

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, March 6, 1984

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

Attendance: Mr. Elmer C. Tate, Jr.; Mr. Robert Looper, Mrs. Marian Simmons; Mr. Harry Williams; Mr. Robert Chappell (where noted); Mr. Dave Hall (where noted). Absent: Mr. Brian Bergsten. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Steve Feverston, Planner; Mr. Jon Bormet, Administrative Assistant; Mr. Robert Feldmann, Centerville-Washington Park District.

Approval of the minutes of December 13, 1983:

MOTION: Mr. Looper moved to approve the Planning Commission minutes of December 13, 1983, as written. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

Approval of the minutes of January 31, 1984:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of January 31, 1984, as written. Mr. Williams seconded the motion. The motion was approved unanimously 4-0.

COMMUNICATIONS

K-Mart Corporation - Temporary Garden Center

Mr. Schwab reviewed the request by K-Mart for a temporary garden center to be located at the existing store at the northeast corner of SR 48 and Spring Valley Road. The time period of approved would extend from April 1 to July 15, 1984. Mr. Schwab explained that the proposal is to display plants in the same manner as approved the previous year.

Staff recommends approval of this request submitted by the K-Mart Corporation.

MOTION: Mrs. Simmons moved to recommend approval of the temporary garden center for the K-Mart store located at SR 48 and Spring Valley Road. Mr. Looper seconded the motion. The motion was approved unanimously 4-0.

Hartzell Flowers - Temporary Garden Center

Mr. Schwab reviewed the request for Hartzell Flowers for a temporary garden center to be located in the Centerville Place Shopping Center on South Main Street. The area to be used for the garden center is located in the area just southwest of the main entrance and SR 48. The layout of the garden center will include separate sections for flower beds, vegetable beds, a tent area, mulch area, and also a temporary greenhouse structure.

Staff recommends approval of the request subject to the following conditions:

1. The proper permits be obtained from the Building Inspection Department and Fire Department.

2. The flower beds as shown on the proposed layout maintain a 10 ft. setback from the main entrance driveway.

Mrs. Simmons asked if there were any traffic problems with this same area last year when it was occupied by another garden center.

Mr. Schwab stated that there were no circulation problems. He stated that none of the through traffic lanes will be blocked off as a result of this tenant.

MOTION: Mrs. Simmons moved to recommend approval to Council of the temporary garden center for Hartzell Flowers to be located in the Centerville Place Shopping Center with the following conditions:

1. The proper permits be obtained from the Building Inspection Department and Fire Department.
2. The flower beds as shown on the proposed layout maintain a 10 ft. setback from the main entrance driveway.

Mr. Williams seconded the motion. The motion was approved unanimously 4-0.

#### Cambridge Inn - Temporary Sign

Mr. Schwab reviewed the request submitted by Cambridge Inn located on North Main Street. The request is to erect a temporary sign in order to advertise a breakfast special for a period of three months. He stated that the Ordinance provides for staff to approve temporary signs not to exceed 32 sq. ft. in sign area. The proposed sign is 45 sq. ft. in sign area which is larger than staff can approve and also exceeds the 30-day approval period.

Mrs. Simmons stated that the sign appears to be quite large.

Mr. Schwab pointed out that a sign in the E-C district must maintain a 160 ft. setback, therefore, the request is to have a somewhat larger sign.

Staff recommends approval of the request as submitted.

MOTION: Mr. Williams moved to approve the request by Cambridge Inn as submitted, sign not to exceed a three-month period. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

#### PUBLIC HEARINGS

##### Development Policy Plan

Mr. Schwab stated that the Development Policy Plan being reviewed is the product of the Zoning Task Force's work over the past year. The goals and objectives contained in this Policy Plan are general statements reflecting the development desires of the residents of the community. He stated that it is the hope of the Zoning Task Force that the Planning Commission will approve the Policy Plan.

Mr. Tate opened the public hearing.

Mr. Chappell arrived at this time.

Mr. Feldmann stated that the Park District agrees with the Policy Plan and supports its adoption. He stated that they feel, however, that an addition should be made in the Park Policy Statement under number 2A, Page 11, to read as follows:

"Adopt legislation which gives a developer the option of reducing minimum lot area in return for the dedication of suitable public open space within a development;"

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

Mr. Williams suggested perhaps a separate category should be developed for areas such as St. Leonard's that will develop at a greater density than outlined in the multi-family areas.

MOTION: Mr. Looper moved to recommend approval of the Development Policy Plan to Council. Mr. Williams seconded the motion. The motion was approved unanimously 5-0.

#### NEW BUSINESS

##### Group Home Ordinance Review Committee

Mrs. Simmons stated that the Planning Commission members have been given copies of the report produced by the Group Home Ordinance Review Committee. The findings of the Committee were that no change to the Group Home Ordinance appears to be necessary, however, a procedural change by the Planning Commission is recommended.

Mr. Hall arrived at this time.

With this procedural change recommendation, Mrs. Simmons requested that its adoption be approved.

Mr. Looper asked if Mr. John Bramlage's letter should be entered into the record at this time. (Mr. Bramlage's letter reflected the Committee's Minority Report.)

Mrs. Simmons stated that the submittal of a Minority Report is not required. She stated if Robert's Rules are followed, it is not necessary.

Mr. Williams asked if Public Hearing notices in the Centerville-Bellbrook Times would be sufficient notification.

Mrs. Simmons stated that the Committee felt it would be better than it currently is handled.

Mr. Schwab pointed out that the City notices are printed in the Centerville-Bellbrook Times for Council items and it seems to be sufficient.

MOTION: Mrs. Simmons moved to recommend approval of the Group Home Ordinance Review Committee Procedural Changes to Council. Mr. Looper seconded the motion. The motion was approved unanimously 6-0.

Walnut Hills Estates II, Section 2 - Record Plan

Mr. Schwab reviewed the proposed record plan for Walnut Hills Estates II, Section 2, located as an extension of existing Rhine Way. The original submittal was a conditional use application and a preliminary plan. The purpose of the conditional use was to allow reasonable flexing in the lots as well as the average density of the lots for 20,000 sq. ft. or greater. The conditional use application was approved by Planning Commission and Council with 29 lots. Mr. Schwab stated that the developer has since requested that the record plan be approved with 30 lots because of a mistake in the drawing.

Mr. Schwab stated that in reviewing the Planning Commission and Council minutes of the conditional use approval, it is clear that it was approved with 29 total lots even though a mistake in the numbering system continued through Lot #30. Even though the developer says that the intent of the conditional use was to request 30 lots, it is staff's feeling that the project was approved with only 29 lots. If the developer would want to resubmit his application to consider 30 total lots, he can do so.

Staff recommends to approve the record plan with the following conditions:

1. Lot 30 be eliminated by combining it with Lot 29.
2. A 10 ft. wide public access walkway easement must be dedicated between Lots 19 and 20. A 2 ft. wide concrete walkway must be constructed by the developer in this easement. This public access easement must be labeled on the record plan drawing and described in the plat dedication.
3. The City will permit the developer to record a deed acquiring the entire 7.351 acre tract with the condition that the developer must immediately thereafter record this record plan with Montgomery County.
4. The protective covenants be changed as noted on the attached copy of the covenants (see Attachment A).
5. The easement between Lots 18 and 19 on the record plan be changed to match the easement shown on the construction drawings attached to this record plan.
6. The street name Sycamore View be changed to Sycamore View Court.
7. In lieu of completion of the public improvements prior to recording of the plat, the applicant must enter into a Subdivider's Agreement with the City and post a Performance Bond in a dollar amount approved by the City Engineer.

Mr. Richard Pavlak, developer, stated that he would prefer that the walkway easement be located between Lots 18 and 19 because it is already cleared. He stated if it is placed between Lots 19 and 20, additional trees will have to be removed. Mr. Pavlak stated that the problem with the numbering of lots was created with a mistake in the numbering system. He stated he would request that the record plan be approved with a total of 30 lots.

Mr. Tate stated that the conditional use application was approved with a total of 29 lots because it gave the proper average lot size. If 30 lots were allowed, the average lot size will fall under the 20,000 sq. ft. lot average required in a R-1 district.

Mr. Williams asked why the Park District wanted the walkway changed.

Mr. Feldmann stated because the slope would not be as great and would allow easier access to the park area.

Mr. Tate stated that he did not see a reason to change the location of the walkway since the area is already clear between Lots 18 and 19.

MOTION: Mr. Hall moved to recommend approval of Walnut Hills Estates II, Section 2, to Council with the following conditions:

1. Lot 30 be eliminated by combining it with Lot 29.
2. A 10 ft. wide public access walkway easement must be dedicated between Lots 18 and 19. A 2 ft. wide concrete walkway must be constructed by the developer in this easement. This public access easement must be labeled on the record plan drawing and described in the plat dedication.
3. The City will permit the developer to record a deed acquiring the entire 7.351 acre tract with the condition that the developer must immediately thereafter record this record plan with Montgomery County.
4. The protective covenants be changed as noted on the attached copy of the covenants (see Attachment A).
5. The easement between Lots 18 and 19 on the record plan be changed to match the easement shown on the construction drawings attached to this record plan.
6. The street name Sycamore View be changed to Sycamore View Court.
7. In lieu of completion of the public improvements prior to recording of the plat, the applicant must enter into a Subdivider's Agreement with the City and post a Performance Bond in a dollar amount approved by the City Engineer.

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

#### Hsien-Ming Meng, M.D. - Conditional Use

Mr. Schwab reviewed the conditional use application submitted by Hsien-Ming Meng, M.D., for a private club to be located at 2240 E. Alex-Bell Road. The zoning on the parcel is WT R-4. The request for approval of a private club would allow the structure to be used as a social gathering place, educational facility for the Chinese people in the community, library for over 5,000 Chinese culture books, etc.

Mr. Schwab stated that in looking at the site, there is adequate existing screening on the property on all sides. Staff recommends approval of the

conditional use request with the following conditions:

1. The existing landscaping along the property lines abutting residential uses must be retained and maintained.
2. Outdoor activities (including use of the pool) is restricted to the daylight hours between 8:00 A.M. and 9:30 P.M.
3. Subdivision of the existing parcel must not occur.
4. No expansion of the existing buildings must occur.
5. The entire length of the driveway must be widened to a minimum of sixteen feet.
6. The entrance driveway at Alex-Bell Road and the entrance gate must be widened to twenty feet. The widening must extend from the existing pavement edge of Alex-Bell Road back at least 100 feet.
7. A ninety foot in diameter turnaround at the south end of the private drive must be constructed. The City Planner must approve the design of the turnaround.
8. Eighteen parking spaces must be installed on the west side of the private drive. Evergreen screening approved by the City Planner must be planted adjacent and west of the new parking spaces.
9. All buildings must be in compliance with the City Building and Fire Codes.

Mr. Schwab stated that the Fire Department has requested that a fire hydrant be installed when a water line is available to that area.

Mr. Hall asked if exterior lighting had been addressed.

Mr. Vic Green, representing the applicant, stated that there is currently exterior lighting on virtually all sides of the house and in the pool area.

Dr. Meng, applicant, stated that the site would be used primarily for educational purposes one day during the week for approximately two hours.

Mr. Hall asked if the Planning Commission would be approving this application as an educational facility.

Mr. Schwab stated that the site would provide many other functions other than an educational facility. In discussing the application with the City Attorney, it was determined that the use would be classified as a private club.

Mr. Hall stated that as well as being concerned about additional outside lighting, he would be in favor of restricting the use of outside speakers.

MOTION: Mr. Hall moved to recommend approval of the conditional use submitted By Hsien-Ming Meng, M.D., to Council with the following conditions:

1. The existing landscaping along the property lines abutting residential uses must be retained and maintained.
2. Outdoor activities (including use of the pool) is restricted to the daylight hours between 8:00 A.M. and 9:30 P.M.
3. Subdivision of the existing parcel must not occur.
4. No expansion of the existing buildings must occur.
5. The entire length of the driveway must be widened to a minimum of sixteen feet.
6. The entrance driveway at Alex-Bell Road and the entrance gate must be widened to twenty feet. The widening must extend from the existing pavement edge of Alex-Bell Road back at least 100 feet.
7. A ninety foot in diameter turnaround at the south end of the private drive must be constructed. The City Planner must approve the design of the turnaround.
8. Eighteen parking spaces must be installed on the west side of the private drive. Evergreen screening approved by the City Planner must be planted adjacent and west of the new parking spaces.
9. All buildings must be in compliance with the City Building and Fire Codes.
10. The character of the outdoor lighting shall not be changed.
11. No outside speakers can be installed.

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

Development Policy Plan - Additional Discussion

Mr. Hall commented that because he was not present during the review of the Development Policy Plan, he would like to comment that he was impressed with the document although he was disappointed that the houses of worship did not have more feature in the Plan. He stated he would like the Task Force to consider giving this topic more thought in the Plan instead of having it buried in "Other Community Services".

Mr. Schwab stated that written comments would be welcomed by the Zoning Task Force and City Council.

There being no further business, the meeting was adjourned.

*Elma [unclear] 4/29/84*

