

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, November 12, 1996

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

Attendance: Mr. James Durham, Acting Chairman; Mr. Jack Kostak; Mr. Patrick Hansford; Mr. Arthur Foland; Mr. Peter McMahon; Mr. Timothy Shroyer. Absent: Mr. Scot Stone. Also present: Mr. Steve Feverston, City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Norbert Hoffman, City Engineer.

MOTION: Mr. Foland moved to excuse Mr. Stone from the meeting as he gave prior notice to the Planning Department. Mr. Shroyer seconded the motion. The motion was approved unanimously 6-0.

Approval of minutes:

MOTION: Mr. Foland moved to approve the Planning Commission minutes of October 29, 1996, Regular Meeting, as written. Mr. Hansford seconded the motion. The motion was approved 4-0-2 with Mr. Durham and Mr. Shroyer abstaining.

COMMUNICATIONS

Mr. Feverston stated that in speaking with Mr. Tom Harrigan regarding his project tabled at the last meeting, Mr. Harrigan indicated they will not be able to submit the additional requested information in time for the November 26, 1996, meeting. He is, therefore, requesting that the application be extended beyond the required 60-day review period for the Planning Commission and 90-day period for the Council. Mr. Harrigan will submit that request in writing to the City in the near future. Mr. Feverston stated that staff will meet with the applicant and his engineering firm sometime next week to review some of the revisions. He stated that the City is in the process of hiring an independent engineering firm to review the project in the interests of the residents, the developer and the City. There is a possibility the project could be reviewed at the December 10th meeting, however, that will have to be determined. Mr. Feverston stated the applicant is aware that this will probably not be on the agenda until January.

At the request of the Planning Commission, notification will be sent to those persons originally notified of the date the project will again be placed on the agenda. The representatives of the neighborhood will be informed of the Work Session meeting at which this project will be discussed.

Mr. Feverston informed Planning Commission that AT&T Wireless had submitted an application for Conditional Use requesting approval of a 190 ft. PCS tower to be constructed on Loop Road. The Public Hearing is scheduled for November 26, 1996.

Mr. Feverston stated the plans to revitalize the Chardonnay project located north of Alex-Bell Road and east of Loop Road will be submitted for review in the near future.

PUBLIC HEARINGS

Miami Valley Cable Council - Variance for a Second Satellite Dish Antenna

Mr. Feverston reviewed the Variance application submitted for the Miami Valley Cable Council, 1195 E. Alex-Bell Road, requesting approval to install a second satellite dish antenna on the site. The zoning the property is Office Planned Development, O-PD. The adjoining properties are Manor Care and office space to the north and west, a daycare facility to the east, and a church to the south. The second dish is to be installed behind the existing dish on the site.

In reviewing the application, staff found that since cable is the business of the property owner, the request is a reasonable request and should be approved.

Mr. Durham opened the public hearing. There being no speakers, Mr. Durham closed the public hearing.

The members of Planning Commission were concerned about screening the antenna structure from the Manor Care site.

Mr. Terrence Wright, installer for the Penney Satellite Company, stated that the site is currently screened with the natural growth and berm in that area of the site. He stated that adding screening around the antenna would affect the signal reception.

MOTION: Mr. Foland moved to approve the Variance request submitted by Miami Valley Cable Council, 1195 E. Alex-Bell Road, to install a second satellite dish antenna on the site. Mr. McMahon seconded the motion. The motion was approved unanimously 6-0.

NEW BUSINESSYankee Trace, Sec. 8 - Record Plan

Mr. Feverston reviewed the Record Plan for Yankee Trace, Sec. 8, located on Waters Edge Drive adjacent to Sec. 1 of the Yankee Trace development. The zoning on the 7.324 acre parcel is R-1c, single-family residential which will provide 10 lots. The one unique issue about this section is that 2 lots do not have direct access to the public right-of-way. The Record Plan shows this area as a public utility and driveway easement that will provide access to the 3 driveways even though 1 of these lots does have direct access.

Staff recommended approval of the Record Plan subject to the following conditions:

1. The easement extending to the east from the cul-de-sac of Waters Edge Drive shall be labeled on the Record Plan as a public utility and private driveway easement and subject to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements as recorded for this development.
2. Detailed design of the stormwater drainage system for this plat including grading shall be approved by the City Engineer.
3. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer. The private drive within this plat shall be required to be part of the performance bond and subdivider's agreement because of the frontage and direct access it provides to individual platted lots.

Mr. Durham asked if the lot to the south of the driveway easement could have access to that easement as well.

Mr. Feverston stated he felt that the owner of that particular lot could be given that option.

Mr. Farquhar stated that the record plan should then state that those 4 lots would have benefit of the easement.

Mr. McMahon asked if the easement driveway should be a public street rather than what is proposed.

Mr. Feverston stated there is not adequate space for the street, and the County Engineering and Sanitary Departments would have a concern with making it a street rather than a driveway easement.

MOTION: Mr. Kostak moved to recommend approval of the Record Plan for Yankee Trace, Sec. 8, to Council, subject to the following conditions:

1. The easement extending to the east from the cul-de-sac of Waters Edge Drive shall be labeled on the Record Plan as a public utility and private driveway easement and subject to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements as recorded for this development.
2. Detailed design of the stormwater drainage system for this plat including grading shall be approved by the City Engineer.
3. In lieu of completion of the required improvements prior to the recording of the plat, a performance bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a subdivider's agreement entered into with the City by the developer. The private drive within this plat shall be required to be part of the performance bond and subdivider's agreement because of the frontage and direct access it provides to individual platted lots.
4. Lot #181 may be added to the driveway easement at the discretion of the developer.

Mr. Foland seconded the motion. The motion was approved unanimously 6-0.

Yankee Trace Development Corporation - Landmark Status

Mr. Feverston reviewed the nomination by the Yankee Trace Development Corporation requesting landmark status for the Milton Munger House located at 9679 Yankee Street. The original request was to demolish the existing structure; however, since that time, a buyer for the house has been found. The buyer is interested in restoring the house and is seeking the landmark status to aid in the restoration of the property for tax credits which would then be available. The zoning on the property is R-1c, single-family residential. Mr. Feverston stated that the Munger House was incorporated into the overall master plan for the Yankee Trace development.

Mr. Feverston stated that at the time the section of Yankee Trace is developed that includes Tibbals Court, a provision will be placed on the approval that creates access to the property in question to provide access from another source other than Yankee Street. The house itself was built in 1829 by Milton Munger which had an addition constructed in 1850. Mr. Feverston stated that the house is in good condition and it will fit in well with the development in the area.

Staff, therefore, recommended the house be given landmark status.

Mr. Hansford stated that a condition should be placed on the recommendation to the BAR that access from Tibbals Court to this property be required.

Mr. Farquhar stated that it could not be a condition of the action before the Planning Commission at this time, however, it could be a condition at the time of record plan review for the Tibbals Court section.

MOTION: Mr. Shroyer moved to recommend Landmark Status of the Milton Munger House, 9679 Yankee Street, to the Board of Architectural Review. Mr. Hansford seconded the motion. The motion was approved unanimously 6-0.

There being no further business, the meeting was adjourned.

S. A. Steel
Chairman 11/26/96

