farquhar recommended that, should Council approve this Rezoning, Deed Restrictions should be entered into restricting the density and type of structures to condominiums. These should be prepared prior to Council's approval of the Request.

Mr. Davis advised that the Planning Commission recommended denial of this Request by a 5-2 vote.

Mr. Duane Prosser, 1416 Ambridge Road, questioned the height of the condominiums; Mr. Archdeacon advised two story maximum.

Mary Lou McSherry, 1443 Ambridge Road, wondered when objection to the continuation of Ambridge Road should be indicated. Mayor Hoy advised the proper time would be when the Preliminary Plan is before the Planning Commission and Council.

Mr. Robert Search, 7775 Park Creek Drive and Mr. Duane Prosser indicated there concern with the continuation of Ambridge Road as a through street.

Mrs. Arnold Black, 7121 Bigger Road, wondered about sewer and water facilities to the development; Mr. Archdeacon advised that services will be extended from Clio Road. Mrs. Black also questioned the effectiveness of Home Ownership relative to condominiums; Mr. Farquhar explained the procedure, existing condominiums are being well maintained in such a manner.

Following discussion, Mr. Sweetman moved that this Rezoning Request be tabled for a Council Work Session to provide time for Council to review this matter and that the developer prepare the necessary Deed Restrictions. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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The Public Hearing concerning An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 76.35 Acres, More Or Less, From Washington Township R-3 Classification To Centerville EC, B-2 And R-3 Classifications, was held.

The Notice of Public Hearing was read by the Clerk of Council.

Mr. Smith located the proposed rezoning land on a map. It is located on the west side of Bigger Road, north side of Alexandersville-Bellbrook Road.

Mr. Farquhar reviewed the uses permitted in an Entrance Corridor zoned district.

Mr. Bob Archdeacon from the Ralph L. Woolpert Company and representing the Applicant Acro Realty Company, explained the Request. He located on a map proposed 1-675 to the north of this property with future extension of Clio Road bysecting the property. He reviewed the zoning of adjacent land.

Mrs. Arnold Black, 7121 Bigger Road, wondered about access onto Alexandersville-Bellbrook Road from the area in question, she sees no need for additional business in this residential area. Mr. Archdeacon advised that access will be determined at the time the EC area is developed.

Mr. Roland McSherry, 1443 Ambridge Road, in consideration of the proposed by-pass of Clio Road, felt there could be a better use for the land along Alexandersville-Bellbrook Road.

Mr. Loring Duff, 7400 Pine Frost Lane, felt the total area should be planned at the same time.

Mrs. Emerson Vandever, 7220 Bigger Road, indicated her objection to any business, such as a service station being permitted on the proposed B-2 area.

Mr. Davis advised that the Planning Commission recommended denial of this Rezoning Request by a 6-0 vote. They saw no reason why the area should not be developed according to the Master Plan.

Mrs. Arnold Black brought Council's attention to the fact that petitions in opposition to the Request had been presented to the Planning Commission. Mayor Hoy made reference to a letter received from Mr. & Mrs. Carlton Milbrandt, 7111 Bigger Road, requesting that present zoning be maintained on the 76.35 acres of land at the corner of Bigger Road and Alexandersville-Bellbrook Road.

Mr. Chuck Lang, 7172 Bigger Road, felt the character of the neighborhood should be maintained.

Mr. Brown Dilliard, 7325 Bigger Road, sees no justification for the requested change.

Mr. Stone moved that Ordinance Number 35-72, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 76.35 Acres, More Or Less, From Washington Township R-3 Classification To Centerville EC, B-2 And R-3 Classification, be tabled for study and review at a Council Work Session. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 24-72, was held.

The Notice of Public Hearing was read by the Clerk of Council.

Mr. Farquhar reviewed the proposed Ordinance; basically it changes the present procedure in the Entrance Corridor and B-3 Districts, provides for barriers in the B-2 District, additional requirements for signs, and makes various changes to figure 2 of the Zoning Ordinance.

Mr. Ralph Woodley questioned rejections by the Planning Commission as to particular uses in the EC District. Mr. Farquhar explained how the Planning Commission must make a finding relative to the public health, safety, morals and general welfare of the City.

Mr. McIntire was concerned with the fact that the major changes in Figure 2 of this Ordinance is in B-1 zoning, owners of B-1 land are receiving the biggest clout in this Ordinance. Mr. Farquhar pointed out the

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fact that the Board of Architectural Review has the right to waive set back requirements, present B-1 zoning is in the AP District.

Mr. Davis sponsored Ordinance Number 24-72, An Ordinance Amending Ordinance No. 15-61, The Village Of Centerville, Ohio, Known As The "Zoning Ordinance Of Centerville, Ohio, 1961" To Establish Amended Requirements And Procedures For Business And Entrance Corridor Districts, and moved that it be passed. Mr. Sweetman seconded the motion.

As requested by Mr. McIntire, Mr. Farquhar explained the vote procedure (majority of entire membership or 4 votes of Council) as set forth in the Ordinance.

A roll call vote on the previous motion resulted in five ayes in favor of the motion. Mr. Stubbs and Mr. Stone voted no.

Mayor Hoy made reference to a copy of a letter directed to the Greene County Commissioners from the Trustees of Sugarcreek Township relative to the improvement of Wilmington Pike. They have requested, that Wilmington Pike be determined top priority when expending funds for road improvements.

Ordinance Number 36-72 was reviewed by Municipal Attorney Robert Farquhar. The Ordinance authorizes a contract for street resurfacing of roads within the City, allocating and appropriating \$28,068.20 from the Municipal Permissive Tax Fund and \$17,500.00 from the Township General Fund. Mr. McIntire sponsored Ordinance Number 36-72, An Emergency Ordinance Accepting The Terms Of A Proposed Agreement Between The Board of County Commissioners Of Montgomery County, Ohio, And The Board Of Trustees Of Washington Township, Montgomery County, Ohio, With The City Of Centerville, and moved that it be adopted. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McIntire moved that Ordinance Number 37-72, An Ordinance Accepting The Terms Of A Proposed Agreement Between The Board Of County Commissioners Of Montgomery County, Ohio, And The Board Of Trustees Of Washington Township, Montgomery County, Ohio, With The City Of Centerville, be set for Public Hearing on June 5, 1972. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar reviewed proposed Resolution Number 11-72, It authorizes the use of City equipment, supplies and labor in the construction of a driveway and parking lot at the Walton House located on West Franklin Street. Mr. Sweetman sponsored Resolution Number 11-72, A Resolution Authorizing And Directing The City Manager To Assist The Centerville Historical Society In The Construction Of A Driveway And Parking Lot At The Society Headquarters Commonly Known As The "Walton House" And Authorizing The Use Of City Equipment And Supplies For Said Project, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

As the poll of Council was taken, the following comments were received:

Mr. Stone brought attention to the condition of Wynshire and Clintshire Drives in Red Coach South. This matter will be checked by the City Manager.

Mr. McIntire suggested that the City formulate a check list to aid the developer as well as the City during development and construction periods.

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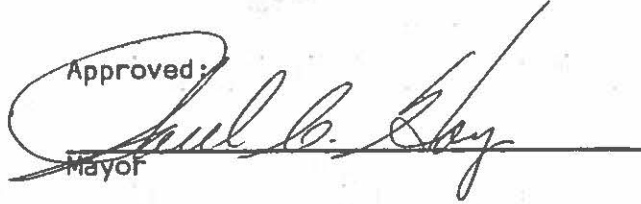
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Mr. Sweetman suggested that the Architectural Preservation District be so marked. Mr. McIntire suggested that perhaps street signs should be changed in this area.

Due to the fact that the opening date for the Youth Activity Center has been set as May 27, 1972, Mr. Stubbs moved that the City of Centerville grant to the Centerville Youth Board in the custody of Mrs. Susan Kush the sum of \$300.00 to be used to fund the initial costs of the establishment of a Centerville-Washington Township Youth Activities Center. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Meeting was then adjourned.

Approved:


Mayor

ATTEST:


Clerk of the Council