

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, February 28, 1989

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

Attendance: Mr. Elmer Tate Jr., Chairman; Mr. Robert Looper; Mrs. Marian Simmons; Mr. Stanley Swartz; Mr. Robert Hosfeld; Mr. Arthur Foland. Absent: Mr. Robert Chappell. Also present: Mr. Steve Feverston, Assistant City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Michael Haverland, Administrative Assistant.

Approval of the minutes of February 14, 1989:

MOTION: Mr. Swartz moved to approve the Planning Commission minutes of February 14, 1989, as written. Mrs. Simmons seconded the motion. The motion was approved unanimously 6-0.

PUBLIC HEARINGS

Stone Lake - Variance/Planning Commission Special Approval

Mr. Feverston reviewed the applications submitted by Dale R. Smith for the proposed Stone Lake subdivision located along the east side of Marshall Road, north of Whipp Road and south of Kings Row Drive. The zoning on the 23.654 acres parcel is R-1c, single-family residential. This zoning classification requires a minimum lot density of 20,000 square feet per lot which would allow 44 lots on this particular site. The applicant is requesting a variance for density to allow 48 total lots in the project for an average of 18,526 square feet per lot. The applicant is seeking approval of the variance requested in order to allow consideration of the submitted Planning Commission Special Approval application proposing the residential cluster development. An additional request for variance for private streets within the development was requested, however, a variance is not necessary for private streets within this development.

Road improvements will be required along Marshall Road. Mr. Feverston stated that this section of Marshall Road is almost completely outside the corporation line. Washington Township plans to send to bid this Spring a project to widen Marshall Road in the area of this proposed cluster development. For this reason, the developer should be required to place the road improvement monies in escrow to be applied to the widening project at the appropriate time. Additional monies will be required as a part of the fee-in-lieu of parkland dedication for this development.

The access to this subdivision will be from Marshall Road and existing Essex Way to the east of the site. The roadway configuration from Marshall Road will be that of a loop-type road with a stub street being constructed on the east portion of the property to tie into existing Essex Way. Electronic gates are proposed to be used at each of these access points to control the traffic flow through the subdivision. A 3 to 5 foot earth mound

is proposed to be constructed along the north and east property lines which will also be landscaped.

Mr. Feverston stated that there is an existing house on the site that does have some historic significance. It is one (1) of approximately 30 limestone structures that remain of the 100 to 150 that originally were located in the community. He stated that in touring the house, it appears that the stone portions of the house were constructed in approximately 1820 around perhaps a log cabin that would have been constructed approximately 1812 by the original settlers to the area. This house is known as the Moses Irwin house. Currently, the structure has had the stone portion covered with stucco and the upper portion covered with wood shake, although most of the original structure does remain such as the windows and doors with some minor modifications. The developer has agreed to retain the existing house and will essentially make improvements and double the square footage of the house to make it compatible with the new construction.

Three (3) lakes will be constructed to serve as detention areas in the center of the site which will also include walking paths. The southern tip of the site will be left basically undisturbed with a detention basin added to handle stormwater drainage.

Staff recommended to approve the variance for four (4) additional lots subject to the following conditions:

1. A deed covenant be placed on the lot where the historic limestone house is located requiring specific approval by the City of Centerville for any additions or improvements to the historic house or for demolition of the house. This covenant shall be subject to approval by the Law Director of the City of Centerville.
2. Any proposed additions or alterations to the historic house shall be subject to approval by the Planning Department of the City of Centerville.

Staff recommended to approve the Special Approval, specifically the revised plan showing the three (3) lakes in the center common area, subject to the following conditions:

1. The variance application filed to permit 48 lots instead of 44 lots is approved by the City.
2. The developer, shall dedicate the 43 foot wide right-of-way from centerline along the east side of Marshall Road across the entire western portion of the property.

3. In lieu of adding one (1) lane of pavement including curb, gutter, sidewalk, and stormwater drainage improvements, across the entire frontage along Marshall Road, the developer shall pay an amount approved by the City Engineer to the City to be used for the future widening of Marshall Road.
4. All private streets shall be constructed to City Standards excepting roadway width as shown on the plan subject to approval by the City Engineering Department.
5. The developer shall enter into a subdivider agreement with the City including a performance bond in an amount approved by the City Engineer to assure construction of the private streets.
6. The circular sidewalk around the loop street shall be connected to a future sidewalk along Marshall Road and the sidewalk on Essex Way.
7. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
8. A stormwater drainage plan shall be approved by the City Engineer 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.
9. The final grading plans and stormwater drainage plans shall be approved by the City Engineering Department with particular emphasis on the design of the mound at the rear of the proposed lots abutting existing single family lots.
10. Prior to the issuance of the City of any zoning or building permits for the development, the developer shall pay the fee-in-lieu of parkland dedication. The amount of the fee shall be determined in accordance with the provisions of City Ordinance #15-86, The City Parkland Dedication Ordinance.
11. The City Engineer shall approve the design of the gates across the private roadways. The design of the gates shall allow convenient emergency access by the fire and police departments and shall allow manual operation of the gates during a power failure.

Mr. Tate opened the public hearing.

Mr. Bob Archdeacon, Woolpert Consultants, was present to review the project. He stated that in order to develop the subdivision with the needed 48 lots and also preserve the historic house on the site, a density variance is necessary. He stated that the plan had been revised with 3 lakes rather than one (1) in order to change

the elevations to be compatible with the historic house on the site. There is an existing well on the site that will be used to supplement the lakes. A fountain system will be installed to maintain the water with the lakes.

Mr. Archdeacon stated that the streets within the project will be private, however, they will meet the City's standards. The setback dimension will be 10 foot side yards, 25 foot front yards, and 30 foot rear yards. He stated that the gate system is an important feature of the project that will make it successful. Mr. Archdeacon stated that the gate on Essex Way will be for residents and emergency vehicles only. All guest traffic will be accessed through the Marshall Road entrance.

A homeowners' association will be created for maintenance of the private streets, the common area, and all landscaped areas. The purchase price will range between \$400,000 and \$500,000 to meet the same market values as in Mad River Hills which is a compatible development in Washington Township. The developer intends to maintain architectural control throughout this subdivision. He stated that the existing house on the site will be maintained and restored to make it compatible with the surrounding homes within the development. Its selling price will be within the same price range as the other homes in the subdivision.

Mr. Archdeacon stated that they have no objections to the staff recommendation and, further, they are seeking approval of the restoration concept of the historic house.

Mr. Vic Green, representing the developer, stated that he lives in Mad River Hills and is amazed as to how that subdivision has flourished. He stated that the gate system is an important marketing tool that gives people a comfort level. He stated that the variance requested is necessary due to the amount of right-of-way required as a result of the unusual frontage along Marshall Road as well as the full 28 foot width of all private streets within the development. One of the plat covenants will be that each individual lot has its own sprinkler system to maintain the green areas.

Mrs. Marjorie Gentile, 6698 Essex Way, stated that this development has an executive home character and does not seem to fit in with the surrounding neighborhood. She stated that they are somewhat offended that they are not permitted to drive through the proposed plat, but can walk through it to look at the houses. This is not a friendly or neighborly concept. Her other concerns included the small lot sizes and drainage problems that will be accelerated by the construction of a new development in this area.

Mr. Ryan Goss, 802 Kings Row, voiced his concern about the drainage problems typically along the east property line abutting the proposed development. He stated that he would like some assurance that the water from the site would not be greater as a result of the construction, and hopefully would be improved.

Mr. Archdeacon stated that swales will be created to bring the water through the site and into the lakes. The lakes will take the flow to the south detention area. A parallel system will be provided should it be necessary. He, in reference to the concern of the gate system, stated that Essex Way was stubbed into this site with the intent of it going somewhere. With the gate system, there will be a smaller increase in traffic volume throughout the Red Coach neighborhood.

Mr. Dick Moff, 5661 King Arthur, stated his concerns are the water problems that would be increased as a result of the mounding to be placed at the rear of his property. He stated that the existing neighborhood is an open community which would be somewhat closed with the gate system. Mr. Moff stated that the City's Master Plan called for 1/2 acre lots and felt that it may be detrimental to deviate from that requirement. An additional concern was the marketability of such homes with the adjoining neighborhood of substantially lower value.

Mr. Tate pointed out that the applicant is not seeking a change in zoning. He is seeking a cluster development approval and variance to expand the subdivision by 4 additional lots. The use is permitted and is within the guidelines of the Zoning Ordinance.

Mrs. Martha Boice, Centerville Historical Society, stated that her concern was the restoration of the house on the site. It is proposed to make the existing front of the house the back, and vice-versa. She stated that she would proposed that the 25 foot access easement come in at the front of the house so that the front could remain the front, and the side would be left undisturbed. If it were done with this revised configuration, all additions could be done at the back of the structure. A cul-de-sac could then be constructed in order to accommodate the remainder of the lots in this area and would give the roadway some interest which it now lacks.

Mr. Tate asked Mr. Archdeacon to work with Mrs. Boice on this concept.

Mr. Dick Swartzel, 5719 King Arthur, was concerned with the reduction of lot size which will also vary the setback requirements on each lot. He stated that this development does not fit in with the open space atmosphere. He stated that whatever the homes are called, they are basically high-priced condominiums.

Mr. H. R. McKenzie, 706 Kings Row, stated that he, too, was concerned with the variance request. The minimum requirements of the City should be maintained. Mr. McKenzie stated that the mounding treatment is also a concern which may create possible flooding conditions. Additionally, the 3 lakes may provide a breeding ground for mosquitoes.

Mr. Mike Gentile, 698 Essex Way, stated that he does not feel that putting these monstrous size homes on these small lots is very desirable. He stated that variances are also being considered for setbacks and residential clustering. Mr. Gentile stated that the Planning Department is concerned with the historic home, however, specific emphasis should not be placed on this lot only. The variances should be emphasized as well. He stated that too great of an area is devoted to the common space and if that space were added to each individual lot, it would be more acceptable.

Mrs. Nancy Swartzel, 5719 King Arthur, objected to the gate system.

There being no other speakers, Mr. Tate closed the public hearing.

Mr. Looper asked why the variance application only requested a density variance and not setback variances.

Mr. Feverston stated that a residential cluster development allows the ability to flex lot sizes, dimensions, as well as setbacks providing that the overall square footage per lot averages 20,000 square feet. He stated that it is not at all unusual to find a neighborhood with a requirement of 20,000 square foot lots to be more on the average of 15,000 square feet because parkland was dedicated as a part of that requirement for that particular subdivision.

Mr. Hosfeld stated that the main concern is that of the flooding problem and the City should take an active roll in improving the situation. He stated that restoring the historic home on the site is in the interest of the entire community and he appreciated the desire to retain it. Mr. Hosfeld stated that the project is within the requirements of the City with the exception of the density variance. The concern seems to be a difference in opinions as to the trend of neighborhoods using common areas rather than large individually maintained lots.

MOTION: Mr. Looper moved to approve the Variance application submitted by Dale R. Smith for Stone Lake subject to the following conditions

1. A deed covenant be placed on the lot where the historic limestone house is located requiring specific approval by the City of Centerville for any additions or improvements to the historic house or for demolition of the house. This covenant shall be subject to approval by the Law Director of the City of Centerville.

2. Any proposed additions or alterations to the historic house shall be subject to approval by the Planning Department of the City of Centerville.

Mr. Hosfeld seconded the motion. The motion was approved 5-1 with Mr. Foland voting no.

MOTION: Mrs. Simmons moved to approve the Planning Commission Special Approval application for Stone Lake, subject to the following conditions:

1. The variance application filed to permit 48 lots instead of 44 lots is approved by the City.
2. The developer, shall dedicate the 43 foot wide right-of-way from centerline along the east side of Marshall Road across the entire western portion of the property.
3. In lieu of adding one (1) lane of pavement including curb, gutter, sidewalk, and stormwater drainage improvements, across the entire frontage along Marshall Road, the developer shall pay an amount approved by the City Engineer to the City to be used for the future widening of Marshall Road.
4. All private streets shall be constructed to City Standards excepting roadway width as shown on the plan subject to approval by the City Engineering Department.
5. The developer shall enter into a subdivider agreement with the City including a performance bond in an amount approved by the City Engineer to assure construction of the private streets.
6. The circular sidewalk around the loop street shall be connected to a future sidewalk along Marshall Road and the sidewalk on Essex Way.
7. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
8. A stormwater drainage plan shall be approved by the City Engineer 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.
9. The final grading plans and stormwater drainage plans shall be approved by the City Engineering Department with particular emphasis on the design of the mound at the rear of the proposed lots abutting existing single family lots.

10. Prior to the issuance of the City of any zoning or building permits for the development, the developer shall pay the fee-in-lieu of parkland dedication. The amount of the fee shall be determined in accordance with the provisions of City Ordinance #15-86, The City Parkland Dedication Ordinance.
11. The City Engineer shall approve the design of the gates across the private roadways. The design of the gates shall allow convenient emergency access by the fire and police departments and shall allow manual operation of the gates during a power failure.

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

Mr. Archdeacon stated that if there is anything they can do on their property to improve the drainage on the adjoining property, they will work with the City to do so.

NEW BUSINESS

East Park Place - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application submitted for East Park Place located south of Centerville Station Road and east of Southbury Drive and Forest Field Park. This proposed residential cluster development is zoned R-1c, single family residential, and is requesting 11 lots on the 6.795 acre parcel. A fee-in-lieu of parkland dedication is required as a part of this application is required. Two (2) houses currently exist on the property and will be incorporated into this development.

Staff recommended to approved the Special Approval application subject to the following:

1. In lieu of requiring an additional lane of pavement, sidewalks, curb, and storm sewers along Centerville Station Road, the monetary value of these improvements shall be placed in escrow with the City to be used for the future widening of Centerville Station Road.
2. A stub street shall be constructed, extending from the cul-de-sac street to the east property line.
3. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
4. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the Stormwater Drainage Control Ordinance.

5. Prior to the signing of the record plat by the City, the developer shall pay a fee-in-lieu of parkland dedication in accordance within the provisions of City Ordinance #15-86, the City Parkland Dedication Ordinance.

Mr. Feverston stated that the parkland for Forest Field Park was purchased entirely with Federal monies back in the early 1970's. As a part of this development, the developer will have to tie in a sanitary sewer along Centerville Station Road across the parkland. In order to do this, additional right-of-way must be obtained or an easement will have to be granted to cross the park area. A condition of using Federal money to purchase parkland is that the land in question is not to be used for any other purpose other than for the original intent unless specifically approved by the Federal government. The Park District is agreeable to granting the easement, however, the procedure to do so may take some time to accomplish.

Mr. Dick Pavlak, developer, stated that he had been in contact with the City Engineer to determine if an easement existed that would allow the extension of the sanitary sewer without having to seek approval from the Federal government.

Mr. Farquhar stated the deed can be reviewed to see if the easement for utilities exists.

Mr. Pavlak stated that he did object to the recommendation to provide a stub street to the east.

The members of Planning Commission agreed that the stub street to the east should not be required.

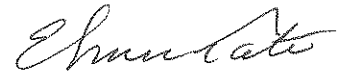
MOTION: Mr. Foland moved to approve the Planning Commission Special Approval application for East Park Place subject to the following conditions:

1. In lieu of requiring an additional lane of pavement, sidewalks, curb, and storm sewers along Centerville Station Road, the monetary value of these improvements shall be placed in escrow with the City to be used for the future widening of Centerville Station Road.
2. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
3. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the Stormwater Drainage Control Ordinance.

4. Prior to the signing of the record plat by the City, the developer shall pay a fee-in-lieu of parkland dedication in accordance within the provisions of City Ordinance #15-86, the City Parkland Dedication Ordinance.

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

There being no further business, the meeting was adjourned.

A handwritten signature in cursive script, appearing to read "E. Hosfeld", is written in the lower right portion of the page.