

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, June 30, 1981

Mr. Bergsten called the meeting to order at 7:40 p.m.

Attendance: Mr. Brian Bergsten, Mr. Robert Chappell (where noted), Mr. Bernard Samples, Col. Stanley Morrow, Mrs. Marian Simmons.
Absent: Mr. Elmer C. Tate, Jr. and Mr. Dallas Horvath. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Joseph S. Minner, Assistant City Manager; Mr. Jim Gould, Acting City Attorney.

Approval of minutes of May 26, 1981, Planning Commission Regular Meeting:

MOTION: Mr. Samples moved to approve the Planning Commission minutes of May 26, 1981, as written. Col. Morrow seconded the motion. The motion was approved unanimously 4-0.

SETTING OF PUBLIC HEARINGS

The following items were set for public hearing on Tuesday, July 28, 1981 at 7:30 p.m. in the City Building:

An Ordinance Amending Ordinance Number 15-61, The Zoning Ordinance, And Ordinance Number 48-70, By Changing Definitions And Requirements For Educational Facilities In The City Of Centerville, Ohio.

The Woods Apartments - Sign Variance
Location: 6355 Bigger Road

Mr. Bergsten stated that the variance request and lot split request submitted by Goldman's, Inc., had been withdrawn.

COMMUNICATIONS

Mr. Schwab stated that the Ordinance relating to changing the definition and requirements for educational facilities in the City of Centerville has been sent back to the Planning Commission by Council. He stated that Council's feeling is that kindergartens, day care centers, and nurseries should not be permitted in R-1 and R-2 zoning districts. There are also some other changes they want incorporated into the Ordinance. These changes constitute major changes and therefore, the Ordinance requires a new public hearing.

Mr. Schwab stated that a petition was received from approximately fifteen (15) persons (telephone numbers included only) asking for more zoning categories which would allow day care centers. The petition was sent to the Mayor but passed on by the Clerk of Council to the Planning Commission.

Antheil, Robert E. - Lot Split

Mr. Schwab made a slide presentation of the requested lot split of a parcel of land located east of Mad River Road opposite Westridge Road in Washington Township. He stated that the existing lot is located off a private lane which is the reason it must come before Planning Commission for review. The Township Trustees have granted Mr. Antheil the appropriate zoning which would allow him to build on the second lot created by the lot split.

Staff recommends approval of the lot split which would create a 1.546 acre lot and a 1.264 acre lot.

MOTION: Mrs. Simmons moved to approve the lot split as requested by Mr. Robert E. Antheil and directed the City Planner to stamp the deed "No Plat Required". Col. Morrow seconded the motion. The motion was approved 4-0.

PUBLIC HEARINGSLiberty Lawnmower & Fireplaces - Site Plan Amendment

Mr. Schwab reviewed the request for an outside display submitted by Liberty Lawnmower & Fireplaces located at 21 West Franklin Street in the Architectural Preservation District in the City of Centerville. Approval of this request would allow the placement of lawnmowers and certain retail items for display between the front of the building and the sidewalk outside the City right-of-way. Mr. Schwab stated that outside storage is not permitted in business districts and particularly not in the APD. Under the new AP Ordinance, this item comes before the Planning Commission rather than the BAR because it is a use item.

Staff recommends that the request be denied based on the fact that no unique situation exists.

Mr. Bergsten opened the public hearing.

There being no speakers in favor of or in opposition to the request, the public hearing was closed.

MOTION: Mr. Samples moved that the request for a site plan amendment to provide for an outside display for Liberty Lawnmower & Fireplaces be denied. Mrs. Simmons seconded the motion. The motion was approved unanimously 4-0.

UNFINISHED BUSINESSKimblewyck Farms (formerly Shadybrook) - Preliminary Plan

MOTION: Mrs. Simmons moved to take the preliminary plan for Kimblewyck Farms off the table. Mr. Samples seconded the motion. The motion was approved unanimously.

Mr. Schwab made a slide presentation of the preliminary plan for Kimblewyck Farms which was formerly Shadybrook located south of Nutt Road and east of Atchison Road in Washington Township. He reviewed the original plan submitted in November of 1979 which included 45 lots over a 27-acre parcel. This particular layout was the topic of much controversy concerning the large trees spread over the 27-acre tract.

The plan that has now been submitted for consideration is a 27-acre parcel which will provide 8 lots and a common area around a pond. The parcel is zoning single-family residential. The 8 estate lots (3 - 3 1/2 acres each) are placed around a cul-de-sac extending off of Nutt Road. The cul-de-sac will be constructed in a loop encompassing the common area which includes the pond.

Staff recommends approval of the preliminary plan with the following conditions:

1. The street name of Winner's Circle be changed (confusion with Winter's Rd. and St.).
2. Nutt Road right-of-way dedication be changed from 40 feet to 35 feet from centerline. The County Thoroughfare Plan shows 82 feet of right-of-way. The City's shows 70 feet. The County is changing their Plan to 70 feet. Nutt Road is a collector street so 70 feet of total right-of-way will be adequate.
3. The water line be looped to Ashpark Court.
4. Fire hydrant location be approved by the Washington Township Fire Department.
5. Covenants be attached to the record plan which:
 - A. Provide for the maintenance of the private roads and common area.
 - B. Require any bridge constructed on Lots 6, 7 and 8 to be at least 10 feet wide, capable of supporting 75,000 pounds, and constructed so that restriction of the river flow by the bridge structure does not cause increased flood levels upstream.
 - C. Indicates that the current 100-year flood level on the plat is from 958.5 feet to 962 feet.

Mr. Schwab stated that when the original plan was submitted, staff felt that stub streets should be built to the east and south to provide future tie in. He stated that two considerations have changed staffs' minds. He stated that since Nutt Road is not an arterial, we would be cul-de-sacing off a collector. Also the estate size lots will create less traffic volume than what was originally planned. Staff feels that the collector street will be an adequate tie in for future development.

Mr. Chappell arrived at this time.

Mr. Val Lapsins, representing the developer, stated that the only problem they might have is the extension of the water main into another project. If an easement is available to use, there should be no problem. If there is no easement, possibly the City could help in obtaining one.

Mr. Bergsten asked if the Fire Department had objected to the length of the cul-de-sac.

Mr. Schwab stated that since the cul-de-sac provides a loop, the Fire Department has no problem with it.

Mr. Bergsten asked if the elevation of the road is such that the a 100-year storm would put the road under water.

Mr. Lapsins stated that the lowest part of the project will be raised approximately three (3) feet in order to raise it above the flood plain level.

MOTION: Mr. Samples moved to approve the preliminary plan for Kimblewyck Farms contingent on the following conditions:

1. The street name of Winner's Circle be changed (confusion with Winter's Road and Street).
2. Nutt Road right-of-way dedication be changed from 40 feet to 35 feet from centerline.
3. The water line be looped to Ashpark Court.
4. Fire hydrant location be approved by the Washington Township Fire Department.
5. Covenants be attached to the record plan which:
 - A. Provide for the maintenance of the private roads and common area.
 - B. Require any bridge constructed on Lots 6, 7 and 8 to be at least 10 feet wide, capable of supporting 75,000 pounds, and constructed so that restriction of the river flow by the bridge structure does not cause increased flood levels upstream.
 - C. Indicates that the current 100-year flood level on the plat is from 958.5 feet to 962 feet.

Col. Morrow seconded the motion. The motion was approved unanimously 4-0.

NEW BUSINESS

Centerville Mill - Site Plan Amendment

Mr. Schwab made a slide presentation of the site plan amendment for the Centerville Mill located at 7991 Clyo Road in the City of Centerville. The zoning on the 1.2 acre tract is I-1 (which under the old I-1 zoning

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does permit a retail use). The request is to construct an additional warehouse on the north end of the site and also to allow outside storage in a controlled fashion. The site plan amendment proposes 59 parking spaces as required. The additional warehouse proposed to be constructed on the north end of the site is to be enclosed with wood siding similar to what is on the garden center building now. Two doors will be added to the north end of the building and two (2) overhead doors will be added to the west side of the building.

Staff recommendation is to approve the site plan amendment with the following conditions:

1. A fire hydrant be added along Clyo Road on the north side of the center curb cut onto Clyo Road between the mill building and the metal building.
2. The proposed uses of each building be designated on the site plan. Mr. Schwab stated that the importance of designating the use on the site plan is to meet the parking requirements.

Mr. Fred Allberry, attorney for the owner, stated that the conditions for approval are acceptable, however, they do not know what the actual location of the fire hydrant will be. He stated that they would like to further review it with their engineers and the Fire Department.

Mr. Samples stated that the layout of the site appears to take care of the parking problem that now exists.

Mr. Will Wilson, owner, stated that they have been aware of the parking problem, however, they were waiting for the construction of Clyo Road to be complete in order to deal with the problem. He stated that one problem will still exist, that being the public scales. A part of the scales are on the City right-of-way and he indicated that staff could perhaps suggest a location on the site which would be suitable.

MOTION: Col. Morrow recommended approval to Council of the site plan amendment for Centerville Mill with the following conditions:

1. A fire hydrant be added along Clyo Road with its location to be approved by the Washington Township Fire Department.
2. The proposed uses of each building be designated on the site plan.

Mr. Chappell seconded the motion. The motion was approved unanimously.

Walden Place - Site Plan

Mr. Schwab made a slide presentation of the site plan for Walden Place located on a 2.28 acre tract south of Friendly Restaurant on Westerly Lane in the APD of the City of Centerville. He explained that the proposed condominium project is being reviewed by the Planning Commission for setbacks, street layout, parking, screening, drainage, and the impact on the adjacent properties. The density permitted is 5.4 units per acre. The number of units per acre proposed is 7.0. The front yard setback requirement is 30 feet and the side yard requirement is 10 feet. The proposed front yard setback requirement is 17 feet from the street centerline and the proposed side yard setback is 6 feet.

Improvements to Westerly Lane would be required. Sixteen (16) units are spaced throughout the site each having a two (2) car garage and one (1) assigned parking space outside of the garage area. Five (5) additional guest parking spaces are provided throughout the complex so there would be 3+ parking spaces per unit. This more than satisfies the requirements of the Zoning Ordinance.

Staff recommends approval of the site plan for Walden Place with the following conditions:

1. Before any construction begins, a perpetual maintenance agreement between all the property owners on Westerly Lane acceptable to the Centerville Law Director be legally recorded.
2. The entire length of Westerly Lane to SR 48 be improved to standards approved by the City Engineer.
3. A plan for the storm sewer water drainage on the site be approved by the City Engineer.
4. The water line and fire hydrant plans be approved by the Washington Township Fire Department.
5. A revised plan be submitted to and approved by the City Planner which incorporates the following:
 - A. Adjusts the building locations to meet the setback requirements.
 - B. Shows all roadway improvements on adjacent properties are constructed in properly recorded easements.
 - C. Shows the location of all dumpsters.
 - D. Shows all parallel parking spaces to be a minimum of 24 feet in length.
 - E. Shows adequate room at the end of the two cul-de-sacs for turning around large delivery trucks, trash trucks, and fire trucks.
 - F. Provides corner vision at the end of the existing Westerly Lane.

Mr. Bergsten stated that it appears that the developers are trying to put too many units in so that there is not adequate room for turn-arounds.

Mr. Schwab stated that it appears to him that they are trying to save as many of the trees as possible and at the same time construct as many units as possible to make the project feasible.

Mr. Tom Reagan, representing the developer, stated that the main objection to most of the proposed staff recommendations is that they are trying to preserve the green area that exists on the property. He stated that if they are required to put in 90 foot radius as suggested by the Fire Department, there won't be any green area left.

Mr. Reagan stated if you scale the turnaround area, it is almost a 50 foot radius. He stated that they feel that a truck should be able to maneuver around in that given area. He stated that should a fire truck get back in that area it will eventually have to be maneuvered around; however, that is what 90% of Centerville has to offer anyway.

Mr. Bergsten asked Mr. Reagan if there is a reason why he thinks this project should be approved with a greater density of units than is normally approved.

Mr. Reagan stated that they are going to a new trend using zero lot lines because of the cost of land. He stated if they are forced to take some of the units out of the project, then it will not be feasible to build the units.

Mr. Schwab stated that under the zoning, they would be permitted to have 12 units. Sixteen (16) units are proposed plus the community building. He stated that projects of this type have primarily come in E-C zoning districts. Under that zoning, there is not density requirement. The project north of this proposed site (formerly apartments) averages 12 to 14 units per acre. He stated that 6 to 7 units per acre is a low density, but does require care in the layout. He stated that the requested density in staff's opinion is not unreasonable in terms of what has been built in Centerville.

Mr. Schwab suggested that the two cul-de-sacs be connected to form a loop and relocate the two units that would be lost.

Mr. Reagan stated that they are trying to create a small, little village here as opposed to making it like an apartment complex which would allow delivery trucks, semies, etc., to drive through. He stated that they are trying to create a small, little village where 16 families have their own little nest--not that it would prevent fire trucks from getting through, but would cut down on traffic flow.

Mr. Bergsten stated that it is his opinion that he could not approve the plan as it is. He stated that there are enough things to be addressed that the Planning Commission should see the revised plan.

Mr. Reagan stated that what they need to know is whether the density will be acceptable. He stated that the other conditions can be traded off, however, the project cannot go on if the number of units will be cut.

The Planning Commission discussed the density and determined that the density would not be a problem if the street layout situation was resolved. Mr. Bergsten stated that he does think that the density is the reason for the problem with the street layout.

Mr. Samples stated that he can see where two fire trucks could get back into a cul-de-sac and discover that they are at the wrong cul-de-sac which would require them to back out.

Mr. Reagan stated that is the case with any cul-de-sac. He stated that is the case with Westerly Lane at this time.

Mr. Samples asked if he would agree that it is a bad situation.

Mr. Reagan stated that he doesn't believe that it is a perfect situation, however that monster has been created all through Centerville and he doesn't feel like being the scapegoat in this situation.

Mr. Chappell stated this gives the City an opportunity to correct this situation instead of creating another one.

Mr. Schwab stated that the procedure for this project being in the APD allows the Planning Commission and the BAR 45 days in which to review the plan and forward it to Council. Council will make the final decision and have 120 days in which to return a decision on the application. After the 45 day period given for Planning Commission and the BAR review, if the Planning Commission has not forwarded a recommendation to Council, Council does have the authority to act on the application. In the case of this application, it is proper to table the project; however, it is possible that the plan may not come back to the Planning Commission for further review.

Mr. Samples asked if it is possible to act on the application and go through the City Planner in order to meet the conditions of approval.

Mr. Schwab stated that it would be possible and it would give them time flexibility so that it would go to Council with a recommendation from the Planning Commission.

MOTION: Mr. Samples moved to recommend approval of the site plan for Walden Place subject to the following conditions as contingencies for approval:

1. Before any construction begins, a perpetual maintenance agreement between all the property owners on Westerly Lane acceptable to the Centerville Law Director be legally recorded.
2. The entire length of Westerly Lane to SR 48 be improved to standards approved by the City Engineer.
3. A plan for the storm sewer water drainage on the site be approved by the City Engineer.
4. The water line and fire hydrant plans be approved by the Washington Township Fire Department.
5. A revised plan be submitted to and approved by the City Planner which incorporates the following:
 - A. Consider adjustment of building locations in view of existing setback requirements.
 - B. Shows all roadway improvements on adjacent properties are constructed in properly recorded easements.
 - C. Shows the location of all dumpsters.
 - D. Shows all parallel parking spaces to be a minimum of 24 feet in length.
 - E. Shows adequate room at the end of the two cul-de-sacs for turning around large delivery trucks, trash trucks, and fire trucks.

- F. Provides corner vision at the end of the existing Westerly Lane.

Mrs. Simmons seconded the motion. The motion was approved 4-1.
Mr. Bergsten voted no.

Olympic Industrial Park, Sec. 1 - Record Plan

Mr. Schwab made a slide presentation of the record plan for Olympic Industrial Park, Section 1, located north of SR 725 (Alex-Bell Road) and east of Bigger Road in the City of Centerville. The zoning on the 8.4 acre parcel is I-1. This section has 7 lots proposed. There are no thoroughfare improvements required since extra right-of-way will be dedicated for the improvements to Bigger Road.

Staff recommends approval with the following conditions:

1. The future possible right-of-way line for the two lots fronting on Bigger Road be shown on the plan.
2. The applicant recognize that the proximity of the proposed intersection of Olympic Drive with Bigger Road would almost certainly have to be restricted to right in and right out movements if the I-675 Bigger Road bridge is constructed.
3. The applicant recognize that the configuration of the two proposed lots fronting on Bigger Road would be greatly impacted by the construction of the I-675 Bigger Road bridge and temporary Bigger Road bypass.
4. The approval be conditioned on the Ohio Department of Transportation approving this plan.
5. Sidewalks be added to both sides of Olympic Drive.
6. The storm water drainage plan be approved by the City Engineer, including retention and detention.
7. On Lots 1 and 2, the proposed I-675 right-of-way be shown on the record plan.
8. The building setback lines on Lots 1 and 2 be adjusted to prohibit building within the proposed I-675 right-of-way.
9. In lieu of completion of the required improvements before recording the plat, a Subdivider's Agreement, Performance Bond, and Inspection Fee in amounts approved by the City Engineer be filed with the City.

Mr. Bob Archdeacon, representing the developer, stated that the two serious objections that they have is requirements for sidewalks along both sides of Olympic Drive. In an industrial area there is no need for sidewalks. The other vital concern is the condition for retention or detention of storm water. He stated that Centerville at this time has nothing in their ordinance to provide guidelines. He stated that runoff will be to the south into Thomas Paine which has been designed to accept industrial runoff from this industrial area. He stated that they can see no need or way to adequately provide retention or detention.

Mr. Schab stated that it true that the City does not have any specific ordinance providing guidelines for retention or detention. He stated that any drainage plan must be designed to the satisfaction of the City Engineer. He stated that only if a retention or detention capability is provided will he be able to determine whether the plan is proper.

Mr. Archdeacon stated that the City will be making a serious mistake by requiring each lot or subdivision to have its own retention or detention.

Mr. Schab stated that he is only requesting a plan be submitted showing the possibilities of detention or retention. After the plan is reviewed, the determination will be made as to whether it is feasible or not.

Mr. Ralph Woodley, developer, stated that he does not believe that sidewalks are necessary in the industrial area. If the sidewalks are required, it will cost approximately \$25,000 which will increase the building costs. He stated that regarding storm drainage, this plan was submitted several years ago and approved with the same storm drainage plan as it is shown now. At that time, retention was not even mentioned.

Mr. Schab stated that this area was reviewed at one time and approved and there was no mention of retention or detention. He stated that State laws are changing and there is more consideration given to property owners down stream. He stated should Planning Commission want to exclude the condition including retention or detention, it is their choice.

The Planning Commisison discussed the subject of including retention or detention and concluded that submitting the plan as requested by the City Engineer does not necessarily mean that it will be required.

The concensus of the Planning Commission was that sidewalks are not needed in the industrial area.

Mr. Schwab stated that it is Council's policy for sidewalks to be constructed on both sides of the street. He stated that Olympic Drive will eventually tie into Wilmington Pike.

MOTION: Mrs. Simmons moved to recommend approval to Council of the record plan for Olympic Industrial Park, Section 1, with the following conditions:

1. The future possible right-of-way line for the two lots fronting on Bigger Road be shown on the plan.
2. The applicant recognize that the proximity of the proposed intersection of Olympic Drive with Bigger Road would almost certainly have to be restricted to right in and right out movements if the I-675 Bigger Road bridge is constructed.
3. The applicant recognize that the configuration of the two proposed lots fronting on Bigger Road would be greatly impacted by the construction of the I-675 Bigger Road bridge and temporary Bigger Road bypass.

4. The approval be conditioned on the Ohio Department of Transportation approving this plan.
5. The storm water drainage plan be approved by the City Engineer, including retention or detention.
6. On Lots 1 and 2, the proposed I-675 right-of-way be shown on the record plan.
7. The building setback lines on Lots 1 and 2 be adjusted to prohibit building within the proposed I-675 right-of-way.
8. In lieu of completion of the required improvements before recording the plat, a Subdivider's Agreement, Performance Bond, and Inspection Fee in amounts approved by the City Engineer be filed with the City.

Mr. Samples seconded the motion. The motion was approved unanimously.

Yankee Station, Sec. 3 - Record Plan (Partial Replat)

Mr. Schwab reviewed the record plan for Yankee Station, Section 3, which is a partial replat of the previously approved plan. The location of Section 3 of Yankee Station is south of SR 725, east of Yankee Street, and west of Washington Village Drive in Washington Township.

This replat involves one (1) lot situated on a .7 acre parcel. Mr. Schwab stated that the purpose of the replat is expand the area of the parcel to the west.

Staff recommends that the record plan for Yankee Station, Section 3, be approved as submitted. He stated that it should be noted that the County flood plain information does show an encouragement of flood plain in this area. Holes Creek has been relocated which will probably alter the flood plain to some extent in this area. At the time of construction, those individuals should consider potential flood plain elevations on these two lots (Sections 3 and 4).

MOTION: Mr. Chappell moved to approve the record plan for Yankee Station, Section 3, as submitted. Mr. Samples seconded the motion. The motion was approved unanimously.

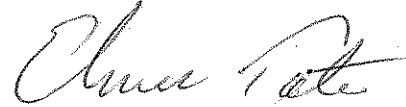
Yankee Station, Sec. 4 - Record Plan

Mr. Schwab stated that the record plan for Section 4 of Yankee Station is located south of SR 725 and east of Washington Village Drive in Washington Township. The one (1) lot in this section covers a three (3) acre tract. Mr. Schwab stated that an error was made on the drawings showing 60 foot side yards. A letter has been submitted asking that these side yards be deleted instead of having to change all the plans.

Staff recommends that the record plan for Yankee Station, Section 4, be approved with the deletion of the 60 foot side yards shown on the plan. Mr. Schwab again noted that individuals should consider the flood plain elevations at the time of construction.

MOTION: Mr. Samples moved to approve the record plan for Yankee Station, Section 4, as requested. Mrs. Simmons seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

A handwritten signature in cursive script, appearing to read "Elmer Tate". The signature is written in dark ink and is positioned in the upper right quadrant of the page.