

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, May 27, 1986

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

Attendance: Mr. Elmer Tate Jr., Chairman; Mr. Dave Hall; Mr. Robert Looper; Mr. Robert Hosfeld; Mr. Stanley Swartz; Mr. Robert Chappell. Absent: Mrs. Marian Simmons. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Steve Feverston, Assistant City Planner; Mr. Mike Haverland, Administrative Intern.

Approval of the minutes of the April 29, 1986, Special Meeting:

MOTION: Mrs. Looper moved to approve the Planning Commission minutes of April 29, 1986, as written. Mr. Swartz seconded the motion. The motion was approved unanimously 6-0.

MOTION: Mr. Looper moved to approve the Planning Commission minutes of April 29, 1986, Work Session, as written. Mr. Hosfeld seconded the motion. The motion was approved unanimously 6-0.

SETTING OF PUBLIC HEARINGS

The following items were set for Public Hearing for Tuesday, June 24, 1986, at 7:30 P.M., to be heard in the City Building:

George Grove - Variance of a Side Yard Requirement
Location: 57 Lucas Drive

St. Elizabeth Corporation - Rezoning from R-1 to E-C
Southeast quarter section of Clyo Road and Centerville Station Road

PUBLIC HEARINGS

An Ordinance Enacting Revised Zoning Districts And Regulations For The City Of Centerville, Ohio, In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code. Also, This Ordinance Repeals Ordinance No. 15-61, The Zoning Ordinance Of Centerville, Ohio-1961, And All Amendments Thereto.

Mr. Schwab reviewed the proposed Zoning Ordinance to briefly describe the changes in the document. This Zoning Ordinance would repeal and replace the entire existing Zoning Ordinance. The zoning map is a part of the Zoning Ordinance and, therefore, has been revised to be included in this document. Mr. Schwab stated that this document is the result of a number of years work by members of the Zoning Task Force which is made up of Council members, Planning Commission members, and interested citizens residing in the City.

Mr. Schwab stated that all Washington Township classifications

have been deleted from the Zoning Ordinance and Centerville classifications have been established. These classifications include:

A	Agricultural
R-1a	Single-Family Residential (40,000 sq. ft. min. lot)
R-1b	Single-Family Residential (30,000 sq. ft. min. lot)
R-1c	Single-Family Residential (20,000 sq. ft. min. lot)
R-1d	Single-Family Residential (15,000 sq. ft. min. lot)
R-2	Two-Family Residential
R-3	Multi-Family Residential
R-PD	Residential Planned Development
O-S	Office-Service
O-PD	Office Planned Development
B-1	Neighborhood Business
B-2	General Business
B-PD	Business Planned Development
I-1	Light Industrial
I-PD	Industrial Planned Development
APD	Architectural Preservation District.

Some other issues new to the Zoning Ordinance would be the limitation of garage sales per quarter; front yard parking of Recreational Vehicles (RV's) would not be permitted on residential property; commercial vehicles larger than a van would not be permitted to be parked on residential property; fences in the front yard would increase in height to four (4) feet, however, the building material is restricted; and the density in multi-family zoning classifications would be six (6) dwelling per acre.

The approval procedures have been divided into four (4) classifications:

- Department of Development Special Approval
- Planning Commission Special Approval
- Conditional Use Special Approval
- Major Use Special Approval

The existing APD Ordinance and Sign Ordinance would be incorporated into the Zoning Ordinance with only minor changes.

Mr. Schwab reviewed the specific areas in the City which would essentially be rezoned as a result of the proposed Zoning Ordinance. Originally proposed to be a B-2 zoning classification, staff is now proposing the area north of I-675 in the vicinity of Loop Road to be changed to BPD. The purpose of zoning this area to BPD is to maintain a 100 foot buffer strip that was created many years ago in order to screen the business development along Loop Road from the Village South subdivision.

The area surrounding the existing Greenbrier Condominium project is proposed to be RPD with OPD fronting along Alex-Bell Road.

The existing industrial zoned land to the north of this area would maintain an IPD zoning classification.

An assessment petition has been filed by the property owner for the realignment of Whipp Road at Wilmington Pike. Staff has prepared a concept of this realignment area which would propose multi-family along the existing south side of Whipp Road to protect the residential property from the commercial development that will occur further to the south.

In the area of Pelbrook Farm, the current B-2 zoning would be zoned BPD and the area immediately to the west of Pelbrook Farm would be rezoned RPD from R-3.

The parcel of land commonly known as St. Leonards, which is now owned by St. Elizabeth Corporation, along Cloy Road and Centerville Station Road, would be totally zoned RPD.

In the area north of Revere Village Apartments, that parcel of land would be zoned RPD which would continue to the west so that this zoning boundary line would be proposed Virginia Avenue.

The area along South Main Street (SR 48) south of the existing Centerville Lanes would be zoned BPD to the southern Corporation Line.

Mr. Tate opened the public hearing.

Mr. Kenneth Hahn, 311 South Village Drive, representing the resident of Village South, was concerned about the eleven (11) acres of land south of Village South Drive which is currently zoned B-2. He explained that this area was to retain a 100 foot buffer strip in order to screen the business zoning from Village South. He stated that there have been attempts to develop this buffer strip as business and to access it through Village South. Mr. Hahn pointed out that this would be the only subdivision in the City that would be used for access to a business development. He emphasized that the buffer strip should not be disturbed for any reason, especially to access heavy business traffic which would interfere with emergency equipment, create a safety problem, allow heavy equipment not intended for use on residential streets, etc. The BPD zoning would be appropriate because it would require the 100 foot buffer strip between a BPD and residential district.

Mr. Bruce Nadler, Brainard Woods Drive, spoke of property values in relation to his property that is adjacent to St. Leonards. He suggested that an amendment be made to the RPD section which states that in an RPD, single-family should be required to abut single-family in order to buffer the multi-family in that RPD. Another option would be to require a buffer strip as is necessary between BPD and residential zoning.

Mr. Jeffrey Brown, attorney representing Castro and Zieg, was concerned with the overall affect that the Zoning Ordinance will have on development. He was specifically concerned with the actual classification change that would occur to his client's property from E-C to RPD. He indicated that they would prefer to have a BPD classification on their property located along South Main Street south of Chevy Chase Apartments. He stated that he was uncomfortable with the lack of standards in the Zoning Ordinance, as well as the powers that would be granted to the Planning Commission instead of Council.

Mr. Bill Barlow, representing the property owner of the Pelbrook Farm area, stated that they were not in favor of the density changing from 8.71 dwelling units per acre to 6 dwelling units per acre. He stated that a change in density of this magnitude would make it difficult to develop the land and be profitable at the same time. Further, the parking and rear setback requirements for this zoning classification are a concern as to the development of this parcel.

Mr. Gary Woodley, Shadow Lake Drive, stated that the Woodley Development Company owns property in the area of the Clyo Road extension extending to the east. He stated their concern is the reduction of multi-family development to 6 dwelling units per acre. He pointed out that the majority of the multi-family development in the City has not been developed at this proposed density, and in fact, it is much higher in some developments. Mr. Woodley felt that 8 dwelling units per acre would be a reasonable requirement. He stated that his company is already bearing the costs of the Clyo Road construction and it would not be economically feasible to develop this area served by Clyo Road at 6 dwelling units per acre.

Mr. Jacque Sheeley, Home Builders Association, stated that he agreed that the density should be increased to 8 dwelling units per acre. He pointed out that 60% of the City has been developed and to change the standards midstream is not fair. To reduce the value of multi-family zoned property that is still available would not be appropriate and he strongly recommended that the standards be changed to 8 dwelling units per acre.

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

Mr. Jim Hussey asked if it were appropriate to discuss the RV parking at this time.

Mr. Tate reopened the public hearing.

Mr. Jim Hussey, 77 Peach Grove Avenue, stated that he moved to Centerville in 1966., and asked specifically at that time if parking of a RV was permitted in the City. He stated that if persons are opposed to the RV parking as it now exists, they

could move to a community where it is restricted. He stated that through his ownership of a RV, it has created a family unity.

Mr. Herbert Leach, 7630 Bigger Road, stated that he owns a RV which is parked in his driveway. He stated that in his particular situation, it would be difficult to place it in the side or rear yard. He stated that in touring the City, the worst looking situations were those where the RV was parked in the side yard.

Mr. Louis Garrett, Cloverbrook Park Drive, stated that to discriminate against RV's is not right. He pointed out that corner properties have a severe problem because they do not have a side yard. Mr. Garrett stated that family pride is a trademark of Centerville and a RV promotes family pride. The City should encourage this instead of discouraging it.

Dr. Perez, Whipp Road, stated that in his opinion the RV issue should be changed to allow parking in the driveway area.

Mr. Paul Van Hausen, 275 Virginia Avenue, stated that the property maintenance in the City should be of more concern than the parking of RV's. He felt that regulating the parking was discriminating against the RV owners.

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

Mr. Tate stated that concerning the 100 foot buffer strip to the south of Village South, it would remain in place since that was the intent of the City from the beginning of that business development. He pointed out by placing BPD on the parcel, the 100 foot buffer strip would be required and, therefore, there would be no question in the future.

Mr. Tate asked Mr. Schwab to review the areas of concern from those speaking during the public hearing.

Mr. Schwab stated that the St. Leonards property has been shown in the Master Plan since 1970 as a quasi-public use. The proposed RPD zoning would accommodate the transition in density for the more intense development of the retirement community.

The Castro-zieg property, south of Chev Chase along South Main Street, is proposed to be RPD, instead of BPD as requested by the property owners. Mr. Schwab stated that in 1970, multi-family was approved for this parcel. The Master Plan shows residential, however, the existing E-C zoning does allow some business uses. He pointed out that E-C is a conditional use zoning that requires approval by Council for the use. It was the feeling of the Zoning Task Force that the proposed RPD was a reasonable use for the property.

Mr. Schwab stated that the Karras property adjacent to Pelbrook Farm is proposed to be RPD which would allow 6 dwelling units per acre. He pointed out that most apartments in the City developed under the E-C zoning classification and the density was the determination of Council since it was approved as a conditional use. Mr. Schwab stated that back in 1975, the density standards were changed to 5.5 dwelling units per acre, but a grandfather clause was created for those R-3 acres that were existing in order to retain their density.

Mr. Schwab pointed out that the general feeling of increasing the density from the proposed 6 dwelling units per acre to 8 dwelling units per acre, as suggested by the Home Builders Association and Mr. Woodley, is reasonable.

Mr. Schwab stated that concerning the issue of the parking of RV's, he had nothing to add.

There was further discussion by the members of Planning Commission concerning the issues raised during the public hearing. It was their feeling that a work session should be scheduled to review the proposed zoning on specific properties, the multi-family density, the RV restrictions, the 100 foot buffer strip south of Village Strip, the St. Leonards proposed zoning of RPD, and the relocation of Whipp Road at Wilmington Pike.

A work session was scheduled for Tuesday, June 3, 1986, at 7:30 P.M., to resolve those issues.

MOTION: Mr. Looper moved to table the Zoning Ordinance. Mr. Hall seconded the motion. The motion was approved unanimously 6-0.

An Ordinance Establishing A Schedule Of Fees For Certain Applications And Permits REquired By The Zoning Ordinance Of The City Of Centerville, Ohio, And Other Ordinances Of This Municipality Which May Be Specified Herein.

Mr. Schwab briefly reviewed the proposed ordinance which would establish the fee schedules for applications and permits.

Mr. Tate opened the public hearing.

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

MOTION; Mr. Looper moved to recommend approval of the Fee Schedule Ordinance to Council. Mr. Hosfeld seconded the motion. The motion was approved unanimously 6-0.

An ordinance Establishing A Planning Commission For The City Of Centerville, Ohio, In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code. This Ordinance Repeals Ordinance No. 2-39, To Create A City Planning Commission For The Village Of Centerville, Montgomery County, Ohio, AS Amended By Ordinance No. 6-60, Ordinance No. 25-69, Ordinance No. 51-69, Ordinance No. 16-74, Ordinance No. 76-65, And All Amendments Thereto.

Mr. Schwab briefly reviewed the proposed ordinance which establishes the Planning Commission of the City of Centerville.

Mr. Tate opened the public hearing.

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

MOTION: Mr. Looper moved to recommend approval of the Ordinance to Establish the Planning Commission to Council. Mr. Chappell seconded the motion. The motion was approved unanimously 6-0.

UNFINISHED BUSINESS

Linclay Corporation - Lot Split

Mr. Schwab stated that this lot split was tabled during the last Planning Commission meeting due to a concern that access may not be permitted to be restricted to the entrance drive to the existing shopping center. In a legal opinion from the City Attorney, it has been determined that this type of restriction can be placed on the deed.

The lot split request has been changed somewhat to create four (4) lots on the site. This is due to a requirement to have a separate lot for the financing of Phase II of the Center. Those parcels would be 22.320 acres, 3.5029 acres, 1.8090 acres, and 14.6607 acres.

Staff recommended approval of the request as submitted.

MOTION: Mr. Looper moved to approve the Lot Split as requested by the Linclay Corporation with the following conditions:

1. The split of the 1.8090 acre parcel shall be conditioned upon the recording of deed restrictions on the parcel approved by the City Attorney incorporating the following provisions:
 - a. A cross easement for parking between the 25 acre parcel and the 1.8 acre parcel;
 - b. An easement for vehicular access to the 1.8 acre parcel from the 25 acre parcel;

- c. The deed shall specifically prohibit direct vehicular access from the 1.8 acre parcel to SR 725 or Alex-Bell Road unless approved by the City of Centerville;
 - d. The City of Centerville shall be included as a party to all the deed restrictions with the approval of the City required before any restriction may be waived or modified.
2. Sufficient bonding shall be posted for the improvements to Alex-Bell Road including sidewalks.

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

NEW BUSINESS

Olde Spanish Village - Signs

Mr. Schwab explained that staff was requesting an interpretation and clarification of the Sign Ordinance as it pertains to wall signs in Olde Spanish Village. He stated that in the case of mansard roofs, signs are permitted on that section that appears to be part of the wall. In the case of Olde Spanish Village, the roof is of a pitch construction that comes down to almost to door level which provides no place to put a wall sign over the door.

Staff recommended that in a case of this type of buildings where there is essentially no sizeable wall area that is practical, a maximum of 2 feet tall sign at the very bottom of the pitch that allows those buildings to be identified be permitted. There fore, staff recommended that should Planning Commission agree with this clarification, the Sign Ordinance should be modified to address this specific situation.

The Planning Commission agreed to allow this request by Olde Spanish Village, and wanted some language to review to be made a part of the Sign Ordinance to be further placed in the proposed Zoning Ordinance during the work session.

There being no further business, the meeting was adjourned.

