

CENTERVILLE PLANNING COMMISSION
MEETING
July 27, 1976

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

Motion made by Mr. Schottmiller to approve the minutes of the June 29, 1976 Planning Commission Meeting. Seconded by Mr. Thill. Approved unanimously.

Motion by Mr. Schottmiller to approve the minutes of the July 13, 1976 Workshop Session. Seconded by Mr. McSherry. Approved unanimously.

Mr. Tate announced that public hearings would be held on August 31, 1976 at 7:30 p.m. in the Centerville City Building for (A) the rezoning of the east side of Bigger Road south of the intersection of Thomas Paine Parkway for Woodman Lanes and David L. Meeker, and (B) a variance for a sideyard requirement located at 291 Silvertree Lane, by Robert A. Colaizzi, Jr.

Communications:

Mr. Reynolds read a letter from the Board of Architectural Review regarding the zoning ordinance and stated there would probably be need of a workshop in the future pertaining to the correspondence.

Public Hearings:

A. Brainard Rezoning: Mr. Reynolds showed slides of the rezoning request for a location currently zoned R-2 on the northwest side of Overbrooke Road, approximately 1,200 feet south of the intersection of Whipp Road, to be rezoned R-3 which would allow construction of a double. This pie-shaped lot is located on the corporation line between Kettering and Centerville and has a drainage ditch along the north property line. The lot conforms to the comprehensive plan, the lot does not appear suitable for single family because of shape; the area is residential and multi-family.

Mr. Reynolds read a letter from Mr. James R. Zappe, a resident in the immediate area of the area, living in Fox Run Condominiums across the street, endorsing the rezoning.

For the applicant: Mr. Robert Skidmore, 5828 Overbrooke, owner of property adjacent to subject lot, spoke in favor of rezoning as lot is unsightly and a detriment to the neighborhood in its present state.

Applicant: Mr. Jack Brainard, 7642 Cloverbrook Park Drive, owner of the subject lot, stated with the concrete drainage ditch on the north side and the odd shape of the lot he was unable to sell it for single family development.

Opposition to the applicant: None.

Comments of Commission: Mr. Tate stated he did not feel construction of a double would bother the character of the neighborhood.

Mr. Hickey stated he did not feel economical reasons were valid for changing zoning and that it would set a precedent to change this zoning so the lot was more saleable.

Mr. McSherry moved to approve the rezoning of the Brainard property from R-2 to R-3. Seconded by Mr. Schottmiller. In favor: Mr. Tate, Mr. Schottmiller, Mr. Thill, Mr. McSherry. Opposed: Mr. Hickey, Mr. Donnellan. Motion not approved.

B. Frazee Rezoning: Mr. Reynolds showed slides of rezoning request for three lots located on the south side of Franklin Street between Virginia Avenue and Sheehan Road from R-3 to Architectural Preservation District. He stated the original plan as presented showed a curb cut which would be too close to an intersection to allow proper signalization by turning vehicles. This was discussed with the applicants, however, he did not know if they were in agreement to relocate these curb cuts as recommended by the City.

Applicant: Mr. W.H. Frazee, attorney for applicants and owner of middle parcel, showed slides of buildings in area to reflect character of the neighborhood. He stated the problem was the access to the parking, not the parking itself.

For the applicant: None.

Opposition to the applicant: Mr. Carl F. Brooks, 25 Virginia, owner of property south of Franklin Street on Virginia, stated this plan would permit a driveway off Virginia Avenue into the property, creating traffic on a residential street and would also put a blacktop driveway where it is now a grassy lawn.

Comments of Commission: Mr. Hickey moved to table a decision on rezoning the Frazee request until a workshop session is held to consider the material presented by the applicant. Seconded by Mr. McSherry. Approved unanimously.

A Workshop Session will be held August 17, 1976, at 7:30 p. m. in the City Building.

C. Park Lake Development: Mr. Reynolds presented slides showing the area approximately 684' wide x 208' located on the west side of Sheehan Road, approximately 140' south of the intersection of Village Square Road and Sheehan Road. The present zoning of this section of Rose Estates is R-1 and rezoning to R-3 would allow construction of doubles on the lots located by Wilson Block Company and has condominiums which are doubles across the street.

Applicant: Mr. John Judge, Judge Engineering, representing Rose Estates, stated development of these lots would be similar to those condominiums across Sheehan Road from the lots. He stated the doubles would be along Sheehan which is quite busy for single family, that the doubles would attract less children to add to the schools than single family homes, that single family homes would not be popular with the proximity of Wilson Block Company, that the plat restrictions would not change except for use, that these doubles would add about \$350 perlot to the tax base.

For the applicant: None.

Opposition to the applicant: Mr. Dallas Horvath, 300 Village Square, owner in Rose Estates, stated he was representing approximately 30 people in the audience and had a petition signed by others in the Rose Estates, which he presented to the Commission. He said they were concerned about the increased population density and increased traffic which would be created by doubles. The developers did not keep verbal commitments made to the owners in Rose Estates and had a moral obligation to do so.

Mr. Charles Clark 300 Town Hall Circle, stated the lots across Sheehan Road which have condominiums on them now may be similar to what is proposed for the lots in Rose Estates, but the Rose Estates lots are not as large.

Mr. William Gregory, 311 Roselake Drive, stated that rezoning because the lots would be more saleable is not good reasoning and should not influence the Commission.

Mr. J. Thomas Wheeler, 476 Shirley Ann Drive, stated he was concerned about a 15' high pile of dirt in the lot behind his which has changed the nature of the property and the drainage.

Comments of Commission: Mr. Hickey asked if section in question is recorded yet. Mr. Schab stated it is not.

Mr. McSherry moved to deny rezoning from R-1 to R-3 of the Park Lake Development, Inc. property as requested. Seconded by Mr. Schottmiller. Approved unanimously.

Mr. Tate informed the applicant of his right to appeal. Notice of intent to appeal must be filed within 5 days, and the actual appeal notice must be filed within 10 days.

Unfinished Business:

Mr. Hickey moved to bring the matter of Olympic Industrial Park before the Planning Commission for consideration. Seconded by Mr. Tate. Approved unanimously.

Mr. Archdeacon, for the applicant, stated the preliminary plan was submitted to the Planning Commission on June 11, 1975 and the western lots of that section were approved by the Commission on July 29, 1975. On February 23, 1976 the record plan and Section I were submitted to the Commission and since then the request has been tabled several times.

Mr. Archdeacon stated they had sent to the State of Ohio the plans because of the proximity of the access road to the interstate, but the 120 days the State has to reply has passed with no response, which means the plan is automatically approved. He believes the developer has done everything possible and that the record plan should be approved. Mr. Reynolds asked if contact had been made with the Hubers regarding the access road, and Mr. Archdeacon stated no agreement has been reached with them but that should not affect the Commission's decision regarding the five lots.

Mr. Tate pointed out the Hubers could require the access road be taken out if the State does not acquire permanent access, and there would then be no access to the land.

Mr. Farquhar pointed out if no action is taken by the Commission and the required time limits have passed, the plan is automatically passed. Mr. Hickey recommended any motion be predicated on this time table having lapsed.

Mr. Archdeacon stated the State is concerned if the access road is made a permanent access and then a four-lane bridge is designed to go in, it could not be built because of the location of this access road.

Mr. Hickey moved to approve the unfinished business of Olympic Industrial Park, Section 1 Record Plan with the condition that the statutory time periods granted to the State of Ohio has expired. Seconded by Mr. Thill. Motion approved unanimously.

New Business:

A. Cordoba Heights: Mr. Reynolds showed slides of the preliminary plan which was approved showing 12 lots for multi-family development in Washington Township, located on Windsor Park Drive southwest of the intersection of Normandy Lane. The existing zoning in the area is R-2 to the south, east and north; special use to the northwest, as well as light industrial. The record plan is in conformance to the preliminary plan, however, Mr. Reynolds expressed concern that the easement between lots 5 and 6 which is 50' wide and 206' long and lines up with Essington Circle does not include any dedication plans; if the record plan is approved, the street may not be put in and there would be no access to the land south of this property.

Mr. Keays, owner of the subject property, stated the road could be put in if he bought the land in question, but can the record plan be approved without the Commission having the plans for the road?

Mr. Farquhar stated the record plan as presented is the only thing the Zoning Commission is acting on and construction drawings have to be accepted by the City Engineer and have to comply with the subdivision regulations.

Mr. John Judge, Judge Engineering, representing the developer, stated the access strip goes with the land to the south of Cordoba Heights and does not belong to Cordoba Heights and the preliminary plan was approved that way.

Mr. Reynolds stated Washington Township does not allow flag lots. Mr. Lapsin, Judge Engineering, stated the land to the south was zoned R-5, not R-2, and consideration of the way this land would be developed should be given. Access to Normandy Lane may be considered rather than to Windsor Park.

Mr. Schab recommended acceptance of the record plan and stated the flag lot is for a road and not for single family home.

Mr. McSherry moved to approve the record plan of Cordoba Heights as presented. Seconded by Mr. Thill. Approved: Mr. Tate, Mr. Thill, Mr. McSherry, Mr. Schottmiller, Mr. Donnellan. Against: Mr. Hickey. Motion carried.

B. R & R Development Company: Mr. Reynolds stated R & R had requested discussion of the preliminary plan be tabled until some problems could be worked out.

Mr. Tate moved to table discussion of R & R Development Company's preliminary plan. Seconded by Mr. Schottmiller. Approved unanimously.

C. Southpoint: Mr. Schab recommended the performance bond on Southpoint be reduced from 85% to 30%, or \$32,400, since improvements have been made. Mr. Tate moved to reduce the performance bond on Southpoint to \$32,400, or 30%. Seconded by Mr. Schottmiller. Motion approved unanimously.

Other Business

Mr. Farquhar stated there had been no recommendation from Commission regarding the sidewalks for Buckingham Village and Mr. Tate stated it would be taken up at a workshop.

Mr. Judge reminded the Commission that in the workshop session of July 13, 1976 the Commission promised to rule on whether Sagamore Estates, located at the corner of Rahn Road and Alex-Bell Road, would be required to put in an extra lane on both of those roads if the land were developed. An informal poll of the Commission by Mr. Tate indicated the Commission would require this of the developer.

Mr. Schottmiller moved the meeting be adjourned. Seconded by Mr. Hickey. Approved unanimously.

