

CENTERVILLE PLANNING COMMISSION

Regular Meeting

March 26, 1974

7:30 pm

1. Roll Call - Mr. Wells, Chairman, Mr. Tate, Mr. Maxton, Mr. Myers, Mr. Baker & Mrs. Lake were present. Also present: Mr. Smith, Mr. Schab & Mr. Winterhalter.
2. Approval of the minutes of March 12, 1974 - not received; no approval.
3. Public Hearings:

Z. 74-1 -- Zoning map change extending the A. P. Zoning District boundaries west to the corporation limits one lot deep on the north and south sides of West Franklin Street. Discussion concerning recommended text changes.

Mr. Wells recited the procedures to be used by Planning Commission for public hearings.

Mr. Winterhalter explained the requested zone change and text changes in the A. P. ordinance. Deals primarily with the use of land in the A. P. District Business 1 uses and residence extended to A. P. District.

Mr. Wells recommended an in-between approach for the zoning, and uses not automatically allowed in A. P. District and Planning Committee being reviewed. Delineate responsibility to each Board.

Mr. Wells commented on letters received from Concept West Civic Assoc. stating the protection requirement of business against residential uses not provided for in A. P. District.

Opinion of Mr. Farquhar on developmental control requested.

Mr. Baker - "who would have authority for dividing business uses allowed in new text?" Answer by Mr. Winterhalter: the A. P. Board could have. Mr. Baker does not want a 'mini-planning committee' creation of powers granted with boards or commissions. Mr. Wells gave some history of creation of Planning Commission. Examined some situations where there was overlap or deletion of powers in both boards. Recommends A. P. Board have total responsibility in the A. P. District. This would alleviate mixed responsibility for a specific area.

Mr. Maxton believes we are losing sight of the original reason for this hearing, specifically the Glanton's request.

Dr. Glanton stated that time is critical, must vacate his present office by September and needs 60-90 days to convert his proposed new office.

Mr. Winterhalter recommends a zoning of office services for the present time with a later change to A. P.

Mr. Myers asked Mr. Winterhalter if he had discussed with the Wash. Twp. planning board if they could keep the area immediately to the west of the corporation line similar to the A. P. Answer: No.

Mr. Wells offered the meeting to Public Hearing at 8:10 pm, permitting speaking to both the district change and the text.

Those in favor:

Paul Booher, 51 Gershwin Dr. in favor of the change. Commends the City for a good approach to a systematic zoning which is lacking further west along 725.

George Mitchell, 203 W. Franklin Street commented on the change in the area in the 14 years since he bought his home. Commented on difficulties encountered by increase in traffic. No longer a residential area. Asked if there is a possibility of "spot zoning". "It doesn't have to be either business or residential." Remarked about the business zoning presently east and west of this area.

Those in opposition:

Mr. Robert Archdeacon, 150 Davis Rd. questioned if property owners in the area to be rezoned were notified. Mr. Wells stated they were. Mr. Archdeacon wanted to review the modification of the text prior to making a decision. In general would favor extension of A. P. District. Thinks position of the two boards should be clarified.

Mr. Howard DePew, 47 Virginia Ave. wants to work for text changes and then another public hearing. Also mentioned the school and church and the traffic hazard presented.

James T. Lynn, Atty., representing Mr. & Mrs. James Presbaugh, 157 W. Franklin St. The Presbaugh's oppose this extension at this time because they don't understand what the planning commission is trying to do. No particular architectural triumph to be preserved in this area. He believes the primary purpose of the A. P. District is not to extend business into an area. Function seems to be to put business in residential areas. The Presbaughs do not want the business of Dr. Glanton next to them.

Mrs. Robert Ryan, 88 Davis Road is against the rezoning at this time because the land proposal lies higher than Davis and water runoff is increasing because of this.

Claudett Cash, 223 Freyn Dr. referred to first paragraph of A. P. ordinance. Screening not sufficient to make it compatible with either residential or business.

Public Hearing closed at 8:30 pm

Mrs. Lake questioned present beauty shop in homes in the area, believes there are two. They are permitted uses in the area as a residential use.

Mr. Maxton suggested the action should be tabled until Mr. Winterhalter looks into the minutes of previous meetings on this question.

Mr. Wells suggested the extension of the A. P. District should be tabled until the text changes are received from Council. Either A. P. should have total jurisdiction or the Planning Commission should have it. Council should give A. P. Board complete responsibility or give it to the Planning Commission. There is danger in overlap.

Mr. Wells made the motion to table the subject of extension of the A. P. District until the text changes are reviewed.
Seconded by Mr. Maxton. The vote was unanimous.

Group Housing discussion - Open Forum.

Mr. Wells wants some feeling of the people of the community as to how they feel about group housing. This could encompass more than housing the mentally retarded.

Mr. Winterhalter reviewed Curren's* recommendation to the suburbs. He does not like the idea of categories for group housing. Only 3 homes in City of Dayton so a large influx of homes in Centerville is not projected.

Mr. Wells dispensed with usual public hearing procedure.

Mr. Wm. Lainge, 205 Southhill Ct., Centerville. Commended the commission for gathering facts and trying to do a good job. Mr. Lainge is the father of a retarded child, mentioned many different types of group houses: elderly, sick, retarded, etc., each with own problems. We have 14 Centerville residents attending special schools run by Mont. Co. for training and education --these are trainable children. Trend is to remove from institution people who don't belong there, those that are educable, trainable, can look after themselves. He wants a place giving normal living for those needing it. Resident homes satisfy this need. Asks that the City impose no unnecessary restrictions on the homes.

*Mr. Charles Curren, City of Dayton Commissioner

Bernice Groom, 100 Zengel Dr. representing League of Women Voters read statement supporting the plan to provide services in maintaining the individual in their own community. (copy attached)

Marguerite Briston, Kettering, asked Planning Commission to not box Centerville in by restricting to children - they do become adults. Asked to not restrict the number of occupants to 4 - need approximately 8 to justify expense.

Elbert Jones, 1540 Heritage Road, Centerville, Pres. Board of Directors of Retarded Children of Montgomery Co. Encourages the establishment of the homes. Wants Centerville to pioneer in the establishment of the homes.

Victor Green, 715 Glenbrier, Centerville. Each citizen owes an obligation to put something back into the community. Our community has obligation to share the burdens of our society. Favors evaluating each particular circumstance.

Betty DeMinor Oakwood - explained that there are two units concerned with retardation but they work closely together.

Mr. Maxton recently toured unit in Springfield for mentally retarded. He believes the planning commission should decide what they are talking about, mentally retarded only or other groups too. He explained what he saw in the Springfield home for mentally retarded. Goal is to place these people in their own community. He thinks our present ordinances do not restrict these homes. Would like to use Springfield home as a model.

Mr. Wells asked about State requirements.

Betty DeMinor stated they must be licensed by State, County and certain requirements must be met, size of bedrooms, recreational areas, etc.

Elinor Benedict, 444 Lumberlost Tr. wants community to visit Amber House (a center for drug-related problems) on Brown St. near U.D. Doesn't want a large gulf between the types of houses. Doesn't want rigid set of rules.

No further questions were asked by public and Mr. Wells turned meeting back to planning commission.

Mr. Baker asked two questions: 1-was not pleased with the location of the houses visited in Dayton. "Does Dayton have restricting ordinances or was money the reason for going into these particular houses?" Answer both by Mrs. Deminor. Dayton has zoning ordinances controlling these locations. 2-Asked Mr. Winterhalter if the Centerville problem is one of definition of family. Answer: Family defined in present ordinance. Housekeeping unit defined in new ordinance. Conditional use would NOT be required. Presently, the current ordinance would permit these homes.

Mr. Myers read a letter from Edward Benjamin, Jr. Exec. Director of Retarded Children in Montgomery Co. and cautioned people not to panic. Myers would like to promote homes for the mentally retarded only in Centerville and show the people this can be done. Might later have homes for alcoholics, drugs, etc. He would like to see Springfield home used as a model.

Mr. Wells - "There appears to be no obstacle so far as zoning laws are concerned". It should be a conditional use. Planning Commission could act as a 'sounding board' to bring out all the facts of a proposed home. Community relations would be served by bringing it to the planning commission. People involved could bring it before Council and show the neighbors what it is about." He proposes this be brought to a hearing in public to serve community relations.

Mr. Maxton believes there are few homes available to be converted to group homes to meet restrictions of State, plat (homeowners), etc. Should also consider deed restrictions or plat restrictions.

Mr. Wells stated that the definition of 'family' includes group homes. Would not like additional restrictions to be imposed but would like to have a proposal to include this as an agenda item merely to discuss it.

Mr. Wells moved that the Committee recommend to Council that no further restrictions be imposed, the definition of family seems to be all-encompassing. Recommends that organizations involved with group housing bring the proposal to the planning commission for open discussion. Seconded by Mr. Tate.

Mr. Maxton feels the group homes be only for the mentally retarded at this time.

Mr. Myers amended motion to advise that group housing in Centerville be developed along the lines of mentally retarded only. Seconded by Mr. Maxton.

Mrs. Lake - "Would Committee want Mr. Winterhalter to get copies of State regulations governing this zoning?" Important that the right of management review be preserved in the zoning. Do we have the means of inspection to determine adequacy of care, etc.? More involved than square footage, management is important. Must ask what the home will be like 50 years hence. Some of the health requirements were explained by Mrs. DeMinor.

Mrs. Lake-"What is the ratio, residents of homes with family in the area as opposed to the ones who do not?" Mrs. DeMinor said some do have families in the areas. (possibly 50%)

Mrs. Briston agrees that inspection by the City or the public is important and desirable as Mrs. Lake suggested. To assure adequate care once the families are gone as well as the present administration.

Amendment to restrict the definition to mentally retarded: Mr. Tate believes it is a mistake. Wells, Baker, Lake & Tate: No; Myers & Maxton: Yes. Amendment to restrict failed.

Mr. Wells motion - No changes in zoning laws and recommend group homes go to Planning Commission for open discussion - should have more guidance from Council if added restrictions are desired and as to developmental standard.

Seconded by

Wells, Tate, Lake & Baker:Yes; Myers & Maxton No.

Motion carried 4-2.

Developmental standards - should have copy of building standards from State for use by Council and Building Inspection.

Mr. Maxton - "By not having adequate definition of 'family', we need a thorough study of proposals and if halfway houses are not covered this should be rectified immediately.

Mr. Wells asked Mr. Winterhalter to get outlines of various Group Housings.

Mr. Wells stated the Planning Commission should study group homes, guidelines adequate and an attempt at definition of group homes; what they are, their regulations, if any, etc. so Planning Commission will know what is being discussed. He asked Mr. Winterhalter to get the outlines by the second April meeting. Development standards could involve continued review of the homes involved by Health Dept., State, etc.

Mrs. Lake want more information about 'funding' . Is the community expected to raise money, or what?

Mr. Winterhalter will also get this information.

Mr. Baker - "What is the 'Aim House' in Kettering? " Answer: It is a daytime only school, non-profit, training center, not 'day care', parent stays with the child for several hours of training.

Mr. Winterhalter stated this would fall into school category.

This will be back on the agenda at regular meeting in April.

The opinion given tonight is on the ordinances as they exist.

Mr. Maxton stated there is not enough information on these things but we want to make it wide open for anybody to come in at any time.

4. Unfinished Business:

A. Site plan for neighborhood shopping center, Carriage Trace.

Mr. Winterhalter explained the proposal. He recommends a curb cut further south than proposed by developer, 400 ft. north of Carriage Trace. Discussed at length the service area to be served by this proposal and existing business area as well as possible future business area. We have a surplus of business area now. Recommends this land be considered office service use and not for retail.

Question "what kind of business is proposed?" Answer: Veterinarian, Branch Bank, Cleaning Care (non-retail), Savings & Loan, Specialty Shops and Restaurant.

(Mr. Myers left the meeting about 10:15)

Mr. Harry Wisel, Architect for developer. In 1972 the Planning Commission was approached informally for this area. Referred to change in 'Entrance Corridor' zoning discussed at that time. Several different plans have been presented in the past. The Planning Commission wanted final complete presentation. This is to be an open mall type, not strip shopping center.

Mr. ^{WINTERHALTER} ~~Archdeacon~~: requested impact statement and market analysis submitted. Service area in one mile radius of this proposal. Competition is the existing center in Kettering. 3400 families with incomes averaging \$15,000 per family in the service area. Possible spending does justify their development. Estimated cost, this development bldg. is 1 or 1-1/2 million.

Mr. Wells "Do we have liquor license open at this time?" Mrs. Lake explained the quota of licenses changes with the population. (This is concerned with the proposed restaurant.)

Mr. Ralph Woodley, representing himself, Paul Moody & Paul Welch, Developers, stated he has been working with this site 2 years and there is a demand by tenants for this development. Office buildings are not in demand in this area, they have vacant space. Will not jeopardize their condominium with a sub-standard shopping center. He stated Mr. Winterhalter's proposal to move entrance is no problem with the developers.

Mr. Maxton affirms the proposal. Mr. Maxton moved to approve the project. Seconded by Mr. Tate. Baker & Lake: No; Maxton, Tate & Wells: Yes

Mr. Baker is aware of past history of this proposal. Is concerned with the second entrance into the project. Developer bought the land knowing the zoning and does not think the development should ask for a change.

Mr. Archdeacon stated this is not a change of zoning request but for uses within the 'E. C.' ordinance.

Mr. Tate - "Why is an office building so desirable?"

Mr. Archdeacon "What is the course of appeal?" Answer : to appeal to Council. Art. II Rules of Procedure of Planning Commission: 'file intent to appeal within 5 days'.

D. Black Oak Master Plan - Walnut Walk:

Mr. Winterhalter Approach for planned residential development ; Master Plan shows road system, continuation of Ambridge Road, connect to Clyn and a street toward Alex-Bell Rd. Average width is 24 ft. Jim Singer indicated some concern with street widths, 24 to 27 feet.

Mr. Wells read and referred to letters received concerning this proposal, all opposed to extension of Ambridge Rd. Ambridge was not intended and not designed for a thoroughfare but is ending up as one, or a minor thoroughfare.

Mr. Archdeacon, all streets shown are to be public roads, asking for variance of street widths, etc.

Mr. Wells asked about the thought of ending Ambridge near east side. Mr. Archdeacon answered that this was not desirable from a planning standpoint. He showed map of overall Black Oak and the road connection. Showed the alternate entrances into Black Oak and said Ambridge will not act as a connector because of the many entrances.

Mr. Victor Green - representing Black Oak Civic Assoc. stated that the present plan is not acceptable to Black Oak people in its present form. Ambridge lends itself to a major thoroughfare. Bigger Road was designed to be a main artery through Black Oak, Ambridge was not as shown by the street widths. People will use Ambridge because it will be a convenient access, treated as a thoroughfare. Ambridge should be cul-de-saced.

Mr. Frank DeFrances, 1310 Fenway Court, on Board of Trustees of Black Oak Swim Club. Pointed out thoroughfare possibilities of Ambridge if opened up and commented on the insufficient width of Ambridge. Pedestrians going to swim club will be jeopardized by opening Ambridge to either Cloyo or Alex-Bell.

Mr. Jim Singer - referred to petition submitted opposing connection of Ambridge to either Cloyo or Alex-Bell.

Mr. Archdeacon - zoning did not consider roadways. He stated Council wanted the connection as did Planning Commission. Does not believe connecting Ambridge will add to the traffic pattern. Sub-division regulations call for the maximum length of a cul-de-sac to be 600 ft. The proposal to close Ambridge would create a cul-de-sac over 1000 ft. long.

Mrs. Lake questions the street going North and the potential traffic lights being too close.

The Meeting adjourned - 11:35 pm

Motion to approve these minutes as corrected made by Mr. Maxton, Seconded by Mr. Tate Approved unanimously.

A handwritten signature in cursive script, reading "Mary L. Maxton". The signature is written in dark ink and is positioned in the lower right quadrant of the page.