

CENTERVILLE
PLANNING COMMISSION MEETING
November 30, 1976

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

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

Mr. Schottmiller moved to approve the minutes of the October 26, 1976 meeting as written. Seconded by Mr. Thill. Approved, Mr. Siler abstained.

Mr. Schottmiller moved to approve the minutes of the November 2, 1976 Work Session as written. Seconded by Mr. Thill. Approved unanimously.

Mr. Thill moved to approve the minutes of the November 2, 1976 Special Meeting as written. Seconded by Mr. Schottmiller. Approved unanimously.

Mr. Thill moved to approve the minutes of the November 22, 1976 Joint Work Session Meeting as written. Seconded by Mr. Schottmiller. Approved unanimously.

SETTING OF PUBLIC HEARINGS

None.

COMMUNICATIONS

Mr. Reynolds reported he will be meeting with the Dayton Task Force to discuss the future of State Route 725.

The Planning Department is working on applications for federal money for projects in Centerville. Mr. Thill asked about money for Clyo Road, and Mr. Reynolds responded there was a possibility of getting some money and it was being checked.

PUBLIC HEARINGS

I. A request for variance on set back requirements for Rick Price's property located at 7629 Clyo Road.

Mr. Reynolds presented a slide of the property which shows a 35' right of way along Clyo Road and the already-erected fence which is located in the right of way. Mr. Reynolds pointed out the two adjacent properties have fences which are also in the right of way but are located closer to the road. The City's recommendation to the Planning Commission would be the fence be lined up with the other fences with the understanding that when Clyo Road is widened all the fences will have to be moved or that the fence be located outside the right of way.

Speakers for request: None.

Speakers against request: Mr. Robert Archdeacon, Woolpert Engineering. All developers along Clio Road have had to comply with a 43' set back from the center line of the road, in compliance with the Thoroughfare Plan, and he feels this property should be treated the same. Mr. Reynolds stated the present right of way for the applicant and the two properties adjacent to it is 35' from center line and could go to 43' in the future.

Comments by Commission: Mr. Tate stated it is not clear whether the applicant wants to move his fence back, but still in the right of way, with the understanding he would have to again move it at his expense when Clio Road was widened, or whether he thinks once he has moved the fence the City would pay for the move when Clio Road was widened.

Mr. Schab stated he had talked with the Building Inspector who stated when the applicant was told he was in violation of the right of way he said he would apply for a variance and that he would move the fence back to the utility poles.

Mr. Thill said there is not enough fact and too much conflicting information to make a decision and since the applicant was not present to clear up the matter he moved to table the variance request on setback requirement for 7629 Clio Road. Seconded by Mr. Donnellan. Approved unanimously.

2. Wilson Sign Co. Variance on setback for Wood Medical Building Sign.

Mr. Reynolds presented a slide of the site located at 80 Loop Road. The plan had been accepted at a previous meeting, at which time the size and area of an identification sign were discussed, but not its location. The sign ordinance requires a sign be located a minimum of 25' from the right of way line. The sign has already been erected without a permit. Dr. Wood is now requesting a variance of the setback requirement for the existing sign, since it does not comply with the sign ordinance.

Applicant: Dr. Wood stated when he presented the plans to the Commission he was told that the sign could be put right at the curb cut but he did not have proof since it did not appear in the minutes. He met with Mr. Reynolds after the meeting and Mr. Reynolds said he could put the sign where it is presently located. Dr. Wood said he thought he was to tell the Plan Board when the sign was up and where it was located but did not know there is a 25' setback requirement until told by the sign company. He said the posts for the sign were up at least a month before the sign was added but they were not tagged by the City.

Speakers for or against: None.

Comments by Commission: Mr. Thill stated he believes Dr. Wood acted without knowledge of the law, but Wilson Sign Company is well aware of the codes.

Mr. McSherry objected to Wilson Sign Company not alerting Dr. Wood but does not see any other location for the sign. He suggested Wilson be given notice.

Mr. Schab stated the sign is approximately 39' from the center line, about 14' in back of curb, and the curb is 10' inside the right of way line.

Mr. Tate pointed out this is a free standing sign and all free standing signs are to come down in 1978.

Mr. Reynolds stated it is the policy of the Planning Commission to look at the area of free standing signs and to require 25' setback from the center line, and the applicant has the right to place a sign anywhere beyond that point, as long as it does not block vision of drivers. He feels the sign should comply with the ordinance and it was erected without a permit. Wilson Sign has erected other signs in Centerville, is familiar with the code and need for a permit.

Dr. Wood said he believes the sign company felt he had taken care of the permit since he had indicated to them that the location of the sign was all right.

Mr. Thill requested Mr. Farquhar to see what steps could be taken to prevent Wilson Sign Company from doing this again. Mr. Farquhar stated no action could be taken by the Planning Commission, but must be done by the Building Inspector.

Mr. Thill moved that the variance for Wood Medical Building located at 80 Loop Road pertaining to a sign location be approved. Seconded by Mr. McSherry. Mr. McSherry in favor; remainder of Board opposed. Motion failed.

Mr. Hickey left the meeting.

Mr. Tate advised Dr. Wood he had five days to notify the City of an intent to appeal and 10 days after that to file an appeal.

3. Haverstick Variance for B-1 and B-2 on Clyo and Centerville-Station Roads.

Mr. Reynolds advised the request had been withdrawn.

UNFINISHED BUSINESS

1. Donwood Construction Co. Variance for parking--southeast corner of East Whipp Road and Millshire Drive.

Mr. Reynolds advised the applicant met with the representative of the neighbors and everything has been worked out. A letter has been sent to Kettering indicating this agreement. No further action necessary.

2. APD Ordinance, Section 31 and Section 32 and Exempted Signs Ordinance.

Mr. Reynolds had copies of the revised APD ordinance and sign ordinance for the Board and stated copies would be given to the Board of Architectural Review as well. This should be the final form and would be ready for discussion at the December 7, 1976 work session.

3. Washington Creek--Preliminary Plan.

Mr. Archdeacon of Woolpert Engineering, for the developer, stated he had been unable to get the school board, park board and city representative together for a meeting and requested the plan continue to be tabled.

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

Mr. Reynolds reviewed that this record plan had been left with the staff to work on pertaining to two matters--the drainage at one end of the property and the termination of a street at the other end. He stated these two problems have now been worked out and was bringing them to the Commission's attention since there was some change to the Record Plan.

He stated the catch basin has been modified so the water will not build up too much and the street has been changed so it is no longer a stub street.

Mr. Thill moved to approve the record plan of Black Oak Estates Five, Section 4, as presented this evening. Seconded by Mr. Donnellan. Approved unanimously.

NEW BUSINESS

1. Whispering Hills--Preliminary Plan

Mr. Reynolds showed slides of the projects location south of East Whipp Road, east of Route 48 and north of Alex Bell Road in Centerville. Zoned Washington Township R-4, which allows 20,000 square foot single family development, with adjacent zoning Centerville R-1.

Mr. Wahby, speaking for the developer, reviewed briefly the presentation made at the work session regarding the consideration given to land use, neighbor's attitude, topography, etc.

Mr. Tate stated he had received a letter from Mike Taylor regarding the four lots which back up to an adjacent property, and Mr. Wahby said he did not feel there was a problem there that could not be handled by additional shrubbery screening if necessary.

Mr. Tate asked if the Centerville R-1 zoning would not be better than the Washington Township R-4 for the type of project planned, and Mr. Wahby said he would request a change in zoning at the next meeting.

Mr. Thill asked for an explanation of the term "eccentric sole access to extremity of property", and Mr. Wahby said this would pertain to the approval of the fire and police department and that they wanted the design of the streets to be unique but acceptable.

Mr. Thill asked about "uneconomic depth" and Mr. Wahby said that pertains to the depth of a lot, and if it is too shallow it is not profitable because it cannot be built on easily.

Mr. Schab stated the Thoroughfare Plan does show Kenshire going through, but this preliminary plan does not.

Mr. Schab stated the cross section of the proposed streets is shown on the Preliminary Plan and acceptance of this plan might indicate that the cross section was acceptable also. The proposed streets are 20' back to back with a slope toward the center.

Mr. Tate stated this is not considered with the preliminary plan and will have to come up later when street design is approved. Mr. Schab said the unusual construction does not bother him from an engineering point, even though the streets will be dedicated and under the City's care.

Mr. Reynolds stated the fire department has not had an opportunity to review the plan, and he is concerned about the off-street parking. He said this could be clarified by the time of the December 7 work session.

Mr. Siler moved to accept the preliminary plan of Whispering Hills subject to the rezoning to Centerville R-1 of the property, and subject to the approval of the fire department. Seconded by Mr. Donnellan. Approved unanimously.

Mr. Reynolds recommended holding the preliminary plan until the zoning had been clarified and then presenting the entire package to City Council.

2. Pelbrook Farm, Section 4.

Mr. Tate stated he had received a letter from Cross & Turner, attorneys for an adjacent property owner, however, he said it did not have an effect on the record plan.

Mr. Archdeacon, representing the developer, stated this project was started some time ago; then he could apply Residential Planned Development as far as the side lot development, and the rest of the project is based on this.

Mr. Reynolds showed a slide of the project, located west of Wilmington Pike and south of Route 725 in Centerville, 9.6 acres with 18 lots, zoned R-4. The lots facing Alex-Bell Road show a 50' setback on the front yards and A-B Road is to be widened according to the Thoroughfare Plan, including curbs and sidewalks. The corner lots at A-B Road and Greathouse, A-B Road and Pelbrook Farm Road, and Pelbrook Farm Road and Crawford Court show a 35' setback for the side lots. Staff would recommend these corner lots have 50' setbacks from each street.

Mr. Archdeacon pointed out when the project was first started the side yard setbacks were established under the Residential Planned Development, and this plan has continued throughout the project. This present plan is a continuation of the community look as has been established.

Mr. Archdeacon stated if they requested a change in the zoning to Centerville R-1 then all lots would be conforming and go along with all other lots in Pelbrook.

Mr. Tate said he would rather see the 35' setback on the side streets rather than on Alex-Bell Road. Mr. Archdeacon said even though the record plan shows 35'

setback, the zoning code would override it and he did not feel the recording of the plan should be held up because of it.

Mr. Reynolds stated the sidewalks shown on the plan follow the rest of the community but he feels Great House Lane should have sidewalks, and that Crawford Court should have sidewalks, but the adjacent area does not so would ask the Commission to decide.

Mr. Tate stated he feels there should be sidewalks on Great House but none on Crawford Court. A consensus of the Board indicated they would favor sidewalks on the east side of Great House and no walks on Crawford Court.

Mr. Archdeacon asked how the setback problem should be handled. Mr. Farquhar said he should apply for a variance and the City should undertake to change all areas where there is currently a violation of zoning.

Mr. McSherry moved to table action on the record plan for Pelbrook Farm, Section 4, until a rezoning request could be submitted. Seconded by Mr. Schottmiller. Approved unanimously.

3. Quail Run, Section 5--Record Plan.

Mr. Reynolds stated this property located north of Nutt Road and east of Atchison Road in Washington Township contains 6.6 acres with 11 lots. The cross section of Nutt Road does comply with the Thoroughfare Plan. The extension of Quail Wood Trail in this project is 27' back to back, which is in accordance with Montgomery County's requirements and continues the road as it presently exists. Sidewalks will continue along the east side of the street, in accordance with the rest of the development. The County would take into consideration the Planning Departments' recommendations pertaining to bond and inspection fees.

Mr. Schottmiller moved to accept the Record Plan of Quail Run, Section 5, as presented. Seconded by Mr. McSherry. Approved unanimously.

4. Walnut Grove -Preliminary Plan.

Mr. Reynolds showed slides of the property located west of Route 48 and south of Hibbard Drive in Washington Township which consists of 24 acres divided into 38 lots, zoned Special Use, located behind the McDonald Building. The plan shows a split roadway entering onto Route 48 on either side of the McDonald Building, which makes several intersections close together. He requests the staff be allowed to meet with the TCC to work out the problem.

Mr. Foster, speaking for the applicant, advised Arn Drive as a major approach to the property has not been considered because it is not in conformance with the cross section for construction, is primarily a blacktop driveway with open ditches on either side.

Mr. McSherry moved to table action on this preliminary plan until the TCC could be contacted for comment. Seconded by Mr. Donnellan. Approved unanimously.

5. Wedgewood Place, Preliminary Plan.

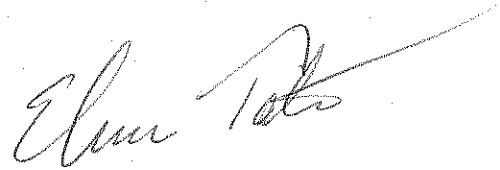
Mr. Reynolds stated the County has not seen the plan and he has scheduled a meeting with the County Engineer for Friday, December 3, to discuss removal of the barns on the site and requests the matter be tabled until after that time.

Mr. Schottmiller moved the Wedgewood Place preliminary plan be tabled. Seconded by Mr. Donnellan. Approved unanimously.

OTHER

Mr. Archdeacon requested the Board consider review a plan for land located at Wilmington Pike and Route 725 on which a shopping center is planned at the December 7, 1976 work session. Mr. McSherry stated he would rather the staff have a chance to review the engineering before the Commission look at it.

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

A handwritten signature in cursive script, appearing to read "Elmer Roberts", is written in the lower right quadrant of the page. The signature is fluid and somewhat stylized, with a long horizontal stroke extending to the right.