

CENTERVILLE PLANNING COMMISSION

REGULAR MEETING

August 29, 1972

1. Roll Call -- Present was Mr. Wells, Mr. Maxton, Mr. Tate, Mr. Elliott, Mr. Baker, Mr. Davis and Mr. Ackerman.

2. Public Hearings --

Z-72-14 -- Forbes Rezoning

This was an application to rezone 52.7 acres of land which lies along the west side of Wilmington Pike south of and adjacent to the proposed I-675. The application is to rezone from Washington Township R-4 to Centerville classification E.C. and B-2. Mr. Wells explained the Planning Commission rules for public hearings. The applicant was represented by Douglas Campbell. Mr. Wells read recommendations from the Fire Department concerning water main minimums. No comment pro or con from anyone in the audience. Mr. Davis suggested deferring any action by the Planning Commission on this request until MVRPC and Robert Winterhalter, the City Planner could study the request. Clark Turner, MVRPC Planner, gave his views and recommendations which were as follows: That no good, clear cut answer exists as to what could be done with this type of land use. He recommended: (1) for the present there be no approval of additional request for rezoning, (2) that the City prepare and adopt a PUD provision, (3) following adoption of PUD the City should honor only PUD requests, and (4) all proposals should be carefully studied of PUD on surrounding land use. He stated that district zoning is poorly adapted to the changing needs of the area, and that superior control for and by the City and greater flexibility for the developer are results of PUD legislation. PUD offers the best opportunity to resolve problems of an area.

Public hearing closed at 8:10 P.M. It was at first agreed that a decision be deferred to the September 26 regular meeting. Mr. Turner and Mr. Winterhalter discussed the pros and cons of PUD. George Campbell representing the applicant stated that the PUD being discussed is no part of present Centerville zoning. Mr. Wells stated that PUD has been discussed by Planning Commission for the past five years. Mr. Tate opposed delaying the decision until PUD study. Mr. Wells, in response to the statement that this request conformed to the master plan stated that the master plan is recognized as being deficient.

Douglas Campbell requested that the Planning Commission come to some decision at this meeting rather than to table a decision as this is the second application Forbes has made in order to comply with Planning Commission's suggestions of earlier meetings. A question arose as to the expiration of the 60-day time limit and it was determined that there was ample time to delay a decision. It was decided that a special meeting be held September 12, at 8:00 P.M. to render a decision on this application.

Hofacker -- Curb Cut

This was an application for an additional curb cut to install a circular drive at 541 Willowhurst Drive. This is the location of the Mother Hubbard Nursery School. There was no comment from anyone in the audience either for or against this proposal. Planning Commission acted to recommend to Council that the curb cut be granted without ruling on the legality of the existence of the nursery school in this location. Mr. Davis moved to recommend to Council the approval of this curb cut subject to the recommendation that it be void if the present use of the property changes. The recommendation being made based on the safety aspect of the request in that children can be picked up off the street and to keep from having to back out into the street and not to double park. This motion was seconded by Mr. Tate. Davis, Wells, Elliott, Tate, Ackerman and Baker approved, Maxton opposed.

P.O.-72-5

This was a public hearing concerning an amendment to the zoning ordinance 15-61 which would grant the Board of Architectural Review the power to grant variances. Mr. Wells explained proposed changes in the ordinance. It was pointed out that there is no provision for review by City Council over the Architectural Review Board acting as the administrative board. Mr. Wells felt that this is a missing area, that the only recourse by an applicant would be to the courts not to Council.

There was no audience response either for or against this ordinance.

Mr. Baker stated that City Council should be made aware that there is no provision for appeal to Council contained in ordinance 80-71 (see Section 31F of Ordinance 80-71). This indicates that a decision by the Arch. Review Board is not subject to appeal to Council.

Mr. Baker moved, seconded by Mr. Maxton the recommendation to Council that Ordinance P.O-72-5 be adopted. Baker, Maxton, Tate, Davis and Ackerman approved, Wells and Elliott opposed.

An informal hearing concerning Revere Village, Section 3 was held with Robert Archdeacon of Woolpert's Engineers representing Revere Village. He stated that the blacktopping was scheduled for some time this week, the week of August 29. Karl Schab, City Engineer, had talked to both Revere Village people and Pyber Construction Company in reference to the blacktopping. Mr. Wells favored the approval of the record plan of Revere Village, Section 3, with the City Engineer to hold it until the dust situation is settled. The Manager and Engineer are obligated to not sign the plans until the blacktopping is done.

Motion by Mr. Archdeacon, seconded by Mr. Tate to accept Revere Village 3B. Unanimously approved.

New Business --

The Wilson Sign Company submitted a proposed sign for the Steak & Ale Restaurant for approval. The location of the sign had been previously determined on prior plans. The action here was to approve the sign design. A sign was approved subject to not being higher than the top of the building. The sign height was to be approved by the City Engineer. Mr. Maxton made the motion to approve, seconded by Mr. Baker and passed unanimously.

Ronco Application. This is an application for a 25 foot wide strip of land which lies at the rear of four lots which front Hewitt Drive in Kettering. Only the rear most 25 feet is in Centerville which is presently zoned R-3. The Kettering zoning is B-1-A which conforms to Centerville R-3. All proposed construction on these four lots will be inside the City of Kettering. Mr. Maxton moved, seconded by Mr. Davis that the record plan for Ronco Development be approved. The vote was unanimously in favor.

Mr. Wells read a letter from R. N. Farquhar, City Attorney, suggesting that the Vulcan Tool land at Civo Road and East Franklin Street be rezoned on an initiative of the Planning Commission. It was also suggested that the balance of the Chevy Chase land on South Main Street, that which is not to be used in the apartment project be rezoned to some other use other than multi-family. This again could be done by Planning Commission initiative. No further action was taken at this time on these suggestions.

This Planning Commission meeting adjourned at 9:55 P.M.

Next meeting will be September 12 at 8:00 P.M.

