

Centerville Planning Commission

Special Meeting
August 14, 1973
7:30 P.M.

1. Roll Call - Mr. Wells, Chairman, Mr. Davis, Mr. Myers, Mr. Tate, Mr. Baker, and Mr. Maxton were present. Mr. Murphy was late.
2. Approval of the minutes of July 10, 1973 moved by Mr. Myers; seconded by Mr. Maxton. Mr. Wells abstained. Approval of the minutes of July 31, 1973 moved by Mr. Davis, seconded by Mr. Maxton. Unanimous except Mr. Wells and Mr. Maxton abstained.

Mr. Maxton commented about members leaving the meetings at an hour prior to adjournment. He suggested limiting the time of meetings and requiring all members to stay until adjournment unless previously excused. Mr. Wells stated he believes 11:30 P.M. is late enough for the meeting to last. A time limit on public hearings is needed. Mr. Maxton moved that a 11:30 P.M. adjournment time be adopted for all Planning Commission meetings and this is to be a permanent rule of procedure which is an amendment to the Planning Commission rules of procedure; seconded by Mr. Tate. Unanimously approved.

3. Public Hearings:
(Mr. Murphy arrived at 8:00 P.M. during the following hearing:)
P.O.73-7 -- Text amendment modifying Figure 5, Section 17, Industrial Uses and Requirements and adding Section 33, Office Service District and Section 34, R-0-I, and Section 35, I-1 Light Industrial District. City Planner called upon first to explain the changes. All of Section 17 will be deleted except the last paragraph dealing with certain development requirements on Page 27 of Ordinance #15/61, Paragraph D. Parking, unloading requirements kept. Development standards are being changed so we will have Office Service, Research Office, and Light Industrial District with minimum lot size, setback, etc. This gives development control over the 400 acres proposed for rezoning to industrial along Clyo Road. Paragraph F allows office uses in the Light Industrial zoned areas. Under Section 35, Light Industrial District should include other uses similar to the above permitted uses. The changes also include site plan review under Ordinance #71/72, Paragraph B. Those speaking in favor -- none. Those opposed -- none. The public hearing was closed and the planner asked for recommendations who recommended passage. Motion by Mr. Tate; seconded by Mr. Myers to have the planner prepare a proposed ordinance for Council based upon this meeting's presentation. Vote was unanimous.

V-73-9 - High School Key Club Sign -- Roy Grimes presented the application for the school. The sign will be of wood and formica with movable letters. Propose to be lighted at a later date. Sign is 5' x 10' with the sign area itself 4' x 8'. The bottom of the sign will be 5 feet above ground and will be 10 feet behind the hedge line. The hedge is on the r/w line. Existing trees and shrubs make it impractical to move the sign further to the rear.

Harold M. Wells

The sign will be temporary until Magsig Building will no longer be used for school purpose. Mr. Myers asked why is the sign placed near the east side rather than the center. Mr. Grimes said this was the most visible area. The hearing was opened to the public and there were no comments either in favor of or in opposition to. Mr. Davis stated he thought the sign should be smaller by removing the Elk and symbol. Lighting is not recommended by Davis. Mr. Wells stated to strike the lighting request from the application and the sign be held to a 4 x 8 feet in size. There should be a notation that the variance will be in effect only so long as the Magsig Building is needed for school classroom purposes. Motion by Mr. Maxton; seconded by Mr. Tate. The vote was unanimous.

V-73-10 - Black Oak variance. A request for a variance on screening requirements on lots 2028 through 2045 on Black Oak Drive. Mr. John Black, 1575 Mapleton Drive presented the request for Black Oak. The lots are located on the north side of Black Oak Drive in the R-3 zoning district. They are presently developed as doubles. The request is to grant a variance from the provision which requires screening between these doubles and the adjacent property to the north. The land to the north is the present Weller Farm.

John Black, 1575 Mapleton Drive, presented the request for the applicant. City Planner asked what guarantees would be given if the land to the north developed into single family units. Deed restrictions were proposed as a guarantee, and Mr. Black agreed to this. Deed restrictions will be an addendum to the plat.

Mr. Myers asked if there is a financial consideration as the reason for this request. Mr. Black agreed that there was as he did not want to spend money at this time for screening against open, undeveloped land which is the Weller Farm.

No one in the audience spoke either in favor of or in opposition to the request so the public hearing was closed.

Mr. Wells stated that only a temporary variance could be granted as a permanent variance would be against the intent of the Zoning Ordinance. Mr. Tate stated that he favored granting a temporary variance. Mr. Maxton asked for a description of the screening which will be put in when required. Mr. Black stated that they would be 4 foot taxus.

Mr. Paul Kiefer, Ambridge Road, complimented Black for other screenings in the area and favors granting this variance.

Mr. Baker asked the present zoning of the Weller Farm and was told that it was Wsh. Township R-3 which is 30,000 square foot of single family.

The Planning Commission agreed that a two or three year time limit upon a variance is ample. Mr. Wells stated the request should be amended to a two-year limit or, when building permits are requested on the adjoining property, whichever comes first, and the deed restrictions should be approved by the City Manager and City Attorney prior to filing. The variance is to expire August 14, 1975. This was a motion by Mr. Tate, seconded by Mr. Myers and unanimously approved.

Carriage Square, Section 1 Record Plan.

This is located on Bigger Road south of Hewitt Road. The application was presented by Mr. Abromowitz of the Ralph L. Woolpert Company. 9.05 acres in

Section 1 of a overall 26.3 acres. This plan shows 7.7 units per acre. Garages and guest parking have been considered. A deceleration lane on Bigger Road and a gravelled parking lot for construction workers is provided. All units will be condominiums. Mr. Schab questioned the time of construction of the deceleration lane. Mr. Ambromowitz stated that this will be an early construction project. Screening will be provided which will have a mounding effect with lower shrubs used. The mounds will be a serpentine of 4 to 5 feet in height.

Mr. Davis commented that the request is to approve the record plan and not the screening and landscaping requirements. Mr. Ambromowitz stated that he would like approval of the record plan and construction drawings. The screening plan and architectural design drawings will be on the August 28 meeting agenda with landscape and architectural drawings.

Mr. Davis moved, seconded by Mr. Myers to accept the record plan and construction drawings of Carriage Square, Section 1.

Mr. Maxton inquired about other developments using the mounding technique for screening. Mr. Ambromowitz stated there are several in existence and mentioned their locations.

The vote for approval was unanimous.

Thomas Paine Settlement No. 2 -- This is a request for the approval of the preliminary plan. The City Planner approved the parking spaces around the the recreation area. He stated that 18 spaces would be adequate for tenants and guests and guests' parking.

Mr. Davis made the motion to approve the preliminary plan for Thomas Paine Settlement No. 2 to include the present drawing shown with the issue date of 8/14/73. This was seconded by Mr. Myers and approved unanimously.

Review of the Site Plan for Royal Homes, Ltd. This land is located along the east side of Route 48 between Fireside Drive and the Bethany Lutheran Church, an E.C. District. The City Planner explained the proposed use which is designed to be 55% retail.

Dale Smith, 1269 Cedarcreek Circle, explained the application. He stated that the company had letters of intent from future occupants. They are requesting 55% retail use and discontinuance of the access road. He stated that there will be 38,000 square feet of leased area. Mr. Smith indicated this would be occupied by tenants who wanted to go into the Royal Swiss Village, north of Whipp Road on the west side of Route 48.

A mounding effect for screening is proposed. A road to the rear of the proposed is shown which will extend to the church property. Mr. Smith stated he would be willing to locate the road wherever it was desired by Planning Commission and Council. Super X, Richard Rogers Florist, Donald Hilgeford to operate a cocktail lounge, a beauty shop may be a stop-and-go type operation also. There is some two-story area, some A-frame, single floor similar to Royal Swiss Village. There will be no self-standing stones, all continuous. Mr. Murphy stated how will the topography, especially to the south, be handled. Mr. Smith stated that this question was undecided at this time, and recognized that drainage will be the most difficult problem. The entrance to the front drive was mentioned by Mr. Wells who indicated it appears to be a traffic hazard. He recommended widening the opening and eliminating some parking spaces. He also questioned the location of the trash containers and wants them included in future drawings in order that the Planning Commission can have the opportunity to approve the locations. It was stated that there should be

screening between this project and the apartments to the rear. These details can be worked out later as this request is for preliminary approval only. Mr. Smith stated these details can be readily worked out and his main concern is for the 55% retail use in the E.C. District. He also questioned the attitude of the Planning Commission in regard to existing liquor licenses within 500 feet, Steak & Ale, where a cocktail lounge and a carry-out is proposed in his development. He was told there would be no problem in this regard so far as Planning Commission is concerned. The proximity of the church could be another separate problem.

Mr. Smith questioned the difficulty of a different use of an existing store at some later date. It was pointed out that presently all uses are to be approved by the Planning Commission. Compatible uses should present no difficulty and the total number of square feet devoted to retail uses should be spelled out and would not need to be reviewed unless additional retail uses were requested and compatible uses would not be subject to approval.

Mr. Myers asked if Steak & Ale customers could use unused parking spaces in this proposal in the evening when many of the shops would be closed and space available. Mr. Smith said he saw no problem with this as there were more than enough parking spaces provided.

Mr. Maxton questioned why the Spanish type architecture was chosen in view of the City's interest in historical preservation. He was told that Early American type architecture did not necessarily fit in with what is presently in this area and that the developer desired something different. Mr. Maxton commented favorably on this presentation in that it indicated the prespective tenancy.

Mr. Murphy asked if a retaining wall would be needed at the south side of the property. It was answered that hopefully there would be no retaining wall but the rear wall of the buildings could be a retainer if needed. The City Engineer was requested to work closely with the developers concerning the drainage of the property.

Mr. Davis indicated that he still was not satisfied with the location of the E.C. road as shown to the south and there should be an opportunity to work with the church to use this access road. Mr. Smith said this could be worked out. Planning Commission wants it to be a matter of record that a supermarket is unanimously opposed. They also requested a legal opinion as to the effect of a public drive connecting to a private drive, Fireside Drive.

The action taken was to give an expression of opinion as to the approval of the plan with the opposition to a supermarket being noted. The developer will wait until the proposed ordinance adding retail uses in an E.C. District is approved by Council.

P.O.73-2 -- Text Amendment. The City Planner reviewed the proposed changes. No one voiced any objections to the proposed changes. Motion by Mr. Myers to recommend to Council the revisions in P.O.73-2 contained in the proposed ordinance; seconded by Mr. Davis. The vote was unanimous.

Bonded Supply -- Mr. Davis asked if gasoline supply would be discontinued. He was answered by a Bonded representative that the service station will continue, the building to be remodeled with a small area for service station use, completely separated by the two uses. A public hearing was set for 7:30 P.M., August 28, 1973.

Fox Run, Revised Lot #1 - Proposal to change a portion of the land to add an area adjacent to the large ditch to the land to the north. Mr. Wells moved that the record plan dated August 14, 1973, for Fox Run, Section 1 which is a revision of one already be approved. The area omitted from the original lot #1 will be included in the condominium area to the north which is Fox Run Condominiums; seconded by Mr. Davis. The vote was unanimous.

Cambridge Inn Landscape Plan -- Mr. Maxton moved, seconded by Mr. Tate to table the Cambridge Inn proposal because of Council has not acted on the preliminary plan. The vote was unanimous.

Virginia Avenue Widening - The City Engineer recommended 5 foot widening on each side of Virginia Avenue. Mr. Wells questioned if Planning Commission should render a decision on this question or leave it entirely to the A.P. Board. Personal opinion of Mr. Wells, "The A.P. Board was set up to act as a Planning Commission for the Architectural Preservation District with power to grant variances, etc. They are sole arbiter of the A.P. District. Planning Commission has limited jurisdiction in the A.P. District. He does not think the Planning Commission should be used as an arbitration board between administration and Council or A.P. Board. Mr. Davis commented that Virginia Avenue extends out of the A.P. District to the south and this gives the Planning Commission some reason for offering advice. Discussion followed concerning the long-term use of Virginia. Consensus was that it should not be more than a minor collector street.

Mr. Maxton suggested advising A.P. Board that the Planning Commission has no intention of ever widening Virginia Avenue. This was endorsed by other members.

Audience stated they believe the street should be widened at the business area.

It was stated we should get an opinion from the City Attorney as to the rights or obligations of the Planning Commission in A.P. District such as this proposal. There is a grey area here that should be resolved.

Mr. Wells moved, seconded by Mr. Maxton that there is no intention to widen Virginia Avenue.

Z-73-7 - Brainard Construction Company -- Application for rezoning from R-1 to R-3 for lot 979, Oak Creek IV, Section 5. Public hearing is set for 8:00 P.M., August 28, 1973.

Replat Pleasant Hill, Section 18 -- Mr. Schab presented the proposal. It is to be a planned multi-family residential project. There would be only one lot where there were originally 3 separate lots. Parking areas were the problem, would be an overlap of parking. No approval of PUD given, will need to be resubmitted to Planning Commission if this plan is approved. Cannot build more than one unit per lot unless he comes back to Planning Commission for approval.

Motion by Mr. Maxton to reject this proposal unless Zengel comes back in with a PUD on a single lot and a site plan, seconded by Mr. Davis. The vote was unanimous.

Adjournment -- 11:35 P.M.

James Smith
City Manager