

Official July 15, 72

CENTERVILLE PLANNING COMMISSION

Regular Meeting
July 25, 1972
7:30 P.M.

1. Roll Call -- Mr. Wells, Mr. Davis, Mr. Maxton, Mr. Ackerman, Mr. Tate, Mr. Elliott present. Mr. Baker absent.
2. Approval of the minutes of the meeting of June 27, 1972. Motion by Mr. Davis that the minutes of the meeting of June 27, 1972 be approved as presented, seconded by Mr. Maxton, unanimously approved.
3. Public Hearings:
 - P.O. 72-4 -- An Ordinance to amend Ordinance 15/61, the Zoning Ordinance of the City of Centerville to provide for increased planned development. Mr. Wells repeated the rules concerning public hearings. Mr. Wells outlined the changes proposed in this ordinance which were Section 1A, Section 2, 3 and 4. There were no comments from members of the Planning Commission. No one in the audience responded when the Chairman, Mr. Wells, asked for statements in favor of the proposed ordinance. In the planned multi-family residential development project the word large-scale was removed, the minimum site size of 5 acres was removed, so that the zoning ordinance regulations relating to area, height, bulk and placement may be modified by Planning Commission in their recommendation to Council. Sections 1A, 2, 3, 4 of the proposed ordinance were reviewed. David Price, 154 Waterford Drive, compared the proposed changes to those which permitted the Chevy Chase project. Mr. Wells explained that there was no allowance for apartments in the present E.C. and that this ordinance applies to R-3 and R-4 districts.

(Mr. Baker arrived at 7:55 P.M.)

The public hearing closed at 7:55 P.M. A motion was made by Mr. Tate, seconded by Mr. Elliott, to recommend this ordinance to Council for passage. All members voted affirmatively except Mr. Baker who abstained.

4. Public Hearing
 - Z-72-9 -- The Springmont Company requested rezoning of 45.7 acres located along the east side of Bigger Road north of Alexander-Bellbrook Road from Washington Township zoning R-4 and Centerville zoning E.C. to Centerville zoning E.C., R-3 and B-2. Robert Archdeacon of the Woolpert Company presented the proposal for the applicant and was accompanied by Mr. Wilson Adams of the Springmont Company and Mr. Durham,

a planner and architect for the Springmont Company. This property is also known as the Kemp property. The request is for 9.6 acres to be zoned from E.C. to B-2 to permit a small shopping center with small stores and offices. There would be no large stores in this development, to be a shopping village of the Williamsburg-type attraction. Also requested was a zoning change for an additional 3.7 acres to E.C. which would join present E.C. zoning to permit 10 acres of E.C. to adjoin the B-2 district of 9.6 acres. Also requested is 32.4 acres to Centerville R-3 for condominium development. There would be four clusters of condominium units with 110 townhouses, 26 one-story townhouses, and 10 two-family units. The density would be five units per acre with parking at two spaces per unit. The developers are willing to stipulate that the units will be sold and would stipulate the alignment of proposed Clyo Road through the area. The right-of-way of Clyo was stated by Adams to be 82 feet.

David Price, 154 Waterford inquired as to the buffering required between condominiums and single family. The answer was 50 feet. Paul Moody, 1250 West Dorothy Lane, Kettering, spoke in favor of the proposed. His company owns ground to the south of this parcel. Indicated no objection to the rezoning and is willing to go along with whatever is decided. The price range of the condominiums is \$24 to \$30,000.

Mr. Maxton stated this proposal is not in agreement with the Master Plan and believes the Master Plan should be followed. Too much acreage presently for condominiums and multi-family. Mr. Wells stated the Master Plan; when adopted, was understood to be subject to change when I-675 becomes a reality. Believes a review and possible revision of this entire area is needed.

Norman Fear, 2144 Washington Mill Road inquired what Planning Commission desired for this area. Mr. Wells replied that the desire was for the highest and best use along I-675 which is light industry, business areas, and the remainder being residential. Exact detail concerning amount of land for industrial use may be excessive. Need study to determine proper balance between industry and residential.

Eugene Kemp, owner, indicated there was more ground now zoned for industry than will be used. Stated he cannot use his ground for own use, can only sell it. Believes there is a demand for the use proposed in this application.

Mr. Baker requested a study by the City Engineer of the present use of the total acreage zoned for each category. Wants a rough survey of actual use and based on zoning.

Mr. Maxton made a motion that this request be recommended to Council for denial. Mr. Ackerman seconded a vote resulted in 5 ayes, 2 nays. Maxton, Ackerman, Wells, Davis and Baker voting yes. Tate and Elliott voting no.

V-72-10

This is a request for a variance from the building setback requirement at 9208 Mary Haynes Drive to construct a porch. The application was filed by Mr. James Arbogast to reduce the setback to 42 feet from the required 50 feet. Mr. Wells set out the rules for public hearings. There were no comments from the audience, either pro or con. The question arose as to whether or not a deed restriction regulated the required setback as well as the Zoning Ordinance.

Mr. Davis made the motion that the variance be granted subject to the understanding that any deed restrictions will not be affected by this approval, seconded by Mr. Elliott. Unanimous.

Z-72-7

This request, by Forbes, on Wilmington Pike has been withdrawn.

Z-72-6

The public hearing for this request had been held earlier with a decision deferred until this meeting. It was a request to rezone 11.2 acres from Washington Township R-4 to Centerville B-2 and 25.1 acres to Centerville R-3 filed by Paul Lapp.

Mr. Wells stated that this plan basically follows the Master Plan for this area. Washington Township had previously zoned part of this business and the remainder Township R-4. The proposed R-3 is to be a buffer between the business area and the R-1 area of 20,000 square foot lots.

Mr. Davis inquired if the proposed Wilmington Pike fit in with Sugar Creek Township plans for Wilmington Pike extension. Archdeacon stated that this was acceptable to TCC and others involved. Mr. Elliott asked how the area between new and old Wilmington Pike was zoned. Mr. Archdeacon was not able to provide an answer.

The proposed number of units is 180 to 200 according to Archdeacon, mostly four-family units, 6 to 8 units on some larger lots. Would be a density of 8 units per acre.

Mr. Elliott moved, seconded by Mr. Davis, that this proposal, Z-72-6, be accepted by the Planning Commission and recommended to Council for approval. Davis, Elliott, Wells, Tate, Ackerman and Maxton voted for this motion, Baker opposed.

Gold Circle Gas Facility

Gold Circle was represented by Mr. Roland Eichner, Attorney. He stated that they were asking for approval of the general concept only at this time of the gasoline facility (service station). Mr. Ackerman expressed his concern with the wall shown between Loop Road and the service station building. It appeared likely that the wall would attract the placement of trash and debris around the building. Mr. Eichner stated the purpose of the wall was to give identity to the building because of its small size.

No objection was shown to the concept of entrances and exits to the Gold Circle facility as shown on the drawing but was not to be construed as a curb cut permit. A curb cut application must be filed and approved by Planning Commission and Council. The zoning ordinance was checked by Mr. Wells to determine that a gas facility was permitted in this area. Mr. Eichner was advised that a curb cut permit for the Loop Road entrance and the widened entrance on Alexander-Bellbrook Road.

Mr. Eichner stated that "what was shown on the plan is what will be on the premises, lock, stock, and barrel".

Plan B was approved by the Planning Commission. The formal request for acceptance is to be on the special meeting agenda of August 15, 1972.

Chevy Chase Apartments

The record plan of Chevy Chase Apartment project was presented. Karl Schab, City Engineer, stated that the sanitary sewer system had not been approved as of this date and there are unresolved questions concerning storm drainage. He said some of the storm drains shown will empty into inadequate pipes and that storm drains going under the high pressure gas lines have not been engineered.

Mr. Wells pointed out that the plan presented was in compliance with the Court ordered plan so far as screening, width, streets, parking area, etc. is concerned. The dumpster pads have been reduced to four, eliminate part of perimeter road and provide a turn-around, reduced the pavement width and increased the planting area, provide some parallel parking in place of perpendicular, will be a frontage road along side Rt. 48.

Mr. Davis inquired as to the distance of the parking area from the property lines of the single family area. Archdeacon said it would be a 15 foot landscape area and 24 feet roadway. Screening will be provided. Area to the southwest will remain undeveloped.

The City Engineer is to work out the storm sewers, etc. with Woolnerts and the developers. Mr. Davis questioned the safety factors of the parking area. Will be two twelve foot lanes to allow passing cars while one backs into a parking space. Screening will be evergreens, 4 to 5 feet high with a periodic large trees. Will be 15 feet between street and rear yard of neighboring residences according to Mr. Rosen, Architect for Housing Associates. Road is 24 feet pavement width. There is one entrance from 48 plus additional access along the parallel road and access from Loganwood Drive. Will be no connection to Waterford except Loganwood and the parallel street to 48. Required screening in E.C. district is 15 feet according to Ordinance 15/61.

There will be two basic floor plans, offered, 2 and 3 bedrooms, 6 different elevations, 2 variations in 3 bedrooms units. Several variations in colors. Will be the elevations as shown. Colors approved finally by F.H.A. office. They will be of brick veneer.

A citizen raised the question of inspection and was told by Mr. Rosen that a licensed architect or engineer, licensed by the State of Ohio, will inspect at different stages in the plant. This licensed person will be our representative. Mr. Wells stated that the City of Centerville used the inspectors of the City of Dayton for electrical inspection. Question -- who pays the licensed architect or engineer who represents Centerville? Rosen said he could not answer this. Will not be on Rosen's payroll, does not know who will pay him.

Mr. Maxton advised some of the buildings approved to be less than 75 feet from property line. Rosen stated the buildings were located on plans approval by the court.

Mr. Maxton raised the question of whether or not the Planning Commission was bound by the Court ruling. Mr. Wells stated we could not deviate too far from the Court without creating a delay in the project. The setback shown is 72 feet, ordinance requires 75 feet setback. It was agreed and Planning Commission could approve as shown. Use of gas or electric heat is now under investigation and no answer as yet. Drainage easement exist but no determination as yet as to paralleling existing pipes or increasing pipe size.

Mr. Maxton believes plans should be in accordance with zoning ordinance or a variance be applied for. Setback of buildings and possibly setback from road in question. Mr. Wells stated a plan approval as shown

automatically granted a variance.

Mr. Wells -- if plan approved would be subject to Engineer's approval.
Mr. Davis -- plan would be approved conditionally subject to Engineer's approval with sufficient time for Engineer to study and approve the plans.

Mr. Maxton -- believes plans should be revised to bring them in accordance with the zoning ordinance. Mr. Archdeacon stated they stuck with the Court approved plans which is what the zoning certificate was issued on. Mr. Maxton wanted to resolve whether or not we are bound by these plans.

Mr. Baker objected to being asked to approve plans which he did not have time to examine. Only two copies of the plans were submitted by the developer. Mr. Schab made the point that the plans were submitted marked "not for construction". Mr. Archdeacon stated plans so marked would be sent out for engineering approval.

Mr. Wells commented that the changes approved were for the good of the development and the neighborhood. Mr. Maxton again objected to the setback, etc. Motion by Mr. Tate, seconded by Mr. Elliott to approve Chevy Chase Park, Section 1, subject to Engineer approval and County Sanitary approval. Tate yes, Elliott yes, Wells yes, Davis yes, Ackerman yes, Maxton no, Baker no. (5 to 2 approved).

Mr. Davis mentioned the requested name change of the project and/or the street name change. Mr. Rosen stated he checked into this with the developer of HUD. They asked that no name change be made until the completion of the project. The developer recognized a name change might be beneficial later. The name of the street can be changed easily in the new development. It was decided to name the street Loganwood from Main to existing Loganwood.

Acro Realty

Mr. Wells addressed to Mr. Archdeacon as to whether the developer had all the documentation necessary to comply with new ordinance on B-3 districts -- read a traffic count, marketing analysis, etc. -- Ordinance 24/72. Mr. Maxton read the stipulations of the ordinance. Woolbert will be in on August 15, 1972, special meeting, to informally discuss these proposals.

EC-72-3 -- Woodley Development -- Veterinary Hospital
Far Hills Animal Hospital is being relocated because of I-675. Lot is 110 feet wide by 280 feet deep. Building is 40 x 70, masonry and

and steel. Setback is 160 feet from present center line of 48. Will be no animals outside the building, no runways or pens. Will be at least 70 feet from the buildings on either side. There will be a row of trees at the rear of the lot. They will eliminate the first two parking spaces in front of the building and a revised drawing will be needed. Motion to accept the plans for the proposed Veterinary Clinic by Maxton, seconded by Ackerman, subject to revised drawings with no outside kennel areas, etc. All in favor except for Mr. Elliott.

Z-72-14 -- Forbes

Public hearing will be held August 29, 1972 at 7:30 P.M.
No coordination as of now with R & R Development Company.

V-72-11 -- Centerville Pet Shop

Public hearing will be held August 15, 1972 at 8:00 P.M.
Planning Commission wants the recommendation from the Architectural Preservation Board. Need more detail as to parking spaces and landscaping, etc.

Mr. Maxton moved, seconded by Davis, that the present officers will continue to stay in office until next year. Baker opposed -- six in favor.

MEETING ADJOURNED