

CENTERVILLE PLANNING COMMISSION

Special Meeting

May 14, 1974

7:30 p. m.

Mr. Harold Wells, Jr. resigned, effective May 1, 1974. Mr. S. W. Gillingham was appointed to fill the vacancy created by this resignation. A caucus was held at 7:30 p. m. to elect a new Chairman to fill the vacancy created by Mr. Well's resignation. The unexpired term of office ends in June, 1974.

Mr. Myers nominated Mr. Maxton. There were no other nominations and Mr. Maxton was elected unanimously to serve as Chairman.

Mr. Winterhalter explained his reasoning behind the 19 day requirement for applicants to submit their plans. This 19 day requirement will enable Mr. Winterhalter to assemble the information and get it out to the review agencies, back to discuss with the developer a week before the Planning Commission meeting and then to Planning Commission members with recommendations. With this 19 day requirement the plans that the P. C. members receive should be in final form.

Mr. Myers asked Mr. Winterhalter how many hours per week he is now working for the City of Centerville. Answer: Approx. 25 hours. However, it is currently being considered to have the City Planner a full-time position. He explained that he currently spends considerable time reviewing applications, and this precludes work on other planning functions.

Mr. Maxton said that last-minute changes should not be permitted. If changes are suggested at the last minute, the applicant will start their 19 days again.

Mr. McCrabb asked what guarantee an applicant will have that they will be heard on the night they are scheduled. Mr. Winterhalter stated that with this new plan this should be much easier to accomplish than in the past. He feels that if the applications are ready, the agenda can be lighter and therefore we should be able to get through the agenda at any given meeting.

Mr. Maxton said that if, part way through the meeting, we are not progressing fast enough to finish the agenda we could ask if there is anyone present who would like to be heard. A break from the agenda would not do any harm, and could help relations with the citizenry.

Mr. Myers said that at one time there was a time allotment for comments pro and con, and perhaps we should go back to this.

It was discussed that perhaps too much time is spent during the meeting for questions being asked by P. C. members. Mr. McCrabb said that if these questions are going to be asked, we should be more considerate of the citizens in attendance. Mr. Winterhalter suggested that perhaps questions from the P. C. members might be answered at a caucus. Mr. Myers agreed with Mr. Winterhalter. Mr. Baker's thinking was that this might not be a good idea, as the public would be wondering what was going on if they were present for a meeting and the first portion was held behind closed doors. Mrs. Lake said that the opinions of the P. C. as expressed at the meetings is the main reason

for the good relations the P. C. has with the community. Mrs. Lake suggested that perhaps the business portion could be held from 7:30 - 9:00 and the public hearings begin at 9:00, then those who come might be more mindful of the hour and comments might not be so lengthy. Mr. Maxton expressed concern that if the public hearings did not start until 9:00 the P. C. might be rushed, in order to finish by the 11:30 adjournment time.

The P. C. members agreed to try to have more concise meetings in the future. The caucus was adjourned and the regular meeting began at 7:55 p. m.

Those Present: Messrs. Gillingham, Myers, Tate, Baker, Maxton, McCrabb and Mrs. Lake. Also Present: R. Winterhalter, City Planner and K. Schab, City Engineer.

The minutes of the April 30 regular meeting were approved in content. Mr. Myers moved to accept the minutes, seconded by Mr. McCrabb. Minutes approved. Mr. Baker abstained.

Public Hearings - None

Unfinished Business -

1. Village Commons Preliminary Plan:

Mr. Winterhalter reviewed the changes. This plan does not include the three lots that were discussed at the last meeting. This is basically a cul-de-sac development with limited access. Comments at the previous meeting regarding the fire department and school bus turn-around radius on the cul-de-sacs prompted the tabling. There is some concern that this quantity of houses should not be serviced by one outlet. An easement could possibly be made at the North of the plat for emergency access.

Mr. Maxton asked why the fire department is so concerned about access between Winter Woods Lane and Amesbury Park Drive. Mr. Winterhalter explained that this is just anticipating the worse situation that could occur. Developers like the cul-de-sac development for obvious reasons, (cost savings, saleability) but the fire department has concerns with only one access. Mr. Winterhalter pointed out that this is a preliminary plan and that all that is required at this time is an approval of the street plan. These other points are only stated to avoid problems later in the development for the P. C. as well as the developer.

Mr. Myers asked about the possibility of joining two of the cul-de-sacs, for example: Winter Woods Lane and Amesbury Park Drive. Mr. Winterhalter explained that this would cut the number of lots. Mr. Myers said that perhaps it would be safer for those (lots) remaining.

Mrs. Lake asked if the Fire Department had been consulted. Mr. Winterhalter said that they had and that they do not like the proposed situation.

Mrs. Lake commented on the emergency access proposal (easement) and said that

this type access would probably not be used and may not be maintained properly for this use. Mr. Winterhalter said that is why we will have to have a condition in the covenants regarding the land owners responsibility in keeping the access usable. Mr. Schab commented that it is difficult to keep this type of access maintained.

Mr. Winterhalter was asked if this type of access was acceptable to the Fire Department. Answer: Acceptable, but not desirable. He pointed out that the entire plat will be cul-de-sacs. Mr. Winterhalter cannot give a favorable recommendation to this plan.

Mr. Myers asked about the possibility of an access to the East through the Park. Mr. Winterhalter said that 'something' will be developed in that area, but it has sub-standard access. Mr. Schab concurred adding that there are steep banks in that area. Mr. Myers asked about the possibility of a bridge over the creek and asked if more lots could be picked up, even taking into account that the bridge would be expensive. Answer (Mr. Archdeacon) The topography does not lend itself to the development of additional lots in that area and the cost of the bridge would be prohibitive, (approx. \$100,000).

Mr. Schab said that if the concept of a cul-de-sac development is deemed proper, it is acceptable to him.

Mr. Maxton feels that we are talking about situations and problems that may never occur. Mr. Myers questioned whether or not he would personally buy a home in that area considering the possible danger caused by the limited access. Mrs. Lake expressed concern about the people who would not think of the possible danger and if something should happen, they would come to the P. C. to ask why this dangerous situation was permitted.

Mr. Archdeacon answered some questions about zoning, and the park boundaries were defined. He also pointed out the grade changes and the difficulty of building on the section that is not platted (Holes Creek).

Mr. McCrabb asked about the level of the land at the end of Winter Woods Lane as compared with the level of the land at the end of Amesbury Park Drive, questioning if this would be a problem if the two were connected. Answer (Mr. Archdeacon): They are approximately the same grade with several feet difference in elevation on the route between them.

Mr. Winterhalter stated that they are using minimum lot area development on these lots with open space in flood plain and we must keep in mind what is just and reasonable. Mr. Archdeacon disagrees. He pointed out that only a 9 acre park was required for this area and a 12.6 acre park is the plan of the developer. He feels their plan in some parts meets the existing zoning without lot reduction.

Mr. Maxton asked if the pavement turning radius had been changed on these plans. Answer (Mr. Winterhalter): This will be shown on the final plan.

- Mr. Archdeacon pointed out the odd shapes and Holes Creek, which they have to contend with. He mentioned that this has been developed in cooperation with the Washington Twp. Park Commission.
- Mr. Winterhalter pointed out that he and Mr. Archdeacon had discussed a possible alternate, that of adding a stub to Amesbury to Dr. Henning's property in the event that this area is developed in the future. It was noted that we have to assume that any development of this property will presumably be a long time off as Dr. Henning just recently acquired additional acreage around his home. The Fire Department is agreeable to the stub approach even though the development of the land may be quite a distance in the future. Mr. Maxton commented that this would be strictly speculation that this development would occur.
- Mr. McCrabb asked what the policy is regarding cul-de-sac developments.  
M Mr. Maxton pointed out that there is no policy, but some developers in the past have come to the P. C. with plans having no imagination and in some cases the P. C. has suggested cul-de-sacs.
- Mr. Maxton asked for comments from the P. C. members.
- Mr. Gillingham asked whose responsibility it would be to maintain a 'lane'.  
Mr. Winterhalter said that this 'lane' would be part of the owners yards and would be maintained by them with the stipulation that they would not have anything other than grass in that easement area.
- Mr. Tate is in favor of the cul-de-sac approach.
- Mr. Baker stated that we must keep in mind that this area is surrounded on three sides by park. He asked if an emergency access road could be put through to the (Hadley Watts) school. Answer (Mr. Archdeacon) Easements are shown on the preliminary plan.
- Mr. Tate asked what access provisions have been made to the park, in the event of a forest fire. Mr. Archdeacon answered that a 20' walk is planned which would be large enough for emergency vehicles to use.
- Mr. Myers feels that some additional access should be made. He would like to see an access road. He feels that sod over a road is not the answer. He asked if more lots could be added if in part this were re-zoned. Mr. Archdeacon said they see any change in zoning as an improbability.
- Mrs. Lake asked if it might be possible to purchase the NE corner of Dr. Henning's newly-acquired property to facilitate an access road. It was pointed out that Dr. Henning had purchased that from the Grant Estate, not from the developer and it is unlikely that Dr. Henning will want to sell a portion of it.
- Mr. Baker asked if it was seen as an impossibility to bring two streets off McEwen Road. Mr. Maxton interjected that he feels we are not giving the Fire Department enough credit. They can and do operate under worse situations than we are contemplating here.

Mr. Maxton pointed out two alternatives to this situation. (1) sod strip on compacted base to connect two cul-de-sacs (Winter Woods Lane & Amesbury Park Rd.) (2) disallow the cul-de-sac development as proposed in this preliminary plan.

Mr. Tate added a third alternative: leave it as it is.

Mr. Russ Miller, Park Director, confirmed that this plan has been reviewed by the Park Board. He pointed out the line on the lots follows the flood line. He noted that they had considered ending these lots at the sewer line and pointed out that a road from the end of the cul-de-sac to the park would be used and maintained by the Park Department. He also pointed out that it would be expensive to go across the creek.

Mr. McCrabb asked about the size of the lots on Winter Woods Lane. Answer (Mr. Archdeacon) approx. 64,000 sq. ft. in each lot. Mr. McCrabb stated that these were excessively large lots and could possibly be reduced in size to facilitate an access road. This was not deemed practical.

Mr. McCrabb moved to accept the Preliminary Plan as it has been presented. Messrs. Gillingham, Tate, Maxton, Baker & McCrabb voted in favor. Mr. Myers and Mrs. Lake opposed. Motion carried (5-2).

## 2. Carriage Trace Shopping Center

Mr. Winterhalter clarified that this is on the agenda because approval was not received when this plan was originally submitted and rather than appeal to Council, the developers prefer to obtain P. C. approval first. Mr. Winterhalter stated that the changes from the original submission are: (1) access midway between Hewett & Boulevard (2) commercial buildings were moved further apart with a larger garden area between.

Mr. Archdeacon, representing Welch, Woodley & Moody, (owners & developers) stated that a different architect was retained. They would like (full) approval from the P. C. (not a 3-2 vote). They felt it would be better to come back with these changes rather than appealing to Council with the 3-2 vote. They want approval for the commercial uses on this land. There is adequate parking (sufficient for 247 cars). They have added landscaping in front. Mr. Archdeacon pointed out the mounding to the West, and low mounds to the East. He also pointed out that there was to be a small pond between the buildings. Basically what they seek is conditional use approval. They believe that they have adequately shown by the environmental impact and demand studies as presented to the members in their packets, that there is a need for the type of shops they propose. He pointed out that this is entrance corridor land...the only other use that can be put on this land is multi-families, and P. C. indicated that the condominiums are all the multi-family desired in this location. Within one mile there are only two commercial facilities plus the proposed bowling alley on Thomas Payne Parkway. With existing zoning there will be 3400 families with an annual income for consumer spending of \$32 million. These developers have been working with P. C. for the past 15 years and they are dependable

developers, they do what they say they will do. Mr. Archdeacon showed the members a color drawing of the proposed shops with the open corridor. In answer to a question by one of the P. C. members, Mr. Archdeacon stated that all signs will be back of the overhang. He pointed out that the shops would blend in with the condominiums. Mr. Tate asked if the front of the shops would face the court yard and if so, how will they be identified? Mr. Archdeacon said they would face the court yard and a sign would identify their existence. He and the developers said this would not be a gawdy sign. Mr. Maxton said that it would not be a good idea to come back later and say they need a bigger sign. Mr. Archdeacon said it would be similar to the sign at Franklin Plaza. Mr. McCrabb asked if it would identify each store specifically or whether it would just state that there are shops there. Answer: (Mr. Ralph Woodley) It will be a low profile sign to identify each shop, similar to the sign that identifies the condominium. Mr. Archdeacon pointed out that whether this were office or retail shops, they would have to have a sign for identification.

Mr. Woodley stated that they feel that there is no need for office space (as proposed by City Planner) and shops will be an asset to the condominiums and the neighborhood and a service to them. They will be neighborhood-type shops. They did have a bank, restaurant, etc., interested (when these shops were first proposed). Mr. Maxton asked how the buildings could facilitate a drive-in bank. Mr. Archdeacon showed two possibilities that had been considered by the bank.

Mr. McCrabb asked about the landscaping in the parking area - if it would be the same as that on the boulevard. Answer: Trees not quite as large, but certainly as desirable.

Mr. Gillingham asked about zoning in the one mile radius. Mr. Winterhalter reviewed his map showing the existing commercial and proposed commercial in the one-mile radius. He feels that there is a lot of competition for commercial dollars. Mr. Archdeacon pointed out on his map the residences in the one-mile radius. He said that studies show a need for commercial in the area.

Mr. Winterhalter said that the shopping center does not meet the set-back requirement.

Mr. Maxton asked if the developers are planning to develop both sections at the same time or would there be a delay between construction. Mr. Paul Welch answered that it would be developed all at once.

Mr. Baker commented that there were not many cars at existing shopping centers in that area. He doesn't feel that the commercial is necessary, and is not satisfied that there is a need at this time under the existing zoning.

Mr. Myers asked what the expected relative tax income to Centerville would be from commercial versus office use. Mr. Winterhalter said that as most of the tax income is from the Income Tax, he would say that the office

use could mean more tax income to the City. Mr. Archdeacon feels that this could be a trade - he does not feel that the office use would necessarily mean more tax revenue. He reiterated that their market research showed the need for commercial in that area.

Mr. Myers asked if the shops could go ultimately to office - if, for instance the retail shops were not successful. Answer (Mr. Archdeacon): Yes, however it is felt that the commercial need is there now, but the type of lay-out they have would lend itself to the office use. It could, also be a combination of office and retail.

Mrs. Lake doesn't see why we should change this after only six months ago a decision was made by Council to have this office use. Citizen polls shows that they do not want more offices or shops. It is felt that Centerville has enough already. She would like to leave the commercial in Kettering and have residence in Centerville.

Mr. McCrabb believes that commercial is the only good use for this property.

Mr. Maxton asked if the P.C. made a motion for approval, could the motion include set-back. Mr. Winterhalter said that the P.C. would at most be approving a preliminary site plan and should state what is not included. Mr. Maxton said that if he were to go along with the plan he would go to the one with the variance. Mr. Winterhalter said that the vote tonight is on the conditional use.

Mr. Tate moved that the P.C. approve the conditional use as presented. Seconded by Mr. Baker. Those in favor: Messrs. Gillingham, Tate, Maxton, Myers & McCrabb. Those opposed: Mrs. Lake & Mr. Baker. Motion carried (5-2).

3. Sycamore Canyon - Grading Plan, located between Centerville-Station Road and Spring Valley Road Road.

Mr. Winterhalter reviewed the plan. The previous recommendation was to save the trees. If the plan had gone through before, it would have eliminated 75-80% of the trees. If no trees at all are destroyed, the usability of the lots is in question. Mr. Winterhalter suggested a compromise - midway between 860' - 905' elevation.

Mr. Archdeacon would like comments from the P.C. members tonight. He pointed out a stub street that would provide access across to connect to Sugar Creek in Greene County - this is what the Park Department would like.

Mr. Maxton moved to table this until the May 28 meeting or possibly the first meeting in June. Motion approved unanimously.

4. Group Housing Review

A copy of definitions had been given to P.C. members regarding various types of Group Housing and they are being asked for comments.

- Mr. Maxton asked about the definition of Group Housing as being defined as mentally retarded and further in the report the definition includes drug addicts. Mr. Winterhalter said that this is what has to be decided - just how to define Group Housing.
- Mrs. Lake feels that the definition of a Group Housing should not be any specific group.
- Mr. Myers said that he felt before (and still does) that we should list Group Housing as mentally retarded only and the rest (of the P. C. members) wanted to open it to all. Mr. Winterhalter said that when that vote was taken it was felt 'let's not define the types of groups'.
- Mrs. Lake said that we are talking about: (1) types of homes (2) types of groups (3) types of homes you can put in ordinance form. She read the definition of groups from the ordinance.
- Mr. Maxton opened the meeting to the public for comment.
- Ms. Barbara Conniff, Montgomery Co. Board for the Mentally Retarded, spoke. She stated that they have been working with the P. C. and stated their desire to separate the mentally retarded homes from the rest of the group homes - juveniles, addicts, etc. She stressed that the homes for the mentally retarded are just that, homes - they do not provide treatment. The addicts, etc., have definite needs but we do not deal with that. The mentally retarded have special needs - it is a social condition. What they ask is to be allowed to buy suitable property in the area for a house couple and 6 - 8 mentally retarded young people. She stated that she has worked for 1-1/2 years and her predecessor for 1-3/4 years trying to place 10 - 16 girls in group homes. They are shut out by zoning restrictions and they understand this, but want the P. C. to understand what they want to do. The couple and the children would live in the home provided, go to school, live like any family. They would have no more and no less problems than a normal family. Their problems, like those of any other family, are worked out within the home. They are not a problem to the neighborhood. They do not have emotionally disturbed children or children on drugs - these people have needs and it is hoped that someday Centerville will consider the needs of those with other problems, but for right now they would like Centerville to pioneer in the field of the mentally retarded. They seek to separate the homes for the mentally retarded from those who have disturbing problems. Others throughout the nation have allowed group homes for the mentally retarded - i. e. Vandalia, Toledo, Cincinnati, Youngstown - to mention a few in Ohio. Ms. Conniff said she would be happy to meet with anyone and explain their needs in detail. She asks for understanding of people with a need. She said that 2.98% of any community are mentally retarded to some extent. In Centerville, 10% are either mentally retarded or working with mentally retarded. She asked to be allowed to buy a home if one can be found.



- Mr. Maxton asked if she had been denied a house in Centerville. Ms. Conniff said no, because the zoning has restricted it. Mr. Maxton stated that we do not have an ordinance against it. Mr. Winterhalter confirmed that our ordinance is without opinion. Mrs. Lake said that there are no restrictions at this time according to our ordinance, on any type of family unit. We have never been requested to consider a group home.
- Mr. Maxton asked that we not confuse zoning ordinances with plat restrictions - the P. C. has no control over plat restrictions. Ms. Conniff asked for confirmation that Centerville has no restrictions and that there is nothing in the ordinance to prevent their buying here. Mr. Maxton confirmed that we do not - not at this time.
- Mr. Winterhalter said that what we are to do tonight is to consider updating of the ordinance and defining of group housing.
- Mr. Maxton suggested that Ms. Conniff check plat restrictions.
- Ms. Conniff stated that she found a house northwest of town which might meet their needs. She pointed out that they have strict licensing requirements by the State, Co. and of course local. The space requirements are so strict it is hard to find a suitable home. Also, their licenses must be renewed each year.
- Mr. McCrabb asked who supports the six children in the home. Ms. Conniff said that it is based on the ability to pay. The County makes up the difference. Some of the children are State supported. She stated that they are a Government Agency and the County would operate the home. Mr. McCrabb questioned that if the residence of a home are paying, can they still be classified as a family? Ms. Conniff stated that they are still classified as a family.
- Mrs. Lake pointed out that Foster Homes have children who are supported by an agency, and are still considered as part of the family. Ms. Conniff said that the City of Dayton Law Department has ruled that Foster Children should be considered as the family, the same as adopted children.
- Mr. Maxton stated that the P. C. has expressed varying opinions on what constitutes a group home. He polled the members for comments.
- Mr. Gillingham said that he hadn't seen the list of definitions until tonight and said that he had attended the meeting at which this type of group housing was discussed and did not sense that anyone present objected to that type of group housing and that if they didn't want any restrictions they should tell Council. Then the week after the aforementioned meeting the Supreme Court gave Councils the right to, and he believes there should be, restrictions on communes, etc. He believes group housing should be considered on an individual basis. He would like to see an ordinance that prohibits group housing except when approved by some City board.
- Mr. Tate expressed his feeling that it is not the function of this P. C. to make these restrictions.

- Mr. Maxton feels we should limit the Group Housing to the mentally retarded because it is licensed by the State, Co., etc. and has strict requirements. He doesn't feel Centerville should get into group housing that doesn't have specific restrictions of our own. He, too, feels that it is not the P.C.'s responsibility. Mr. Maxton disagrees with Mr. Winterhalter that group housing should be allowed in R-2 thru R-4. He does not agree to eliminate R-1. He feels it should be limited to homes for the mentally retarded in R-1 thru R-4 or only R-4.
- Mr. Baker feels that we need more input from the City Attorney. He doesn't feel that we have enough information or knowledge to make a decision. He does not feel that we have to make any decision at this time. However, to assist Council we should look into this as they have requested.
- Mr. Maxton asked if we had been asked to come up with a definition and reiterated that it has been determined that we do not have any restrictions at this time.
- Mr. Tate asked why this was the concern of the P.C. Mr. Winterhalter mentioned Mr. Charles Curren's (City of Dayton Commissioner) recommendation that this should be reviewed by all committees near Dayton and that Council delegated it to P.C.
- Mr. Baker agrees that this is not the usual roll of the P.C. (to make these changes and definitions). Mr. Winterhalter said that he feels that the roll of P.C. is being enlarged by Council and if that continues to happen and Centerville Planning Commission's function becomes as large as it can become according to Ohio legislation, more and more duties will be coming to P.C. from Council.
- Mr. Myers feels that anything that has to do with the growth of the City has to be termed as planning. As such, he feels this P.C. has an obligation to support Council. Regarding Group Housing, at this time he would like to see it allowed for the mentally retarded only. On this P.C. there seems to be nobody who is 'afraid' of the group housing. He feels that the community is, perhaps, 'afraid' and if we restrict this at this time to the mentally retarded, we can prove to the community that group housing can blend in with the neighborhoods.
- Mrs. Lake commented that she agrees that the scope of Planning in most communities has changed and our scope is changing and we will be finding things where we will be forming our own sub-committees. One group alone can do just so much and then you have to find other groups of people to share the workload. She asked that since the Supreme Court Judge defined Group Housing, does this take precedence over any other ordinance? She would like an opinion from our City Attorney and would like his definition for group housing. She doesn't feel we should rush in and make changes until we know what we are talking about. She questioned if we were speaking of group houses for any group, mentioning that there are various types of groups setting up housekeeping - i.e. nurses, students, etc. She feels there will have to be some serious thought given to the individual merit of groups seeking housing.

She would like to see any type of resident home (mentally retarded, etc.,) be required to meet certain standards, restrictions and specifications. She wants to provide protection for the people involved with the community having some way of checking on the inhabitants. The P.C. members need a lot of answers before making any ordinance-type decisions.

Mr. McCrabb believes there is sufficient 'grey' area surrounding this subject and feels we have a responsibility to eliminate this 'grey' area. He believes that the City ~~should~~ should stay involved in some type of license capacity and that the group homes should not be limited to mentally retarded since the group for the mentally retarded seem to be the only ones who 'have it all together'. We would be the only ones who should find any 'loop-holes', etc. and review the ordinances completely.

Mr. Maxton stated that it was indicated that Council would like to get with P. C. to resolve differences (if they still exist). He would like to set up a work session with Council and the City Attorney and discuss group housing. Several different opinions have been expressed tonight and a work session might be in order.

Mr. Baker asked about Council's feelings on this and Mr. Maxton asked Mrs. Lake if Council still wants to get together on this.

Mrs. Lake said that Council has been upset at not having been able to get to this as yet. She thinks we should ask Mayor Hoy to propose a date and see if we can get together - she knows it will be mid or late June before this could come about. Mr. Maxton suggested it be set for a Tuesday if possible. The P. C. agreed with Mr. Maxton and asked Mrs. Lake to contact Council and advise them of some of P. C. 's comments and that it is our recommendation that we get together with Council to discuss group housing. Mr. Myers said the City Attorney should also be present. There is general concern among the P. C. members regarding the Supreme Court decision especially regarding 'housekeeping units' and 'family units'. Mr. Winterhalter was asked to get clarification on definition from Mr. Farquhar.

Mr. Maxton advised Ms. Conniff that there are no restrictions at this time, nothing will be done until it has been studied further. It may be that some groups should be restricted. He suggested that she might want to attend Council meeting when Mrs. Lake will be passing on the comments of the P. C. Ms. Conniff commented that their agency has reviewed Justice Douglas' decision very carefully. The important point when he denied the Long Island case and the basis of the majority opinion was that the commune could not be allowed because it conflicted with the local land use. It also pointed out that when a single family unit was in harmony with the local ordinance there were no problems. One State objective is to return and keep many institutionalized people in their communities. This is a valid (by Statute) State objective - to establish group housing for a minority - they have a right to establish group housing in a community. Mr. Maxton pointed out that this P. C. is in agreement with this point. Ms. Conniff said she recognized this and agrees with Mrs. Lake on the licensing and restrictions and having the

the local communities share in seeing that the people are properly cared for.

New Business

1. Centerville Lanes Bowling Alley expansion - Site Plan Review

- Mr. Winterhalter stated that this is being reviewed for signs, landscaping and architectural controls. The property is owned by Centerville Properties (an Elder-Beerman interest). The property owners were not present. Mr. Winterhalter stated that the concern here is that we have convinced the owners to dedicate 60' from Centerline of St. Rt. '48' to the City to meet the Right-of-Way. The sign is in this Right-of-Way location and it now becomes of questionable ownership. When considering the expansion we should look for fencing, landscaping surrounding the property and the sign should be moved. It is now 15' from the old Right-of-Way.
- Mr. McCrabb asked about the size of the sign and the fact that it is a freestanding sign - freestanding signs no longer being permitted. Mr. Winterhalter stated that the sign is no longer a legal type, but that the owners would ordinarily have until 1978 to conform due to the fact that the sign was up prior to the present ordinance regarding signs.
- Mr. McCrabb suggested that if it is not a legal sign, it should be changed now. Mr. Winterhalter does not want to see us force this - he would rather negotiate as much as possible to get the land to look as good as possible.
- Mrs. Lake said that it was her impression that the owners have added no more parking space yet they are planning to increase the size of their building. Mr. Winterhalter stated that the parking space will be sufficient for the increased size due to the fact that they had an abundance of parking space for the size of the original building. Mr. Myers questioned whether or not the parking is lined-out at the side as well as at the front. Mr. Winterhalter assured him that there is parking space at the side which may not be lined-out, but that in the front it is lined. Mr. Myers believes it should all be lined-out. Mr. Winterhalter stressed negotiation to aid in starting a precedence on the property South of the Bowling Lanes.
- Mr. McCrabb believes that they are changing the entire site plan by changing the building and if there is insufficient landscaping and if the sign is non-conforming, this should be corrected at this time. Mr. Winterhalter said that the only items we can review at this time is landscaping, screening, architecture and parking. Mrs. Lake suggested that perhaps we should ask for legal advice on where we stand on this. Mr. McCrabb said that it has been his experience that when a Company goes in for a change, they have opened everything up from scratch. Mr. Maxton said that we should ask for legal opinion on what affect a change in the site plan has on the retroactivity and sign requirement.
- Mr. Maxton moved to deny this site plan and ask the City Planner to contact the developer and apprise them of the P. C. recommendation for further

landscaping and relocation of the sign. Seconded by Mr. Baker.

Mr. Tate asked for clarification as to what was being denied by this motion.

Mr. Winterhalter stated that this is an application for a building permit.

Motion to deny application was approved unanimously.

2. Review of Ordinance 23-74, park planning of 35.5 acres.

Mr. Baker announced that he had received a 'phone call prior to this meeting from Walt Padlo of the Centerville Park Board advising him of a meeting at 7:30 pm Thurs. May 16, to discuss the planning of this 35.5 acres and they would like a representative from P.C. to attend.

The location of the acreage was pointed out on the map by Mr. Winterhalter and Mr. Schab. The City owns this acreage. This will be a long-range project. One item that is 'hot' for this park is the proposed Municipal Pool. Mr. Winterhalter asked for preliminary approval to proceed with a federal funding application. Funding is a longer process than the project planning. If we could develop a 'ball-park' figure for development which would not be received until after July 1, 1975, we should proceed with the application immediately as this is a common approach due to the long funding process.

Mr. Baker asked for Council's feelings on parks. He asked if the City is going to establish its own park. Mr. Winterhalter said that any new parks in the City of Centerville come to the City Park Board.

Mrs. Lake stated that this (park) would be developed through this Planning Commission. The overall governing body for the 35.5 acres purchased by the City will be the Planning Commission. Any other boards will be represented through sub-committees. We should set down the guidelines and we, as a commission, can handle the overall approach. These sub-committees will be coming to us, not us to them.

Mr. Baker said that they gave him the impression that Council was going to be the overall governing body. Mrs. Lake said that they may have given him that impression and that this may be their impression, but that this was erroneous - Planning Commission is to be the governing body. The P.C. should determine the format. She asked if the Planning Commission wants sub-committees chaired by the P.C.

Mr. Maxton doesn't feel that the P.C. will want to get that involved with the park. Only insofar as curb cuts, access, etc., is concerned.

Mrs. Lake said that this is part of sub-division planning.

Mr. Tate asked who the architect would be. Mrs. Lake said that P.C. will have to get the architect.

Mr. Winterhalter said that this is another function Council has given to this P. C. Planning Commission would be the overseer. Mrs. Lake said that our function would be to coordinate boards, Council having the final decision.

Mr. Tate said that if this is going to be handled by 'committees' - there should definitely be professional assistance. Mr. McCrabb suggested that too many people might be getting involved. Mrs. Lake said that as it is, all the "Boards" are planning the 35 acres for their particular interest.

Mrs. Lake feels this is the P. C.'s responsibility, to oversee, and that professional help could be engaged. This first such venture should not end up as a "hodge-podge". She stated that it is in the Planning Commission charter to allow the hiring of a consultant.

Mr. Maxton suggested that the P. C. ask the City Planner to come up with ideas and thoughts as to how we can best meet this project.

Mrs. Lake agrees that the park board should discuss what they would like to see developed on the acreage. She pointed out miscellaneous ideas that have already been suggested - i. e. Art commission wants a section, underground firing ranges for policemen has been suggested - all these will have to be sub-committees of the Planning Commission so that they can determine what is most needed and most wanted.

Mr. McCrabb asked if the P. C. should go to the Engineer or the other boards first. Mrs. Lake said she feels the P. C. should set up sub-committees first. She suggested that a procedure could be set up and a letter sent to each board. The boards will have to have a delegate to represent them.

Mr. Maxton asked the City Planner to prepare tentative guidelines and an outline as to how we can best meet this resolution and put it on the agenda for the next meeting.

Mrs. Lake said that before the next meeting she would like a member to agree to oversee this and she suggested Mr. Baker.

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Mr. Winterhalter read Section/ of the resolution and said that perhaps we can get sufficient input without all these other committees or boards becoming involved through sub-committees.

Mrs. Lake asked if we should have a meeting with these boards. Mr. Maxton said we would be working with a lot of boards, each saying what they want. Mrs. Lake feels the roll of the Planning Commission will be that of arbitrator, and will have to decide what will best serve the community.

Mr. Myer read Section 7 of the resolution which says Planning Commission MUST proceed and present a plan to Council. Mr. Myers feels that this resolution should be re-written to determine who has the responsibility.

Mrs. Lake stressed that the other boards must understand that P. C. is in charge of this project.

Mr. Maxton restated that we first need a plan of action.

2. Mrs. Lake said that it is more than appropriate for someone from the P. C. to attend the Park Board meeting Thursday night. Mr. Maxton took a poll of the members to determine who will be there. Mr. McCrabb plans to go as does Mr. Gillingham. Mr. Baker plans to attend at least a portion of the meeting.

3. Revision of Rules regarding applicants submittal date.

Mr. McCrabb made the motion to adopt the rule to have applications submitted 19 days before a meeting to enable the City Planner to properly prepare the submittal. Seconded by Mr. Baker. Approved unanimously.

Meeting was adjourned at 10:55 p.m.

Next meeting to be held May 28.

Corrected (pg. 11 only) and approved, May 28, 1974.

