

CENTERVILLE PLANNING COMMISSION

Regular Meeting

October 28, 1975 7:30 p.m.

11-25-75
approved
Elmer Tate

Those Present: Messrs Schottmiller, Tate, McCrabb, Hickey, McSherry & Mrs. Lake.
Also Present: G. Reynolds, City Planner & K. Schab, City Engineer
Absent: B. Baker.

The Minutes of the September 30, 1975 meeting were approved unanimously. Motion to approve made by Mr. Hickey, Seconded by Mr. McCrabb.

Setting of Public Hearings

Scheduled for 7:30 November 25, 1975: Haverstick Builders - Application for variance of lot size. - Loc. North of Centerville Station & East of Clio Road. *

Haverstick Builders - Request for rezoning. - Loc. Northeast corner of Clio and East Franklin Street from OS and R-4 to B-2. *

Communications

Mr. Reynolds reported that a letter has been received from the Ohio Department of Transportation concerning surveying discrepancies regarding Normandy Office Park and that these discrepancies have been satisfied.

Public Hearings - None

Unfinished Business

1. Normandy Farms - Sec. 3 - Re: Tabling of Preliminary Plan at 9/30/75 PC mtg at the request of the applicant. Location: Washington Twp.

Mr. Robert Archdeacon, representing the applicant, requested a 30 day extension as this is being held up with State procedures.

* Mrs. Lake made the motion to grant the request for 30 day extension. Seconded by Mr. Hickey. Approved unanimously.

This item will reappear on the November 25, 1975 meeting agenda. *

New Business

2. Beacon Hill - Record Plat Review. Location: Washington Twp.

Mr. Reynolds explained that the preliminary plan has been approved and the record plan has been altered insofar as the radius of Beacon Hill Ct. which has been made larger for better development. A slide was shown of the construction drawing showing Normandy Lane and the cul-de-sac.

Mr. A. J. Bromberg, Tri City Engineering, said he had nothing else to add, but was available for questions. He explained that Mr. Schab had asked that the intersection be improved and it is now at the proper angle, having been made perpendicular rather than at a 45° angle.

Mr. Schab gave the amounts of the required bond and inspection fee and said that the sidewalks are shown on Spring Valley, one side of Normandy Lane, one side of Beacon Hill Ct and the bond amount stated takes care of these sidewalks. He added that the storm sewer questions have been resolved.

Mr. Tate said that a variance or exception will be necessary for the sidewalks to remain on one side of the street only. Mrs. Lake asked if it were possible that a bikeway might be put in on one side rather than the two sidewalks. She asked if the Park Board has been asked about this. Mr. Reynolds said he had talked with Mr. Shroyer about it. She is making reference to the Park Board, however, not Mr. Shroyer. Mr. Reynolds said the Board has not been contacted to his knowledge. It was explained that a Class 1 bikeway is a separate lane from the roadway, separated by a curb, etc., and is approx. 6' in width, sufficient for two-way bike traffic. Mrs. Lake asked if a bikeway has to be done at the time of the record plan and Mr. Tate said that it does. Mrs. Lake would like to see something more definitive on the bikeway and assumes that the developer would, too. It was explained by Mr. Schab that for the bond to cover the two sidewalks it would be increased by approx. \$1,750. Mr. McCrabb asked about how the blacktop comes to an end. Mr. Schab said that it is barricaded at the very end, but there is a gradual slope to the end, it is not abrupt.

* Mr. McCrabb made the motion to accept the record plan as presented for Beacon Hill with an inspection fee of \$412.10 and bond of \$149,000 with sidewalks on both sides of Beacon Hill and Normandy Lane and one side of Spring Valley. Seconded by Mr. Schottmiller. Approved 5-1. Mr. Tate opposed because of the sidewalks on the cul-de-sac.

3. Olde Drummerstown Plat, Sec. 4 - Record Plat review. Loc: Washington Twp.

Mr. Reynolds gave the background and showed a slide of the record plat pointing out the area location. He showed a slide of the construction drawing. Mr. Tate asked the length of the cul-de-sac and Mr. Schab said that it is 680', which is 80' more than what is in the regulations. Mr. Bromberg, representing the applicant, had no comments. Mr. Schab gave the bond and inspection fee amounts and said that no sidewalks are shown but there are no sidewalks going out (none are shown on the cul-de-sac). Mr. Schottmiller asked about the water supply. Mr. Schab said he believes this has been taken care of. It was explained that a 12" line goes all through the plat, going out between lots 17 and 18. Mrs. Lake asked if the County has been notified regarding this. Mr. Bromberg said they have talked with them and this has been taken care of. Mr. Hickey made reference to a letter received from Gene Crog, Co. Sanitary Dept. stating that the water supply is insufficient until 12" tie line is in. Mr. Bromberg was apparently unaware of the referenced letter and was given a copy to read. Mr. Bromberg said the water main was put in years ago and was in at such an angle that it did not line up with the property and this was realized by the County. He said the Co. finally had agreed with them (the developer) that this was, indeed, satisfactory. It was stated that this is really not the concern of the PC, and the lines of responsibility must be defined. This is a matter between the County and the developer. The water line was reviewed on the drawing by the members and it was stated that the existing line is 12".

- * Mr. McCrabb made the motion to accept the Olde Drummerstown Plat, Sec. 4 Record Plat subject to satisfactory resolution of any water line problems that may exist between the developer and the County. Bond of \$17,700 and Inspection fee of \$81.00. Variance on sidewalks is granted. Seconded by Mr. Schottmiller. Approved unanimously.

Mr. Don Neem, 230 Haven Street, asked why the developer was not aware of this potential water problem. Mr. Tate said that this letter was from the County and it is probably the responsibility of the County to make the developers aware of this type problem. Mr. McCrabb said the letter from Mr. Crog was an inter-office letter and the applicant should have been given this information by the County. Mr. Schab said the County has a bond against the developer, in addition to the one the City has, and they are checking the plans and there will be no development of this plan if it is not approved by the County, no matter what this PC says. Mr. Tate feels that the County should be contacting the applicant and this letter was really only a point of information for the PC. *

4. Wilson Sign Company - Request for a sign permit (variance) concerning a type of sign not covered in the current sign ordinance. Location: NW corner of Main Street and Sheehan Road - Imperial Foodtown.

Mr. Reynolds showed slides of the property involved and pointed out an internally lit Top Value Sign which is currently inside the window of the store. This is the sign for which approval is being sought. They wish to mount one on the North Side and one on the front of the building. According to the zoning ordinance at this time this building would be permitted 157 sq. ft. (1.5 x building frontage of 150'). The signs which are presently on the building total 155 sq. ft. The application is for approx. 37 sq. ft. in addition to the existing 155. This type sign is not covered in the ordinance - it is considered an advertising sign, not a store identification sign - and the attorney has said perhaps a variance is the route to take. There followed some discussion regarding the types of signs. It is felt by some that this sign identifies the 'service' as referred to in the ordinance (which Mr. Reynolds read). It was also felt that if the applicant chooses to alter his present signs and include the two proposed signs and stay within the 157 sq. ft. allowed for this building, that he could indeed use this type sign as part of that allowable area. Mrs. Lake feels that if we have a language problem in the ordinance it should be clarified. It is also felt that the PC cannot tell the applicant how to use his allowable sign area. *

Due to the fact that this is a variance, a public hearing is scheduled for November 25, 1975 at 7:30 p.m. *

5. Patriot Square, Section 2 - Record Plan. Location: Washington Township

Mr. Reynolds showed a slide of the record plan and explained that the project is virtually complete. He said this plan was approved by the County prior to the City's 3-mile jurisdiction. However, the County allows 60 days for a record plan which has been approved to begin construction and if this is not done, approval must be re-applied for. With this in mind, this should be approved with the contingency that the County must also approve, assuming approval is granted.

It was explained that this is merely to go through the proper sequence of approvals.

Mr. Bob Bernstein represented the applicant and confirmed that these were to be private streets. Mr. Tate asked if the original plans with no changes were being used. Mr. Bernstein answered that they were. When asked why construction did not begin within 60 days, Mr. Bernstein said that it had and he did not understand why this was not (already) recorded as a plat. He said they did go through the Twp. and the Co. with a preliminary plan of the entire project which was approved.

* Mr. McCrabb moved to approve the Record Plan for Patriot Square Section 2 contingent upon Montgomery Co. approval with a place (on the plan) for signatures of approval for the City and the County. Subject only to the County's Bond and Inspection fee. Seconded by Mr. Schottmiller. Approved unanimously.

6. Rose Estates. Letter from Judge Engineering concerning Sidewalk Policy in Rose Estates. Loc: City of Centerville.

Mr. Reynolds showed Mr. Lapsins' slide of the various sections and explained that the evolution of the various stages of the sidewalk policy has left some sidewalks with no apparent purpose. The slide showed the existing and proposed sidewalks in the area as well as the sidewalk requirements they would like waived.

Mr. Lapsins reviewed the history of the sidewalk policy with respect to this project. He said that it is felt that the fine character of the project can be maintained with the waivers as proposed. They feel the safety of the children has been taken care of with the sidewalks on the one side of the streets and the elimination of through streets. They also feel bicycle safety is sufficient on the streets, or on the sidewalks. They do not feel children should use sidewalks for playing- they belong in the back yards. He said some homes are in and landscaping would be hampered with the installation of sidewalks. One home in particular is concerned with the probable removal of a tree with the installation of sidewalks. Mr. Lapsins was asked if these people built the home with the understanding that sidewalks would or would not be installed. He said that there had been some extenuating circumstances with the builder and this homeowner had been confused on several matters during construction, they do not think the homeowner knew one way or the other, with regard to sidewalks. Mr. Schab said that the sidewalk is bonded. Mr. Lapsins concluded with the statement that they would like this plan reviewed and request that this waiver be granted in sections 6, 7 and 9.

It was stated that a formal variance request would have to be filed and a public hearing held. Mr. Lapsins did not understand why a public hearing was necessary and he was told that this was because this had already been approved without this waiver. Mr. Lapsins said that PC has always asked for the total picture and that is what they are trying to do - he thought PC had the authority to grant this waiver. Mr. Tate said that would be with the original approval but this fact will be checked out. However, Mr. Tate continued, as far as the sidewalk being on both sides of the street - this has been a mandate from Council that this is what we should do. Mrs. Tate suggested to Mr. Lapsins that perhaps he was confused regarding the term

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'public safety' in that his explanations seemed to be trying to create the viewpoint of having provided for public safety and the question is - would the sidewalk be a traffic hazard? It is not the street, she said, it is the sidewalk - and this would not create a hazard. Public safety is when there would be a hazard if the sidewalk were installed. Mr. Tate added that this would be a case of - if the sidewalk on both sides creates a hazard. He continued that he does not personally agree with sidewalks on both sides, but does not feel that PC can act on this at this time. At the same time, there is a lot of criticism from Council with the exceptions and we do not want to do anything with this regard without talking with Council - After a workshop with Council would be a better time to present a variance request, he said. Mr. Tate suggested Mr. Lapsins keep in contact with the City Planner with regard to the date of the Council workshop session with PC, and file for variance accordingly. *

7. Architectural Preservation District Zoning Ordinance.

This item is on the agenda for official recording of the fact that all members of the Planning Commission have received a copy of the Architectural Preservation District proposed Zoning Ordinance with comments incorporated by the B.A.R. members. Mr. Reynolds suggested that a work session might be scheduled soon so that comments can be raised. *

Mr. McCrabb asked if the question raised at the last work session regarding whether or not Centerville, being a chartered city, can deviate from the Ohio Revised Code and the A.P. can be set up. Mr. Reynolds said that he had talked with Mr. Farquhar, the City Attorney regarding this and he was advised that this can be done.

8. A Work Shop Session will be tentatively scheduled for Tuesday, November 25, 1975 following the Regular Meeting. Should the agenda prove to be too lengthy to make this feasible, another date will be chosen. *

The A.P. proposed zoning ordinance will be discussed at the work session as well as the program and budget for the coming year. Mrs. Lake feels that any new Council members should be invited to the work session to help give them background and as a point of information. *

Mr. McSherry would also like to get the rationalization regarding items such as why the McDonald's restaurant is going in with no curbs or sidewalk. It was suggested that the entire background of this could be reviewed to ascertain some of the reasoning and problems that were involved with this approval. *

With regard to the McDonald's approval, Mr. McCrabb asked what the final agreement was with regard to the approach to Hunter's Savings. Mr. Reynolds said that a letter had been sent to Hunter's a couple of weeks ago regarding this. Mr. Schab said that it had been ruled that the two situations had to be considered separately.

9. Some of the members who had not attended the last PC work session expressed disappointment in not being aware of the meeting. Mr. Reynolds said that if the work session minutes which he sent out had been misplaced, he will provide a copy so the members can review *