

Minutes of Meeting of the  
CENTERVILLE PLANNING COMMISSION  
December 28, 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 L. Reynolds, City Planner; Mr. Karl M. Schab, City Engineer.

Mr. Schottmiller moved to approve the minutes of the November 30, 1976 Planning Commission meeting as written. Seconded by Mr. Hickey. Approved unanimously.

Mr. Schottmiller moved to approve the minutes of the December 7, 1976 Work Session as written. Seconded by Mr. Siler. Approved unanimously.

PUBLIC HEARINGS SET

The following item was set to be heard on January 25, 1977 at 7:30 p.m.:

1. A rezoning from O-S and R-4 to B-1 by Ned Haverstick on property located on the northeast corner of Clyo and Centerville Station Roads.

COMMUNICATIONS

Mr. Reynolds reported that the press release for the I-675 Impact Statement is presenting no real problems. The report, being in excess of 300 pages, is available for public inspection in the Law Library in the Municipal Offices for anyone interested in reviewing the document. He announced that the Impact Statement will be reviewed by staff in the immediate future.

The Planning Department will be losing one of its temporary employees. Mr. Joe Flanagan is moving on to Madison Township where he will be appointed as a Zoning Administrator and Planner.

The Planning Department is preparing a grant for 701 Funding; planning funds in the amount of \$10,000 to \$15,000. This grant will be utilized in the Planning Department. This will be the first direct outside funding the City's Planning Department has received.

PUBLIC HEARINGS

1. Paul E. Lapp

A request for variance on front yard setback requirements for Paul E. Lapp located in Pelbrook Farms, Section 4 located near the intersection of SR 725 and Pelbrook Farm Drive.

Mr. Reynolds presented slides of the request. The variance is from Washington Township front yard setbacks to Centerville setbacks of 35'. Staff indicated the request is necessary in order to establish Centerville setbacks on Township zoned property.

Speakers for request: Mr. Bob Archdeacon, representing the developer, stated that the request for a variance involves 5 lots on the east and west side of Pelbrook Farm Drive. A 35' setback would allow the lots to conform to the Pelbrook Farm and the Black Oak development. Additionally, the requested variance of front yard setbacks is consistent with the setbacks established in the adjoining area.

Mr. Tate opened the Public Hearing and having no speakers for or against, closed the Public Hearing.

Mr. Tate said the request conforms to current City specifications and those established previously in the Pelbrook Farm project.

Mr. Hickey asked if we have a large amount of land in Centerville with Washington Township zoning. Mr. Reynolds answered yes. Mr. Tate explained that all Township zoned land in the City is being reviewed.

MOTION: Mr. Siler moved that Pelbrook Farm, Sec. 4 concerning the variance request for 5 lots on Pelbrook Farm Drive be granted. Seconded by Mr. Thill. Approved unanimously.

#### Pelbrook Farm, Sec. 4 - Record Plan

Mr. Reynolds suggested that at this time we remove Pelbrook Farm, Sec. 4 from table and dispose of it in one way or another. It does reflect the variance in setbacks along Pelbrook Farm Drive as approved. It does meet with recommendations subject to staff review.

Mr. Schottmiller moved that the Pelbrook Farm, Sec. 4, Record Plat be removed from the table. Mr. Thill seconded.

Mr. Schottmiller added that it be removed as corrected - what bond and inspection will be.

A question regarding a strip of land along the Meng property was raised. The comments were concerned with a contract to purchase the strip of land in question. Dr. Meng suggested that a time limit be enforced so that the matter will be taken care of. He said that it is about 3/10ths of an acre in total. It is a long thin piece of land (approx. 10' x 40').

A contract to transfer the strip of ground from Mr. Lapp to Dr. Meng, thus eliminating any land-locked ground had been prepared and reviewed by staff. Dr. Meng indicated the contract did not have his signature. Mr. Archdeacon explained that he had provided staff with the contract to purchase by Dr. Meng and Mr. Lapp. The deed has been prepared transferring land to Dr. Meng. It has been stamped and is being held in escrow until an agreed amount of dollars has been reached.

Dr. Meng said Mr. Archdeacon did not have his signature and if he did it was without his knowledge. He also explained that he has been waiting for five years to have this land matter resolved.

Staff indicated that since communications between Dr. Meng and Mr. Lapp have apparently broken down, the Record Plan should go back to table.

Mr. Schottmiller moved that his motion to accept the Record Plat be withdrawn.

MOTION: Mr. Hickey moved that Record Plan for Pelbrook Farm, Section 4 be tabled until the problem of the land-locked strip of land is solved. It can be resolved by deed of transfer being given to the purchaser. Seconded by Mr. McSherry. Approved unanimously.

## 2. Whispering Hills - Rezoning

A request for a rezoning from Washington Township R-4 to Centerville R-1.

Mr. Reynolds explained that this matter has been brought in front of the Planning Commission based on a technical point that we cannot review the preliminary plan for Residential Development Plan requirements unless the project area have the proper Centerville zoning.

The rezoning from Washington Township R-4 to Centerville R-1 classifications are basically the same. Both allow property to be developed as single-family residential. Staff review on this request was favorable (the rezoning would be the same density).

Speakers for request: None

Speakers Against request: Mr. Gene Mally  
Kentshire Drive

Comments by the Planning Commission concerning Kentshire Drive extension and the Preliminary Plan were made. Mr. Tate explained that Kentshire Drive will have to acquire an easement from the railroad. It would be desirable to connect the street; but because of problems of topography and obtaining permission for an easement from Penn Central, it is not a feasible project at this time. The Planning Commission has requested the developer to provide access for a possible crossing for children in the future.

Mr. Hickey explained that the overpass on State Route 35 in Dayton right now is the type of overpass that they are discussing. It is caged so that you cannot jump out of or fall off of the walkway crossing.

Mr. Tate further emphasized that it would indeed be desirable to put a street through, but right now it is not feasible.

Mr. Mally asked what are the plans and for how many homes on the west side of the railroad. Mr. Thill answered four homes.

Mr. Reynolds presented in a general manner the highlights of the Preliminary Plan. Property to the west will be developed as single-family homes (20,000 sq. ft. lots). Present information indicates the property west of the tracks would be developed as four lots.

Mr. Mally questioned the size of those homes. Mr. Reynolds explained that right now there is no way of knowing the exact size. Minimally, the homes must comply with square footage requirements.

Mr. Mally asked if the street would go through.

Where Kentshire terminates on the west side of the railroad, a cul-de-sac is to be constructed.

Mrs. Judy Schuler  
Kentshire Drive

Mrs. Schuler asked if she understood correctly that 40 some accesses will be located on Kentshire Drive. Mr. Tate stated that there is no other way because of the railroad.

Mr. Reynolds said that to consider extending Kentshire across the railroad tracks there would be a substantial grade problem encountered at the tracks. Construction of the street would result in a steep hill at a railroad crossing. The western approach would be coming up rather steep to the track grade. Property east of the tracks will consist of 44 lots, with 4 on the west side. Total amount of acreage on the east side is approximately 20 acres.

Mrs. Schuler asked if this zoning is changing.

Mr. Tate stated that it was, however, it will not effect the overall density. Setback requirements may differ. The lot sizes are less than the usual 20,000 square foot requirement. This difference in area is due to the extensive amount of open space (8+ acres) that will not be developed. The Public hearing was closed.

MOTION: Mr. Thill moved that the requested rezoning be approved and sent to Council with a recommendation to set the request for Public Hearing. Seconded by Mr. Hickey. Approved unanimously.

#### UNFINISHED BUSINESS

##### 1. Washington Creek - Preliminary Plan

Located north of Spring Valley Road and east of Clyo Road; Washington Township.

Mr. Reynolds explained this item was tabled pending resolution of the extension of Rooks Road. Land has been purchased by Centerville-Washington Township Park District. The Park District does not want a street going through the park. Previously a street came to the north and stubbed in where there is now a road. From a staff point of view it would be advantageous to have access continue north. Access is along Spring Valley and Clyo Road which means anyone leaving the subdivision will travel an excessive distance. Without the access, the two large subdivisions will be isolated from each other, thus creating a situation similar to that of Johanna Drive and Tower Heights School. The access to the north could cross the southeast corner of park property and continue north; however, a large ravine will be encountered upon construction.

Staff's recommendation would be to request that the access be extended to the north as indicated on the City's Thoroughfare Plan.

Mr. Bob Archdeacon, representative of Washington Creek, has met with Sid

Roach from the School Board and Mike Taylor for the Park Board both individually and jointly; both parties are opposed to the street which would in effect connect two subdivisions. They feel putting this in would split the school complex and provide through traffic where they want recreational facilities.

Mr. Archdeacon indicated that a plan which terminates Rooks Road, could provide a connection for a private drive back to school site and park access point. School buses could be accommodated on land which will be developed to provide for turn around and unloading facilities and parking for school and park facilities.

Mr. Tate said that Dr. Overly wants access to the school but he is not in favor of cutting across the property. Mr. Tate also stated that if access is provided in Washington Creek at some point to the school and park, this access should be continued as a public street connecting the two subdivisions.

Mr. Hickey asked where do we want the road to go through.

Up to date, the staff has worked on this problem, but we should have the three bodies (Planning Commission, Park Board, School Board) who make their own decisions meet and discuss this problem.

Mr. Tate will call Dr. Overly and Mike Taylor to speak on the issue. He (Mr. Tate) knows what the Planning Commission wants.

Mr. Hickey asked how long it would be before Washington Creek would be in the final engineering stage. Mr. Archdeacon explained that they plan to begin construction in the spring.

MOTION: Mr. McSherry moved that a preliminary plan for Washington Creek be approved subject to the developer providing access somewhere on the north edge of said property in Washington Creek. Seconded by Mr. Hickey. Approved unanimously.

## 2. Walnut Grove - Preliminary Plan

This project consists of a very deep parcel that has approximately 400' frontage on SR 48. There is potential for three T intersections very close to each other. The staff recommendation is not to create any additional access on SR 48. Concerns expressed regard the potential of a third T intersection being constructed (Nutt Road & Hibberd Drive existing).

Mr. Allen Hauss, the developer, doesn't like Arn or Boden as the access points to the plat.

MOTION: Mr. McSherry moved that we deny the preliminary plan for Washington Creek. Seconded by Mr. Hickey. Approved unanimously.

### 3. Rick Price - Variance

The variance request is for the location of a constructed split-rail fence at 7629 Clyo Road that sets within the City's right-of-way. Previously, staff recommended on the variance request that the fence should be moved back to conform to right-of-way plans. The City's recommendation is still to move the fence back along with other fences.

Mr. Price made a picture presentation to the Planning Commission. He stated that he doesn't want to relocate the fence more than once and there is talk about widening Clyo Road, so he will have to move it then as well.

Mr. Tate suggested that the variance be granted providing the variance has expiration, and upon expiration, Mr. Price move the fence at his own expense.

MOTION: Mr. Hickey moved that the variance to Mr. Rick Price for such said setback requirement along the location of Clyo Road provided that the variance have a expiration as of the beginning of the construction for the widening of Clyo Road; further providing that at that time Mr. Price will at his own expense remove the split-rail fence that said variance has been requested. In the event the fence is knocked down prior to Clyo Road construction, it will be relocated in its proper position as required by Ordinance. Seconded by Mr. Siler. Approved unanimously.

### 4. Zeig Realty - Sign Variance

Located south of Chevy Chase and north of Cassano's.

Mr. Reynolds explained that the Planning Commission approved the sign initially for 180 days. The applicant, Blommel Sign Company, is requesting an additional 180 dyas. Planning Commission could act on this request. Staff recommends we grant another temporary permit for 180 days.

MOTION: Mr. Hickey moved the temporary sign permit for Blommel Sign Company for an additional 180 days be granted. Seconded by Mr. Thill. Approved unanimously.

## NEW BUSINESS

### 1. King's Grant I, Sec. 2 - Record Plan

This project falls within our 3-mile jurisdiction. There are 21 acres involved with 22 lots proposed. The area has R-4 zoning. The street will be widened to 24'. There is concern based on islands in cul-de-sac areas. There would be removal of protruding points so vehicles won't be grounded.

Sidewalks have been waived.

Mr. Schab recommends a bond fee of \$60,003 and subdivider's agreement and an inspection fee of \$269.00.

Mr. Rengers, the developer, agrees with all of staff's recommendations.

Mr. Hickey stated that the points protruding in the planted areas will be removed per staff's recommendation. Mr. Rengers indicated that they have been modified in construction drawings.

MOTION: Mr. Siler moved the Record Plan for King's Grant I, Sec. 2 be approved as submitted subject to \$60,003 bond fee and subdivider's agreement and an inspection fee of \$269.00. Sidewalks are waived. Seconded by Mr. Schottmiller. Approved unanimously.

## 2. Wedgewood Place - Preliminary Plan

Wedgewood Place is located in Washington Township within 3-mile jurisdiction. Moraine exercises its 3-mile jurisdiction and is closer to the project, however, Moraine doesn't have a thoroughfare or park plan that extends into Washington Township; therefore, review of the project may be conducted by Centerville.

A temporary improvement will be made to remove any resulting drop-off. There will be a guard rail installed so a car would not misjudge the road and end up in the depression. The access road will be private.

Dave Durham, representing the developer, Dr. Straughen, will dedicate the right-of-way and will remove the two barns on the curve. The County will build the shoulder of the road up. All of these lots have frontage on Alex-Bell Road.

Mr. Hickey asked how we control cars entering Alex-Bell Road. An access road comes out to approximately a 90 degree angle with Alex-Bell Road. What type of hazard are we creating? There will be unobstructed vision. Barns will go down as soon as approval is given. We do have a letter from Montgomery County indicating improvements to be made.

An access drive to the seven lots will be of an improved surface.

MOTION: Mr. Schottmiller moved we approve Wedgewood Place preliminary plan. Seconded by Mr. Thill. Approved unanimously.

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

