

CENTERVILLE PLANNING COMMISSION

Regular Meeting - Feb. 25, 1975

7:30 p. m.

Those present: Messrs Tate, Maxton, McCrabb & Gillingham and Mrs. Lake.

Absent: Messr Baker.

Also Present: John Levermann, Administrative Assistant; Karl Schab, City Engineer & Robert Farquhar, City Attorney.

Approval of January 28, 1975 Minutes deferred.

Communications

Mr. Maxton said the proposed ordinance has been received by members and confirmed with Mr. Levermann that this would be covered in a workshop (March 4)

Church of Latter Day Saints plan was received and not enough information of the area was available to identify the exact location. Mr. Maxton said this happens with other plans and he would appreciate more information on this area as well as future applications. Mr. Schab said he will see that the balance of the plan is provided to identify the area in question.

Public Hearing

1. Application for a variance for the property located at 8209 Clyo Road, being a one-acre parcel located in Section 24, Town 3, Range 5 and deeded to the Board of Township Trustees of Washington Twp. Variance is requested to provide for a reduction in the required 20 foot side yard to a 12 foot side yard on the northern bound. addition to the road department facility.
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Mr. Maxton explained the procedure for the public hearing and stated that a vote may or may not be taken.

Mr. Levermann gave the presentation and explained the application, pointing out the area on a slide. Mr. Maxton asked if the adjacent property owners had been notified and Mr. Schab said he was certain Marilyn McLaughlin had sent the notices out.

Mr. Roger Krass, 27 N. Main Street, represented the Twp. in this application. He said they have equipment they would like to get under roof. This is the minimum set-back they could have in order to have the building at all. The western boundary, he said, is 13'; the eastern set-back will be 16'. This is not an extreme variance, he continued, but 7' below the side lot requirement. The property to the north is a 'graveyard' for equipment, he continued, there are no residents in the area and to grant this variance will not be a detrement to the area.

Mr. McCrabb asked if there would be openings on the north side of the building. Answer: fire openings, probably no windows.

Mrs. Lake asked if there were plans for improving the area. Mr. Krass said they have erected a 7' chain link fence for security and in the spring they plan to do some planting.

There were no comments from the public.

- * Mr. Gillingham made the motion to approve the application for variance at 8209 Clyo Road be approved. Seconded by Mr. Maxton. Approved unanimously.

Unfinished Business

2. Approval of Record Plan for Normandy Farm Estates Two, Section 8, a Subdivision located along the west side of Normandy Lane south of Alex-Bell Road.
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This item was tabled at the last meeting and new plan has been submitted with several modifications: 1) sidewalks have been extended to include to Alex-Bell, to Grants Trail. 2) widening of the street for turn lane at Alex-Bell. 3) widening of birm in a section.

Mr. Farquhar was asked to comment: In reference to proposed I-675, no grade that is established will be adequate in the future. Assurance was desired (by PC) that improvements would be put in at the time I-675 is put in. A suggestion is a performance bond to assure this at some time in the future. 1) We have no idea what time element we are talking about. 2) It is illegal if we are going to require this at this time. Another suggestion is to require a plat restriction that at some time in the future and I-675 is put in, each owner would have to pay to reestablish these changes. 1) impractical, 2) illegal. Property owners would end up paying for the improvements now and to require them to pay again later would probably not stand up in court. Mr. Farquhar continued that he does not know to what extent the State will make changes (in the area) - if radical changes are made they may be required to pay damages to the property owners. The answer, he said to P. C.'s question of assuring that these improvements would be put in again at the time I-675 is developed: the State will probably do this but there is no way to legally assure that it will be done.

Mrs. Lake asked if he is saying that the State may or may not be required to do this - is there no mechanism, she asked, that says the sidewalk would be replaced if removed? Is it left to someones discretion as to whether or not it is put in again? Mr. Farquhar said he knows of no situation where the sidewalk was not put in if it was removed (by them) and is required, if the grade is such that a sidewalk would be impractical to restore. All that is required is that the property owner have access, a good view is not required. This would be between the State and the property owner.

If a sidewalk were not put in by the State, Mr. Farquhar continued, and the governing (local) body determined that it should be, they could probably go back at that time and access the property owner. At this point in time there is no way of assuring this.

The sizes of the lots was discussed. The smallest is 175' - most are 420' deep. Mr. McCrabb asked about the topography, saying that he recalls that there is a sudden drop-off, possibly a 60'-70' front yard should be required, he said, to compensate. He added that he does not know if this would be practical.

Mr. Robert Archdeacon said that there is 100' to work with from the front of the property to the center of the house. He said it was thought to be better to dedicate the 50' right-of-way like the rest, they feel this is adequate.

- * Mr. Maxton made the motion to approve Record Plan for Normandy Farm Estates Two, Section 8 as presented subject to a Bond of \$8000.00 and Inspection Fee of \$87.50.
Seconded by Mr. McCrabb. Approved unanimously.

3. Application by Augusta H. Son for the rezoning from R-1 to R-3 for .92 acres situated along the east side of Lyons Drive, approx. 400 feet north of Ridgeway and immediately south of the Wythe Parrish condominiums.
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Mr. Levermann explained the application and described the location. This matter had been tabled at the last P. C. meeting, mainly to check if a subdivision plan was required. The Fire Department has indicated their desire for and the location of a fire hydrant. The plan shows five units, three being detached. This now conforms to the R-3 classification, said Mr. Seeley, who represents the applicant. The question was summed up: do we require sidewalks, curbs, additional catch basin - how do we assure that they will be put in? Sidewalks and curbs should be coming in as this will be a much more intense use than is required at this time. There is a way to assure this.

Mr. Farquhar said that what the P. C. is considering at this time is strictly a rezoning request. The issue of sidewalks, curb cuts, storm sewers, number of lots, etc., is not really something that has to be established at this time. There is a way to assure this will be done without requiring a plat or some other plan. By granting the rezoning all P. C. would be permitting would be one building on that lot. (This is a platted lot already). This would not be assuring that the curb cuts, sidewalks, etc. would be in. That can be assured through deed covenants or the limitation of units per acre - which Centerville has control on with R-3. Mr. Seeley confirmed that his client has agreed to this. The applicant would have to replat if he wants to build more than one building on the property or file a condominium

plan - a condominium plan does not require a plating as it is a different approach. At the time a condominium plan is supplied P.C. will find that a lot of this will be covered, i.e. driveway, etc. The combination of the two, Mr. Farquhar said, will have the protection P.C. desires; 1) deed as mentioned and 2) condominium or plat plan.

Mr. Gillingham asked if R-3 rezoning will require this property to be used strictly for residential without variations, i.e. business. Mr. Farquhar said this would allow only residential - anything else (i.e. office) would require a conditional use (permit). To grant R-3 is only residential (but multi-residential). This would allow one building - not one additional building. They can convert the present building or remove it, but the R-3 would not in itself allow more than one building. Additional buildings would have to be a condominium or plat plan. Mr. McCrabb asked if the deed restriction could state that this would be a condominium. Mr. Farquhar said that this is possible - but would not give more control. R-3 would give them permission to build a double, he added.

In answer to a query from Mr. McCrabb, Mr. Schab said that there is a (water) line adjacent to Wythe Parrish and there would be an extension to the fire hydrant from there.

Mr. Seeley, representing the applicant, said that his client has agreed with Mr. Schab that he will put in the curbs, etc. and is willing to enter into some means whereby these various requirements can be done - to assure you and the community that they will be done. I had discussed with Mr. Farquhar a different vehicle (to accomplish this), he continued, but if this deed restriction is what is desired it will be agreeable. My client, he said, does plan to build what is being presented here - he does not have an alternate plan. Regarding the fire hydrant placement, he said he had talked with Fire Chief Staley and there was a question as to whether the fire hydrant should be on the property. The requirements for spacing of fire hydrants was discussed - it is his understanding that the most extreme distance requirement for the fire hydrant placement is 325' and there is one on Sheldon Dr. (approx. 125'). Mr. Seeley said his client would agree with the code and is not entirely opposed to putting a hydrant in but it would seem unfair to put this in if it (already) meets the code. Mr. Seeley said he talked with Chief Staley regarding the driveway and he is open to getting back with the applicant about the entrances to get back in the area. Mr. Seeley restated that his client is willing to comply with the code and to working out the deed restriction. Mr. Tate asked Mr. Schab if he agrees that the existing fire hydrant meets the code. Mr. Schab said he has not checked the distance. He added that this could be investigated at the time the building permit is obtained - it is really not a part of the rezoning question before P.C. tonight. Mr. Tate said he does not like the hydrant right in the middle of a one acre lot, on private property, as proposed. It was restated that re-zoning is the question - the fire hydrant can be determined later.

- * Mr. McCrabb moved to approve the application for rezoning from R-1 to R-3 for .92 acres along the east side of Lyons Dr., according to Mr. Son's application, subject to satisfactory deed covenants being submitted by the applicant to secure the installation of the sidewalk, curb, storm sewer, number of units per acre, street improvements, etc. in specific, in a form that is satisfactory to the City Attorney. Seconded by Mr. Gillingham. Motion denied 4-1, Mr. Maxton being the negative vote.

Mr. Maxton explained the applicants right to appeal and the required time to file the the appeal and the intent to appeal. (Five affirmative votes required on zoning motions.)

4. Public Hearing set for Tuesday, March 25, 1975 at 7:45 p.m. by Mr. Maxton on the following: An ordinance amending Ordinance 15-61, the zoning ordinance, by changing definitions and adding definitions regarding group homes.
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Prior to setting the Public Hearing the following comments were made:

Mr. Farquhar explained what affect the proposed changes might have regarding group homes. We are considering two changes - one to be set for public hearing, the other change will be discussed further in a work session - Council has directed that P.C. comply with a positive ordinance by May 1, 1975. Mr. Farquhar further explained that this is only the first step to governing group homes. The existing ordinance was read. Mr. Farquhar read the definition of family and said that it is common to many zoning ordinances and has been interpreted by various courts as permitting any type of group home - the home it permits is a home where people actually live there. There is no restriction under the present ordinance to restrict the number of people dwelling in a home. The ordinance definition of family has been changed to read people who are related (including legal guardianship - this should be there to permit standard foster home) - housekeeping units (would be) limited to four persons. While the changes would permit some type of home in the future, it is extremely restricted at this time. This is more-or-less a stop-gap ordinance directed by Council until something else can be drafted. Mr. Maxton said that some things aren't defined and Mr. Farquhar agreed.

5. The conflict regarding lot splits and Ohio Revised Code was discussed briefly. In referring to the Ohio Revised Code, Mr. Farquhar said that he feels the subdivision requirements are in conflict - they are not legal. Mr. Farquhar read Sec. 711.131 of the Ohio Revised Code. He continued that if somebody wishes to take advantage of this section, they may present this without our plat and the P.C.'s only latitude is to determine if the proposed split is plat, subdivision or zoning. You can approve this within 7 days, he said. Once the applicant does

submit without, P.C. is required to approve as long as it does not run afoul of City regulations. (ref: McDonald's was on a public street. It did not conflict with our regulations. He added that P.C. was dealing with subdivision regulations and (they) are unenforceable.) Mr. Gillingham referred to the requirement we have about all lots fronting on public streets and asked how wide this would be. Mr. Farquhar said that it depends on the location. Mr. Schab added that it seems to be for B-2 there is no set frontage - it is measured in other ways depending on lot coverage, side lot requirements, etc. Mr. Farquhar said there is a front footage requirement - it just depends on other factors.

Mr. Maxton said that we are in conflict with the Ohio Revised Code and are in conflict with some of the things we are trying to achieve. According to Mr. Farquhar, there are ways to cover some of these conflicts - this will be discussed at the workshop.

6. Public Hearing set for Tuesday, March 25 at 8:15 by Mr. Maxton on yhr following: An ordinance amending Ordinance 15-61, the zoning ordinance, by requiring an agreement from the applicant and the posting of a performance bond and bond guaranteeing replacement of landscaping which fails to grow in B-3 and E. C. Districts.

7. Application for Sign Variance by the Franchise Realty Interstate Corporation (McDonald's).

Mr. Levermann made the presentation for one free-standing sign and two directional signs. The ordinance allows for identification signs not to exceed 1-1/2 times the front footage. This would be 8' sq. ft. maximum. 96 sq. ft. is being requested, Mr. Levermann said. Two directional signs are permitted, but the ones presented in this application exceed the permitted size. The size of the directional signs would require a variance as would the signs that will be affixed to the building.

Mr. Maxton said that the sign ordinance prohibits freestanding signs in business and industrial areas. Mr. Farquhar said that he was not aware that it was the intent to eliminate the freestanding signs, as he thinks the ordinance permits them. He said Section 32.3 relates to signs. Section 32.32 specifically says one freestanding sign shall be allowed not to exceed 50 sq. ft. If it was not intended to allow them, he said, I don't know why that was in there. He added that he did not know what the thinking was regarding this ordinance. Mr. Tate said the language is 'bad' - he thinks the intent was for Real Estate signs (for real estate sales) not for real estate. Mr. Farquhar said that if this was the intent, it should have read differently - that one Real Estate sign would be allowed. (this would basically be a

temporary sign). Mr. Farquhar continued that P. C. has to construe the zoning ordinance in favor of the land owner because of the constitutional right of the property owner. If what has been said is the intent, this should be re-written. Mr. Maxton said that this ordinance does not address itself to the height of the sign. Mr. Gillingham said the (former) Planner had said there was a restriction on height. Mr. Farquhar said there is a limitation on signs as far as heights is concerned in the E. C. He was asked if this could be stretched. Mr. Farquhar said no, because as they are set up each sign area is delineated and unless it says that one can't go up, it can.

Mr. McCrabb asked if the 50 sq. ft. restriction is in reference to one side or both sides. Mr. Farquhar said he would like to have an opportunity to review this to see if there is anything in the ordinance to say whether this is mentioned. Mrs. Lake said she believes there is mention of this in E. C. but not in the others. Mr. Schab said that 32.00 B says it means both sides total 50 sq. ft. There was a discussion regarding whether or not this applies to all areas. Mr. Maxton said it applies to total sign area, both sides, no height restrictions and all other provisions of the sign ordinance would apply. Mr. Schab said that 32. D allows one freestanding 50 sq. ft., a variance would have to be requested if it exceeds 1-1/2 times the frontage. In this case, 31 sq. ft. plus the 50 sq. ft. free standing sign is all that would be allowed. Mr. McCrabb said (it seems) they can have the aggregate of front footage plus the free standing sign. Mr. Farquhar said it appears to be that in this case the limit would be 50 sq. ft. free standing plus 31 on the building for a total of 81 sq. ft. of identification sign (as opposed to a directional, construction, etc.)

Mr. McCrabb mentioned concern over the possibility of 'moving' signs. Mr. Farquhar said that everything from 32.00 to 32.07 relates to all districts. 32.02 prohibits blinking, flashing and intermittent lights. D prohibits a sign that rotates.

Mr. Gary Smith, construction engineer for McDonalds spoke regarding what McDonald's is attempting to do. He said they are trying to fit into the community. They would like 38 sq. ft. sign on the roof. In order to be more colonial, he said, we are going to divide the windows - because of this the logo they usually have in the front window of their establishments would not look good. They want a raised 10 sq. ft. 'golden arch' on the side. He continued that they like to have their buildings back off the front property line to facilitate front parking, and the sign out front is to designate that they are located there. They propose a sign 48 sq. ft. (no arch) to facilitate people in and out of the property. The proposed directional signs are 3.36 sq. ft. rather than 2 sq. ft. (the 3.36 sq. ft. is their usual size at other locations). He reviewed the plan pointing out that it has the 'in' traffic straight and the curve at the outlet. To come in on the curve would be hazardous, he said.

Mr. Maxton asked if Mr. Smith was saying that they cannot have the 50 sq. ft. free standing plus 31 sq. ft. on the building. Mr. Smith replied that the 38 sq. ft. proposed is the only one that mounts on the roof. (They have another style, but it is also 38 sq. ft.) Mr. Maxton asked if they could bring it down to 25 sq. ft. per side. Mr. Smith said not without a specially made sign. We do not have this (size) in our product line, he added. The fact that the freestanding sign and the word 'McDonald's are McDonald's standard red and yellow was established. The directional signs would be yellow arrows on red. These are considered for safety, identification has not been requested for the directional signs. Mr. Smith said there was a 35' setback to the front edge of the sign..

* Mr. Gillingham moved that the variance/request for McDonald's identification signs/be denied. Seconded by Mr. Maxton. Variance denied unanimously. The applicants right to appeal and the procedure for doing same was explained.

* Mr. Maxton made the motion to deny the variance request for directional signs as presented for McDonalds be denied. Seconded by Mr. Gillingham. Motion failed. 3-2. Those in favor: Maxton and Gillingham. Those opposed: Tate, Lake & McCrabb.

Mrs. Lake said she could not support the motion because she does not know where the curb cuts will be.

* Mr. McCrabb made the motion to table the request for variance on the directional signs until the subject of the curb cuts is settled. Seconded by Mr. Maxton. Approved Unanimously.

Mrs. Lake asked if there is anything regulating how close directional signs can be to one another. Mr. Schab said there is not, but there are restrictions on curb cuts, they should not be less than 50'. He read from the ordinance regarding this.

8. Application for Curb Cut by the Franchise Realty Interstate Corporation (McDonald's).

Mr. Levermann explained the location of a 50' curb cut request. He said this conforms with the requirements of the zoning ordinance. The question is concerning location, not width.

Mr. McCrabb asked how close a curb cut is allowed to a side property line. Mr. Schab said he believes it can be right next to the property line if no easement is required.

Mr. Doug Gowdy, representing the realty co., said they have brought this (the driveway) as far south as is practical. We are 20' north of the south property line, he said, to give us sufficient space for the required radius and to allow the best use of parking and traffic flow.

Mr. Maxton said that when P. C. talked initially with McDonald's and with representatives of Hunter's Savings, Hunter's indicated they would consider moving their driveway further north. Have you reviewed this with them, he asked? Mr. Gowdy said this has been reviewed with Hunter's and they are cognizant of it. We do not control, nor will we control the rest of the property, he said. He said he cannot say what Hunter's will do. He said the McDonald property is entitled to a curb cut.

Mr. McCrabb asked why the curb cut had been moved to the south. Mr. Gowdy said they felt P. C. felt this was too close to Siebenthalers (where it had been at the center of the lot) and they wanted to allow for their point of conflict. Mr. McCrabb voiced concern that once a patron is on the McDonald property, what assurance is there that he will go out the outlet instead of the inlet. Mr. Gowdy said they have no more assurance than others, but the arrows, etc., should direct the traffic. Mr. McCrabb asked if diagonal parking wouldn't be better. Mr. Gowdy said this would not be the most efficient use of the land for parking and it is not considered as safe. Mr. McCrabb's concern is better direction of traffic. Mr. Smith said the reason they moved the curb cut from the center was that from their estimation a better safety device and better traffic flow would result. He feels the direction (of traffic) should be straight in. He said the requested directional signs would aid in this matter. He also said the directional signs would be lighted at night. The distance between the two parking spaces, he said, is 24' wide, wide enough for both directions. He said they would object to diagonal parking - it would not work on that size lot.

Mr. Schab was asked about the Hunter's driveway and he said that to have it opposite Washington Square (which PC would prefer) it would have to be moved approx. 60'. He added that P-K's driveway is 72', Hunter's is 36'. Mr. Gillingham said we were going to ask for a left turn to Hunters - the object is to get cars out of '48' and to do that is to have the two left turns - the two adjacent driveways would have to be centered. The location of the P-K and the Hunter's driveways was discussed as well as the 'island' on the McDonald property and the implications to the traffic. The discussion revolved to the desirability of Hunters and McDonald's using a common driveway and curb cut. It was felt by some that there is a lack of cooperation from the property owners regarding a common curb cut. Mr. Tate said he is not in favor of Hunter's moving their curb cut across from P-K. He feels it would be an impossible traffic situation.

- Mr. Maxton asked Mr. Schab if, from an engineering standpoint, would he rule out the middle location. Answer: yes. If it were moved north, there would be the problem with Siebenthalers, to the south the problem with Hunters. Mr. Gowdy said that at the middle or the north, there would not be a straight shot in. Possible flows of traffic were discussed. Mr. Schab said that internal circulation would probably be better with the driveway to the north.
- Ms. Bev. Davis, representing McDonald's, said that the question of whether or not Hunter's driveway is moved is not before P.C. at this time. If this is requested by the City, she said, it is a question as to when it will be moved. As for McDonald's, she said, they are the experts - traffic flow is their business. She cited a case in 1972 where they went before a Council regarding placement of curb cuts and flow of traffic and Council did not approve what they had planned, so they did what Council asked. She continued that upon opening, Council said they were wrong and asked them to do as they had originally requested of Council. She said the drawing of this plan is in bad condition due to the many changes that have been made. She continued that Mr. Smith is a resident of the area and knows the traffic conditions in that vicinity and according to his expertise and McDonalds, this is where it is felt that it would be best. She asked that this plan be approved and added that if it is unsafe, they will move it.
- Mr. Gillingham asked Mr. Smith, since he is familiar to the area, is he aware of the reason for the paved area in front of the McDonald property. Mr. Smith assumed it was a remnant of past development. Mr. Gillingham said it was put in in the past few years to remedy a bad situation - a curve the same as the one McDonald's is now talking about. He cited the need for deceleration to enter Siebenthalers and said McDonald's will end up with a hole for car axles to drop into within a month - this is what happened with Siebenthalers. Mr. Smith said they have a 20' radius from the edge of the curve cut to the edge of their property line. Mr. Gillingham said he thinks it should be brought down or at least widened to the south side. Mr. Smith said he does not disagree, however, you are not allowed to take your driveway or wing of your driveway beyond your property line. Mr. Gillingham pointed out the strip in between that is a soft shoulder and could be a deceleration lane. Mr. Smith said he is all for that and said it would not be that much of an expense and the shoulder is basically solid. He asked if PC has the control for that. The possibility of a deceleration lane to enter and a way out between their curb cut and Siebenthalers without entering the right turn lane of the property. Mr. Smith said he feels this would help McDonald's as well as the City and asked that the signage be reconsidered so a better job could be done. Mr. McCrabb asked how a car would be contained in the deceleration lane. Mr. Smith said that it is not to the drivers advantage to get off the street. It was stated that a curb to contain traffic is a traffic and future maintenance problem. A white line was suggested.

Mr. McCrabb expressed concern that if a driving mistake is made (with regard to the proposed island), it would be virtually impossible to get out. Mr. Smith said they felt this was the best way to utilize only one curb cut. We had asked for two, he added.

* Mr. Maxton made the motion to approve the application for curb cut as presented. Seconded by Mr. Tate. Motion denied 3-2. Those opposed McCrabb, Gillingham, Lake. In favor Maxton & Tate.

Ms. Davis asked to be advised where PC wants the curb cut. She said they are ready to begin construction tomorrow.

Mr. Maxton asked for comments from those opposed to the motion. Mr. McCrabb said he does not know how strongly he feels about the interior traffic flow - he does want the deceleration. He said he realizes the problem and is not opposed to McDonald's, but is afraid of a bottleneck.

* Mr. Tate moved to accept the application for curb cut with the proviso that an acceleration-deceleration lane be added. Motion did not receive a second and was withdrawn.

Mr. Smith wants the signage (directional) to be a part of the picture. Mr. Maxton said he is opposed to the 'horse-trading' Mr. Smith suggests with regard to the acceleration-deceleration lane and the signs.

Mr. Gillingham asked if the applicant can go to Council if the PC approves the acceleration-deceleration and they (the applicant) finds it unacceptable.

Mrs. Lake asked if it is totally impossible for the applicant to get together on a mutual curb cut with Hunters. She said she cannot see that this would be a detriment to their business. She said she is now and always has been most concerned with safety. Mr. Maxton said that the Hunter's mutual curb cut should definitely be ruled out - we have to address ourselves to resolving the situation on the McDonald property.

* Mr. Gillingham made the motion to approve the application for curb cut by the Franchise Realty Interstate Corp. (McDonald's) as shown with the addition of a partial acceleration-deceleration lane, each to be at least 10' wide and 40' (2 car lengths) long. Seconded by Mr. Maxton. Approved 4-1. The negative vote being cast by Mrs. Lake.

Mr. Gillingham asked about the paving on the accel/decel lanes. Mr. Schab said they would be the same as for thoroughfare. He added that the shoulders now probably do not have the base.

- * Mr. McCrabb made the motion to accept the Sign Variance application for the directional signs. Seconded by Mr. Gillingham. Approved 4-1. The negative vote being cast by Mr. Maxton

9. Application for 15' curb cut by Washington Twp.

Mr. Levermann explained that this is the Township garage on Clys Road. He explained the area and the location of the proposed curb cut.

Mr. Roger Krass said this would be 7' from the south property line, which is the school board property. They would like better access for the trucks - they always have to make a left-hand turn the way it is now. This change would eliminate the necessity of negotiating a turn-around. Mr. Maxton asked if they would consider abandoning the curb cut on Clys Road. Mr. Krass said their location is Clys and they would be hard to find if they abandoned it. He said this is located at the end of the street, there are no other curb cuts close. Mr. Schab said this was located on a dedicated street.

- * Mr. Tate made the motion to approve the application for a 15' curb cut as submitted. Seconded by Mrs. Lake. Approved unanimously.

10. Request for waiver of sidewalks on one side of street for Whipp Road Estates, Section 2.

Mr. Levermann outlined the area and explained the application.

Mr. Lapsins showed a copy of a map and said the usefulness of the sidewalk should be considered. He said there is no major concern that this sidewalk reduction would result in a reduction in pedestrian safety. He continued that the question is - should the sidewalk be one side two sides or none at all. Two sides should be in high density areas and where there is a lot of street traffic, he said. In some areas one side would be sufficient, some serving 3-4 houses only or large country estates - it would be of little use to have sidewalks. He continued that the portion at the center of this section has little more than a half mile for children to walk to school. He does not feel that the children will be permitted to walk to school with this more than half mile distance. He does not feel that children would use sidewalks in this area to get to school. He said that further south they would be used. He feels the only use for sidewalks here would be for mothers walking their carriages, etc., and they feel one side would be sufficient and no danger to the mothers or the children. In summary, he said, they are generally outside of the half mile walking radius to school. He said Sec. 1 has sidewalks

on one side only. He said constructing sidewalks on both sides of the street would be a wasteful use of materials and future maintenance would be a cost to the township and the future property owners. Also, the occasional pedestrian who would have to cross the street would be safe as local traffic would be the primary traffic. This is not a through street, he said, and they feel that this is a reasonable request. The PC members reviewed the map of the area.

- * Mr. Maxton made the motion to waive the sidewalk on the West side of Millbank and the East side of Ironside for Whipp Rd. Estates, Sec. 2. Seconded by Mr. Tate. Approved 4-1, Mrs. Lake having cast the negative vote.

11. Approval of Preliminary Plat Plan for Forest View Estates, Section 14.

- * Mr. Maxton made the motion to disapprove this plat plan for Forest View Estates, Sec. 14, due to the fact the State of Ohio has requested we defer action because of I-675. Seconded by Mrs. Lake. Motion passed unanimously.

12. Approval of Preliminary Plat Plan for South Point East.

Mr. Levermann established the location and displayed a slide of the plan. He said the Twp. zoning inspector has approved this plan.

Mrs. Lake asked if this was the last of the development. Mr. Lapsins said it was.

Mr. Schab said that Mrs. List (Wash. Twp.) had checked the lot sizes and the location of the lots. He advised against the alternative - bringing this from McEwen.

The 800' cul-de-sac was discussed as well as the turn-around radius. Mr. Schab said the restrictions could be addressed during the final approval - this is a preliminary plan. The turn around is a concern because of fire equipment and school busses. Mrs. Lake feels that if this 50' right-of-way is approved, in all fairness to the applicant, it should be discussed now. Mr. Schab said that if the school busses need the space, another 5' easement could be made - this has been done before, he said. It was established that there are no sidewalks. Mr. Lapsins said they could give additional easement. Mr. Schab said there will be a sidewalk required for the thoroughfare.

- * Mr. Tate moved to accept the preliminary plat plan for south point east. Seconded by Mr. Maxton. Approved unanimously.