

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, September 29, 1981

Mr. Tate called the meeting to order at 7:30 p.m.

Attendance: Mr. Elmer C. Tate, Jr., Mr. Dallas Horvath, Mr. Brian Bergsten, Col. Stanley Morrow, Mr. Bernard Samples, Mr. Robert Chappell.  
Absent: Mrs. Marian Simmons. Also present: Mr. Alan C. Schwab, City Planner; Mr. James C. Smith, Acting City Engineer; Mr. Robert N. Farquhar, City Attorney; Mr. Joseph S. Minner, Assistant City Manager; Mr. Steve Feverston, Planner I.

Approval of minutes of August 25, 1981, Planning Commission Regular Meeting:

MOTION: Mr. Samples moved to approve the Planning Commission minutes of August 25, 1981, as written. Col. Morrow seconded the motion. The motion was approved unanimously.

SETTING OF PUBLIC HEARINGS

The following items were set for public hearing for Tuesday, October 27, 1981, at 7:30 p.m. in the City Building:

Bill Knapp's Dayton, Inc. - Sign Variance

Location: 6460 Far Hills Avenue

Mastromatteo, Frank - Variance on Side Yard Requirement

Location: 6150 Ironside Drive

COMMUNICATIONS

Centerville Cycle Company - Application for Outside Sale (Christmas Trees)

Mr. Schwab stated that a request has been submitted by the Centerville Cycle Company to conduct outdoor Christmas Tree sales on the premises from November 27, 1981 through December 24, 1981. Centerville Cycle is located at 264 North Main Street which is situated on the southeast corner of SR 48 and Bradstreet Road in the Architectural Preservation District. Mr. Schwab explained that some parking spaces would be taken out in order to accommodate the storage of the Christmas Trees. One (1) lane would be maintained in order to allow proper circulation of traffic on the site.

Mr. Horvath commented that the parking area appears to allow enough room for the display of the Christmas Trees as well as adequate spaces for parking.

MOTION: Mr. Horvath moved to approve the variance for an outside sale of Christmas Trees for Centerville Cycle Company located at 264 North Main Street from November 27, 1981 through December 24, 1981. Col. Morrow seconded the motion. The motion was approved unanimously.

Mr. Tate asked Mr. Bruno Maier of Centerville Cycle Company, if the outside display of bicycles was beneficial for the establishment of his business.

Mr. Maier stated that the display did help the business because people do identify with what type of business does exist in this location particularly with the setback of the building from SR 48.

Mr. Tate asked if Mr. Maier is considering another request for a bicycle display. He stated if the location of the business has been established, the purpose of the display was obtained.

Mr. Maier stated that the one display seemed to be adequate and it is not necessary to have additional displays.

#### Centerville Mill - Site Plan Amendment (Architectural Alterations)

Mr. Schwab stated that the purpose of the site plan amendment for Centerville Mill located at 7991 Clyo Road is for architectural alterations. These alterations include the following:

1. An overhead door be added to the north side of the warehouse (old hardware building).
2. Cover east and south elevations of the old steel roof warehouse building (new hardware building) with a batten wood siding.
3. One door on the garden center building has been eliminated.
4. The roof construction on the new lattice structure (warehouse) will be designed as a pitched roof with tar paper and shingles. This design also includes the placement of three (3) to five (5) skylights on the east side of the roof.
5. The east elevation of the new lattice structure (warehouse) will include the placement of three (3) to five (5) greenhouse type (bay) windows.
6. The north elevation of the new lattice building (warehouse) will have the double door relocated further to the east.

Mr. Schwab stated that these are exclusively architectural alterations and the Planning Commission will have final approval on this project. Staff recommendation is to approve the site plan amendment for the architectural alterations as requested.

Mr. Chappell asked if the elimination of the one door on the garden center will create a problem with the Fire Department.

Mr. Schwab indicated that the building will have to comply with the building code and the Planning Commission would not have any authority to waive those requirements.

Mr. Tate commented that Mr. Wilson has certainly done an excellent job of improving the site.

MOTION: Mr. Bergsten moved to approve the site plan amendment for architectural alterations for Centerville Mill located at 7991 Clyo Road as requested. Mr. Chappell seconded the motion. The motion was approved unanimously.

Mr. Samples stated that he has observed that several items requiring action by the Planning Commission have not been listed on the agenda. He asked Mr. Schwab if the reason is because these items have been received too late to be scheduled on the agenda.

Mr. Schwab stated that is the case.

Mr. Samples stated that it might be more fair to place those items on the agenda last. He stated that the applicants that are on the agenda have made a point to get their projects in on time and it is not fair to delay those people.

Mr. Schwab stated that late items can be placed at the end of the agenda under new business.

#### PUBLIC HEARINGS

An Ordinance Amending Ordinance Number 15-1961, Ordinance Number 28-70, Ordinance Number 3-77 And Ordinance Number 41-77 Relating To Filing Fees Contained In Sections 22 And 25 Of The Zoning Ordinance.

Mr. Schwab stated that during the last meeting the amendments to the Subdivision Regulations were reviewed by the Planning Commission and recommended for approval to Council. He stated that Council has been reviewing revisions to the Subdivision Regulations and Zoning Ordinance fees as well as the general fee structure for the other City departments. The Ordinance being reviewed tonight is simply another one of those changes, specifically, involving fee changes to the Zoning Ordinance. The following fees are being proposed for consideration:

1. Zoning Certificate:	\$110.00
2. Site Plan Review:	150.00
3. AP Approval - Staff Approval:	5.00
BAR Approval:	20.00
Council Approval:	150.00
4. Certificate of Occupancy:	25.00
5. Variance:	60.00
6. Conditional Use:	200.00
7. Rezoning or Amendment	400.00
to the Zoning Ordinance:	400.00
Each subsequent rezoning	
(Part of same application):	60.00

Mr. Schwab stated that the rezoning fee does perhaps seem high, however, after considering the actual costs of advertising and all the public hearing notices that have to be sent out, the fee is justified and do reflect the City's cost.

Mr. Tate opened the public hearing.

There being no speakers for or against the proposed ordinance, Mr. Tate closed the public hearing.

MOTION: Mr. Horvath moved to recommend approved of the Ordinance to Council. Mr. Bergsten seconded the motion. The motion was approved unanimously.

UNFINISHED BUSINESS

Goodwill Industries of Dayton, Inc. - Site Plan Amendment

Mr. Schwab stated that during the last meeting, the Planning Commission reviewed a site plan amendment that would allow the placement of the Goodwill trailer on the northwest corner of the Goldman property (now occupied by K-Mart). The Planning Commission recommended this location to Council and they subsequently denied the trailer to locate in that area. Council suggested that the trailer be located at the site of the Recycling Center. Goodwill suggested that the trailer be located to the rear of Cassano's just north of the paved parking area.

Staff recommends approval with the following conditions:

1. A six (6) foot screen be placed around the trailer with a design to meet staff approval.
2. Construction of some type of improved pad to allow the trailer to be parked in a level manner.

A representative from Goodwill stated that this location is being proposed because there is not enough room for them to move to the Recycling Center location. He stated that the improved pad and screen would be acceptable for conditions to the approval.

Mr. Horvath stated that he would rather see the trailer moved back so that it would parallel with the Revco store.

Mr. Bergsten stated that in the original motion of the Planning Commission, provisions were made that no items were to be placed outside the screened area and the type of collectable goods were limited. He stated that these provisions should also be included in the conditions.

Mr. Samples noted that Mr. Bergsten and Mr. Horvath had previously voted no to the site plan amendment for Goodwill. Mr. Samples asked what their concerns were at that time and if those concerns still existed.

Mr. Bergsten indicated that he did not care for the prior location and its proximity to SR 48. He stated that the new proposal is a better location in terms of aesthetics.

Mr. Horvath indicated that he had the same concern as well as a conflict with the parking. He stated that he would like to still see the trailer moved further to the east so it would be parallel with the Revco store.

MOTION: Mr. Chappell moved to recommend approval of the site plan amendment for Goodwill Industries to Council with the following conditions:

1. A six (6) foot screen be placed around the trailer with a design to meet staff approval.
2. Construction of some type of improved pad to allow the trailer to be parked in a level manner.
3. Permit no items to be placed temporarily or permanently outside the screened area.
4. Only permit the collection of reusable household goods such as appliances, furniture, clothing, books, and other similar items. Materials normally collected at at recycling center or junk yard shall not be permitted to be collected on this site.

Mr. Bergsten seconded the motion. The motion was approved 5-1.  
Mr. Horvath voted no.

#### NEW BUSINESS

##### Gerhardt's Service Center - Site Plan Amendment

Mr. Schwab reviewed the proposed site plan amendment for Gerhardt's Service Center located at 140 North Main Street in the Architectural Preservation District. The request is to make an addition to the existing building consisting of two (2) service bays to the south side of the structure. A parking area would be created to the rear of the building. A canopy is also being proposed to cover the two pump islands. He stated that currently in the APD, single through multi-family residential uses are permitted as well as B-1 or neighborhood uses. A B-2 (community or roadside business) or B-3 use is not permitted in the APD. A filling station or service garage falls under the B-2 zoning classification which is not a permitted use in the APD. Several years ago, the Board of Architectural Review (BAR) granted a variance to allow the addition of two (2) service bays to the north side of the building which expanded a legally non-conforming use. The standards clearly indicate that a legally non-conforming use shall not be expanded, but can remain at its current location in hope that the building will eventually revert to a conforming use.

Also, if the project is approved with the proposed canopy, the Planning Commission would be granting a variance for a setback requirement. Since the canopy is considered a structure, it is subject to the 35 foot setback requirement instead of the proposed seven (7) feet. Mr. Schwab stated that this type of issue was addressed on the Bonded Oil Station some time ago.

Staff recommends to approve the site plan amendment with the following conditions:

1. The Planning Commission agree to approve the expansion of a legally non-conforming use.

2. The existing outside oil tank located along the east side of the building be relocated in accordance with the Fire Code and approved by the Washington Township Fire Department.
3. Parking Space No. 10 be eliminated and Spaces No. 1-9 be increased to 22 feet in length.
4. The City Engineer approve a more detailed storm drainage plan for the site.
5. The trash dumpster(s) be located on the site plan and surrounded by six (6) feet high screening approved by the City Planner.

Mr. Schwab stated that regarding the oil tank, the Fire Department indicated in their review that the current tank is there in violation of the Fire Code. Their recommendation is to relocate the tank since vehicles will be parking in that area.

Mr. Tate asked if the existing oil tank is not in accordance with the Fire Code why hasn't something been done before now. He asked why does it take the Planning Commission to have them make a change before they are in compliance with the Code.

Mr. Schwab stated that he asked those same questions of the Fire Department and they indicated that they have not gotten around to doing it.

Mr. Tate stated that he strongly objects to that condition being included in the Planning Commission recommendation to Council.

Mr. Don Gerhardt, applicant, stated that the tank was approved by the Washington Township Fire Department some years ago and there should be no question concerning it.

Mr. Tate stated that as far as the use being non-conforming, the business must be thriving in order for them to want to add additional bays. Whether it is built on proper land or not does not make much difference.

Mr. Chappell asked if a variance or non-conforming use is granted, does that approval stay with the property or the owner.

Mr. Farquhar stated that it stays with the property. The building could be sold and remain as a service station, but it could only change use if it were a conforming use.

MOTION: Mr. Samples moved to recommended approval of the site plan amendment for Gerhardt's Service Center located at 140 North Main Street to Council with the following conditions:

1. The Planning Commission agree to approve the expansion of a legally non-conforming use.
2. Parking Space No. 10 be eliminated and Spaces No. 1-9 be increased to 22 feet in length.

3. The City Engineer approve a more detailed storm drainage plan for the site.
4. The trash dumpster(s) be located on the site plan and surrounded by six (6) feet high screening approved by the City Planner.

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

Silvercreek Estates, Sec. 2 - Record Plan

Mr. Schwab made a slide presentation of the record plan for Silvercreek Estates, Sec. 2 located south of Spring Valley Road and west of Yankee Street in Washington Township. The record Plan involves one (1) lot covering an area of .6 acres. Staff recommends that the record plan for Silvercreek Estates, Sec. 2 be approved as submitted with the following condition:

1. Prior to improvements and recording of the plan, a Subdivider's Agreement be signed between the City and the developer, and an Inspection Fee and a Performance Bond be submitted with the City in amounts approved by the City Engineer.

MOTION: Mr. Horvath moved to approve the record plan for Silvercreek Estates, Sec. 2 with the following condition:

1. Prior to improvements and recording of the plan, a Subdivider's Agreement be signed between the City and the developer, and an Inspection Fee and a Performance Bond be submitted with the City in amounts approved by the City Engineer.

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

Thomas Paine Settlement No. 3 - Preliminary Plan (Site Plan Amendment)

Mr. Schwab made a slide presentation of the proposed site plan amendment for Thomas Paine Settlement No. 3 located north of SR 725 (Alex-Bell Road) and east of Bigger Road in the City of Centerville. The zoning on the parcel is R-3. The request is a proposal of the reconfiguration of 32 dwelling units. Mr. Schwab reviewed the preliminary plan for Thomas Paine in order to give the Planning Commission some background on the project. He stated that originally the preliminary plan was denied by the Planning Commission but was appealed to Council. When the plan was reviewed by the Planning Commission, it did not include improvements to Clyo Road although it did show the dedication of right-of-way. The zoning classification for that parcel of land limited the number of building units in that location. For these reasons, the Planning Commission denied the preliminary plan.

The Planning Commission's decision was appealed to Council. After many exchanges, the developer agreed to build the full 5-lane profile of Clyo Road if the total number of units was increased. This being the situation, Council approved the preliminary plan.

The proposed revision is to build smaller units that have eight (8) dwelling units per building. This reconfiguration will require an

alteration of the parking layout. Staff recommends approval of the site plan amendment with the following condition:

1. The fire hydrant locations be reevaluated and approved by the Washington Township Fire Department.

Mr. Bob Archdeacon, representing the developer, stated that the reconfiguration will allow the open area to be undisturbed. He stated that a representative had met with the Washington Township Fire Department to discuss the fire hydrant locations and whatever layout they come up with will be satisfactory.

MOTION: Mr. Horvath moved to recommend approved of the site plan amendment for Thomas Paine Settlement No. 3 to Council with the following condition:

1. The fire hydrant locations be reevaluated and approved by the Washington Township Fire Department.

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

#### The Country Place - Preliminary Plan

Mr. Schwab made a slide presentation of the proposed preliminary plan for The Country Place located north of Rahn Road at Coppermill Place and west of Mad River Road in Washington Township. Seventy-three (73) residential units will cover a 55.4 acre parcel. These 73 units will be a mixture of cluster attached dwelling units and single-family dwelling units detached. Thoroughfare improvements will be required to Rahn Road. The cost of the proposed units will be approximately \$250,000. The project will have a homeowners' association which will maintain the open area and individual lots if maintenance is not done by the owner. Portions of the streets will be public dedicated and others within the plat will be private. The current proposal shows Country Place as a public dedicated street, 24 feet in width from the base of the curbs. A swale drainage will be used instead of catch basins and storm tiles. Certain areas of the plat will use catch basins and storm tiles, but natural drainage will be used primarily with natural drainage swales being created throughout the plat. The street will have breaks in the curb that will lead down to a rip-rap area. On many of the private streets, a reverse crown is being proposed with no curbs on the sides.

Country Place, which will be a boulevard public dedicated street, extends off of Rahn Road and curves around a lake created by damming up an existing stream. The private street extends off of Country Place and around in a loop. The triangular islands shown on the plan have two-way circulation around all sides of the intersections. The inside of the loop area will contain all single-family houses with separate lots. The outside of the loop area will contain three and four-family attached single-family units. A walkway pattern is integrated into the whole layout and a separate exercise trail walkway system links the whole complex together.



Staff recommends to approve the preliminary plan for Country Place with the following conditions:

1. All street turn-arounds be a minimum of 90 ft. in diameter.
2. The following street names be changed: Country Place, Wilderness Walk, and Crooked Creek.
3. The private section of Country Place be changed to a different name from the public section.
4. The three merging "Y" intersections on the private street all be changed to "T" intersections or boulevarded "T" intersections.
5. The entrance and exit radii to all loop streets from the main private drive be decreased to slow turning movements onto these loop streets.
6. A middle walkway connect the center of the project area to the middle of the eastern walkway.
7. In concept, the public street be 24 ft. wide with raised curbs and the private streets be 20 ft. wide with no curbs. The final design profiles are to be deferred until the record plan.
8. Improvements to Rahn Road will be required along with 43 ft. of right-of-way from the centerline. Final design of the improvements deferred until the record plan.
9. In concept, open channeled storm water drainage design be approved, however, final design approval deferred until the record plan.

Mr. Bob Archdeacon, representing the developer, stated that several layouts have been made for this proposed project and the plan that is being reviewed by the Planning Commission best suits the area. He stated that the two ponds will act as detention ponds to control the storm drainage. He stated that they have worked closely with Mr. Bob Baugh, Soil Conservationist for Montgomery County, in developing the concepts of the swales and the ponds. Mr. Archdeacon stated that the suggestions and recommendations by staff create no problems and can be incorporated into the plan.

Mr. Chappell asked if the triangular islands will have trees in them.

Mr. Archdeacon stated that the green area on the landscape plan does not necessarily mean trees will be in those locations. He stated that in the area of the triangular islands, low level landscaping will be planted.

MOTION: Mr. Horvath moved to approve the preliminary plan for The Country Place subject to the following conditions:

1. All street turn-arounds be a minimum of 90 ft. in diameter.
2. The following street names be changed: Country Place, Wilderness Walk, and Crooked Creek.
3. The private section of Country Place be changed to a different name from the public section.
4. The three merging "Y" intersections on the private street all be changed to "T" intersections or boulevarded "T" intersections.
5. The entrance and exit radii to all loop streets from the main private drive be decreased to slow turning movements onto these loop streets.
6. A middle walkway connect the center of the project area to the middle of the eastern walkway.
7. In concept, the public street be 24 ft. wide with raised curbs and the private streets be 20 ft. wide with no curbs. The final design profiles are to be deferred until the record plan.
8. Improvements to Rahn Road will be required along with 43 ft. of right-of-way from the centerline. Final design of the improvements deferred until the record plan.
9. In concept, open channeled storm water drainage design be approved, however, final design approval deferred until the record plan.

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

There being no further business, the meeting was adjourned.

*Wallas J. Horvath*  
*Acting Chairperson*