

**CENTERVILLE PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, January 13, 2004**

Mr. Clark called the meeting to order at 7:30 P.M.

Attendance: Mr. Paul Clark, Chairman; Mr. James Durham; Mr. Joe Weingarten; Mr. Jim Briggs; Mrs. Carolyn Meininger; Mr. John Carr. Absent: Mr. Jim Brunner. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Lee, Planner; Mr. Robert N. Farquhar, City Attorney.

Motion to Excuse:

MOTION: Mr. Carr moved to excuse Mr. Brunner from the meeting as he gave prior notice to the Planning Commission Chairman and staff. Mr. Weingarten seconded the motion. The motion was approved unanimously 6-0.

Approval of minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission minutes of December 9, 2003, Regular Meeting, subject to the spelling correction of Mrs. Meininger's first name. Mr. Weingarten seconded the motion. The motion was approved unanimously 6-0.

MOTION: Mr. Durham moved to approve the Planning Commission minutes of December 9, 2003, Work Session, subject to the spelling correction of Mrs. Meininger's first name. Mr. Briggs seconded the motion. The motion was approved unanimously 6-0.

MOTION: Mr. Durham moved to approve the Planning Commission minutes of December 9, 2003, Special Meeting, subject to the spelling correction of Mrs. Meininger's first name. Mr. Briggs seconded the motion. The motion was approved unanimously 6-0.

UNFINISHED BUSINESS

Bethany Commons at Yankee Trace – Planning Commission Special Approval

Mr. Feverston stated the issues of concern for Bethany Commons Special Approval application at the last meeting were the project's new form of ownership, specifically to individually-owned condominiums versus rented units as part of a retirement community, and access from the community building parking area to a future assisted-living facility.

In response to the concern of individual condominium ownership in Bethany Commons, Mr. Farquhar submitted his written legal opinion concerning the assisted-living use and determined it remained a permitted use as a part of the overall approved Master Plan for the Yankee Trace Lifestyle Community.

Mr. Bill Serr, Lutheran Social Services, submitted a letter to the Planning Commission regarding the access easement from the community building parking area to the future assisted-living facility.

Mrs. Meininger asked if the project was being marketed as a retirement community and, if not, would that satisfy the use as approved in the Master Plan.

Mr. Farquhar stated the City did not base its approval of this project based on any type of age limits.

Mr. Weingarten asked if persons under the age of 55 could reside in this project.

Mr. Serr stated the project is being marketed as a restricted community under the Federal laws for fair housing. He stated that a certain percentage of residents have to be 55 years of age and older, but there could be younger residents as a part of a family unit. Mr. Serr stated a family under the age of 55 could not purchase and reside in a unit in the Bethany Commons community.

Mrs. Lauren Osbourne, 1438 Bethany Commons Trail, stated it was their understanding units would be owned and occupied by residents age 55 and older which is the situation in Phase 1 of the project. She stated, however with two additional future phases, it should be specifically regulated to maintain the same age standard. She further stated accessing a nursing home facility through a parking lot did not seem appropriate.

Mr. Weingarten asked that documentation be made to restrict the age limit for Phases 2 and 3.

Mr. Serr stated it is not possible to provide documentation for a condominium phase that has yet to be created.

Mr. Feverston stated there is not enough land in the area where the City approved a 50 unit assisted-living facility. According to the applicant at the last meeting, of the land available in that area, only about 5 assisted-units could be built. He stated access to and from those units through the community building parking lot would not have a major impact on the overall project.

Mr. Carr asked if a future access point along Yankee Street between Bethany Commons Trail and Spring Valley Road would create a problem.

Mr. Feverston stated a future access point would be about midway between those intersections with Yankee Street and would align well with a potential entrance to the existing park on the west side of Yankee Street while maintaining proper driveway spacing.



Mr. Carr stated to be the most aesthetically pleasing, the building should be situated along Yankee Street with parking to the rear of the building.

Mr. Durham stated his concern was the access easement proposed to be placed in the heart of the parking area. He suggested the easement "skirt" the parking area and not run through it.

Mr. Mark Locke, representing the applicant, stated the detention area, road layout, etc., place specific constraints on the site and shifting the building forward would not allow the appropriate space to meet the parking requirement.

Mr. Durham stated the swimming pool proposed for the community will most likely never be constructed. The parking requirement is eleven (11) spaces and sixteen (16) parking spaces are proposed. If five (5) spaces are eliminated, ample space should be available to reconfigure access to the future assisted-living facility.

MOTION: Mr. Durham moved to approve the Planning Commission Special Approval application submitted for a community building for Bethany Commons at Yankee Trace subject to the following conditions:

1. The parking lot shall be modified to accommodate the maneuvering of emergency vehicles subject to approval of the City Engineering Department.
2. A sidewalk shall be constructed linking the proposed clubhouse to the sidewalks within the complex subject to approval by the City Planning Department.
3. A final grading plan shall be subject to approval by the City Engineering Department.
4. A final exterior lighting plan shall be subject to approval by the City Planning Department.
5. A performance bond or other construction guarantee shall be posted by the developer for all landscaping improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements, Inspections Section of Part Twelve, Title Four of the code of Ordinances.
7. An easement shall be created subject to approval by the City Attorney for access through this parcel to the potential assisted living site. The easement must be designed to be constructed outside the parking lot to the community building and must be approved by the City Planner and City Engineer.



The hardwood siding material is specifically approved as a building material. The use of vinyl siding is prohibited.

Mr. Briggs seconded the motion. The motion was approved 5-1 with Mr. Weingarten voting no.

COMMUNICATIONS

Mr. Feverston stated a joint meeting of City Council, Planning Commission, Township Trustees, Zoning Commission and Board of Zoning Appeals has been scheduled for Monday, February 9, 2004, beginning at 7:30 P.M., to be held in the Police Department. The first joint public hearing of the Planning Commission and Zoning Commission will be scheduled for Tuesday, February 24, 2004, and will be broadcast on Cable Channel 10 if possible. Should that hearing need to be continued, it will be continued on March 2<sup>nd</sup>.

There being no further business, the meeting was adjourned.