

CENTERVILLE PLANNING COMMISSION

REGULAR MEETING

The Regular Meeting of the Centerville Planning Commission was held on March 29, 1971. In attendance were Bruce Baker, John Butler, John Davis, Nevin Elliott, Marion Loemker, Elmer Tate, Harold Wells, City Manager John Griffin and City Engineer Frank Williams.

On Motion of Mr. Tate, seconded by Mr. Elliott the Minutes were unanimously approved with the following corrections:

2nd page, first paragraph - "plan to see their homes" should read "plan to sell their homes;"

2nd page, second paragraph - "was much as both" should read "inasmuch as both;"

3rd page, first paragraph - "Transitionery" should read "Transitioning."

1. (Z-71-2) A Public Hearing was held on a Request from Paul E. Lapp, Inc., 927 Cottonwood Road, Dayton, Ohio to rezone 75.9± Acres, located southwest of the intersection of Alexandersville Bellbrook Road and Wilmington Pike, from Washington Township R-4 and B-2 to Centerville R-4 and B-2.

Charles Abramovitz, of the Ralph Woolpert Co. appeared on behalf of Paul E. Lapp, Inc..

Mr. Abramovitz presented as background information a large area map delineating the location of I-675 and the access that will be available at the Wilmington Pike Interchange. This access is expected to exert great pressure for the development of a large area of relatively undeveloped land in the southeastern part of Centerville-Washington Township as well as the southwestern side of Greene County.

Based on a Woolpert study of anticipated growth and traffic patterns, Mr. Abramovitz recommended that a major collector road (4 lanes suggested) be planned, running south from the intersection of Wilmington Pike and Alex-Bellbrook. The proposed road generally parallels at some distance the route of existing Wilmington Pike south of Alex-Bellbrook and provides a necessary (in Woolpert's opinion) north-south route through this large area. He indicated that this would also be the first step in a major redesigning of the existing complicated intersection of Wilmington Pike and Alex-Bellbrook Road.

Other minor roadways were also depicted, some of which are consistent with current Master Plan proposals and some of which are, in effect, recommendations from the Woolpert Company.

(In later discussion it was particularly noted by the Planning Commission that these proposed roadways would have to be evaluated separately from the subject request for zone change.)

Based on the impact of the nearby Access to the Interstate and the currently accepted proposals to widen Alex-Bellbrook (State Route 725), making this a major, high traffic intersection, the applicant requests a zoning change to permit a planned community of multi-family residences and neighborhood business.

It was noted that the applicant owns adjacent land (75± acres) which is not included in the request because he intends to build single-family homes, (20,000 sq.ft. lots as currently permitted) which would be comparable to those already existing and being built to the west and south.

The proposed development was further described as containing some 55.3 acres for multi-family use, projecting a maximum of 550 units. Mr. Abramovitz cited studies indicating this would represent some 110 school-age children at a projected tax valuation of approximately \$30,000 per child whereas single-family home construction (88 units) would project some 132 school-age children at approximately \$10,000/\$12,000 tax valuation per child.

The requested business zoning is for a minor increase in area (84 acres) which would make it possible to lay out sites conforming to certain natural barriers in the terrain. He pointed out contiguous business zoning existing in Centerville and Greene County.

In further support of the Request, Mr. Abramovitz cited the greater flexibility available to the developer in preserving the natural terrain and in controlling access onto major traffic arteries in multi-family vs. single-family construction.

No one appeared in favor of the Request for rezoning.

Charles Taylor, 7460 Pinefrost, asked whether the land owned by Mr. Lapp, but excluded from this request for rezoning, was included in the overall plan for development, whether it would all be developed by one person, or whether future requests for rezoning could be anticipated.

Mr. Abramovitz replied that it was the intention to develop the rest of the land as single-family homes in line with commitments that had been made to existing residents, and that it was probable that Mr. Lapp himself would be the developer of the single-family portion. He noted that actual construction would depend on the availability of the Sugar Creek Sewer System but that would expect single family and multi-family to go up concurrently and that the total acreage (150+) was being treated as a coordinated unit.

Mr. Taylor expressed concern about the intersection of State Route 725 (Alex-Bell) and Wilmington.

Mr. Abramovitz stated that they (Woolpert) felt it would be a mistake to try to solve the problems of that intersection by "modifying" it; that rather a completely new solution must be anticipated and they felt the proposed development allowing left turn lanes would be a start toward a solution.

Mrs. Nora Lake, 1470 Black Oak Drive, commented that it appeared from the map that the proposed north-south artery would pass very close to where an elementary school is proposed in the Black Oak South Plat.

Mr. Abramovitz explained that south of the currently proposed development they had generalized the location of the road in a simple north-south perpendicular position and that its actual placement would be determined on just such matters.

Charles Gibson, 2447 East Alex-Bellbrook, identified himself as being directly across the road from the development and opposed to it. He asked why it was necessary to extend a street, identified on the map as Rooks Road, across Alex-Bell "through his property."

Chairman Wells explained that an extension of Rooks Road north to connect with a proposed extension of Clyo had been the thinking of the City and Township for

several years and is included in the Master Plan, again in a very generalized location; final positioning will take into consideration property lines and make every effort to avoid creating unusable tracts.

Mr. Gibson questioned the need for such a road paralleling Wilmington Pike.

Mr. Wells explained the anticipated industrial/office growth which was hoped for in the large and undeveloped acreage abutting the interstate which would need interior streets.

It was noted that the development contemplated by the proposed rezoning would serve as the first "pin point" along that route presumable fixing the location at which such a road would cross Alex-Bell.

Estel G. Parks, 2337 E. Alex-Bell, said that inasmuch as this proposal would speed up the development of the area, he was opposed.

Mr. Taylor stated that he was opposed because he felt a density of 10 units per acre was too high to be next to single-family homes on 20,000 sq.ft. lots.

The Public Hearing was declared closed. Further consideration of this Request was deferred until April 26th.

The Applicant was asked to bring topographical maps and data to that Meeting.

2. (V-71-3) A Public Hearing was held on a Request from the Shell Oil Company for a Variance from the requirements of the Zoning Ordinance concerning a reduction in the set-back requirements for a sign at their service station on the northwest corner of Spring Valley Road and State Route 48.

Walter Lundwall, Real Estate Manager, Shell Oil Company appeared on behalf of the Company, which is seeking to keep the sign in its present location. He said the sign had been originally located in conformance with City requirements based on an interpretation of "lot line," and set-backs therefrom, being construed as the property line which Shell contends is the center line of the abutting streets instead of the right-of-way line.

After the base for the sign was put in, the location was questioned by the City Administration. Subsequently after an on-the-ground inspection by the then Zoning Board of Appeals, Mr. Lundwall stated the location was approved.

Mr. Lundwall has furnished the City with copies of correspondence relating to this matter, but there appears to be no written record of action by the City and no indication of whether it was approved as conforming to code requirements or as a variance from those requirements.

A current opinion (March 4, 1971) of the Municipal Attorney states that right-of-way lines are the correct point from which to compute required set-back lines and that the situation should be construed as a variance.

The sign is located 35.5 feet from the right-of-way of State Route 48 (40+ feet from pavement) and 9 feet from the right-of-way of Spring Valley Road (27 feet from pavement). The requirement is for a 60 feet set-back.

No one appeared in favor of the request.

Roland McSherry, 1443 Ambridge Road, said he felt the sign should be moved because we had all seen pictures of signs cluttering up highways and we should prevent this.

It was noted that the Planning Commission is currently reviewing an ordinance which would reduce this type of set-back requirement to 25 feet.

On Motion of Mr. Tate, seconded by Mr. Elliott it was voted 6 to 1 to approve this request for variance allowing the sign to remain in its present location under existing conditions, with the specific provision that if the pavement of either abutting road is widened, or if the right-of-way of either roadway is changed or if for any reason the existing sign is structurally damaged and has to be repaired or replaced, this variance shall no longer be in effect.

Mr. Butler voted against granting the variance.

3. (Z-70-5) The Planning Commission then took up the matter of a rezoning request from the Oak Creek Construction Company for property located south of Whipp Road and west of Wilmington Pike.

The Request has generated great concern among neighboring property owners, a large number of whom were in attendance at the meeting, related primarily to the belief that a multi-family use would generate excessive traffic on Overbrooke Drive.

It was the consensus of the Planning Commission that the nature of the rezoning request (land "left-over" after the finalization of the taking lines for I-675 being incorporated into existing zoning) was such that it could not legally be denied.

As an alternate, the nearby residents of the area (most of whom actually live in Kettering) had asked that Overbrooke Drive be shut off in Kettering and not developed as a through street.

It was reported that this possibility had been discussed by and among a number of different people and groups including Kettering officials, Centerville officials, the developer and their engineers, etc.

The status of these discussions was reported to be as follows:

The Woolpert Co., Planners and Engineers for Oak Creek Construction Co., advise against eliminating Overbrooke Drive as a through street. They feel the existing traffic problem, intensified by a swim club located on Overbrooke will actually be helped to a large extent by having a second outlet to Whipp Road, and that the Apartment traffic will be very unlikely to use Overbrooke (to the west) anyway; they further point out that if Overbrooke Drive is closed off as a through street, a large area of single-family homes on several cul-de-sacs south and east of Overbrooke Drive will be limited to one point (the intersection of Overbrooke and Andrew) for vehicular access from outside the plat.

On suggestion from the Centerville Planning Commission, they have proposed a street configuration into the multi-family site which would make it very difficult for exiting automobiles to turn west onto Overbrooke or for cars driving east on Overbrooke to turn right into the apartment site.

The Neighborhood Association reports that Kettering Officials have indicated they will not object if Overbrooke Drive is closed off and further that the developers have indicated they are willing to do so if Centerville and Kettering will allow it.

It should be noted that the Centerville Planning Commission has had no direct confirmation of these last two reports.

It was then stated that the Centerville Planning Commission agrees with the professional position taken by the planners and engineers that it would be very poor planning for the over all area to eliminate Overbrooke Drive as a through street; however it was noted that the Centerville portion of this plat is relatively small and situated in such a way that access to major through streets is no problem with or without Overbrooke Drive as a connecting street.

Taking into consideration all of the above issues, it became the consensus of the Centerville Planning Commission, not to recommend that Overbrooke Drive be closed off, but to indicate that it would raise no objection to reviewing such a street layout provided the appropriate governmental bodies of the City of Kettering would furnish written confirmation of the report that they had no objection to the elimination of the through street.

However, it was also the consensus of the Commission that if Overbrooke Drive is developed as a through street, the developers will be required to construct the vehicular access path into the multi-family site in such a way as to discourage traffic generated by the multi-family units from using Overbrooke Drive to the west.

On Motion of Mrs. Loemker, seconded by Mr. Butler, it was unanimously voted to recommend to Council that this zoning revision requested by the Oak Creek Construction Company be granted.

4. Kostic Construction Company presented supplemental information and sketches as had been required at the previous meeting. It was noted that the illustrative rendering of the office building did not meet with enthusiasm.

5. The Record Plan of the final plat of Rose Estates, Section I dated March, 1971 was submitted.

It was noted that the documentation had not been submitted in time for a written report from the City Engineer to be prepared - had in fact been received in his office late the afternoon of March 29, 1971. Mr. Williams verbally reported he had gone over the plan in some haste but was prepared to recommend approval subject to adequate sidewalks being provided and the appropriate procedures concerning the deed for park land.

It was noted that the plat had been revised to conform with Master Plan street and thoroughfare proposals. It was suggested that the street designated Normandy Lane be re-designated South Normandy Lane.

On Motion of Mr. Wells, seconded by Mr. Elliott, it was voted unanimously to recommend approval of the Record Plan of the final plat of Section I of Rose Estates subject to the provision of sidewalks, in accordance with City specifications, on both sides of (South) Normandy Lane, on the west side only of Sheehan Road, and the north side only of West Marsha Street, (the latter two to be construed as recommending the waiving of the ordinance requirement that sidewalks be provided on both sides of a street); and contingent upon the Developer placing in escrow the deed for the

dedicated park lot as described on Plat of Rose Estates, Section I, dated March, 1971.

The above recommendation for approval was also made subject to a more definitive review by the City Engineer.

The City Manager was asked to advise developers that such plans should be submitted in time for proper review.

6. (V-70-14) On Motion of Mr. Tate, seconded by Mr. Baker it was voted unanimously to deny the request from Lubow Realty for a variance regarding a sign on their office at 52 North Main Street.

7. (V-71-1) Due to inadequate information, action was deferred on a request from the Kreuzsch & Schermer Construction Co. for a variance regarding a sign on rental property located on Clareridge Lane and Spring Valley Road, documentation submitted failed to adequately describe the location and characteristics of the sign, specifically with respect to whether the sign will be illuminated or not.

8. (P.O.-71-3) On Motion of Mr. Tate, seconded by Mr. Butler it was unanimously voted to recommend to Council that the proposed ordinance changing the name of Wynshire Drive to Fernshire Drive be approved.

9. An unscheduled item was next taken up. Mr. & Mrs. Robert Kline presented a request for approval to subdivide a 3 acre lot owned by Mrs. Kline (formaly Julia S. Will) located on Normandy Lane. They had a buyer for the residence, located toward the front, and approximately an acre of land; they want to retain a strip with enough frontage on the road to permit access to the rear 2 acres which conceivably could be again subdivided. They requested advice on how wide this strip should be and whether the strip should be an easement or title should be retained to the strip. The Commission suggested a 25' wide strip along the south border.

It was agreed that 25' width should be adequate and it was suggested that title to the land be retained.

On Motion of Mr. Davis, seconded by Mr. Butler it was unanimously voted to approve the proposed subdivision, platting is not required. Mr. & Mrs. Kline were advised that a signature from a designated member of the Planning Commission would be required on the deed at the time of sale.

In discussion following this item it was noted that business property along Route 48 has been being subdivided without this procedure. The explanation was offered that the County Recorder accepts the deeds without the necessary signatures. It was suggested that the matter be looked into and the procedure corrected.

10. (V-71-4) A Public Hearing was scheduled on April 13th at 8:15 P.M. on a request from Zengel Construction for a variance from the set-back requirements for accessory buildings in Residential Districts. The property in question is located on the south side of Alex-Bell Road east of Cederleaf Drive.

11. (Z-71-3) A Public Hearing was scheduled on April 13th at 8:30 P.M. on a request from Anthony B. Wenzler, et al. for a change in zoning from Washington Township R-4 to Centerville R-3 and R-4 for 28.6⁺ Acres on the east side of Marshall Road across from Hyde Park Drive.

12. (Z-71-4) A Public Hearing was scheduled on April 26 at 7:30 P.M. on a request from the Marathon Oil Co. for a change in zoning from Washington Township R-2 to Centerville B-2 for 1.148+ Acres on the southside of Alex-Bell Road at the intersection of Bigger Road.
13. (P.O. 71-1) A Public Hearing was scheduled on April 26 at 8:00 P.M. On a proposed Ordinance to amend the zoning ordinance by creating certain conditional uses.
14. (Z-71-1) A Public Hearing was scheduled on May 11th at 8:15 P.M. on a request from the Springmont Construction Co. for a change in zoning from Washington Township R-3 and R-4 to Centerville R-4 and B-1 for 149.42+ Acres on the east side of Bigger Road approximately 950 ft north of State Route 725 (Alex-Bell)
15. (P.O. 71-2) A Public Hearing was scheduled on May 11th at 8:30 on a proposed ordinance to amend the zoning ordinance concerning certain requirements in Business Districts.
16. On Motion of Mr. Tate seconded by Mr. Butler it was voted unanimously to approve a sign as requested with Zoning Certificate #1048 for the Imperial Foodtown Market located on the northwest corner of Sheehan Road and Dayton-Lebanon Pike (State Route 48)
17. On Motion of Mr. Tate, seconded by Mr. Davis, it was unanimously voted in accordance with Section 15, C,1, of the Zoning Ordinance to waive the on-site parking requirements of Section 15, Figure 3 for two additions to a structure, located at 116 N. Main Street, as contemplated in a request for a Zoning Certificate Application #1106; it was specifically noted that such waiver was based on the availability of adequate parking on an adjacent site (within 300 feet) owned by the Applicant, Robert Ferguson.

There being no further business items on the Agenda, the Commission entered into general discussion.

Mr. Davis reported an urgent request from Council for a finalization of Master Plan recommendations. It was agreed that scheduling of approval procedures would be set at the April 13th Meeting.

Mr. Davis reported on the status of a Mass Transit feasibility study currently underway by the Transportating Coordinating Committee.

The Meeting was adjourned.

Respectfully submitted,

Marion Loemker,
Secretary