

CENTERVILLE PLANNING COMMISSION - Regular Meeting
June 24, 1975 ----- 7:30 p.m.

Those Present: Messrs Baker, Maxton, Schottmiller, Gillingham, Tate & McCrabb and Mrs. Lake. Also Present: G. Reynolds, City Planner; K. Schab, City Engineer; D. Kenning, City Manager & R. Farquhar, City Attorney.

The Minutes of the May 27, 1975 meeting were unanimously approved as prepared. Motion to approve made by Mr. Schottmiller, Seconded by Mr. Gillingham

There was a brief caucus after which Mr. Schottmiller made the motion to elect the following slate of officers, each to serve a one year term: Chairman, Gary Maxton; Vice Chairman, Bruce Baker & Secretary, W. Gillingham. Seconded by Mr. Tate. Approved unanimously.

Communications - None

Planner's Report

Mr. Reynolds reported that numerous correspondence has been received and responded to. He referred to a letter received 5/29/75 from a law firm regarding the Zengel project at the corner of Zengel Drive & N. Main Street - copies of which the P.C. members had received. Mr. Reynolds reported that this matter has been taken care of.

Three appeals were taken to Council and P.C. action was upheld. These three were: Standard Oil station, Oak Creek and W. Franklin.

Public Hearings - None

Unfinished Business - None

New Business

1. Application for Variance - Building setback by Bob Ferguson at 101 Westpark Drive. Mr. Maxton set this item for Public Hearing at 7:45 p.m., July 29, 1975. (Variance V-75-6).
2. Application for Variance - Swimming Pool by Larry Berberich at 7798 Raintree Drive. Mr. Maxton set this item for Public Hearing at 8:00 p.m., July 29, 1975. (Variance V-75-7).

Mr. Berberich indicated that he thought this was to be discussed at this meeting. Mr. Maxton explained that sufficient time must be allowed for publication of the intended public hearing before final action can be taken. Mr. Farquhar said that the pool was not placed in accordance with the permit. Mr. Berberich said that the pool is sitting well within the lines as presented to the City. Mr. Berberich said the pool has been in for a month and they have not been able to use it due to an error. Mr. Maxton said that this was apparently a dual error. Mr. Farquhar said that in any case, final action must be taken at the public hearing.

- * Mr. Maxton made the motion to allow the Berberichs the use of the pool until such time as the matter is resolved by P.C. at the public hearing.

Mrs. Lake voiced concern that this might be construed as disallowing P.C. action at the public hearing. Mr. Farquhar said that temporary approval can be given if this is the desire of this board and it cannot interfere with final action at the public hearing.

- * Motion to allow temporary use seconded by Mr. Tate. Approved unanimously.

3. Application for Variance - Sign by Artglo Sign Co. for Fazio sign at Gold Circle. Mr. Maxton set this item for Public Hearing at 8:15 p.m., July 29, 1975. (Variance V-75-5).

A representative from the sign company said that it had been his impression that this was to be presented by them at this meeting. Mr. Maxton said that this, too, must be set for public hearing in sufficient time to inform the public of the date of said hearing.

4. Forest View Estates, Developer Zengel - Ohio Dept. of Transportation - Washington Twp.

Mr. Reynolds read a letter from the State of Ohio requesting withdrawal of the application. Mr. Farquhar confirmed that no further action is required by Planning Commission. Application withdrawn.

5. Normandy Farm #1, Developer Grant - Revised Preliminary Plan - Washington Twp.

Mr. Reynolds read a letter received this date from the applicant and said that staff has not had the proper time to look into this.

Mr. Don Ernst, of Ralph Woolpert Co. requested that this preliminary plan be tabled at this time. It was stated that 120 days is allowed in situations such as this and that date is Sept. 23, 1975.

- * Mr. Maxton made the motion to table until September 23, 1975. Seconded by Mr. Tate. Approved unanimously.

6. Normandy Office Park - Preliminary Plan Review - Washington Twp.

Mr. Reynolds reviewed a slide of the area, pointing out the relocated Alex-Bell Rd. and the proposed I-675 overpass. Mr. Reynolds read a letter received from the fire department regarding placement of the water lines and the fire hydrants.

Mr. Lapsins, representing the applicant, said the water line relocation is being planned by the State of Ohio and that they cannot exactly follow the stated recommendation of the Fire Department but will work with them as well as the

County and work it out to the satisfaction of all. This is 'in the works', he said, and we foresee no problems.

Mr. Schab was asked about his review of the spacing of the fire hydrants, water lines, etc., and he said this has not been done - this will be on the final construction drawings and has no bearing at this time.

Mrs. List, Washington Twp. zoning, confirmed that this is restricted for office use.

Mr. McCrabb asked whether or not the fire department should be involved in this aspect. Mr. Farquhar said that some day the County will have to approve this in connection with the final plan but the City does not have to consider anything other than the streets being up to the fire department standards. We (the City) does not have any control over water lines, he added.

Mr. Gillingham asked if the plan was for individual small offices on each of 33 lots. The developer said that the lot lines on the drawing show lots and there are no restrictions - the maximum offices would be 33. It will probably be fewer, he added, as they expect to have larger buildings, perhaps spanning 2-3 lots. Parking is planned for the front of the buildings, he said.

* Mr. Gillingham made the motion to approve the Preliminary Plan for Normandy Office Park as presented. Seconded by Mr. Maxton. Approved unanimously.

7. Watkins Glen - Preliminary Plat Review

Mr. Reynolds showed a slide of the area and pointed out the location in question. He stated that comments have been received concerning this from the Twp. Insp. and the Park District. He read from the Insp. report regarding cul-de-sac.

Mr. Don Ernst, representing the applicant, said that this is a project of the American Homes Development Corp. He explained the size of the lots and pointed out various aspects of the project including the proposed park. He said the deed to the park has been placed in escrow. He said sidewalks are proposed on one side throughout except for the cul-de-sacs. A slide of the master plan was reviewed and Mr. Ernst clarified several points for the members. The deed for the library has also been filed. This is a combination plan - multi-family cluster-type homes, the library and park and single family, approval is requested for the park and the single family - the entire project was approved as a special use project by the Twp.

Mr. Schab said that sidewalks are not approved or disapproved on a preliminary plan - this comes at the time the construction plan is presented, as well as widening or improvements on Atchison Rd. This should not be binding for the sidewalks, but only for the streets, etc., - items that would normally come up under the standard preliminary plan requirements, he said. Mr. Farquhar agreed that this is the case. Mr. Schab continued that this preliminary plan would include 50' streets, 50' radius turn arounds and although Atchison is shown only with an arrow, this should be in accordance with the subdivision requirements. Mr. Ernst said it would be in accordance.

- * Mr. McCrabb moved to approve Section 1 Preliminary Plat Plan for Watkins Glen with the understanding that approval is not granted nor implied for any of the items that would be approved on the subdivision requirements. Seconded by Mr. Schottmiller. Approved unanimously.
- 8. Normandy Manor, Developer Stoney Ridge Realty, Inc. - Preliminary Plat Review - Washington Twp.

Mr. Reynolds read a staff statement -legal opinion is that this plan cannot be approved as presently presented. Mr. Farquhar continued that there is a possibility of exceptions and none were requested, and he felt it was not the decision of the City to offer this. A telephone call from the applicants has since been received asking about exceptions and Planning Commission can, at this meeting, grant the exception as it is now before them. Mr. Farquhar said that if this were denied by P.C., the appeal procedures could be filed with Council (these normally do not go to Council), if lost there, then administrative appeal to the Common Pleas Court could be filed. This cannot be approved as it is, but an exception can be requested. Mr. Reynolds read the exceptions available.

Mr. Deppenschmidt, of Stoney Ridge Realty, said their exception would be under 'practical difficulties' which would present a hardship. He further stated that they did not (previously) apply for exception because they were under the impression that no variance was required under the special use that was granted.

Mr. Farquhar was asked about procedure - he stated that there is no set procedure for filing variance (in this type situation) as there is in zoning - it would be proper for P.C. to take a verbal exception request. Mr. Deppenschmidt said they were planning to put this (land) to the best use and request that P.C. look at this as an exception to the subdivision rules.

Mr. Maxton said the primary concern in granting an exception is whether or not these should be public dedicated streets or private streets. Mr. Deppenschmidt said that the private streets are a very important part of the development.

Mrs. Lake asked if the possibility of security gates has been excluded. Mr. Deppenschmidt said they do not know that this is not a possibility - he does not think that they would put up a gate, but if it would be necessary to deter vandalism in the future, they may find it necessary. Mrs. Lake said that the fire department is against cattle catchers and gates. Mr. Deppenschmidt questioned why they would be against cattle catchers, as they can be built to withstand the weight of very heavy equipment. Mr. Reynolds said the County has found the waterline unacceptable. Mr. Deppenschmidt said that this is an existing water line that was put in by the County - he questions their finding it unacceptable. Mr. Schab said that the City is certainly interested in the waterlines, but the City has no say about this with this plan.

Mr. Schab said the final plan must show the specifics and must be signed by the City, County and Township Engineers, this approval would at that time include the water line - the bond would not be accepted if this were not an accepted plan. In answer to Mr. Gillingham's question, Mr. Schab said that the strength of the cattle catchers as proposed would be checked out at the proper time.

Mrs. Lake asked about TCC input, as previously requested. Mr. Reynolds said that this had been briefly discussed at the recent meeting with TCC.

construction &

Mr. McCrabb restated his concern with the future maintenance of the proposed private streets. Mr. Deppenschmidt said that he had sent a letter to the City stating how the streets would be constructed and they would be maintained by a homeowners type association. He continued that there are two non-dedicated streets at the present time off Normandy Lane that do not have homeowner assoc. for maintenance. They are proposing here good protection, roads and drainage and the Twp. engineer, he said, has said that there are no problems with surface drainage (as proposed).

Mr. Baker said that the TCC had spent a lot of money already concerning the traffic and that one of their main objectives was to relieve traffic in the center of town. He feels this would be a possible relief for the traffic regarding Alex-Bell Rd. and S.R. 48. Mr. Reynolds clarified that the TCC's previously mentioned brief discussion of this did not indicate a lack of interest (as suggested by Mr. Baker) but that a special meeting was now set up to discuss this - the previous meeting was mainly to discuss other matters. Mrs. Lake suggested that that meeting should take place prior to PC evaluating this. Mr. Maxton said that the question was to approve this with a variance or approve this to meet subdivision standards. Mr. Farquhar clarified that PC has this plan before them now and they have been asked to grant an exception for private streets and they have stated reasons why this preliminary plan could be approved with this exception. This is not the same as a zoning variance, Mr. Farquhar concluded. Mr. Maxton read the list of reasons for granting an exception.

Mrs. List stated that this was being planned this way due to the horses, the residents on Tranquil Trail do not want a through road to Normandy Lane, numerous people have called her office through the years (for information regarding horses in the area), this would be the only one of its kind ^{in the Co.} for people who own one horse, the stable has been in this location since 1957.

Mrs. Lake is concerned with access (for the general public), through the area - she does not want a security gate. Mr. Farquhar said that if it is a private drive they do not have to allow access - in fact to keep it a private drive they have to close it off every 21 years - the problem seems to be a mix of Twp & City requirements. He also said that this would be maintained by the Twp. if it is dedicated and the City determines whether or not it is dedicated. In any event, the City would not be liable for maintenance, which was previously mentioned as a concern. The possibility of dedicating one of the streets and allowing cattle catchers was discussed.

In answer to Mr. McCrabb's further concern regarding maintenance, Mr. Farquhar said that this is the same as a private driveway - we do not inquire into how someone (will) maintain them - we do not have to be concerned if this is a private street.

Mr. Schab was asked about radius and he answered that it would require a 100' radius if it is a dedicated street.

Mr. Deppenschmidt said he foresees no problems with dedicating the street in question if it can be built as shown on the plan presented.

Mr. Snyder, Twp. Trustee, 31 Glencroft commented about other undedicated streets in this area. Mrs. Lake commented that the fact that other private lanes exist does not mean that new ones (should) be.

Mr. W. Buchanan, Twp. Trustee, commented in connection with Centerville's three mile jurisdiction (since 1973) and said that we should have had and should now get together so that (the Twp. & City) do not overlap regarding zoning, etc. He further commented that the Twp granted the special use zoning with the understanding that this would be non-dedicated streets - this was a zoning commission and trustee decision (to) help the property owners. He commented further that he did not know whether or not the 'cattle catchers' would present a maintenance problem to the Twp. He said they do not have extreme problems with other private streets in the Twp. We would like to see this approved with the exceptions, he said. We would also urge that (the Twp. & City) get together to develop understandable procedures regarding future applications of this or any other nature - it is long past due and if such cooperation could be achieved it would be better for the community and eliminate confusion for developers and others with respect to zoning applications and subdivision regulations, he concluded.

Mr. Maxton said that in this case we are considering an exception - two bodies (may) look at an exception differently. We may or may not consider the exceptions because of the uniqueness of the application - there are numerous ways to look at the project. This should be considered only with those areas that (are involved) fall into our subdivision regulations. This should be resolved, he said, we have spent too long on items that do not concern us.

Mrs. Lake asked Mr. Deppenschmidt if he felt one way or another regarding the one street being dedicated or undedicated if the curb cuts, etc., were to City standards. Answer: it would be less of a problem to those living there if it were all dedicated rather than just part of (the streets).

- * Mr. Tate made the motion to approve the project with dedicated streets with exceptions allowed for right-of-way, curve dimensions, no curbs, no sidewalks, curve radius and with 'cattle catchers' permitted. Seconded by Mrs. Lake. Approved unanimously.

9. Shopping Office Plaza (Centerville Square), Developer Big Hill Realty, Preliminary Plat Review - City of Centerville

Mr. Reynolds presented a slide of the project as (previously) distributed to PC members. He said some of the parking had been questioned by the Fire Dept. but they now feel, after the access was moved to facilitate a 'straight shot' from Spring Valley, that the original plan would present turning problems - they ask for the removal of five parking spots. Staff recommends staggered evergreens to provide screening along the west and north sides. The bank building and retail building to the south is not in alignment and staff felt that they should be, but due to the fire department changes, perhaps they should remain as they are - to move them would mean additional loss of parking.

One of the applicants, Jack Hutton, 1332 Terra Lane Rd. commented that they have been working on this for some time and each time there is something different (questioned). He said they would agree with the fire department suggestions.

The other applicant, Dick Wilson, 1440 W. Whipp Place, commented on the suggestion that the retail building face '48'. He said that in talking with their designer, they feel it might accomplish the same purpose if three parking spaces were eliminated to the north and fire apparatus could park and function from that point. Mr. Tate agreed this would be better. This prospect was further discussed with respect to fire department access. A 10' deceleration lane is provided for on '48' per staff suggestion - this leaves the project exactly on the requirement for parking spaces. Two are lost with this deceleration lane.

It was stated that ownership will be retained by the developers - they are not planning to sell this project.

Mrs. Lake voiced concern regarding width of shopping center entrances. Mr. Hutton said that only one parking space would be lost with a 10' extra width provided and if this would help (attract customers) they would be happy to do this.

At Mr. Maxton's request, Mr. Hutton pointed out the changes between this and the plan previously presented. i.e. 1' deceleration lane on '8' and 2' berm adjacent to it, consistent with the gas station on the corner, exit to '48' could be avoided completely with this plan.

Mr. Schab was asked about the right-of-way and the general plan was described. Mr. Schab stated that there has been no study for this particular location, engineering is not complete regarding thoroughfare plan at this location, he added. In answer to Mr. Hutton's query, Mr. Schab said that this plan is consistent with the right-of-way as it exists at the present time, this is a good plan, but it does not necessarily coincide with the final engineering re-widening plan yet to be completed. He said this would now consist of 13' existing, 10' new, 2' berm & 35' green for a total of 60'. The proposed thoroughfare is to be four lane with center isle.

Mrs. Lake asked if, when the highway is widened, would this be used if constructed as proposed or would it be moved. Mr. Schab cited extenuating circumstances and said it is impossible to determine this at this time.

Mr. McCrabb said that the way this (parking) is layed out now the bumper on a car could overhang 30". Mr. Schab said he believes this can be worked out at the time of the final plans.

- * Mr. McCrabb made the motion to accept the preliminary plan for Centerville Square subject to moving the ingress-egress on Spring Valley adjacent to the building and to moving three parking spaces on the north side of the small retail building, and the outlet on Spring Valley being 35' minimum. Seconded by Mr. Gillingham. Approved unanimously.

It was generally agreed and recommended that the name for Centerville Square be changed so as to avoid confusion with similarly-named shopping centers in the area.

10. Centerville Station, Developer Ferguson - Preliminary Plat Review
City of Centerville

Mr. Reynolds located this property, on Franklin Street, on a slide of the area. He stated that no detrimental comments have been received by staff.

Mr. Ralph Woodley, 1453 Carriage Trace, developer, said that some months ago a plan was presented for this 5.5 acres. They had planned to preserve the old homestead. The plan (previously) presented was fairly steril and we pointed out, he said, that the house was not architecturally sound and it will not work into the plan. They now plan a maximum of six (6) buildings with 40,000 sq. ft. with two accesses opposite from Centerville Plaza. The balance of this property would be dedicated according to Centerville standards, he said. They are still trying to save the trees and have adequate parking in front as well as sides and back. They do not want front and back only. There is a Topo which shows that these buildings are all on different levels, with the sloping land. All utilities are in the area - Mr. Woodley assumes they are underground

Mr. McCrabb asked about plans for trash. Mr. Woodley said they would be in part of the building, enclosed in wood, or brick - not out in the open.

Mr. Maxton asked about plans for signs. Mr. Woodley said they would maintain the same standards as in their other buildings (Centerville Plaza) - they would not want to detract from the architecture of the buildings. They will want a sign or two, depending on the visibility, similar to the Plaza sign.

Mrs. Lake commented on the store fronts of some of the buildings in the Plaza. Mr. Woodley said they have limited the size of signs in the Plaza, but have not tried to control what is on the signs.

Mr. Maxton feels this is quite different than the plan presented with the rezoning request.

- * Mr. Gillingham made the motion to approve the Centerville Station Preliminary Plans as presented. Seconded by Mr. Maxton. Approved 6-1, Mr. Baker being the negative vote.
11. Set for Public Hearing 8:30 p.m. July 29, 1975: An application for the rezoning of approx. 0.91 acre from R-2 to R-3 located on the east side of S.R. 48 & approx. 50' north of the intersection of S.R. 48 & Zengel Dr. - Applicant Harriet Oakes.
12. Set for Public Hearing 9:00 p.m. July 29, 1975: An application for the rezoning of the following acreages along the west side of Wilmington Pike: 4.301 acres from W.Twp R-4 to R 4; 1.155 acres from W.Twp R-4 to B 2; 4.034 acres from W.Twp R-4 to O S 4.620 acres from W.Twp R 4 to R-4; 3.974 acres from I-1 to R-3; 11.814 acres from W.Twp R-4 to R 3; 32.738 acres from W.Twp R-4 to R-1; 1.134 acres from W.Twp R-4 to Industrial

13. General:

Mr. Maxton asked for a report on the Sub-committee regarding the Group Home Ordinance. Mr. Gillingham said that no final decisions have been made - they are checking large amounts of data and doing a lot of reading. A meeting is scheduled 6/26. Mr. Maxton asked for a target date and Mr. Gillingham said he would advise him when this is determined.

Mrs. Lake suggested a new map be reviewed by the City Planner and up-dated as required.

Mr. Baker asked that Mr. Farquhar review some information received regarding what is licensed by the State and what is not, etc. (regarding Group Homes).

Meeting adjourned - 10:45 p.m.

Next Meeting: Workshop - 7:30 p.m. July 15, 1975

Next Regular Meeting: July 29, 1975 7:30 p.m.

Approved 7/29/75

Bruce H. Baker, V. Chairman