

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, April 26, 1983

Mr. Horvath, Acting Chairman, called the meeting to order at 7:45 P.M.

Attendance: Mr, Dallas Horvath, Col. Stanley Morrow, Mr. Robert Chappell, Mr. David Hall. Absent: Mr. Elmer C. Tate, Jr.; Mr. Brian Bergsten; Mrs. Marian Simmons. Also present: Mr. Steve Feverston, Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Jon Bormet, Administrative Assistant; Mr. Bob Feldmann, Centerville/Washington Park District.

Approval of minutes of March 29, 1983:

MOTION: Mr. Hall moved to approve the Planning Commission minutes of March 29, 1983, as written. Mr. Chappell seconded the motion. The motion was approved unanimously 4-0.

PUBLIC HEARINGS

The Woods Apartments - Sign Variance

Mr. Feverston made a slide presentation of the request for a sign variance submitted by the Woods Apartments located at 6355 Bigger Road. The zoning on the parcel is E-C. The request is for an additional 18 sq. ft. of signage above the legal requirement and also a setback variance of 20 to 25 ft. The existing 42 sq. ft. of signage is currently being used as 2 single-faced signs placed in the shape of a "v" and located at the entrance to the complex. This location was approved by the Planning Commission in July of 1981, since it did require a setback variance.

The proposal is to locate 2 signs, 1 centered on the property and the other on the north end of the property, which would require a total of 40 sq. ft. of additional signage for a total of 82 sq. ft. of sign area for the entire project. This proposed 82 sq. ft. of total signage would require a variance of 18 sq. ft. since the maximum permitted signage is 64 sq. ft., as well as a setback variance to allow a 5 ft. setback for the sign in the center of the property and a 0 ft. setback for the sign at the north end of the property.

Mr. Feverston stated that staff's concern is that the sign at the north property line will not be visible from Bigger Road after the construction of the Bigger Road bridge is complete which will elevate Bigger Road approximately 20 ft. above the existing grade. He stated that the signs are currently in place and a great deal of decorative landscaping has been created around each of the signs. The signs are approximately 80" long and 30" wide, of wood construction and are not presently illuminated.

In review of the variance checklist, it was determined that the request does meet the standards for granting a variance. Mr. Feverston stated that the proper location for signage for an apartment complex is at the entrances to the property; however, the Woods Apartments were allowed only one (1) access point due to the limited access along the I-675 corridor. The signage for the Woods Apartments does not identify the complex until you are beyond the entrance.

Staff recommends to approve the application with the following condition:

1. The northernmost sign shall be moved to the location of the center sign.

Mr. Horvath opened the public hearing.

There being no speakers for or against the issue, the public hearing was closed.

Mr. Hall asked if the variance is approved, will the project have 3 approved signs, and if the 82 sq. ft. included all 3 signs.

Mr. Feverston stated that there would be a total of 3 signs on the parcel for a total of 82 sq. ft. in sign area which would create a variance of 18 sq. ft. for sign area.

Mr. Hall stated that he is not in favor of placing 3 signs on one parcel because it would create a lot of clutter. He stated that because there is lot of land left to develop in that area, it would set a bad precedent to those developers who will want 3 signs which is too many.

Mr. Chappell stated that he does not like the fact that the signs are already up without the approval of a variance before they were erected.

Col. Morrow stated that the signs are up and they are attractive. The northernmost sign location is unwise because of the rise in the overpass; however, they probably wer not thinking of that at the time. In driving by the complex, he stated it is difficult to identify the Woods Apartments which is considerable development for the signs they have.

Mr. Dick Tipton, Managing Agent for the Woods Apartments, stated that they realize that the sign at the north property line will have to be moved when the Bigger Road construction is complete. At that time, he stated they will make formal application to the Planning Commission for a variance for the relocation of that sign.

MOTION: Col. Morrow moved to approve the variance request by the Woods Apartments with the following conditions:

1. The signs will not be illuminated; and,
2. After the completion of the widening of Bigger Road and I-675, the property owner will have to reapply for either the relocation of the signs or the continuation of their present locations.

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

NEW BUSINESS

Walnut Hills II - Preliminary Plan (Conditional Use)

Mr. Feverston made a slide presentation of the proposed preliminary plan (conditional use) for Walnut Hills II located in the City of Centerville as well as Greene County. The second phase of Walnut Hills is an extension

of existing Rhine Way south of Centerville Station Road and east of Wilmington Pike. The zoning on the 34 lots located in Centerville is R-1, which will cover an area of 15.862 acres. The remaining 9.876 acres is located in Greene County and will provide 15 lots for a total of 49 lots in Phase 2. The developer has applied for a conditional use for this preliminary plan since the proposal is to be developed as a PUD. A PUD allows lot reduction with required park dedication. Mr. Feverston stated that the park area proposed is located in Greene County and there is a question as to whether lot reduction can be applied with the park area located in another county.

The Park District has indicated that they lack park access from the Walnut Hills subdivision to Sugar Valley Park. The Park District, therefore, proposes that the park area be located in the area proposed to be Lots 10-13 instead of the area located north of proposed Sycamore View and east of proposed Park Place. This would also eliminate the question as to whether lot reduction can be granted in one county and the park location in another county. The Park District further proposes that a small sliver of land to the rear of Lots 1-5 be made part of the park area in order to provide more room to develop a trail along the creek area. According to the Comprehensive Plan, a neighborhood park has been planned for this area as proposed by the Park District.

Staff recommends approval of the preliminary plan (conditional use) with the following conditions:

1. Eliminate the "S" curve at the entrance to the plat.
2. Relocate the proposed park to the southwest corner properties along Rhine Way in accordance with the Park Plan.
3. Park Place shall be stubbed into Greene County.
4. Sidewalks shall be constructed on both sides of the street.
5. A drainage plan shall be submitted to the City Engineer for approval.

Mr. Horvath asked Mr. Farquhar if lot reduction can be granted if the park area is not in the City.

Mr. Farquhar stated that the Ordinance does not say that the park area has to be located in the City, but it has to be in the same section. He stated he would research it further.

Mr. Horvath stated that the park dedication is usually coordinated with the Park District; however, in this case, the Park District is not in Montgomery County or the City of Centerville. The Centerville/Washington Park District is not in favor of having the park located in the proposed area, and Greene County has indicated that they are not willing to accept the proposed park for maintenance.

Mr. Bob Feldmann, Centerville/Washington Park District, stated that the Master Plan for Greene County does not include a park in the proposed area and they have indicated that they are not willing to accept that proposed parcel for maintenance. He stated that Sugar Valley Park originated in 1968 with 22 acres approved by the Centerville Planning Commission. Over the years, the park has grown into a complex of 164 acres of park land including the natural area, a community park as called

for in the Comprehensive Plan, and two neighborhood locations at the western end of the park. The development of this complex and all the thrust of development was based on the Centerville Comprehensive Plan. He stated that the Park District is proposing that the plan for Walnut Hills II be developed in accordance with the Comprehensive Plan for the City. He stated that the Comprehensive Plan calls for the acquisition of the wooded hillsides adjoining Walnut Hills II. The Park District attempted to buy these hillsides when the remainder of the property was obtained in 1981 from Mr. Fisher. The total plan was unable to be completed. Some of these certain hillsides are essential to provide continuous trail access along the east side to connect Sycamore Creek Canyon and Sugar Creek Reserve. He stated that it is the hope that this entire corridor will continue down to the Little Miami River. Mr. Feldmann stated that the park area proposed by the developer is away from the main body of the park, does not meet the needs of the park program, and would not be accepted by the Park District. He stated that the Park District's proposal meets many of the needs of the Comprehensive Plan as well as development of the Park District. This area is essential in providing a continuous trail to Sycamore Creek Canyon, would also provide a key expansion of Sugar Creek Park called for in the Comprehensive Plan, it meets the needs of the Walnut Hills neighborhood by providing access from the Walnut Hills area and access to the neighborhood play area which is proposed for development by the Park District. This play area would also include a small tot lot on the high ground which is close to the residences to provide convenience to parents.

Mr. Richard Pavlak, developer, stated he has spent approximately the last 15 years studying and developing this section of Walnut Hills. He stated he knows this land better than any park man. He stated that he disagrees that the Park District's layout is the best arrangement for this section of Walnut Hills and his proposal is far superior. Mr. Pavlak stated that this parcel that he now owns was coordinated with the Park District as to the location of the park area. He stated that the layout he submitted to the Park District is very close to what is shown on the preliminary plan. One of the changes the Park District elected to make was changing the boundary line at the access to the development which created the "S" curve. He stated that the proposed location for the tot lot would be very dangerous because the high ground is basically a cliff. He stated he would not allow his children to use that as a play area unless it were completely fenced and boarded. Mr. Pavlak stated there is no possible way to make any access to the park area as the Park District has proposed.

Mr. Pavlak stated that the reason he chose the park to be located as indicated on the preliminary plan is because it provides open areas for a play area since the rest of the area in Walnut Hills is surrounded by trees. This proposed area gives kids a place to play baseball and other activities that require an open space. He stated that the other reason for locating the park as he proposed is that it has been incorporated into the drainage system. He stated that the park area contains a dry retaining pond (150 ft. by 200 ft. approximately) nature has created and will have runoff through a controlled drainage point. Mr. Pavlak stated that in discussions with excavators, they have agreed that the sewer system would not be a difficult one to install since it is a natural layout and would require only minimum depths.

Mr. Hall stated that we cannot create a park that no one will maintain, as well as the fact that lot reduction could not be allowed if the park area is not accepted. Until the park situation can be solved, he suggested that the issue be tabled.

Mr. Pavlak stated that the park maintenance could be dealt with in terms of a homeowners association.

Mr. ; arguhar stated this may not qualify under the Ordinance since the park would not be a public park.

MOTION: Mr. Hall moved to table the preliminary plan (conditional use) for Walnut Hills II in order to determine the following issues:

1. Can lot reduction be allowed if the park location is not accepted by the Park District;
2. The legality of whether lot reduction is allowed since the proposed park area is located in Greene County.

Col. Morrow seconded the motion. The motion was approved unanimously.

Mr. Pavlak stated that he will not develop Walnut Hills II with lot reduction if a condition of approval is relocation of the park area as proposed by the Park District. He stated that he does not feel that the Park District's proposal is appropriate and further, that is the site he has chosen to construct his home.

Tom Harrigan Auto Dealership - Site Plan

As a result of Mr. Hall removing himself from the meeting during discussion of Tom Harrigan site plan, there was no longer a quorum for review. A Special Meeting of the Planning Commission was scheduled for Tuesday, May 3, 1983, at 7:30 P.M.

Springstone Lea - Record Plan

Mr. Feverston reviewed the proposed record plan for Springstone Lea located north of Centerville Station Road at Southbury Drive. He explained that this record plan for the 11 lots is a resubmission of a record plan approved in August of 1980. There have been only a few minor changes to the proposed plan than what was originally approved including some shifting of lot lines. The zoning on the 9.652 parcel is R-1, single-family residential. There is currently an existing residence on the parcel. The proposed entrance to the plat will be aligned with Southbury Drive and will wind around into a cul-de-sac. The existing curb cut for the house will be closed and access will be gained at the street entrance. Centerville Station Road will be widened to match the existing improved roadway.

Mr. Feverston stated that the Montgomery County Sanitary Department indicated that the easement along the northwest line of Lot #5 should be widened to 10 ft. The Fire Department stated that the two (2) fire hydrants should be located on the plan for their approval.

The record plan was originally approved with sidewalks on the east side of the street terminating between Lots #8 and #9, even though the Sub-division Regulations state that sidewalks should be on both sides of the street.

Staff recommends approval of the record plan for Springstone Lea with the following conditions:

1. Two fire hydrants shall be installed with their location subject to approval by the Fire Department.
2. The easement along the northwest line of Lot #5 shall be 10 ft.
3. Sidewalks shall be required along both sides of Stonehouse Road.
4. Receipt of a performance bond and inspection fee in the amounts to be determined by the City Engineer, and the signing of a subdivider's agreement.

Mr. Hall asked if Lots #6A and #6B were meant to be one lot.

Mr. Feverston stated that Lots #6A and #6B are to be one (1) lot; and, the plat covenants state that no buildings are to be constructed on Lot #6B, and is to be maintained as an open area.

Mr. John Beals, engineer representing the developer, stated that they do not feel that sidewalks on both sides of the street are necessary due to the size of the lots and the limited traffic they will attract. He stated that a great amount of curvature to the street was an attempt to make the lots unique as well as to preserve as many of the existing trees as possible. If sidewalks were required on both sides of the street, it would require removing a lot of those existing trees and growth.

Mr. Chappell stated that he recalled a concern with the access from Centerville Station Road.

Col. Morrow stated at the time the record plan was originally approved, the Planning Commission saw no trouble in approving it with sidewalks on one (1) side due to the number of lots, attraction of traffic, etc.

MOTION: Col. Morrow moved to recommend approval of the record plan for Springstone Lea to Council with the following conditions:

1. Two fire hydrants shall be installed with their locations subject to approval by the Fire Department.
2. The easement along the northwest line of Lot #5 shall be 10 ft.
3. Sidewalks shall be required along Stonehouse Road extending from Centerville Station Road along the east side to the line between Lot #8 and #9.
4. Receipt of a performance bond and inspection fee, in the amounts to be determined by the City Engineer, and the signing of a subdivider's agreement.

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

There being no further business, the meeting was adjourned.

Elmer Tate
5/31/83