

CENTERVILLE PLANNING COMMISSION
Regular Meeting 7:30 p.m.
November 25, 1975

Those Present: Messrs McCrabb, Schottmiller, Tate, Baker, Hickey & McSherry and Mesdame Lake. Also Present: G. Reynolds, City Planner; Karl Schab, City Engineer and R. Farquhar, City Attorney.

The minutes of the October 28, 1975 meeting were approved unanimously. Motion for approval made by Mr. Schottmiller. Seconded by Mr. Tate.

The following items were set for Public Hearing at 7:30 p.m. December 30, 1975:

1. Squire Realtors - Sign Variance. Location: Lebanon Pike between Carl Linxweiler and Revere Village.
2. King Kwik Minit Market, Inc. - Variance Request (V75-14). Location: 6300 Far Hills Avenue
3. N/R Laboratories, Inc. - Non-conforming Sign Variance Request. Location: 900 E. Franklin Street.

Communications

OLDE DRUMMERSTOWN PLAT, Section 4. Mr. Reynolds reported that the 12" water main problem has been resolved.

Public Hearings

4. HAVERSTICK BUILDERS - Application for Variance of lot size. Location: North of Centerville Station and East of Clio Road.

Mr. Reynolds showed slides of the area and a diagram of the section of the plat involved and pointed out the existing zoning. The applicant would like the zoning to be for single family detached and a lot reduction size variance is required for this plan. The area is presently zoned R-3 and R-4. A drawing of a possibility of how the area could be developed was shown with variances in the frontage size of the lots. The request, if granted, would make the area R-1 and R-2. The density would be reduced from approx. 80 to 56.

It was explained that there would be no curb cuts on Clio and along with the buffer zone - "living buffer" - land for widening of Clio Road would be dedicated to the city. The contour would have to be done in a manner that would not create a traffic visibility problem in the area.

Mr. Robert Archdeacon, of Ralph Woolpert Company, representing the applicant said that the City Planner had pretty well covered the situation. He added that this is approximately 20 acres and that in the place of a straight north-south street they have curved the main north-south street and put a curve in the east-west street and in the cul-de-sac.

The reduced lot size would be approx. 7500 sq. ft, 60' width, 18' side lot, rear yard of 30'. There is no change in the alignment of Clyo Rd. planned over the previously approved plan. A plan to obtain minimum utilization of the yard was shown on the slide projector.

Mr. Ned Haverstick stated that this piece of land has not been easy to plan due to the business and industrial across the street. He said they will have difficulty with getting the dirt and will be needing land fill for the buffer. He said they had previously (last year) thought they could not market single families but they have changed their minds. There is nothing unusual with regard to the housing planned.

Citizens in favor - none.

Citizens in opposition - none.

Mr. Dave Foreacre, 7795 Windy Hill, asked about the size of the houses planned and what the market value will be. He feels that the single families is more desirable than the multi-family. He feels that the minimum lot size of 7500 sq. ft. is quite small, but does depend on the size of the house. He was told that they would be in the \$48,000 - \$66,000 range, 3-4 bedroom homes, similar to the others in the neighborhood. They plan to maintain the same type theme as the adjacent homes, however if a buyer wants a Mediterranean theme it would not be out of the question. They feel their market will be those buying their first home and those buying their last - two age groups - 20-30 years and 50+. The builder feels that although the lot size is smaller than what Centerville is accustomed to in recent years, he feels that Oakwood is an example of the fact that people do not necessarily need large lots.

Mr. Hickey asked Mr. Farquhar if the PC board has the authority to grant a variance in this situation and he was told that they can. Mr. Hickey also asked about the sidewalk plans. He was told that they are being put in on one side of Section 1 and it is the builders intent to continue this - Section 1 was approved with no sidewalks with the exception of along E. Franklin Street - however they are being put in. Mr. Hickey asked about plans for a walkway over the living buffer. Mr. Archdeacon said that there will be sidewalk on both sides of the thoroughfare and it was suggested that the one on this particular side could possibly come through the living buffer rather than parallel the street. It is felt that for the pedestrian safety it should be up on the mound. Mr. Tate said that it is his feeling that this is a far safer way, but this is to come up under the final plan - at the present time this is the intent of the builder.

Mr. McCrabb said that 25' frontage is for the R-1, 50' per living unit for the doubles and this proposal is for 60' for the single. He is concerned with the lots by the now existing O-S with regard to landscaping and maintenance. He was told that the plan is to plant staggered pine trees and it is felt that if the trees are provided with the lot they will be maintained. Mr. Haverstick stated that the pine trees will be put in - whether he does it or someone else who does the building there. The proposal is to dedicate the living buffer along Clyo to the City.

Mr. Baker said he agrees in general with the idea - his problem is this: because this is an application for variance he would feel much better if the exact variance on each lot would be more specific. He feels that the one example shown looks lovely and he would like to see the plan for the other two cul-de-sacs and the other streets. He is concerned with the eye appeal for the streets. Mr. Haverstick said they have asked for the 25' set back to allow them to stagger the houses and avoid a line of houses and garages. Mr. Baker feels that the front entrances and garages will be very close together. Mr. Archdeacon said that with the requested set back variance they have thought this will be attractive. The intent is to vary this, he said. Mr. Haverstick added that they do have a side entrance garage plan and you would not necessarily have one garage door after another. Mr. Baker questioned that this was approached from a PUD viewpoint. Mr. Haverstick and Mr. Archdeacon said they feel they have changed the streets as much as they can. The plan was previously just two straight streets. The question of the utilities along Clio road was brought up. It was stated that this will have to be reviewed and resolved with the County for final approval. Mr. Schab said the possibilities are being studied at this time and to date there is no final answer. Mr. Tate said that this question is not relevant to this variance request. Mr. Archdeacon said that 43' of right-of-way must be provided and the living buffer will not interfere with the right-of-way. In addition to the living buffer, they are dedicating enough for the thoroughfare so that the buildings on the west side of Clio Rd. will not have to be moved for the relocation of Clio Road.

Mr. McCrabb asked about the zoning immediately to the north (the last three lots). He was told that this was B-1. He asked if a list of variances was available.

Mrs. Lake said that lot reduction has been used as a tool. She said we are talking here about a very major policy change and we are attempting to handle this by a variance. If we do this we will be in a position to be very arbitrary. We are here talking about an extremely small lot and if this is to be considered it should be done by establishing a policy. I am not comfortable with this arbitrary reduction, she said. She does not feel the City has anything to gain. Mr. Archdeacon said that the living buffer was not previously planned to be dedicated. Mrs. Lake said that cannot be considered, she is not sure the City wants to get involved with a developers buffer zone. She feels these are policy matters that we are trying to handle with a variance. Other developers may come up with similar plans and are we to arbitrarily grant variances? Mr. Archdeacon said that each can be judged on its own merit. Mrs. Lake said that a degree of flexibility has merit, but one of the things we are trying to get out of this is what this board is supposed to do with the planned unit development.

* Mr. McSherry made the motion to approve the variance subject to the information that has been supplied per application attachment. Mr. McCrabb amended the motion to add that the buffer size and plantings be subsequently approved by the PC from specific plans yet to be finalized. Motion as amended seconded by Mr. Schottmiller. Motion passed 5-2. Mr. Baker and Mrs. Lake being the negative votes.

Mr. Haverstick said that the sidewalk would be 5' minimum and under no circumstances will it not be built.

5. HAVERSTICK BUILDERS - Request for Rezoning. Location: Northeast corner of Clyo and East Franklin Streets from OS & R-4 to B-2.

Mr. Reynolds showed a slide of the area and pointed out a section of the land that is presently zoned OS & R-4. He showed that there would be one entrance off Clyo - the north west area of this corner lot in question, and to the south off E. Franklin. Mr. Reynolds referred to a letter from the applicant which stated that certain deed restrictions would be used - to restrict filling stations, night clubs and drive-in restaurants.

Mr. Archdeacon, representing the applicant, said that this is for a total of 6.1 acres. The reason for the request is to permit the construction of a neighborhood shopping center to serve the area. The plan is for a 30,000 sq. ft. super market. They believe that Phil and Jerry's Foodarama, who has the first option on this, would be a welcome addition to the area. The remaining 12,000 sq. ft. would be devoted to specialty shops. The basic intent of the specialty shops would be to attract the women shoppers. The other area - 3200 sq. ft - is designed for a drive-in bank or savings and loan facility. This is planned with the same access points as the previously-approved O-S, so as not to interfere with the traffic. He said that the right-of-way has been moved to the east and Mr. Haverstick has agreed to dedicate that area.

Mr. Haverstick said that they have determined that there is not a need for office space in this vicinity. He said the present plan would be that they would be partners with the Foodarama, jointly owning the facility. Dale Fashions has discussed this with the developers and they might take approximately half of this, he said. They also have a bank interested and feel they have a good plan.

Citizens in favor - none.
Citizens opposed - none.

Mr. Paul Schneider, from St. Leonards, said he is new to the area, having come from the southwest. He said he is concerned with the traffic - i.e. trucks loading and unloading. He is also concerned that there has not been a traffic survey, as he has been told. Mr. Tate confirmed that no study has been made and he does not feel this facility would make that much difference. Mr. Reynolds said that he feels that Mr. Schneider's questions are valid - he showed the adopted thoroughfare plan for the area. He pointed out that Clyo is to be extended at sometime in the future and this will be four lanes. Mr. Schneider asked why the traffic flow cannot be handled first and then the development - the traffic in that area is unbelievable, he said. Mr. Tate explained that we are widening as we go and the developers are doing this, it is not at the expense of the taxpayers. Mr. Schneider said that when he was involved with planning in New Mexico, they solved the traffic problems first, even though they could have taken in a paper mill - they were more concerned with human life. Apparently, he said, we will worry here about the traffic later. Mr. Tate said that it is being considered as we go along (with development).

Mr. Dave Foreacre expressed his concern regarding traffic, also. He feels that offices would be used in this area and asked about the possible visibility problem created with the trees on the living buffer at this intersection. He is also concerned with the

high school pedestrians.

Mr. M. Roach of Raintree Road, said that he feels that the City must address itself to the heavy traffic in that area. He is familiar with the traffic at the present Foodarama and feels that if this brings in the same traffic, we must be considered with this problem at the outset.

Mr. Leo Harvey of Raintree Road agrees with the traffic being a problem and feels that it will only get worse and does not feel that this plan would fit into the decor' of the area.

Mr. Schneider asked what the traffic decibel level is in that area. Mr. Tate said that the industrial decibel level has been determined, but not the traffic decibel. Mr. Schneider suggested that it would be a good thing to consider. Mr. Schab said that the question of this intersection in general is being addressed by the City, as well as in other areas - Alex-Bell, Clyo and Bigger Roads to name some.

Mr. McCrabb asked if certain sign and architectural review could be considered on the deed restrictions. Mr. Haverstick said they would. Mr. McCrabb asked what guarantee the City would have that what it thinks would go through there would be done. Mr. Haverstick said that this is a very difficult area - all they can say is that with curb cut, site plan, architecture planning that this governing body has - this should assure that what is built is what is decided by the City. We feel, he said, that what is planned is what will be good for the area. He said the traffic would indicate that this would be better used with something other than light use. He said some traffic will actually go through the subdivision and avoid the intersection itself. Mr. McCrabb asked what the potential tax base might be and the anticipated income of those working there. Mr. Haverstick said the anticipated tax base would be approx. \$2-1/2 million and that at any given time there might be employment of 22-24 with approx. 75 people total including part-time.

The question of lighting was brought up and Mr. Archdeacon said the lighting can be handled well on site and this is part of the site plan.

Mr. Hickey questioned the wording on the proposed deed restriction with regard to the 4.5 acres involved and questioned that this might ^{leave} 1.8 open. Mr. Farquhar does not feel a second deed restriction is necessary and it is felt that this wording does not leave the 1.8 acres open and ^{therefore} not subject to the deed restrictions.

Mrs. Lake said that numerous things bother her about this - i.e. the reason for the master plans and land use planning, once Centerville has outlined the business (areas) - what use is there for additional business? Last year this was determined to be suitable for OS and now this rezoning is requested - we (could be) looking at this again in another year - this would be trying to move Whipp Rd & Far Hills to the corner of Clyo Rd & E. Franklin. She feels that it has gotten to the point where everytime a developer comes in, there must be business. She feels that there is more than adequate business zoning at this time. This also is not a neighborhood market, she said, a supermarket is not a neighborhood market. One year ago when this was being looked at, low key business was discussed and the inappropriateness of a supermarket on this corner was also discussed. (Although) I may prefer Foodarama,

she said, to use that as a basis of a decision is out of the question - planning should be the basis of a decision. If B-2 is to be brought to this, she would not be adverse to changing (other) property which was previously denied. If the argument is that you must have business on every intersection, she said, we may be saying that we cannot use planning. We cannot rezone for one developer and not another - based on personal preference. Mrs. Lake concluded that she could not support this at all.

Mr. McCrabb said that anyone who is familiar with the entire situation on this intersection will be aware that Clio Rd. will be a major thoroughfare whether or not this is built. He also feels that if DART comes to Centerville, this intersection will probably be used. The situation across the street is one of existing business on what is considered non-conforming zoning, he said. He does not feel this can be marketed with relation to the future traffic. To market this for OS, he said is dreaming.

* Motion to approve 6.3 acres from OS to B-2 along with restrictions of the plat was made by Mr. McSherry - Seconded by Mr. McCrabb. Motion denied 4-3. Those in opposition to approval: Baker, Schottmiller, Hickey & Lake.

The applicant was advised of the 5 days to file intent to appeal and 5 days in which to appeal.

6. WILSON SIGN CO./IMPERIAL FOODTOWN - Request for a sign permit concerning a sign type not covered in the current sign ordinance - Rt. '48' and Sheehan Roads.

Mr. Reynolds showed slides of the area and the building showing the proposed sign and location. According to the building frontage, the permitted max. sign space would be 165 sq. ft., by incorporating the approx. 24 additional sq. ft., this would be over the permitted amount of sign.

Mr. Gil Wilson said that it was apparently determined by the legal department that this was a promotional sign and not covered by the ordinance. Mr. Farquhar said that a year ago he had been asked about signs on the inside (such as the present location of this TV sign) but was not asked about this being a 'promotional' sign. Mr. Schab said he believes the question is whether or not this is a promotion or something being sold at this location. Mr. Farquhar said he believes it does not matter what is on the sign - it must not be internally lit, however. Mr. Reynolds said that this would be considered an advertising sign and therefore another type sign (than specified in the ordinance). Mr. Wilson said that if this sign would be permitted, they would be willing to incorporate only the one sign to stay within the permitted sq. ft. allowed for this building, to stay within the ordinance. Mr. Reynolds said that the way the ordinance reads, it does not say that an advertising sign is or is not allowed - it simply is not covered. Mr. Farquhar agreed on that point after consulting the ordinance. He said it is not an identification sign, as specified in the permitted use. This is not something we have restricted, he said, although perhaps it should be.

Mrs. Lake said she feels the intent was to allow a certain amount of sq. ft. per linear foot of building front and to allow whatever the merchant chose for the content of the sign. Mr. Farquhar said this may have been the intent of the PC when the ordinance was written, but that is not his interpretation.

Citizens in favor of or opposed to the request - no citizens present.

* Mrs. Lake made the motion to deny this request for sign variance on the basis that it is not within the permitted use. Seconded by Mr. Hickey. Request for variance denied, 5-2. Those opposed to denial: McSherry and McCrabb.

The applicant was advised of the 5 days to file intent to appeal and 5 days in which to appeal.

UNFINISHED BUSINESS

7. NORMANDY FARMS - Section 3.

Motion made and seconded and approved unanimously to grant the requested 30 day extension of time.

NEW BUSINESS

8. HUNTER SAVINGS ASSOCIATION - Application for curb cut. Location: 6010 Far Hills Avenue

Mr. Reynolds showed a slide of the area and stated that it had been previously agreed by Hunter that the driveway would be moved to the north to be aligned with the driveway at P-K across Far Hills Ave. They are willing to make this change. What is proposed by the applicant is a slight taper combined with a 20' radius and a 25' radius to the north. It has been determined that a 30' radius is desirable - also a taper of this type is deceiving to the driver, Mr. Reynolds continued, and a 30' radius would permit the drive to make the turn in a safer manner.

There was considerable discussion regarding location. Mr. Archdeacon, representing the applicant, said that Hunter had made the commitment to this when the property for the McDonald's was approved. It was pointed out that there is an 85' property between Hunters and McDonalds that will (eventually) request and have a right to access and if this is not granted, we will have three curb cuts in that area.

* Mr. McSherry made the motion to accept the application for the new curb cut incorporating the changes as recommended by staff. Seconded by Mr. McCrabb. Motion approved unanimously.

9. SPRINGMONT COMPANY.

Mr. Reynolds made reference to a letter received from Atty. Gould and said that

earlier, commission acted on the record plat and a request for variance with regard to easement widths has been filed. PC approval is required to change this from 10' to 8', due to the fact that one building is too close to the property line. This is for underground facilities (DP&L, Ohio Bell have signed affidavits that this is sufficient easement space) and there is no sanitary or storm sewers involved.

- * Mr. Schottmiller made the motion to approve the change in easement from 10' to 8'.
Seconded by Mr. McCrabb. Approved unanimously.

10. ARCHITECTURAL PRESERVATION - Ordinance Draft

It was determined that all members have seen this latest draft and have received copies of a letter sent to the PC from the BAR.

- * Mr. Tate made the motion to pass the ordinance draft/and copy of aforementioned letter to Council for review. Seconded by Mr. McSherry. Approved unanimously.

It was also determined that this has gone in draft form from Council to AP, to PC and now to Council.

11. SIGN ORDINANCE

Mr. Baker asked that the sign ordinance be put on the agenda for discussion on the interpretation, and subsequently scheduled for public hearing. Mr. Reynolds said that the sign ordinance is nearly ready for review, and can be on the agenda for the next meeting for discussion.

Meeting properly adjourned at 10:45 p.m.

Next Meeting Scheduled for December 30, 1975.

Charles [Signature], 12-30-75