

CENTERVILLE PLANNING COMMISSION
Workshop Session
November 2, 1976

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

Attendance: Mr. Elmer C. Tate, Jr., Mr. George J. Schottmiller, Mr. Michael V. Thill, Mr. Dennis Donnellan, Mr. James P. Hickey, Mr. Jeffrey T. Siler, Mr. Roland McSherry. Also present: Mr. Darryl Kenning, City Manager; Mr. Karl Schab, City Engineer; Mr. Garth Reynolds, City Planner.

PROJECTS FOR REVIEW

1. Donwood Construction Co. Variance

Mr. Reynolds reviewed the application presented at the October 26, 1976 public hearing on Lot #1 of Donwood Heights, Section 1, located on the southeast corner of East Whipp Road and Millshire Drive. The corporation line for Centerville and Kettering passes through the property and has two types of zoning. Kettering has approved the record plan for the area located in its jurisdiction. Centerville is concerned with the southern 25' of the lot which is zoned R-3, which allows singles, doubles or 4-family units. The applicant is asking that parking be allowed in the Centerville section involving 5 parking spaces with screening being provided between the parking lot and the residential area to the south.

Mr. Reynolds pointed out to a large number of neighboring citizens that had the applicant built a residence in the Kettering section the parking could be put in with no control by Centerville. The present Centerville R-3 does not allow multi-family units, however, when this code was amended there was a grandfather clause which enabled any property which was then zoned R-3 to have multi-family units. This particular property does apply under this grandfather clause.

Mr. Nelson, representing the developer, stated the screening proposed would be the same as behind the building located on the southwest corner of the intersection, a wooden fence 6' high. The property on the southwest corner has the fence approximately one foot in from the rear lot line.

A question from a citizen regarding the drainage from the corner lot as well as the next five lots since they would be mostly blacktop. Mr. Schab explained the corner lot would have a catch basin which would carry water into the existing lines from four lots and the remaining lots would drain into a catch basin located between lots #569 and 570. He stated it was almost impossible to provide complete drainage but they try to anticipate all the problems and provide adequate drainage to handle them.

A question from a citizen as to what could be done to protect the neighborhood if the fence and grounds around it are not maintained. Mr. Reynolds told the group to call the City Building, specifically the City Planner, if the screening is not being maintained.

A citizen requested the variance be denied so the citizens could go before the City Council with support from the Planning Commission. Mr. Tate stated the zoning codes are not being violated and the Planning Commission could not very well deny the request.

Mr. Hickey said he would recommend the Planning Commission approve the variance and then the citizens could appeal the decision and appear before Council with their case. If the Commission denied the variance then the developer could just do without the additional parking spaces, go ahead and build and then the citizens would have nothing.

Mr. Tate suggested the citizens adjourn to decide what they wanted to do, whether to ask the Commission to deny the variance and let the developer appeal or approve to variance so the citizens could appeal. The citizens adjourned from the meeting with the request they could be heard after they decided.

2. Black Oak Estates Five, Section 4, Record Plan

Mr. Reynolds reviewed the item was tabled at the last public hearing to resolve the variance for front yard setback from 35' to 25' and to check with the City Attorney regarding the two flag lots.

Mr. Reynolds stated the flag lots were legal since they were previously approved that way under the residential development which allows for variation of the subdivision regulation. Mr. Farquhar had advised the setbacks can be done at the time of record plan approval since they come under the residential development.

Mr. Schab pointed out Highland Meadows Drive ends at the property line and leads into a lake located on the adjacent land. He stated this should be resolved before final approval of the record plan.

Mr. Schottmiller expressed concern about the drainage on the northwest corner of the property, that what was shown would not be enough to carry off the water which feeds into the area from adjoining properties. He requested this be resolved before approval of the plan.

3. Ordinance 15-61, Filing Fees

Mr. Reynolds reviewed the increased rates requested and stated these were the result of services the City provides to developers which are above and beyond what the average taxpayer receives. He stated during 1975 the City collected approximately \$7,000 in fees of various types.

4. Ordinance 10-1958, Fees under Subdivision Regulations

Mr. Reynolds reviewed the proposed rates under this ordinance and stated as far as they could tell the City last revised the rates in 1968. Item 7, add "or part thereof".

5. Whispering Hills, Preliminary Plan

Mr. Al Wahby and Mr. Wayne Greerson presented a plan for property located at the east side of Bigger Road, north of Centerville-Station Road. The 24 acres are zoned Washington Township R-4. The developer wanted to go as a PUD, however, since the PUD ordinance has not been completed, he is requesting residential development until the PUD is approved.

Mr. Wahby pointed out several plans which had been considered to make best use of the land. The final plan showed streets 20' wide with off-street parking, cluster grouping of homes and drainage which would be controlled by a pond presently located on the land.

Mr. Thill asked if Kentshire will be continued by adjacent property owner. Mr. Greerson said they were working with that property owner, however, there is no plan to continue it at the present time.

Mr. Schab pointed out that Kentshire would have to be removed from the thoroughfare map and that the cul-de-sacs are larger than the code allows.

Mr. Tate stated the preliminary plan request would be heard at the next public meeting on November 30, 1976.

6. Ordinance 80-71, Section 31, APD; Ordinance 15-61, Section 32; and Ordinance 28-73, Exempted Signs

Members of the Board of Architectural Review discussed with the Commission a list of their recommendations concerning the above ordinances.

Reference to curb cuts will come under site plan review. Sign construction will be discussed under the signage section and will also show under paragraph C2 of the APD. The procedures for enforcement will be spelled out in the new ordinance. Under 31.11, added sentence as noted in recommendations.

The BAR asked about variance authority and Mr. Reynolds is to check.

Mr. Gannon stated he has reviewed the APD boundaries and will have his report to the Commission before its next meeting.

7. Miscellaneous

Mr. Thill asked Mr. Kenning about enforcement of zoning and what the Commission could do. Mr. Kenning said he was not familiar with the law but hoped the new ordinance would spell out the procedures more clearly.

Mr. Tate set a joint workshop session with the City Council for November 22, 1976.

8. Donwood Construction Co. - Resumed

The citizens concerned with the variance request of Donwood Construction Co. rejoined the workshop session and announced their spokesman to be Mr. Thomas L. Schmitz, 1105 Heathshire Drive.

Mr. Schmitz stated the group realized the Kettering portion of the property was approved and the developer could begin construction immediately and that their main concerns were with the drainage, fencing and the maintenance of the fencing.

Mr. Schmitz stated the present fencing on the southwest corner does not block out all the headlights and is set off the ground 6", plus it is not being maintained. His group would like to request the fence be set 3" off the ground, be cedar fencing with scallops across top but with less spacing between slats, and some assurance from the developer the area will be maintained. They would like to know how they could enforce maintenance of the fence.

Mr. Schmitz stated the group realized reasonable care was taken in setting up the drainage for the questionable lots, however, they would like to know of some way they could come back to Council if the drainage problem comes up.

Mr. Reynolds stated if the screening is not kept up then the citizens should call his office. Mr. Schab stated if the drainage should fail then the City can go back and make it correct. Mr. Tate stated the City would take as much care as possible to see that the drainage is not a problem.

Mr. Thill moved to adjourn the meeting. Mr. Donnellan seconded. Motion carried.

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