

CENTERVILLE PLANNING COMMISSION

Regular Meeting
February 22, 1977

The meeting was called to order by Mr. Tate at 6:00 p.m.

Attendance: Mr. Jeffrey T. Siler, Mr. Elmer C. Tate, Jr., Mr. George J. Schottmiller, Mr. James P. Hickey, Mr. Roland McSherry, Mr. Michael V. Thill, Mr. Dennis Donnellan. Also present: Mr. John C. Levermann, Assistant City Manager; Mr. Garth Reynolds, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Robert Farquhar, City Law Director.

Mr. Tate stated minutes of January 25 should read Mr. Mung rather than Dr. Mung. Mr. Schottmiller moved to approve the minutes of the January 25, 1977 Planning Commission Meeting as corrected. Seconded by Mr. McSherry. Approved unanimously.

Mr. Siler moved to approve the minutes of the February 10, 1977 Work Session as written. Seconded by Mr. Donnellan. Approved. Mr. Thill abstained.

No public hearings were set.

Mr. Reynolds requested the April Planning Commission meeting be changed from April 26, 1977 to April 19, 1977 since he will be at a conference. Mr. Farquhar will see if there is any problem with changing the public meeting, as long as advance notice is given.

PUBLIC HEARINGS

1. Dayton Suburban, Inc.

Mr. Reynolds reviewed the applicant's request to change the Washington Township R-4 zoning to Centerville R-2, R-3 and R-4 for property situated along the north extension of Applecreek Road and east extension of Princewood Avenue and Hyde Park Drive, approximately 325' north of the Rahn Road and Applecreek Road intersection.

Mr. Reynolds showed the property with the proposed zoning areas, which would be abutting other properties with the same type zoning. He said this request does follow the Comprehensive Development Plan. At the time of the rezoning request the Commission does not take into consideration the layout of streets within the property.

For the Applicant: Mr. Ralph Woodley said they were trying to develop the property to be the same as already in the area. Single family homes will join existing single family homes in the Hyde Park and Applecreek Road area. Multi-family would be on the northern part of Princewood, which is compatible with the multi-family there now.

Speakers in opposition:

Mr. Richard Plagens, 1038 Hyde Park, expressed objection to the traffic which would be generated by additional people allowed by R-4 zoning.

Mr. Ed Mabry, 1084 E. Rahn Road, expressed concern with the R-4 zoning which would allow more people in the area, which would cause a high impact on schools, increase density, and generate more traffic on an already dangerous Rahn Road curve. He does not want the increased traffic on Rahn Road, additional garbage trucks, and impact on schools.

Mr. Michael J. McKale, 969 Princewood, stated with cars parked on either side of Princewood now only one car at a time can get through, and if Princewood is cut through it could not carry the extra traffic.

Mr. Claude O. Kroger, 1070 E. Rahn Road, stated his neighbors did not receive notice of the rezoning request and they are in the 500' limit. He said the traffic on Rahn Road is getting so heavy it is difficult to get out of his driveway now and many people are moving because of the traffic and small children are not safe.

Mr. Paul E. Zimmer, 946 Thorndale, said where the multi-family homes are now located is isolated because from the single family homes because Hyde Park is not cut through, but when it is cut through the multi-family will not be isolated and the traffic will be great. He suggested Hyde Park not be cut through but be cul-de-saced.

Mr. Tate asked for a show of hands of others who came in opposition to the rezoning. He said according to his figures under the current zoning 57 units could be built, but with the zoning change 79 units, or 22 additional, units could be built. He said as far as the traffic on Rahn Road was concerned, the thorumfare plan shows Rahn will be a major traffic carrier. The developer's preliminary layout of the proposed plat shows Applecreek curving into Princewood.

Mr. Reynolds stated Rahn Road is known as a residential collector since it serves to move traffic to and from homes in the area. As the area develops, there will be more traffic on Rahn Road.

Mr. Tate requested the Commission to delay a decision until the next meeting.

Mr. Thill moved to table the Dayton Suburban, Inc. rezoning request until the next regular meeting. Seconded by Mr. Schottmiller. In favor: Mr. Donnellan, Mr. Thill, Mr. Tate, Mr. Schottmiller. Against: Mr. Hickey, Mr. Siler, Mr. McSherry. Motion approved.

Mr. Farquhar indicated to the Commission it is not legally required notice be sent to homeowners in a 500' radius of a proposed rezoning property--it is a courtesy, since written notices are publicly posted around the city.

UNFINISHED BUSINESS

1. Ned Haverstick Rezoning Request

Mr. Reynolds reviewed the Haverstick request for rezoning from Office Space and R-4 to B-1 property located on the northeast corner of Clyo and Centerville - Station Roads, which has had a public hearing.

Mr. Thill moved to remove from table the rezoning request of Ned Haverstick. Seconded by Mr. Siler. Approved unanimously.

Mr. Farquhar stated the applicant was requesting B-1 zoning and then plans to seek a variance to allow construction of a super market. In his opinion the B-1 specifies the type of use as neighborhood rather than regional and because there is mention of a super market being built rather than a grocery a variance cannot be granted. Mr. Farquhar said in his research of the matter he was not able to come up with a definition of the difference between a grocery and super market but, in his opinion, it would be based on size basically, with a mom-and-pop type operation being considered a grocery serving a neighborhood clientele. He believes under B-1 zoning an applicant could put in a grocery but not a super market, but if it were called a super market he would have to examine further the definition of grocery versus super market. At this time the difference is vague.

Mr. Donnellan asked if the various areas of a super market, such as pharmacy, bakery, delicatessen, were broken down into little shops would that fall in the bounds of B-1. Mr. Farquhar indicated separate shops would be more difficult to handle than just the super market question.

Mr. Tate said if the Commission grants the rezoning, when the variance request comes up then they would have to define a super market. He asked the developer if he still wished to seek the rezoning in view of the discussion. The developer, represented by Mr. Archdeacon, stated he did.

Mr. Thill moved that the rezoning request of Ned Haverstick from O-S and R-4 to B-1 be approved. Seconded by Mr. Hickey. In favor: Mr. Hickey, Mr. McSherry, Mr. Donnellan, Mr. Siler, Mr. Thill; opposed, Mr. Tate, Mr. Schottmiller. Motion approved.

2. Architectural Preservation District Ordinances.

Mr. Reynolds reviewed the ordinance has been delayed so all interested parties would have an opportunity to give input and now recommends it be sent to Council. He said he has met with the Architectural Review Committee and have made the changes they requested. Mr. Hickey asked if the Commission has had an opportunity to review these changes. Mr. Reynolds stated they were in the copies received tonight.

Mr. Hickey moved to forward to Centerville Council the ordinance amending Section 31 of No. 80-71, Architectural Preservation District, and the ordinance amending Section 32 of Ordinance No. 15-61 and Ordinance 28-73, Exempted Signs, subject to a favorable review of the Planning Commissioners prior to February 28, 1977. Seconded by Mr. Thill. Approved unanimously.

Mr. Reynolds stated Mr. Gannon of the Architectural Review Board has recommended the size of the APD be reduced and has sent a letter with attached recommendations to the City. A private citizen has requested a copy of this recommendation, and Mr. Reynolds asked the Commission for permission to give it out. Mr. Farquhar said this information would be a matter of public record.

Mr. Tate said since the other Commissioners had not received copies of the recommendations he would like them to have copies first, and then the Commission should take action. He asked that it be put on the agenda of a future meeting.

3. Pelbrook Farm, Section 6, Record Plan

Mr. Reynolds showed the record plan for the property located west of Wilmington Pike and south of Rt. 725 designated R-3, multi-family, consisting of 25.8 acres, 33 lots. The zoning in the area is Centerville R-3, Washington Township R-4 and Centerville B-2.

The project goes back to 1972, when the overall preliminary plan was submitted and did relate to Section 6, but identified the area as single family. It is a technical point but since the preliminary plan was not appropriate for the zoning of the time, the record plan now presented did not have a preliminary plan. The 1972 minutes show the project to be developed as a condominium. The present plan does not indicate what type units will be constructed. Existing in the area now are single family on 16,000-20,000' lots. This plan could include multi-family which would be adjacent to the existing single family.

Mr. Archdeacon, speaking for the developer, stated the original preliminary plan was submitted, other sections developed, and all proceeded legally and orderly. There are covenants which state the land will be developed as condominiums and it is still the intent of Mr. Lapp, the developer, to do just that. There is no difference from 1972.

Mr. Reynolds stated the preliminary plan was prepared in March, 1972 when the zoning was Washington Township R-2. Afterward the zoning in the area was changed to R-3.

Mr. Farquhar stated his first impression was there was a legal problem, however, after reviewing the question he does not feel there is a legal problem with the way the preliminary plan was submitted in 1972 and the deed covenants do protect the City. When the R-3 zoning text changed, there was protection given to existing zoning under a grandfather clause, therefore, the preliminary plan and record plan correspond.

Mr. Reynolds stated at the time the preliminary plan was submitted in 1972 the area was zoned single family and he does not have a preliminary plan for single family, it is for multi-family.

Mr. Archdeacon said the single family part was submitted as Residential Planned Development.

Mr. Farquhar stated if the Commission is satisfied with the record plan, he can see no legal reason not to accept it.

Mr. Reynolds said the staff would like to see if the plan will fit in with the existing single family lots which would have multi-family backing up to them. Mr. Schab stated there has always been a requirement for screening between single family and multi-family since he has been with the City.

Mr. Schab also pointed out the record plan shows sidewalks on one side of the street only, and Alexandersville-Bellbrook Road is not shown widened. Mr. Archdeacon said dedication of the land for A-B Road has been made in accordance with the thoroughfare plan.

Mr. McSherry moved to deny the record plan for Pelbrook Farm, Section 6; seconded by Mr. Schottmiller. Motion approved unanimously.

Mr. Archdeacon asked for the basis of the rejection, and Mr. Tate replied the density right next to single family homes. Mr. Tate also advised the applicant could appeal the decision.

4. Brams Hill, Preliminary Plan

Mr. Reynolds advised Mr. Keays, the developer, requested this item be tabled until the zoning is straightened out.

5. Pelbrook Farm Commercial Area

Mr. Reynolds said various aspects of this project are still being reviewed and it will be on the agenda in March.

NEW BUSINESS

1. Walnut Grove Preliminary Plan

Mr. Reynolds reviewed the applicant's previous request for access to Rt. 48 and noted the new plan conforms to the requests of the Planning Commission. Access will come off Arn Drive, which is off Hibbard Drive. Other aspects of the 24 acres, 38 lots, meet the staff's requirements and they recommend approval.

Mr. McSherry moved to approve the preliminary plan of Walnut Grove as revised. Seconded by Mr. Thill. Approved unanimously.

2. Pizza Hutt Restaurant Site Plan

Mr. Reynolds stated this building was to be located in the Centerville Square located north of the City Building on Spring Valley Road and Route 48. The site plan for the shopping center has already been approved by the Commission. The plan at that time indicated two sites for future development, one of which was to be a restaurant of some type. The Pizza Hut is to be located at this site.

Mr. Reynolds said the questions to be decided are the signage and roof color. He said the proposed signage is 310 sq. feet, which consists of one sign on the roof and one free standing sign. Permitted is 52.5 sq. feet, which is based on the building being 35' long along the street times 1.5. He said discussions with Pizza Hut officials indicated they were willing to remove the roof sign and change the roof color to blend with the architecture of the shopping center. Mr. Tate reminded the applicant all free standing signs in Centerville were to come down in 1978.

Mr. Dick Wilson and Mr. Jack Hutton, owners of the Pizza Hut location, and Mr. Joe Bransfield of Pizza Hut, Inc. were present and indicated they were willing to change the roof color to light brown and will eliminate the roof sign.

Mr. Hickey asked if there would be any propane tanks; Mr. Hutton said it was all electric.

Mr. Reynolds said lighting for the area should be subject to staff approval before the fixtures are put up and should be shining toward the building rather than being mounted on the building and shining outward.

Mr. Schab said the drainage slope from the Pizza Hut is toward the Shell station and the parking lot should be curbed. He said there is no storm sewer in the vicinity but plans are being drawn to put one in and hopefully the tiles will be in to prevent flooding by the time the center is completed.

Mr. Tate requested the developer bring in a sample of the roofing material and a picture of the sign.

Mr. Hickey asked about the dumpster pad, and Mr. Hutton said it will have a brick wall on three sides with a chain link gate on the fourth side. The brick will be the same as on the building.

Mr. Hickey asked if the ramp shown was for customers or deliveries. Mr. Hutton said it would be used by both. He also stated the air conditioning unit is located in the roof line on a platform, the telephone lines will be underground.

Mr. Hickey asked if the landscaping has been reviewed. Mr. Reynolds said he would like to see further consideration given to the landscaping. Mr. Hickey also mentioned a 500-gallon grease trap will be put in underground.

Mr. Schottmiller moved to table the Pizza Hut site plan until March 15, 1977. Seconded by Mr. Donnellan. Motion approved unanimously.

3. Normandy Office Park Bond Reduction

Mr. Schab stated the street construction on the southwest corner of Alexandersville-Bellbrook Road and Rt. 48 is more than 90% complete and requested the bond of \$230,000 be reduced to \$46,000.

Mr. Thill moved to reduce the Normandy Office Park bond to \$46,000. Seconded by Mr. Siler. Approved unanimously.

Mr. Hickey requested Mr. Reynolds to send the information for public hearings at the time the hearing is set and not before to ease the paper load.

Mr. Tate set the next regular meeting for Tuesday, March 29, 1977 at 7:30 p.m. and a Workshop Session for Tuesday, March 15, 1977 at 7:30 p.m.

Mr. Hickey moved to adjourn the meeting. Seconded by Mr. Thill. Approved unanimously.

March 29, 1977
George J. Schottmiller

