

CENTERVILLE PLANNING COMMISSION
Special Meeting
July 9, 1974 7:30 p.m.

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

The Minutes of the June 25, 1974 meeting were approved as amended. Moved by Mr. McCrabb, Seconded by Mr. Gillingham.

Communications & Reports

Mr. Maxton reported receipt of a letter from Carl J. Linksweller (ref: June 25 meeting) who complimented the P.C. on the good job they do, he approves of the procedures taken, regardless of ultimate decision.

A similar letter was received from Mr. Joe Druenburg, Attorney for Mr. Alfred Albaugh (ref: June 25 meeting).

Mr. Winterhalter, on behalf of Mr. Carl Doppes and Mr. John Thomas of T. C. C., asked for postponement of the discussion regarding controlled trends plan of M. V. R. P. C. and T. C. C. and local input required.

Mr. Winterhalter has been working with the City of Kettering^{on} the overall Site Plan of Overbrook Road. He indicated that some of the property owners near Bigger and proposed I-675 would not like this to be O-S at this time. He would like to review the road portion of this plan, not the over-all, at this time, to get the Overbrook Road barricade removed. Mr. Winterhalter explained that no action need be taken at this time regarding the zoning. Kettering wants this reviewed and wants assurance that this will be the type of plan to be implemented. He said Kettering is willing to accept the O-S zoning on the front lots. Mr. Gillingham asked if Pond View was a dead end. He is concerned that if it should happen to be barricaded in the future, access to the park for maintenance would be a problem. Mr. Winterhalter said it dead ends, and is intended to be a service drive. Brookville will be extended.

Mr. Myers moved to table this until the meeting on July 16 to enable members to have time to review the information. Seconded by Mr. Maxton.

Mr. Baker said he thinks it should be read at this time as everyone would like to get this matter cleaned up.

Mr. Maxton did not feel that time should be taken at this meeting to read the information. Although everyone would like to see it taken care of, he feels it isn't fair to Council, P. C., or the community to do this now.

Mr. Gillingham said he doesn't think it is fair to the community to postpone it further.

(5-2)

Motion defeted. / Those in favor of tabling: Maxton & Myers. Those opposed: Gillingham, Lake, McCrabb, Baker & Tate.

Mr. Douglas Campbell, Realty Co., representing 7 property owners in the immediate area (all except the Olympian Club), expounded on Mr. Gillingham's concern about Pond View being barricaded. He said that if homes were built on the cul-de-sac and a barricade did go up, people could not get in and out.

Mr. Tate asked to see the drawing Mr. Campbell had. Mr. Campbell explained the 2.9 acres owned by M. Henderson and said that deeds were being drawn up for the State of Ohio to buy 3 acres. Mr. Winterhalter said that everything is contingent upon having access to the property.

Mrs. Lake asked if there were single family lots not shown and Mr. Campbell said it is possible. Mrs. Lake said that if lots are split off the end of the cul-de-sac that are residential, where does Pond View end? -In someone's yard? Mr. Campbell said Pond View will cul-de-sac and will not go into someone else's land. Mrs. Lake asked about the reason for the easement. Mr. Winterhalter said the easement along the loop-type road is for the road to go into the park, either along Pond View or elsewhere. (adjacent to Oak Creek). He said this is a conceptual plan of preliminary site plan. Nothing is given except what we are doing with regard to Overbrook Road. Kettering just wants to know that this is our ultimate plan, although not finalized or approved officially.

Mr. Maxton suggested that since this is not binding, P. C. could assure Kettering that this is our intent. Mr. McCrabb said he is opposed to giving certification with this type of plan. He said we could give an opinion to the City of Kettering that we will give approval.

Mr. Winterhalter said we will not get the barricade removed on an opinion. Mr. McCrabb commented on the 90 deg. angle of the streets and said approval cannot be given on this. He then asked Mr. Winterhalter if this would go back to Council. (Answer: Yes) - Mr. McCrabb suggested P. C. tell Council we cannot approve this. Mr. Myers suggested P. C. assure Kettering there will be no future connection to Overbrook and Bigger Roads. Mr. Baker suggested that P. C. could agree to the general concept but not to a plan that is not detailed. Mr. Winterhalter said Kettering wants to know what Centerville is going to do in the area. -- the only concern, he said, is whether we draw lot lines, etc., but we don't have to decide that at this time.

Mr. McCrabb said we don't have to approve the plan, we just have to make two statements.

Mr. Baker made the motion that a report be given to Council that P. C. feels that from a planning viewpoint, Pond View Drive ~~should be a cul-de-sac~~ and Brookbank Drive ~~should be~~ connected to Bigger Road in a circuitous fashion. Seconded by Mr. Myers. Motion approved 6-1. Mr. Maxton opposed.

Unfinished Business -

Review tabled final development plan for Carriage Trace Shopping Center.

Mr. Tate made the motion to remove this item from the table. Seconded by Mr. Maxton. Approved unanimously.

Mr. Winterhalter reviewed the plan, stating that it was a slightly modified landscape plan, the only change being the type of trees (calibre, height & locatin) and the signs. The two existing signs were approved by the building department with a 25' setback with an 80' right-of-way. These signs are 22' from the existing right-of-way which would require a 3' variance. The builder would like the shopping center sign to match the condominium sign, which is 22' from right-of-way.

Mr. Gillingham asked if the planter box is facing straight to Bigger Road. Answer: (Mr. Winterhalter) Yes. Mr. Winterhalter recommended approval of the sign to match the other sign.

Mr. Schab said that Bigger Road will have to have a curve at a later date and it is not shown on this drawing. There is now a narrowing down of the road which has some traffic problems and Bigger will have to be widened at a later date.

Mr. Winterhalter said that a good deal of the Bigger Road plans are on these plans but the curve is not shown. Mr. Archdeacon said it is understood that this will be on the final plat plan. The widening of the road is being done along with the development of the condominium. Mr. Winterhalter said the road is being improved, the curbs will be put in and the road is being widened in accordance with the plan. Mr. Schab said the improvements within Bigger are not shown as they will be later, (i. e.) there may be sidewalks. This plan will not be binding when the improvements are made.

Mr. McCrabb asked how much property there is between this and the corner of Hewitt Road. Mr. Schab answered 180'-185'.

Mr. Archdeacon said they are asking for final approval of the complete package at this time. Everything else, he said, has been approved by past P. C. action and they are now asking for the approval of the sign and the landscaping.

Mr. Myers asked how necessary it is that the shopping center sign also have the 3' variance. He would like to see the shopping center sign in compliance. He doesn't feel that with the distance between the two signs the setback difference would be detected.

Mr. Winterhalter said there is also a 12' building variance. Mr. Archdeacon said that 12' variance was approved previously. Mr. Winterhalter said he thought the use was approved and a site plan was shown at that time, with the 12' variance having been brought up at the last meeting.

Mr. Archdeacon said they will gladly concede the 3' variance but would like to make the two signs uniform.

Mr. Myers said he thinks a variance is important only if the reason for the variance is important. He feels that in this case there isn't much involved in complying with the setback requirement.

Mr. Archdeacon, in response to an inquiry, said they will comply with the State requirements regarding any sprinkler system. Mrs. Lake said this should have proper smoke detectors and sprinklers. Mr. Archdeacon restated that they will follow the requirements of the State. The developer stated that 'the experts don't even agree' on what should be installed and that they don't have this in the plan as yet. This will be in the details that will have to be presented at the final stage.

Mr. Winterhalter said that the way this E.C. is being reviewed - the procedure is not totally clear. When this goes to Council, they will be approving the use and assume all the details have been answered. What is being viewed tonight is 'pretty much' final and permits could be issued. The developer said the plans still have to be approved by the building department.

Mr.

Mr. Baker commented concerning the 12' variance for the building, asking if it is the City Planner's understanding that this was brought to the P. C. before, or was the plan approved and P. C. did not 'catch' this 12' variance. Mr. Winterhalter said that generally, in the past, the variances have been approved at the time of the site plan. He believes this could be considered at this time, all that was approved before was the use. Mr. Baker said he did not recall approving this 12' variance, only discussing it. Mr. Baker feels that if P. C. approves the plan with the 12' variance it is considerably different than might be done for other developers. However, this might be considered such an unusual plan that the 12' variance should be allowed. He does not feel this was discussed prior to the last meeting. Mr. Archdeacon said this has been on the plans from the beginning and that all that is left for approval is the sign and the landscaping. Mr. Archdeacon said the reason for bringing the building forward was to provide the landscaping between the buildings

and not create a 'strip' center and to allow more parking in the rear. Also, by providing the mounds in the front (which is not a requirement) they plan to avoid a 'strip' center. He said that

Mr. Myers said that he does not recall that this was thoroughly discussed previously. He understands what the developer is doing and feels that the parking in the rear is more desirable than in the front. He said he feels that something is being slipped in here. Mr. Archdeacon said this certainly was not intentional. Mr. Myers said he did not mean from the developers standpoint, but from P. C.'s. Perhaps, he said, we have not looked into this enough.

Mrs. Lake asked for clarification as to what was approved. She doesn't recall that this was thoroughly discussed. Mr. Winterhalter said the use was approved previously and and came in for development plan review - now we are in the detailed plan.

Mr. Tate said that whether or not the 12' variance is approved, he feels that what we can gain from this type of plan is with the variance. He said he appreciates the size of the trees that are being planned.

Mrs. Lake, in reference to E. C., asked if this should or could be discussed at this time. Mr. Winterhalter said that when P. C. sends an E. C. project to Council they want to look at it and approve the use without all the contingencies. He had advised the developer to bring everything in and get it approved by P. C. before going to Council. Mrs. Lake said she recalled Council's feelings along these lines regarding, for example, Dr. Ackley's property. Mr. Maxton said he thought that (Dr. Ackley's property) was an extensive review. Mrs. Lake said that what P. C. reviewed and what was discussed did not turn out to be the same. She said she was not as open to flexibility as she once was. Mr. Maxton said that it would behoove P. C. to have complete plans.

Mr. Myers made the motion that the plan for Carriage Trace Shopping Center be approved as shown with the exception of the sign being moved back 3' to comply with the ordinance. Seconded by Mr. Maxton. Motion carried, 4-3. Those in favor: Mr. Gillingham, Mr. Maxton, Mr. Myers and Mr. Tate. Those opposed: Mrs. Lake, Mr. McCrabb and Mr. Baker.

Review preliminary and final Record Plan for Commerical-Industrial area, subdivision of Springmont Company. (Washington Township Firehouse). - Thomas Paine Station House Plat.

Mr. Winterhalter reviewed the plan. The fire station site is on the south side of the property, and is to be deeded to the Washington Twp. Fire Station. He said that according to our up-dated subdivision requirements all such lots to be recorded must come before P. C. No bond is required

Mrs. Lake asked about access. Mr. Winterhalter said marginal access would be to Bigger Road, explaining it would go up and around to Clyo.

Mr. McCrabb asked why this was a subdivision. Mr. Winterhalter said this is a commercial subdivision.

Mr. McCrabb asked about the architecture of the proposed fire house, saying that he thought on previous subdivisions we had a good idea of what the building would look like. He asked what control P.C. has over the style of the fire station. Mr. Winterhalter said there is no control, that the fire department has been using the colonial architecture, and that this governing body cannot control another. However, they are not exempted from our setback requirements, etc., but we have no control over the detailed plans regarding style.

Mrs. Lake ask about extending the access road to Clyo Road. Mr. Winterhalter said they had felt that they would be creating an un-necessary street to have it all the way through to Clyo. Mr. Myers asked if the idea of having the access from Thomas Paine Drive was merely to avoid its coming from I-675. Mr. Winterhalter said they did not want to rely on a ramp to service to the East.

Mr. Gillingham asked about the small strip of land between the access road and Clyo. Mr. Archdeacon said this was to provide better left turning from Bigger. Mr. Gillingham asked what could be done with this little piece of property. Mr. Archdeacon replied that it would only be grass, stating that if it is the desire of the P.C. to move it closer to Bigger, they will do so - however, they felt it was safer this way. Mr. Maxton asked who would maintain this piece of property. Mr. Archdeacon said this would all be public road and right-of-way, it may be owned by the State. Mr. Baker asked why the developer wants to give this piece of property away. Mr. Winterhalter said the State would probably eventually require it. Mr. Archdeacon said this was part of the compromise previously discussed.

The developer explained that this is shown in rather large portions as they do not have purchasers at this time. This will be brought in later in more detail.

Mr. Myers made the motion to accept the Thomas Paine Commercial-Industrial Area Preliminary Plan as presented. Seconded by Mr. Baker. Approved unanimously. Mr. Baker. Approved unanimously.

Mr. Baker made the motion to accept the Final Plat Plan for Thomas Paine Station House. Seconded by Mr. Gillingham. Approved unanimously.

Mr. Archdeacon asked if this will come before Council Monday night. Mr. Winterhalter said that it will if it is required. This is the first case we have had without bonding. Mr. Winterhalter will get the opinion of Mr. Farquhar and advise Mr. Archdeacon.

Review site plan for Centerville-Station Shopping Center

Mr. Winterhalter reviewed the plan. He said a subdivision plan will be required. He pointed out the trees that will be preserved as well as the preservation of the existing building and the proposed new buildings. He said he would also like to see the entrances lined up with the ones across the street.

Mr. Robert Ferguson explained some of their plans and asked if they are going in the right direction. He pointed out that with the zoning action approx. one year ago, they said that they would be developing a small shopping center and preserving the many, large trees. They desire to build the first two buildings at the front of the area, to build a 'U' shaped center, in reverse, with the buildings to the front rather than the parking. They have, they feel, used the land to the best possible and have tried various plans. They feel to re-place the entrances will not use the land to the best advantage. They want to obtain adequate parking and one story buildings.

Mr. Maxton said that when the original action was brought in he thought this development was going to be pretty much limited to the existing house, and this is not what this plan seems to be. The house is nearly obliterated. He said he understood that the commercial would be limited to the house and it would be pretty much preserved as it is.

Mr. Ferguson said that if they said this, it was a monumental goof. He said they want to use this land to the best possible advantage. He said that he would never have presented the suggestion that this five acres would be limited to the one house.

Mr. Baker said that he thought this was the intent. He thought it would be the development of a *White Knight* Restaurant in the existing house. He said this plan seems to be all parking and buildings and the buildings are too large. If they did make a restaurant out of the house, no one would find it.

Mr. Ferguson said that he is sure that when they made their presentation they had no concrete plans and had come up with some plans that would fit the zoning. I did say that this could be a restaurant, but this was only thinking.

- Mr. Baker said that this is true, when someone comes for re-zoning, they can show anything, but once he gets the zoning he can build anything within the zoning.
- Mr. Ferguson said that they have the footage of the buildings and the parking as required. He said that he was sorry, it was not his intent to mis-lead.
- Mr. Baker said that as this property is now, it is one of the most beautiful wooded areas in the City.
- Mr. Ferguson said that they designed the buildings and the parking has to be with it.
- Mr. Gillingham said he had looked at this lot and it seems to him that with a little imagination, we could get something other than the six rectangles that are shown, this designing could be more imaginative.
- Mr. McCrabb raised three points. Do we approach this from a site plan review or is it a subdivision? Although I don't like the tree ordinance as it is written now, we should adhere to it. I don't consider this a site plan and cannot review it as such.
- Mr. Myers said this would be the conversion of a beautiful green area to a lot of asphalt. Mrs. Lake and Mr. Tate concurred.
- Mr. Winterhalter said that the feeling of Council at the time of tentative and final approval was that we would have our best development of this land with the business zoning. It was thought that this could be a restaurant. He explained that the order of action would be zoning, subdivision plan, consisting of streets and tree preservation and then site plan review. He recommended disposing of this site plan and getting into a subdivision plan.
- Mr. McCrabb asked why the City Attorney feels it should be subdivision. Mr. Winterhalter said that one reason is the splitting of the land, a second is the widening, extension or improving of the street since this is on a thoroughfare. Another reason is lease-holders (multiple leases). These are all qualifications for subdivision.
- Mr. McCrabb made the motion to reject the Site Plan for Centerville-Station Shopping Center as presented as we have been advised that it is improper for this to have been presented at this time. Seconded by Mr. Baker. Site Plan rejected unanimously.

Mr. Ferguson said that they tried to be forthright and now find that it was out of order to present this site plan at this time. He asked where the line of communication broke down. Mr. Maxton said this would have been with the City Planner.

Mr. Ferguson said that now they know P.C. does not like the plan, how do they learn what is wanted. Mr. Maxton said that if he would like to work with P.C. at a work session, they would be happy to set one up. Mr. Ferguson agreed to this. Mr. Maxton suggested he get with the City Planner to work this out. Mr. Tate explained the five days to appeal does not apply in this instance as all he has to do is resubmit the subdivision plan. He suggested that Mr. Winterhalter check with the City Attorney.

Mr. Winterhalter said that he had been working with the architect and then with the City Attorney. He explained that it was only this afternoon that he heard from the City Attorney about the subdivision. He said this should not be appealed, but a subdivision plan and then a site plan should be submitted, in that order. Mr. Ferguson asked if this could be done the same night. Mr. Winterhalter answered that it could not.

Mr. Ferguson asked where the widening, etc., usually came into the review. Mr. Winterhalter said this has always been a part of the subdivision plan.

Mr. Maxton asked how you can have subdivision plans without a site plan. Mr. Winterhalter used Thomas Paine development as an example, this involves lots along a street. The streets, utilities, etc., are considered, more than we now have to the site plan. Mr. Maxton feels you can see more with the site plan than with one big lot plan. Mr. Winterhalter said the order is first the zoning, second the development then the buildings.

Mrs. Lake asked if, when Mr. Winterhalter refers to widening the streets, is he also talking about curb cuts. Mr. Winterhalter said no, these are on the site plan.

Mrs. Lake asked Mr. Ferguson what further questions he had. He said he had several questions, but will not go into that at this time. He wants to get the next step in the presentation first.

Mr. Maxton asked Mr. Winterhalter to obtain the Attorney's report on the subdivision requirements. This will be given to the P.C. members as soon as it is received.

The developer said that with a subdivision plan they would only present the property lines. Mr. McCrabb said this would also include the right-of-way for the frontage along the thoroughfare.

The new procedure was discussed as it differs from the old. Some questions that were raised: could the preliminary plan be part of the subdivision; someone could use the site plan approval and the building permits could be issued; preliminary and site plan could be the same thing. All of this will be covered in the legal opinion, by the next meeting.

New Business -

Yankee Street Estates, Section 3 Record Plan (Washington Township).

Mr. Winterhalter reviewed the plan including the setback discrepancies pointed out by the Washington Twp. Zoning Inspector. On Lots 22-26 50' setback is shown and 60' is the requirement. It the recommendation from staff that we have sidewalks for Yankee. Bond Estimate is \$22,000, inspection fee is \$178.

Mr. Darrell Buckingham, 1000 Andres Pl., Dayton, Oh 45406, said that as far as sidewalks is concerned, they could have recorded this at the same time that they recorded the second section, but didn't want people trying to purchase lots before they were ready to sell them. Having to be submitted now is new to him.

Mr. Winterhalter said this is the third of three sections. The first ones were further west.

Mr. Schab said he would like to point out that in the final sections (Wash. Twp. zoning) the main street connects to existing Garrison Dr. and no sidewalk is required. There is no sidewalk at the entrance to the cul-de-sacs and this sidewalk will not extend to anything except the 600' cul-de-sac.

Mr. Buckingham pointed out that there is no sidewalk along Yankee on either of the other two sections.

Mr. McCrabb asked about the line drawn between Lots 24 and 25. Answer: that is storm sewer easement. Mr. Maxton asked if lot 16 has a sidewalk along Yankee. Answer: no. Mr. Winterhalter said these plans were reviewed by the township.

Mr. Schab asked if they had to widen the street. Mr. Buckingham said they did not, a berm or sidewalk was required. Mr. Schab said the construction plans show the berm to be widened. Mr. Winterhalter said we require the thoroughfare to be widened, but not in the township, only within the city.

Mr. Winterhalter said he does not have a strong recommendation for sidewalks in the cul-de-sac, but perhaps sidewalks could go on Yankee. This was one of the recommendations P.C. had across the street, although it did not come about. Sidewalks would be more useful along Yankee than along the cul-de-sac but we have no legal authority to require this. He asked Mr. Buckingham what his feelings were on this. Mr. Buckingham said if the sidewalk were on Yankee it would not go anywhere.

Mr. Winterhalter reviewed the future plan for widening Yankee. Mr. McCrabb asked if there is any engineering that would make any sidewalks useable in the future. Mr. Schab said the County will get the humps out of Yankee and it is supposed that Yankee Estates & Southpoint would put in the sidewalks. The engineer at Southpoint showed what would be best regarding widening of the road and the road was to be reviewed by the County.

Mr. Gillingham asked about the sidewalks shown in the rear of the properties. Mr. Winterhalter said that when you have double-frontage streets it sometimes happens - the sidewalks are placed by street, not for the property itself.

Mr. McCrabb asked about the tree requirements. Mr. Winterhalter said trees can be required at 25' intervals as a requirement of the subdivision.

Mr. Maxton said that in the whole Yankee Estates there are only five lots with frontage on Yankee. He questioned widening the road in this small section. Mr. Winterhalter said that if we do not widen it here we will have half of Yankee widened.

Mr. Winterhalter said sidewalks are required on Yankee and in the whole section. Mrs. Lake questioned the previous approval to get the widening of Yankee but not the sidewalk. Mr. Winterhalter said this was recommended but not part of the motion and did not go to Council.

Mr. Schab said Southpoint Section 7 does show the widening of Yankee and the sidewalks.

Mr. Maxton asked Mr. Buckingham how he would feel about widening Yankee on all the lots and putting sidewalks along Tarryton or widening Yankee and putting sidewalks on lots 22-26 and sidewalks on all the property on Garrison. Mr. Buckingham said they now have to widen the berm on Yankee at lots 15 and 16

It was proposed to waive the sidewalk on Garrison Ct. if the developer would be willing to extend the sidewalk on 15 and 16. This would include curb, gutter and widening. Mr. Schab described the type of curbs, etc., required. Mr. Buckingham said he could not say without talking with the other owner.

Mr. Winterhalter said that since this was only filed today there is still 30 days in which to make a decision.

Mr. Buckingham said the sidewalk on Garrison Ct. would not go anywhere. Mr. Maxton said that widening is now required on lots 22 and 26 and this can be tabled or approved with the option that the developer either put sidewalks on Garrison Ct. or sidewalks and widening of Yankee on lots 15 and 16.

Mr. Myers asked about the front yard setback requirements of the township. Mr. Schab said that the different size lots have different zoning by the township.

Mr. McCrabb made the motion to table this item until the July 30 meeting. Seconded by Mr. Maxton. Approved unanimously.

Mr. Maxton suggested the developer get with the City Planner in the meantime and review some of these comments so that action can be taken on the 30th of July.

Review Record Plan Dren Plat, Section 3 (Washington Township).

Mr. Winterhalter reviewed the plan. He said a concern of the fire department was the sprinkler system and the parking so close to the buildings as well as the proposed 6" water line which serves Washington Village Drive. The fire department has asked that this be changed to 8" or 10" and proposed to dead end the 6" line north of building #7. Basically this is that the east two 6" lines should be shown as 8" lines.

Mr. Archdeacon and Mr. Winterhalter discussed the proposed Washington Village section 1 - section 2 is recorded and bonded. 12" lines will be on Lyons Road and 6" lines on Washington Village Drive, according to Mr. Archdeacon. Mr. McCrabb asked if the 6" line is proposed at the new section. Mr. Archdeacon said the 6" continues to the fire hydrant and is part of this plan. Mr. McCrabb asked if this has been taken to the new section and Mr. Archdeacon answered affirmative.

Mr. Schab said that the office buildings are just about identical to the ones that exist around the Shell station and the distance between the buildings is about the same as the existing ones. He said a \$30,000 bond should cover storm sewers on non-public property. This should be accepted if the plat is approved.

(Mr. Archdeacon)

Mr. Winterhalter asked if sprinklers were required. Answer: /No, only if it is retail.

Mr. McCrabb asked if there will be taps between Buildings #6 and #7. Mr. Archdeacon said yes, for the restroom facility. He added that these drawings have been reviewed and approved by the County sanitary department.

Mr. Archdeacon said there was a review made in 1971 which did not show parking, etc., this is a repeat. Mr. Archdeacon said an easement is provided. Waterline and storm sewer is on a north-south line. This storm sewer drains on property other than that being developed. This is an easement to guarantee access to the sewer if it clogs up.

Mr. Gillingham moved to approve the Dren Plat, Section 3 Record Plan as presented subject to a \$30,000 bond for street and \$175 for inspection fee and the requirement for trees on the boulevard, spaced 1/25' average. Seconded by Mr. McCrabb. Approved unanimously.

Mr. Archdeacon said that as an engineer he is opposed to the trees between the curbs and the parkway as a definite safety hazard. The developer said they are planting more trees than that between the sidewalk and the parkway. Mr. Archdeacon said that the trees narrow the drivers vision. Mr. Myers asked if this wasn't dependent upon whether or not they are maintained properly. Mr. Archdeacon wondered if this was taken into consideration. Mrs. Lake said the City Beautiful was asked about this and had asked for guidance as to what type of tree would be appropriate and decorative rather than hazardous.

Review Record Plan, Franklin East

Mr. Winterhalter reviewed the plan. He suggested the names of Billingham and Millrun streets be changed as they are similar to other street names in the city. E. Franklin is a main thoroughfare and within the plan and the Black Oak plat adjacent, has developed 20-20-1/2' back of curb rather than two 12' lanes. He recommends going from the narrow two lanes at Black Oak to a 'good' two lanes and then to 26' (two lanes with median) to center of Lockport Dr. Sidewalks should be considered as to one side, both sides of Franklin or either side of Durham Drive.

Mr. Archdeacon was asked about the plans for mounds. He said they did not feel it was advisable to do this on Franklin too close to the intersection. He said the back of residential lots 1 and 2 would have mound screening.

Mr. Schab said the old section of Black Oak has only 21' setback and he believes 26' would be desirable, suggesting that perhaps with lines we can go from the narrow to the wider street widths.

- Mr. Winterhalter said that west on E. Franklin we have 10' lanes, typical 4 lanes would be 40', when we can we should move from 40' to 48' and wherever possible to get the 5 lane turn. Mr. Archdeacon thinks this would look like a mistake. Mr. Winterhalter said that we want to look at the long-range plan. Mrs. Lake said that on Ambridge Rd. Mr. Archdeacon did this. Mr. Archdeacon said that was done on a curve and was a city requirement to widen to commercial.
- Mr. Winterhalter said that we must look at the cost today to put it to the proper width versus the cost in the late 70's to go from the flair (as he was suggested) to widen the whole street. He said he can agree with Mr. Archdeacon from an engineering point of view. Mr. Archdeacon said he thinks it looks bad, like someone made a mistake. Mr. Winterhalter said he thinks a mistake has been made and this is an attempt to correct it now. Mr. Archdeacon said if Rt. '48 has 10' pavement widths and this is adequate, 12' on E. Franklin would be a waste of money. He feels that in the next 20 years there are other, greater needs for Centerville capital improvements program than to widen Franklin Street. He said this can be widened at Clyo to make the turning lane. Mr. Myers asked if that would be wider at Lockport. Mr. Archdeacon said they would start the transition at Lockport. Mr. McCrabb asked the distance from Lockport to Clyo. Answer (Mr. Schab) approximately 750'.
- Mr. Maxton said that if we can get the road developed now by the developer it would be better than waiting and letting the City pay for it. He said he would rather live with something that may not look great, but can save the City some money.
- Mr. Archdeacon said that there was no guarantee that what would be done now would be the proper grade at the time of improvements. He cited Dorothy Lane in Kettering as an example. Mr. McCrabb asked about the grading problems in the vicinity. Mr. Schab said Clyo needs to be reviewed regarding grading and Franklin does not need review as badly. He said the whole drainage off St. Leonards Seminary and revamping of the grades will be reviewed and there may be some changes necessary.
- Mr. Tate said that he feels sidewalks on one side of Franklin would be adequate. He feels it would not be necessary to widen East Franklin to this extent at this time. He feels this can be done later.
- Mr. Winterhalter explained that in the '40's and '50's, 10' travel lanes were considered sufficient, our city requires two 12' travel lanes.
- Mrs. Lake said she thinks the streets should be widened and the sidewalk should be on both sides.

Mr. Myers would like to see the streets widened and sidewalks on Millerton and excluded on Durham

Mr. Winterhalter said this is a recommendation to Council, bonding to be approved by P.C. , with whatever additional improvements desired. He said the sidewalks, widening of the street, tree ordinance, street names mentioned should be a part of the motion.

Mr. Archdeacon would like to offer the 20' - 26' change at Lockport rather than the abrupt changes further east.

Mr. McCrabb asked if the change is required. Mr. Schab said there will have to be a transition somehow - a transition of 400'. Mr. McCrabb thinks we have to determine now if we want E. Franklin centerline narrow or to make an arc. Mr. Schab said it is going to be considered at the time - what will we do with the curve. Mr. Tate said he doesn't think the danger is in the sudden widening. Mr. McCrabb had thought that Mr. Winterhalter did not want the centerline straight. This was not what Mr. Winterhalter had said and he stated that he favors 43' from centerline, 86' right-of-way.

Mr. Maxton said the pavement on Franklin could be left as is, stepped 20, 24 and to 26' or tapered to 26'.

Mr. Baker said it appears to him that we might be asking this developer for more than the normal land on the east side of Clyo .

Mr. Maxton made the motion to approve the Franklin East Record Plan subject to the widening of East Franklin to 26' (two 12' lanes), with sidewalks on both sides of Millerton Drive and Billingham Drive and Lockport Blvd. and subdivision tree regulations will apply. Seconded by Mr. Myers.

Mr. McCrabb asked what width the thoroughfare would eventually be. Answer: (Mr. Winterhalter) 31' from centerline to curb is in the thoroughfare plan.

Mr. Tate said that by the year 2000 E. Franklin will be carrying half the traffic that '48 is carrying now. Mr. Archdeacon said '48 is five 10' lanes.

Motion approved 4-3. Those in favor: Gillingham, Maxton, Myers and Lake. Those opposed: McCrabb, Baker and Tate.

The possibility of a change in the tree ordinance was discussed. Mrs. Lake said that if, at the coming workshop, this ordinance were to receive a recommendation for some sort of change, would we go back and make that change retroactive? Mr. Maxton said that it would be up to the developer to come to P.C. and make a request regarding their complying.

Review Grading Plan, Sycamore Canyon

- Mr. Winterhalter said this is the grading plan that P. C. recommended on to Council. The amount of tree loss was pointed out. He said it had been recommended that developer try to save some trees. The developer moved the road to the east, however the same tree loss prevails. This has come back from Council.
- Mr. Archdeacon said they have tried to be honest and fair with what they are trying to do here, with this steep hill area, to make any of this possible with 20-30-40 foot depths. If they do not do as planned they cannot build on these lots without taking out the trees. The steep area is the tree line, what they are doing is going down into the hillside and moving down stepping up as they come. If they start at the tree level, he said, they cannot do it except by creating steep grade that would look horrible. He said they are proposing to remove approximately 1-1/2 acres of woods with this plan. He showed an aerial view of the area and pointed out the area of woods in question which extends into Greene County. He said the 1-1/2 acres is a small portion of the total trees. He said this would eventually connect up to the Black Oak parks, there is more land left for future park acquisition.
- Mr. Maxton asked if he was saying he cannot effectively build houses unless he keeps the platting he has. (loss of approximately 6-7 lots.) Mr. Archdeacon said that this is the case and said that some drops are 20' and even open, exposed basement homes would not be possible.
- Mr. Winterhalter said we should also consider the ecology of land development to all land (especially large sections). We must ask ourselves if all land should be developed or do we as a P. C. have the right to determine that certain areas should be preserved as they are.
- Mr. Myers asked if Mr. Winterhalter thought we would have court action if we said someone could not develop his land. Answer: I don't think so.
- Mr. Archdeacon said that they have met with Mr. Yeck and Mr. Fisher of the park department and discussed the acquisition of a portion of this land, it is not a question of developing the entire farm. He said there is a good chance that a large portion of this land will not be developed. He feels there has to be some give-and-take, they have presented a preliminary plan and he thought the intent was clear.
- Mr. Maxton said that P. C. must ask if the developer has done all that is possible to keep as much green space as possible. He can see that although this may not be the best, it is a good alternative.
- Mr. Tate does not consider the loss of trees in this area that damaging. In order to build, something will have to be done. He doesn't feel it is within the province of the P. C. to decide that this should be kept green.

Mr. Maxton said he disagrees, it is within the P. C. 's province and the courts are upholding decisions of Planning Commissions. Mrs. Lake said she thinks P. C. should have been shown the other map that was shown to Council. This is one of the problems, P. C. approves a map and when Council sees the map it is different. Trees were added by the park board. Mr. Archdeacon denied this and Mr. Winterhalter agreed with Mrs. Lake.

Mr. McCrabb cleared up the fact that the developer did not make any changes, but the total input was not the same. Mrs. Lake said the same drawing should be brought back to P. C. that was shown to Council. Mr. McCrabb said that the different map should not have gone to Council if there were any changes. Mr. McCrabb said the map should have been brought back to P. C. Mr. Winterhalter said how could P. C. take additional action without a directive from Council. Mr. Winterhalter said that after this plan came to P. C. the grading plan was moved closer to the tree line, P. C. can move this because the plan north of it expired.

Mrs. Lake is of the opinion that P. C. should have every detail, if it has to be tabled it should be tabled until the details are available. When it goes to Council they should see only what P. C. saw. She feels P. C. as well as the City Planner were put at a disadvantage when this was brought up at Council.

Mr. Myers asked Mr. Archdeacon what area might be purchased by the park board. Answer: nothing has been signed, they want the creek if they have the financing and they would like to purchase more. He pointed out the area that will be given to the park board and said that they would like to have a strip of the stream and possibly the remainder of the farm but this depends on available money.

Mr. Baker said he is concerned with Mr. Archdeacon's comment that it is impossible to develop this land without taking out the trees. He does not agree that these lots would be impossible to use. It may be more expensive, but if this tree line were held as the planner recommends there may be other design approaches that could be taken to overcome the current problem. There are a lot of houses on the side of a hill. Mr. Archdeacon said not with that at the bottom. He said everything from the beginning they presented the preliminary plan. Mr. Winterhalter said that was accepted subject to grading plan.

Mr. Archdeacon said that it had been approved, though, and they have worked with the park board and had their approval. Mr. Baker suggested that perhaps P. C. does not have all the information. Mr. Archdeacon varified that lots 71 and 72 were the steepest lots, requiring the most platting and Mr. Baker suggested that perhaps the tree line can be re-negotiated and some of the other lots cleaned up

Due to the Black Oak problems in Centerville at this time, all houses must be located above the curb line. Mr. Schab said there are exceptions now, it depends on size of lot, etc., however houses below the curb line in these instances would cause the same problems that Ambridge Road has right now.

The problems and expense in building on a hillside was discussed. The expense involved would no doubt put the houses out of place in this location in Centerville. A suggestion was to restrict the type of house.

Mr. Schab suggested that if the trees are removed, they could be advised to replace them, i. e. 10 trees per lot.

Mr. Myers suggested that we might be imposing a hardship if we restrict the type of house. If these house cost \$10,000 more to build than others in the area, no one would want it. Mr. Gillingham and Mr. McCrabb believe ~~the type of house~~ that would be required on such a hillside could add \$20 - \$30,000 to the cost.

Mrs. Lake asked who would be building there. Mr. Archdeacon said they do not know at this time. The style and price of custom homes was discussed and Mrs. Lake suggested the possibility that someone could build their garage above the curb level and the rest of the house could be cascading downhill.

Mr. Winterhalter said that ~~the plan originally came in last year and~~ that we are approving the plating plan prior to development. We are looking at this as a grading plan - how much grading are we going to allow? The gravel to be removed, the trees that come down, and the over-all area are the points in question.

Mr. Gillingham said the plan apparently was approved by P. C. (prior to the time he became a member) and sent to Council and somewhere between P. C. and Council the plan got additional comments and did not arrive at Council the same as it left P. C. If this plan has come back to P. C. tonight the same as it was presented to P. C. before, he sees no reason why it cannot be approved. One and one half acres is not a large percentage of trees for this area, he said.

Mr. Myers agreed to accept revised grading plan dated July 9, 1974 as shown.
Seconded by Mr. Maxton. Approved 5-3. Those in favor: Gillingham, Maxton, Myers, Lake and Tate. Opposed: McCrabb and Baker.

Meeting adjourned at 12:15 a. m.

Special Workshop Meeting will be held at 7:30 p. m. Tues., July 16, 1974.

Next Regular Meeting ~~July 30, 1974~~ will commence at 7:00 p. m. to accom-
modate an extensive agenda.

