

CENTERVILLE PLANNING COMMISSION

Regular Meeting
July 10, 1973
7:30 P.M.

1. Roll Call - Present were Mr. Baker, Mr. Tate, Mr. Davis, Mr. Murphy and Mr. Myers. Mr. Wells and Mr. Maxton absent. Mr. Maxton arrived at 7:50 P.M.
2. Approval of the minutes of April 26, 1973, motion made by Mr. Myers; seconded by Mr. Davis. Approved unanimously.
3. Nomination of Officers -- Mr. Tate moved the nomination of Mr. Wells as Chairman, seconded by Mr. Baker. Mr. Davis moved that nominations be closed, seconded by Mr. Tate. Unanimously passed.
Nomination by Mr. Baker for Gary Maxton as Vice Chairman, seconded by Mr. Davis. Mr. Myers nominated Mr. Baker, as Vice Chairman, seconded by Mr. Tate. Mr. Myers moved nomination be closed, seconded by Mr. Davis. On a vote Mr. Baker was elected.
Mr. Myers nominated Mr. Tate as Secretary, seconded by Mr. Davis. Approved unanimously.
Mr. Baker read suggestions by the City Planner as to changes in procedure for holding public hearings. Mr. Baker suggested trying this format at this meeting for evaluation and possible adoption.
4. Public Hearings:

V-73-5 - Singer Learning Center -- Mr. Winterhalter explained the request. The site plan showed the sign being only 22 feet from the curb line. Mr. Vivio, Director of the Singer Learning Center, agreed that a 25' setback could be met. He indicated the lighting would be on a timer. Mr. Davis objected to the lighting. Mr. Vivio agreed to not light the sign if this was the Commission's wish. Mr. Vivio stated there were no night classes, usually out by 5:30 P.M. except on special occasions.

Those speaking in favor - Mr. Anthony Vivio, Director of Singer Learning Center. Those opposed - Harvey Relich, 962 Rahn Road, questioned the necessity of the illuminated sign. He agreed that moving the sign back to a point 25' to the rear of the property line would be adequate. No other comments from the audience. Mr. Baker questioned Mr. Winterhalter as to the size of the sign and the possible commercial nature of the school. Mr. Winterhalter stated this particular type of school meets the criteria of a school as contained in our present ordinance.
Mr. Davis moved that the sign be approved with the stipulation it be located 25 feet to the rear of the right-of-way line and not be illuminated, seconded by Mr. Maxton. Vote was unanimous.

Zoning Ordinance Amendment - Sign Regulations. Mr. Winterhalter explained the changes contained in this ordinance as opposed to the original ordinance. Plaques placed by the City were exempted, and illuminated signs in

residential districts were made conditional upon Planning Commission approval.

Mr. Tate moved, seconded by Mr. Myers, that the ordinance, with the recommended changes, be approved to Council. Vote was unanimous.

Z-73-4 - Norfleet & DeGrootte rezoning. Mr. Winterhalter located the proposal on the City map and explained the present zoning of adjacent properties. Those in favor - Mr. Ray DeGrootte, 294 Blackstone Drive, the applicant. He explained the elevation of the proposed I-675 and the location of Penn Central Railroad and its impact on this proposal. He originally intended single family units but found the surrounding area warranted doubles or lower cost single family units not particularly in keeping with the neighborhood. Mr. DeGrootte showed an architect's rendering of the proposed doubles. They will be rental units to rent for \$300 each per month. Cost of construction to be \$70,000 each. They will be built as rental units but may be converted to condominiums at a later date. Mr. DeGrootte not in the real estate business, lives in Zengel Plat on Blackstone Drive. Mr. DeGrootte stated R-3 zoning would be satisfactory to him.

Those speaking in opposition. Mr. Tucker, 6391 Marshall Road, represented 145 signers of a petition opposing this rezoning. He read a letter from Village South Civic Association which is in the file. Mr. Maxton read the City Attorney's opinion that the Planning Commission cannot enforce nor be bound by the deed restrictions.

Harper Roehm, 6341 Marshall Road, asked how long has Mr. DeGrootte owned the land and why the delay in construction? Mr. DeGrootte answered that the property was owned for one year, and the Inland Systems' bankruptcy action is the cause for the delay.

Mr. Davis - "Can Planning Commission assume the prior owner could not develop because of financial difficulties?" Mr. DeGrootte, "In-Sharp is a land development company and does not normally build homes. These lots are some of the last in the Village South plat." Mr. DeGrootte stated he was aware of I-675, etc. when he purchased the land.

John Yingling, 6399 Millbank, questioned Mr. DeGrootte as to the basement existing on a lot and is the real reason for the proposed doubles to spread the liens over a larger number of units? Mr. DeGrootte stated there would be no effect.

Bruce Reiley, 6398 Millshire, questioned density if the rezoning granted. He fears an R-4 zoning would permit more units than now proposed.

Mr. Myers asked Mr. DeGrootte what he would estimate the cost of his possible single family units. Mr. DeGrootte again set out the elevation of the proposed I-675 which would be 45 feet higher than his lots. Mr. Schab indicated there would be a change of elevation but he was not certain of the exact details.

Mr. Maxton questioned Mr. DeGrootte as to his awareness of the existing covenant and his vulnerability. Mr. DeGrootte has given it some consideration.

Ted Woloson, 6221 Marshall Road, discussed the present value of the existing homes.

Robert Bailey, 6370 Millbank, questioned the undesirability of the elevation in comparison to some existing banks, slopes and elevations.

Mary Lou Yingling, 6399 Millbank, elaborated on the liens of Inland Systems.

Nancy Schroeder, 6390 Millbank, objected to traffic problems to be created by multi-family.

Mr. Bailey, 6370 Millbank, again objected to noise, traffic, etc. caused by multi-family.

Mr. Tucker, 6391 Marshall Road, questioned adoption of masterplan. Bruce Baker explained the master plan was not rigid and changes from the master plan could be made.

Mr. Tippett, 6321 Marshall Road - Has anyone approached Mr. DeGroot about building on these lots and how did he arrive at the \$30,000.00 figure for home sales? Mr. DeGroot, "cannot sell bigger houses, in excess of 1500 square feet because of expressway."

Mr. Lenrow, 6371 Millbank - Red Coach South found it practical to build single family along the freeway and it could be practical to build single family here. Railroad not detrimental to building, so why is 675 detrimental.

Mr. Winterhalter believes R-4 wrong, should be R-3 with covenant for two family, not multi-family. He does not believe this proposal would have had impact on schools. He feels these lots are developable as single family but may be somewhat lower priced than others in Village South. He believes covenants should be considered even though not legally required to do so. He recommends denial to Planning Commission.

Mr. Maxton moved that Z-73-4, application to rezone to R-4 from R-1 on Kentshire Drive be denied, seconded by Mr. Davis. There was no further discussion. Unanimously denied.

C-73-3 - Sycamore Canyon -- This is a request for a conditional use, a residential development plan. It was presented by Mr. Robert Archdeacon of the Ralph Woolpert Company.

Mr. Winterhalter explained the proposal, a plan to reduce lot sizes and give land for park purposes. Lots average 16,500 square feet. There will be a total of 31 lots with a 5 acre park. 20.5 acres in 31 lots, from 14,000 square feet to over 25,000 square feet. Russell Miller, Park Board, explained their plans for this park area in connection with other existing parks in both Montgomery and Greene County.

Mr. Winterhalter explained what he interpreted as City policy in taking title to park areas rather than the Park Board being given title. Earth will be taken from the site, gravel removed, top soil stockpiled. A grading plan

could be submitted by Woolpert prior to the start if Planning Commission desires. A more definitive plan can be submitted to Council if it so desires.

Mr. Maxton was concerned with the access road into the area which will be from Greene County. Before the lots are platted for sale there will be a dedicated street. Mr. Davis, "what assurance does Planning Commission and Council have that a gravel hauling operation will not be the final result of this operation and the property may never be developed?" He fears a gravel pit may be the result and housing never built, possibly due to economic or other conditions. Mr. Archdeacon will submit a grading plan which must be adhered to and not go beyond this elevation. City Attorney, R. N. Farquhar has ruled that this plat can be approved if they adhere to the grading plan, according to Mr. Archdeacon. There can be no assurance houses will ever be built on this or any other land. The grading plan is the safeguard. B. G. Danis will be doing the grading.

No one in the audience spoke in favor of or in opposition to the request. Mr. Murphy, "can drainage, etc. be accomplished without upsetting the ecology?" Mr. Archdeacon, "will be not less than 100 feet from the creek and will be no detrimental effect to it." Mr. Davis, "what will be the effect on Pavlak's property?" Mr. Archdeacon, "will be a mutually agreed street grade between Fisher, Pavlak and will enhance the view from Pavlak's by lowering Fisher's houses.

Planner's recommendation to Planning Commission. He recommends tabling until Planning Commission has an approved grading plan. Mr. Archdeacon wants approval subject to submission and approval of grading plan.

Mr. Myers moved to conditionally recommend this plan based on approval of a grading plan by Planning Commission and the dedication of the 5-acre park land to the City of Centerville; seconded by Mr. Maxton. The vote was unanimous.

P.O.73-6 -- Amending Section 18 of Ordinance 15/61, allowing additional uses in E. C. Districts.

No one in the audience in favor of or opposed to the proposal. Mr. Davis moved, seconded by Mr. Tate to recommend to Council that they accept this proposed ordinance. Mr. Baker proposed the idea that perhaps 10% of the land be for a retail use or something similar to this. This was refuted by the other members. Vote was unanimous, recommending passage to Council.

Z-73- -- Expansion of Industrially zoned area. Mr. Baker stated that by zoning this area industrial now it will give the adjacent developers a strong lever to request apartment and similar zoning. Mr. Myers believes this is a beautiful rolling area and could be put to a better use. Mr. Baker, "8% of the land to be zoned industrially is too much."

Mr. Murphy suggested industry could better be placed nearer to Bigger and Wilmington Pike. Mr. Tate thinks 8% may be too much, but since the comprehensive plan shows this, Mr. Tate believes we should go ahead and rezone this area to Industry. Mr. Maxton believes this area may be too much land to be zoned industrially. He believes Penn Central not important to industry.

No one in the audience spoke in favor of or in opposition to the request. Mr. Baker suggested a detailed study and report by the Planner of the overall effect of this proposed rezoning. This is the largest rezoning request that the Planning Commission handled and the repercussions could be tremendous.

Mr. Davis moved to table this proposal in order that the City Planner might have the time to prepare a detailed report for Planning Commission to study it and to be acted upon within one month from this date. No vote was taken, the Chairman approved this suggestion. It was suggested that Planning Commission put 3 mile jurisdiction of Subdivision Regulations thoroughfare on next meeting agenda and also sent an additional meeting with Bellbrook Planning Commission.

P.O.73-2 - Text Amendment to Figures 1, 2, 5, and 9, to be set for public hearing July 31, 1973, at 7:30 P.M.

Walnut Walk -- Public hearing was set for July 31, 1973, at 8:30 P.M.

Encrete, Inc. -- Cambridge Inn Cafeteria. Wayne Timberman of Danners, Inc., Indianapolis, Indiana, presented the application. This was a revised site plan. The plan dated June 28, 1973, being the latest plan. This was developed with the aid of Mr. Winterhalter. The parking area changed from the original by moving the building toward the front. This applicant has no connection with Pier I to the south. He hopes to establish a compatible use with the South Building for parking. The City Planner stated that if we accept this proposal for this piece of ground we will have to waive the ordinance in regard to the parking location. There is no other way to meet the parking needs and requirements of this use.

Mr. Winterhalter's recommendation -- give approval contingent upon the submission by applicant of a detailed landscape plan. Mr. Baker, "landscape approval is a very critical point in this particular zoned area.

Mr. Tate moved that the Planning Commission recommend to Council that the site plan as shown, subject to an approved landscape plan, be accepted; seconded by Mr. Murphy. Myers - No, Tate, Maxton, Baker, Davis, Murphy - Yes. Vote was 5-1.

Ronald Grieve, Centerville-Station Road -- 3 lots are to be sold without subdividing. Park Board member Russell Miller, stated an easement of at least 25 feet should be given to the Park Board. The 3 lots abut 3 lots which front on Park Creek Drive and would be an addition to 3 existing lots.

Mr. Baker suggested the City Attorney review this proposal, that the easement to the Park Board be shown and approved by the City Engineer. Mr. Tate moved, seconded by Mr. Maxton, that this request be approved. Vote was unanimous.

(Mr. Davis left the meeting at approximately 1:00 A.M.)

V-73-8 - Standard Oil Company -- Mr. Unhold, Construction Supervisor, for Standard Oil Company explained applicant's request for two free standing signs on their property at Franklin Street and Compark Road at the right-of-way line instead of at the 35 feet setback line as required. Mr. Maxton moved this application be denied, seconded by Mr. Myers. Vote was unanimous. (The signs are 39 square feet per side).

Wythe Parish -- City Engineer and Planner's study of traffic circulation. Recommend that Wythe Parish be completed through to North Main Street in the future and that proposed right-of-way be built upon.

Inland Systems, Inc. -- A 4' x 8' sign in the E.C. zoned area. Mr. Myers moved; seconded by Mr. Maxton to deny the request by Inland Systems for a sign. Tie vote, Mr. Maxton and Tate - No, Mr. Myers and Baker in favor. No recommendation to Council.

Southbrook Manor -- Mr. Tate moved, seconded by Mr. Maxton to accept the preliminary plan of Southbrook Manor.



James Smith
City Manager

JS:fh