

CENTERVILLE PLANNING COMMISSION

Minutes of Meeting Held

August 31, 1976

The meeting was called to order at 7:30 p. m. by Mr. Elmer C. Tate.

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

Mr. Schottmiller moved to approve the minutes of the July 27, 1976 Planning Commission meeting as written. Seconded by Mr. Hickey. In favor: Mr. McSherry, Mr. Hickey, Mr. Donnellan, Mr. Tate, Mr. Schottmiller and Mr. Thill. Mr. Siler abstained.

Mr. Schottmiller moved to approve the minutes of the August 17, 1976 Work Session as written. Seconded by Mr. Siler. Approved unanimously.

Mr. Schottmiller moved to accept the minutes of the August 17, 1976 Special Meeting of the Planning Commission as written. Seconded by Mr. Thill. Approved unanimously.

There were no public hearings set.

Mr. Reynolds reported he had attended a meeting of the Dayton Mall Area Task Force which is primarily concerned about access control along Route 741 and Route 725. Montgomery County Commissioners, who were present at the meeting, were also concerned about land use in the area. The fact the State of Ohio has given higher priority to Route 741 than Route 725 will be reported to Centerville City Council to see what action they may want to take.

Mr. Frazee, an applicant who had requested property on the south side of Franklin Street be rezoned from R-3 to APD, asked that consideration of his request be tabled at this time since the co-applicants were out of town.

Mr. Hickey moved the Frazee Zoning application be tabled. Seconded by Mr. McSherry. Approved unanimously.

PUBLIC HEARINGS

A. Woodman Lanes and David L. Meeker Rezoning

Mr. Reynolds showed various slides of the property located on the east side of Bigger Road, approximately 160 feet south of the intersection of Bigger Road and Thomas Paine Highway. One slide showed the areas of change: the first area, involving 32.5 acres, is currently R-3 and is proposed to change to Centerville R-2; the second area to the north, 42.5 acres, is Washington Township R-3 to become Centerville R-3, which allows for single family and doubles; area three is zoned Washington Township R-3

and is proposed to become Centerville R-4, 6.4 acres. Another section is currently R-4, 2.7 acres, and a section presently Washington Township R-3 is to become B-2, 4.2 acres.

Mr. Robert Archdeacon, representing the applicant, stated this approximate 93 acres was designed for a planned community to be built around one of the future major intersections in Centerville, namely, Bigger Road and Clyo Road. The land is undeveloped now but will set the trend for future development in the area. 23 acres has been left for park area along the natural drainage creeks. He stated business zoning was needed in this area as business in the surrounding area was from 3/4 mile to 1 1/7 miles from this intersection. The internal streets proposed can be extended to major streets at a later time.

Maintenance of the open spaces could be achieved in one of three ways: (1) provide a homeowners association, (2) dedicate the green area to Centerville to maintain, or (3) establish the 93 acres as a drainage district which the city would maintain but would assess the cost to the homeowners.

Mr. Archdeacon stated the application has been amended to present six separate applications so there would be less confusion in voting and presentation. The PUD ordinance under consideration by the Commission would affect this application.

There were no speakers in favor or in opposition to the request.

Mr. Thill moved the Rezoning request of Woodman Lanes and David L. Meeker be tabled, subject to approval by the applicant, and a workshop session be set to discuss the request further, before making a decision. Seconded by Mr. Hickey. Approved unanimously. Mr. Archdeacon, representing the applicant, agreed to the motion.

Mr. Tate set a workshop session for Tuesday, September 7, 1976 at 7:30 p.m. in the City Building.

B. Colaizzi Variance

Mr. Reynolds showed slides of the pie-shaped lot located at 291 Silvertree Lane and pointed out the variance request was not really needed since the structure would still meet the side yard requirement of 10' but recommended the request be approved.

Mr. Hickey moved to grant the variance on the sideyard requirement at 291 Silvertree Lane. Seconded by Mr. Siler. Approved unanimously.

C. Residential Planned Unit Development Ordinance

Mr. Reynolds asked that this item be delayed until later in the agenda because of the length of time it would take and in consideration of other applicants waiting to be heard. The Commission agreed, as did members of the audience.

UNFINISHED BUSINESS

A. Frazee Rezoning - previously tabled.

B. R & R Development Company

Mr. Reynolds the applicant asked that the item continue to be tabled, pending a workshop session, since the preliminary plan involves Clys Road.

NEW BUSINESS

A. Woodbourne, Section 3.

Mr. Reynolds stated this record plan of property located on the south side of Rahn Road and east of Alex-Bell Road in Washington Township had previously been approved by the Planning Commission in 1975, however, it was never filed with the County and the time has elapsed. There have been no changes on the record plan.

Mr. Hickey moved to approve the record plan as presented for Woodbourne, Section 3. Seconded by Mr. McSherry. Approved unanimously.

B. Black Oak Forest.

Mr. Reynolds showed the revised preliminary plan as discussed at the August 17, 1976 work session and stated the Centerville Parks and Recreation Board does not recommend accepting the plan unless certain steps are taken: (1) provide some method to carry off surface water at entrance to park so present land will not erode, (2) create parking area to the north of the park entrance, and (3) create a flat playground and picnic area without disturbing the natural growth.

Mrs. Shirley Heinz of the Centerville Parks and Recreation Board stated the Board was concerned in case of flash floods in the park and the hazard to citizens. Mr. Schab stated the developer had committed to do some grading in the area to slow the flow of water entering the park and at time the final plan is considered this will be discussed.

Mr. Reynolds stated the fire department had not yet reviewed the preliminary plan but should have their comments to him shortly.

Mr. Siler moved to accept the preliminary plan of Black Oak Forest subject to approval by the Centerville-Washington Township Fire Department. Seconded by Mr. Thill. Approved unanimously.

C. Standard Oil Company

Mr. Reynolds stated the applicant is requesting a curb cut on the northeast corner of Far Hills Avenue at Loop Road. Curb cuts had previously been requested by Sohio and been denied because it was the recommendation of TCC and the Planning Commission that no further curb cuts be granted along Far Hills Avenue. Mr. Reynolds stated the

recommendation would still be the same.

Mr. Tom Morrison of the Real Estate Department of Sohio, stated in December, 1974 Sohio had an option to buy the subject property and plans to build a gasoline-only station on the 200' x 200' lot which is zoned B-2. There would be a 30' x 90' canopy and 3 pump islands. Far Hills Avenue carries approximately 40,000 vehicles per day and the proposed I-675 will add another 40,000 vehicles.

In April, 1975 he came to the Planning Commission to request two 35' curb cuts along Far Hills and one on Loop Road. The Commission was willing to grant the Loop Road curb cut only as they felt any curb cuts along Far Hills would be hazardous. The vote was 4-3. Mr. Morrison stated it was not realistic to expect vehicles to enter off Loop Road if they were traveling along Far Hills and then have to exit the same way, and that property owners could not be denied the right of access to the street that abutts their property.

Mr. Morrison stated after that Planning Commission meeting Sohio had gone to the TCC to get their site distance criteria and then employed Woolpert Engineering to do a study of the subject property.

Mr. Robert Maxum of Woolpert Engineering stated they were employed by Sohio to do a study of the sight distance for vehicles entering Far Hills Avenue from a right turn only curb cut on the subject property. He showed charts of the visibility factors for Far Hills as it is now and as proposed by the State of Ohio and compared them to AASHTO standards. He also showed a chart of the desirable stopping distances for approaching vehicles and stated they would be in a range acceptable to AASHTO.

Mr. McSherry stated this might be true if there is nothing on the road, but the traffic as heavy as on Far Hills there is no visibility for any distance. Mr. Maxum stated the traffic light located at that intersection would allow a break in traffic for ingress and egress to Far Hills.

Mr. Hickey asked how could cars be kept from making a left turn off Far Hills into the right-turn-only curb cut. It would be impossible to enforce.

Mr. Hickey left the meeting room.

Mr. Schottmiller moved to deny the Sohio request for a curb cut on Far Hills Avenue. Seconded by Mr. Thill. Approved unanimously.

D. Donwood Heights

Mr. Reynolds showed a slide of the record plan for property located on the south side of Hewitt Road, approximately 80 feet east of the intersection of Millshire Drive, showing only the southern 25' of the property lies in Centerville, the rest is in Kettering. The only change has been to reduce the number of lots by one, thus enlarging the remaining lot sizes. The City of Kettering has reviewed the plan and approved. Centerville had previously approved the plan subject to some type of screening since single family lots are adjacent to property and subject property has doubles.

Mr. Siler moved to accept the record plan of Donwood Estates as presented, subject to screening being placed on the property which is acceptable to the City of Centerville. Seconded by Mr. McSherry. Approved unanimously.

E. Beacon Hill, Section 2.

Mr. Reynolds showed a drawing of the 28 acres, 29 lots, located on the south of Spring Valley Road, west of SR 48 and west of Paragon Road in Washington Township.

Mr. Schab stated an open ditch was involved which would be 12' wide and 5' wing walls would contain the amount of water passing through the property but an offsite easement for the Turner property should be obtained to deepen the connecting ditch for a length of about 300'.

Mr. A. J. Brumberg of Tri City Engineering, for the applicant, stated there are two ditches involved, one will be tiled and underground, the second is the open ditch.

Mr. Barry Martin, owner of the property, asked if crushed stone could be used in the bottom of the open ditch instead of concrete. Mr. Schab said the friction quality would demand a deeper and wider cut. Mr. Tate stated grass tends to grow up among the stones, making it difficult to maintain.

Mr. Thill moved to accept the record plan of Beacon Hill Section 2 as presented, subject to a bond of \$309,500 and inspection fee of \$728.60 and subject to dedication of an easement through the adjacent Turner property for construction of an offsite ditch, said easement to be approved by the City Attorney. Seconded by Mr. Donnellan. Approved unanimously.

F. King's Grant Subdivision, Section 2.

Mr. Reynolds stated several points have to be clarified on the preliminary plan as to width of streets and other items and recommended a work session to discuss. Mr. Rengers, the developer, agreed to the workshop.

Mr. Thill moved to table consideration of King's Grant's preliminary plan until after a workshop session could be held to work out details. Seconded by Mr. Donnellan. Approved unanimously.

G. Olympic Industrial Park

Mr. Reynolds stated the applicant would like to table discussion until a workshop can be held. Mr. Schottmiller moved to table discussion of Olympic Industrial Park's preliminary plan until a workshop session could be held. Seconded by Mr. Siler. Approved unanimously.

H. Dayton Power and Light Company

Mr. Reynolds stated Miami Valley Development Company and Dayton Power & Light Company will purchase the ground located on the north side of West Spring Valley Road adjacent to Benjamin Archer Park in Washington Township to put up a substation on the east part of the property. They will dedicate 70' of land for expansion of Normandy Lane in return for the deed being stamped.

Mr. Tate moved the Planning Commission approve the Dayton Power & Light Company request to stamp the deed. Seconded by Mr. Schottmiller. Approved unanimously.

I. Patricia A. Printz.

Mr. Reynolds stated the applicant wished to have a stamped deed for property located north of Spring Valley Road and east of Paragon Road in Washington Township for a lot split.

Mr. Tate moved to stamp the deed for Patricia A. Printz as requested. Seconded by Mr. Schottmiller. Approved unanimously.

Mr. Tate opened the public hearing of the Residential Planned Unit Development Ordinance under consideration by the Planning Commission.

Speakers on Ordinance:

Mr. Jack Sheley, Home Builders Association, 140 W. Monument St.:

1. Fee schedule of \$265 is too high. Council had felt \$225 was too high. The developer would have \$10,000 to \$15,000 invested by the time the preliminary plan is ready to present to the Commission so there should be some provision for the developer to come to the Commission before the preliminary plan.

2. Sec. 36.04 L. could cause developer to lose more trees than saved if he doesn't have flexibility.

Sec. 36.05C. Is the plan automatically approved if not reviewed by the Commission within 60 days? (Mr. Tate stated it would be.)

3. Sec. 36.06 Can the project be submitted in sections or does it have to be submitted all at one time? (Mr. Reynolds stated it depends on the scope of the project)

4. References to "minor changes" should be more clearly defined as to intent. (Mr. Reynolds stated an architectural change would be considered minor.)

5. The terms "accessive burden", "inconvenient" and "unsafe" are indefinite.

6. The 20 acre minimum is too high and should be 10.

7. Sec. 36.15C. Questions the casting of shadows wording.
8. Sec. 36.17A6. Feels requiring a bond being posted on both buildings and land is wrong and will discourage the smaller developer.

Mr. Al Wahby, Professional Engineer,

1. Limiting PUD to subdivision regulations defeats purpose of PUD to use creative designing.
2. Limiting the specifications for trees and landscaping can hamper rather than help.
3. Limiting size minimum to 20 acres too high, 10 acres is not too small.
4. Sec. 36.10C Insert word "not" between "does exceed".
5. Sec. 36.11A Should be omitted since covered in B. Renumber B & C to A & B then refer B to Section 12.
6. Sec. 36.15 Requesting the location of buildings be shown when a project may take years to complete is not realistic since market might change, or some other factor may make it not feasible to build that type building. The plan should show buildable areas, but not specify type of building.
7. Some provision should be made for the developer to make minor changes without having to come back to the Commission.

Mr. Tate asked if the subdivision regulations would defeat the purpose of the PUD. Mr. Farquhar recommended the reference to the subdivision standards be left in but modified by adding "but specific regulations may be waived by the Planning Commission".

Mr. Robert Archdeacon, Woolpert Engineering:

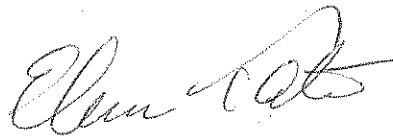
1. Agree with several points made by others. The 20 acre minimum should be lowered.
2. Spotting each building for large projects is impossible. Using a two-step process with general building area on the first phase and then more detailed drawings just prior to construction would be more practical.
3. Feel reference to subdivision regulations limiting.
4. Having to submit the final plan within six months of the preliminary plan is not long enough, should be one year.
5. Sec. 36.07A4n. Engineers do not sign the record plan as surveyor must make certification.
6. "Minor changes" needs to be defined.

7. Sec. 36.17D2. Does this give city right to take over if developer does not perform? Statement not clear in intent.

Mr. Tate stated the recommendations would be given consideration by the Commission before the ordinance is voted on.

Mr. Tate set the workshop session for Tuesday, September 7, 1976 at 7:30 p.m. in the city building and the next regular meeting of the Planning Commission for Tuesday, September 28, 1976 at 7:30 p.m.

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

A handwritten signature in cursive script, appearing to read "Elmer Tate", is written in the lower right quadrant of the page.