

CENTERVILLE PLANNING COMMISSION

SPECIAL MEETING OF OCTOBER 17, 1972

MINUTES

1. Roll Call -- Present: Mr. Baker, acting as Chairman, Mr. Elliott, Mr. Maxton, Mr. Tate. Absent: Mr. Davis (who notified the City previously that he would be out of town on October 17 during the day; he would be either late or not able to attend meeting), Mr. Wells; a 7th member of Planning Commission not appointed as of this date.
2. A motion for approval of the minutes of the meeting September 12 and September 26, 1972 was made by Mr. Maxton and seconded by Mr. Elliott. The roll call resulted in unanimous approval.

Since only four members of the Planning Commission were present it was decided to act on certain items which required a quorum of four. Therefore, the order of business does not entirely correspond to the order outlined in the agenda.

3. Unfinished Business -- V-72-12 -- A variance in building setback from 60 (a) to 40 feet, at 5009 LaFrance Place, requested by Mr. Martin Bordewisch, to construct an additional attached garage in front of the existing residence.

The above matter was discussed at the previous Planning Commission meeting; at that time the question was raised whether this Commission could waive certain City requirements, even if such a waiver would be in serious conflict with the private deed restrictions of the plat. An opinion by the City Attorney was requested. A written answer by Mr. Farouhar stated that such a waiver does concern only City standards and does not influence private restrictions, and that Planning Commission can take action without regard to existing deed restrictions.

After consideration of this legal opinion and a short discussion, Mr. Maxton moved that the variance be denied. Mr. Baker seconded. A roll call resulted in three ayes, one "no" (Mr. Tate casting the dissenting vote).

- b. E-72-5 -- Ponderosa Systems -- An application to place a pre-built metal storage building on the existing parking lot at the rear of the present restaurant building was discussed during the September 12 meeting and deferred to October 17 to give all members of the Planning Commission an opportunity to inspect the project personally. Mr. Elliott questioned whether the storage building was necessary. Could spaces within the existing building be used? The representative of Ponderosa Systems, Mr. Tom Price, pointed out that there was a fire hazard if boxes and other articles would be stored within the actual Ponderosa Restaurant, thought that the solution using a separate building for storage is better.

Result of the ensuing discussion was that there obviously is a need for such a building, but that the exterior should be more in conformance with the neighborhood. Mr. Maxton suggested a temporary variance, say for one month, during which the above building could be used, until a more permanent solution can be found.

Mr. Tate agreed, but said that a temporary variance for six months would be more realistic. After some discussion, Mr. Tate repeated the above suggestion as a formal motion. Roll call resulted in unanimous approval, and a temporary variance to expire April 17, 1973 was granted.

- c. Action was taken on P.O.-72-6, a proposed ordinance to grant the Board of Architectural Review the power to grant variances, and public hearing was set for October 31, 1972 at 7:30 P.M. at the Centerville High School, South Building, 111 Virginia Avenue, Centerville, Ohio.
- d. Another public hearing -- P.O.-72-7 -- An ordinance to establish amended procedures for Business 1 and Business 2 Districts, was set for public hearing at the same place, on October 31, 1972 at 7:45 P.M.
- e. Z-72-15 -- After some discussion about the legality of a four-member quorum, it was decided that the above application (submitted by Mr. Wainscott requesting rezoning to A.P. Classification of five lots on the south side of East Franklin Street and one lot on the north side of East Franklin Street, in the vicinity of Cemetery Drive), should be acted on now, during this meeting. Mr. Farouhar, the City Attorney, should receive a copy of the minutes of this meeting, and rule upon the legality of individual motions and decisions.

Mr. Maxton recommended that the application should not be accented, because this case is essentially a request for B-1 zoning. Mr. Tate observed that he would be for rezoning if there was a good business use in the planning stage. However rezoning, for the sake of rezoning alone, seems to be out of place. Mr. Elliott expressed that he was not in favor of extending boundaries of Architectural Preservation District at this time.

Mr. Baker added that the reasons for a change in zoning should be significant, and questioned whether this was the case.

Mr. Tate moved that the request Z-72-15 be denied, Mr. Maxton seconded, Mr. Baker: aye, Mr. Elliott: aye.

It was pointed out to Mr. Wainscott that this denial gives him the chance to file an appeal with City Council right away (if he so chooses) and might help him to get a more speedy final solution.

- f. Approval of preliminary plan of Greenbrier Commons (developed by Woodlev Construction). Mr. Abramovitz, Engineer from the Ralph Woolbert Company,

presented the site plan of the above project and pointed out that this is a revised layout of an area formerly classified as Entrance Corridor with a maximum of 400 multi-family units, located approximately 550 feet north of State Route 725 and southeast of the proposed extension of Clvo Road.

The new plan shows the same number of units but bigger individual buildings, all described as condominiums. An office tract southwest of the proposed condominiums is a new feature, but not part of the application. It was reiterated that only the condominium area is now under discussion.

Mr. Maxton was concerned with the timetable of the development, viz. when would extension of Clvo Road be constructed, how many lanes will be constructed, etc. Is there a market study substantiating the need for the commercial area south of the condominiums? Mr. Anderson, who handles the site development for Mr. Woodley, answered that there is such a study, and this study can possibly be made available to Mr. Winterhalter, the City Planner.

Mr. Winterhalter discussed the price range of the units (\$26,000 to \$35,000), how many parking spaces are available, etc. indicated that an access road leading to the properties on the east should be provided.

A discussion followed involving all four members of the Planning Commission and the question was raised which roads should be developed now: should it be all of Clvo Road, the access road to Route 725, Route 725 itself? It was decided that the legal opinion on this matter should be requested from the City Law Director.

Mr. John McIntire, councilman, who was present in the audience, was asked by the chairman, Mr. Baker, whether he would have any suggestions as how to handle the possible widening of Alexandersville-Bellbrook Road. The answer, in essence, stated that Council expects to receive some guidelines from Planning Commission in each case, and if in this case the Commission feels that certain funds should be set aside for widening of roads, they are certainly justified to do so. "Funds in Escrow" have been used in similar cases.

After additional discussion Mr. Maxton moved that Planning Commission recommend to Council approval of the revised preliminary plan of the Condominium Area only, of Greenbrier Commons, as shown on the Plans prepared by Schooley, Cornelius & Assoc., Architects and Planners, and bearing the City Stamp "Received Oct. 7, 1972", subject to placing of funds in escrow for the Centerville portion of the widening of Alexandersville-Bellbrook Road.

Mr. Baker seconded the motion. Roll Call : Mr. Maxton: yes, Mr. Tate: yes, Mr. Elliott: no, Mr. Baker: no.

Mr. Tate put a motion forward for approval of the Site Plan of Greenbrier Commons, as submitted by Schooley, Cornelius & Associates. (The significant difference from the first motion being: omission of the "funds in escrow" requirement.) Mr. Elliott seconded it. Roll Call : Mr. Tate: aye, Mr. Elliott: aye, Mr. Baker: no, Mr. Maxton: no.

Mr. Abramovic (Ralph Woolbert Engineering Co.) interjected at this time: "Mr. Woodley would appreciate it if there was some action tonight on his request. He would agree with the requirements of Mr. Maxton's original motion."

However, it was decided, since many questions as to legality of action, form of motion, type of escrow-funds, etc. remained, that no final action be taken. Mr. Maxton moved that the Approval for the Condominium Area of Greenbrier Commons be tabled, and same be discussed at next regular meeting, on October 31, 1972. Mr. Baker seconded. Roll Call : unanimous approval.

4. New Business : Veterinary Hospital, as proposed by the Woodley Development Co.

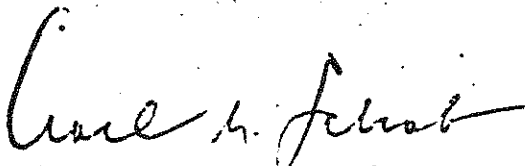
Project is located west of Bidder Road, north of Interstate 675 (as proposed), and 65 feet south of the Centerville/Kettering Corporation Line. Mr. Miel, architect, representing the petitioner, explained the layout (being a Veterinary Hospital, similar to the one east of Main Street, South of North Village Drive, now under construction, encompassing all enclosed "runs"), and pointed out that they would widen Bidder Road, have curb cuts from Bidder Road, but omit the Access Road in the rear. Mr. Maxton objected to the many access drives from a future Thorofare. Mr. Winterhalter, City Planner, questioned whether it is really clear what type of access road is needed and asked for in an Entrance Corridor District; whether both the Main Road and the Access Road in the rear can be expected to be developed by the owner. Suggested to seek legal opinion.

No action was taken; Mr. Baker pointed out that the main purpose of the discussion was to establish a " meeting of minds ".

Mr. Winterhalter, City Planner, handed out copies of the first part of the proposed new Zoning Ordinance for study by members of the Planning Commission.

The Meeting was adjourned at approx. 12:15 A.M., Oct. 18, 1972 .

Next Meeting : Oct. 31, 1972 at 7:30 p.m.


Karl M. Schab, acting City Manager