

approved 12/28/70

PLANNING COMMISSION

The Regular Meeting of the Centerville Planning Commission was held on November 30, 1970. In attendance were Bruce Baker, John Butler, 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. Baker the Minutes of the meeting of October 26, 1970 were unanimously approved.

1. A Public Hearing was held on a Request from Thomas G. Forsythe for a change in Zoning (Z-70-10) from R-2 to R-3 with Conditional Use, on 3 lots (2 Contiguous, 1 nearby) owned by him and located on the east side of N. Main Street (State Route 48) south of Alexandersville-Bellbrook Road.

Mr. Forsythe was represented by Attorney William H. Wolff, of the firm of Noland, Wolff & Sprawl.

Mr. Wolff pointed out that this Request had in essence been before the Commission on a previous occasion at which time Mr. Forsythe had requested a B-1 designation and that the current Request is a continued effort to legalize Mr. Forsythe's use of one of the properties as an office.

He restated their position that the properties are unsuitable for residential purposes in view of the heavy traffic on State Route 48 and the Non-Residential uses already in the environs. He contended that there are plans for additional widening of State Route 48 in connection with the proposed Interstate Highway 675.

He stated that Mr. Forsythe proposed no structural changes on the property which would make it appear as anything other than a Residence, but that if the change is approved some widening of the driveway might be done to allow for more parked cars.

Counsel was asked whether he realized that an R-3 zoning as presently constituted did not allow an office use. He replied that he was apprised of this fact by Mr. Griffin.

Mr. Theodore Byman, 36 Blackstone, asked if Mr. Forsythe had canvassed the neighborhood to join with him for the R-3 change in the same way he had done for the B-1 change.

Mr. Wolff said he did not know for sure but thought not.

Mr. Byman then said that he had been studying the zoning ordinance and, in his opinion, Mr. Forsythe would have to make some changes to meet the necessary parking requirements for an office use.

Mr. Wells explained that the ordinance currently being studied to permit offices in residential area (presently not allowed in Centerville except in cases of a home/occupation) would probably not be required to provide the amount of parking that offices in business districts are required to provide in order to protect the neighboring residential property from encroaching asphalt.

Mr. Byman further pointed out that the homes on Blackstone behind Mr. Forsythe's lots were structurally oriented with their living areas to the rear, i.e. looking toward Mr. Forsythe's property, and that there is an elevation difference which would require extremely high screening of Mr. Forsythe's property in the event of the office use being approved.

In reply to a specific question from Mr. Wolff, Mr. Byman said that he was not now personally bothered by the present office use of the property except for a large yellow light which burns all night but that he and his neighbors felt that a less stringent zoning classification for Mr. Forsythe, this property might be detrimental to the residential value of the neighborhood. Finally, Mr. Byman called the Commission's and Mr. Wolff's attention to the Plat Restrictions and Deed Restrictions intended to preserve the Residential character of the plat.

Mrs. Carole Haschart, 30 Blackstone, also registered her objection to R-3 zoning in the plat as opening up all kinds of doors for Non-Residential Uses.

Mrs. Elizabeth Mays, 41 Blackstone, identified herself as a newer resident of the area and said that she had moved there understanding that the area would remain a Residential one.

Members of the Planning Commission questioned the purpose of the Request inasmuch as the office use ostensibly desired by Mr. Forsythe would still not be permitted in an R-3 zone.

Mr. Wolff said it was their hope that the (non-resident) office use could somehow be allowed in Centerville in a Residential zone to provide relief for such properties as this and to allow Mr. Forsythe to continue his existing office use.

In reply to questions from members of the Commission, Mr. Wolff stated that to his knowledge Mr. Forsythe has made no attempt to sell his property for residential use and does not feel there is a shortage of available conventional office space in Centerville.

Mr. Byman raised the question of why, if all Mr. Forsythe intended was continuation of his present business in this location, he has purchased 2 neighboring lots and tried to purchase others, including those of Mr. Byman and his neighbor immediately to the south.

No one appearing in favor of the Request, the public hearing was declared closed and decision scheduled for December 28.

2. A Public Hearing was convened on a Request from George Campbell and James McConnaughey (Z-70-9) for a change in zoning from Washington-Township R-4 to Centerville R-3 for some 35+ acres on the south side of East Whipp Road some distance east of the intersection of Marshall Road and East Whipp Road.

Mr. Campbell appeared and reported that the necessary papers had not been completed in time for delivery this evening and asked for a continuation of the hearing.

Noting that such a continuation would lengthen the time limit in which the Planning Commission must act on the application, Mr. Wells rescheduled the hearing for December 28 at 7:30.

Several residents of the area were in attendance. Kenneth Meyer, 6111 Park Ridge Drive, Larry Case, 592 E. Whipp Road and Fred Strahler, 6360 Millbank Drive rose to express their annoyance and concern over having to "keep coming" to meetings on the same matter. Mr. Case presented a petition described by him as having 231 signatures and directed to the point of requiring a waiting period of 1 year from the date of decision before another request for zoning change could be submitted on the same site.

It not being yet 8:30, the scheduled time of the next Public Hearing, the Commission continued with other matters on the Agenda in order to give interested parties time to appear.

The matter of a waiting period between applications on the same property was discussed. It was noted that in most cases, some change is made to technically make the applications different.

It was also noted that the review process itself imposes a minimum of 3 months between potential applications and in practice more like 5 or 6 months and it was felt that an additional waiting period of more than 6 months after Council decision would be an undue hardship on property owners anxious to develop their land.

It was agreed that it had been unfortunate to have people come to a hearing which had to be postponed for inadequate documents and that in the future no hearing

should be scheduled until after all necessary papers were filed with the City Manager.

A second work session with the Washington-Township Planning Commission was scheduled for Tuesday, December 8 at 8:00 P.M. at the Town Hall.

Mr. Wells reported on a Request from Mayor Hoy for Planning Commission recommendations concerning Restrictions on Taverns and Restaurants in anticipation of Requests for same following recent electorate approval of liquor sales in Centerville. It was noted that legal definitions from Mr. Farquhar would be needed as a starting point.

Mr. Wells also reported on a Request from Thomas Condron, officer in charge of the Dayton Post Office, to make every effort to avoid like and similar street names. Mr. Williams said that this is done by the developers.

3. It being 8:30, A Public Hearing was held on a Request from Black Oak Development Corporation, and as agents for Robert and Beneda Weller, for a change in zone (Z-70-11) from Washington Township Agricultural to Centerville R-1, B-2 and R-4 for some 148+ Acres along the east side of Clio Road between Alexandersville-Bellbrook Road and Centerville Station Road. Specifically as set forth on a map accompanying the application is for R-1 Classification for some 12.9+ Acres, B-2 for some 7.7 Acres, and R-4 with a Residential Development Plan (RDP) for the remaining 127.5+ Acres, said RDP to include multi-family dwelling units not to exceed 1,147 in number, management and community activities center and reserved open space.

Ted Granzow of Granzow & Gauss Architects and Planning Consultants, represented the applicants.

The presentation supporting the Request for changes in zoning was three fold: A commercially prepared film describing and depicting several planned unit residential communities around the country, a slide presentation of residential areas in Centerville along with artist's rendering's of possible residential units employing "zero set-back" requirements, and thirdly a conventional discussion of the goals of the proposed development. In addition a scale model was available.

Mr. Granzow described the proposal as requesting the opportunity to develop a semi-luxury self-contained housing community within the basic restriction of no more than 9 units to the acre of the aggregate RDP Area but without regard to the even distribution of such units over the area. Specifically it is their intention to "cluster" buildings, employing in some instances total utilization of a given building site in order to provide for more functional open land and better environmental characteristics for a residential community.

He cited his opinion that Interstate 675 and the proposed thoroughfare status of Clio Road would directly affect the character of this area. Mr. Granzow also presented comparative data relative to projected real estate tax base, incidence of school children, and City Service needs of single family vs. multi-family development of the proposed RDP area. Projected traffic impact was also discussed.

A number of residents from the neighboring Black Oak Estates plat were present. It was noted that the developers had been in touch with residents of the area both individually and through the Black Oak Civic Association as the idea had developed and had held a public presentation for all interested residents the week before.

A number of persons spoke before the Commission:

Charles T. Naber, 1340 Brainard Woods Drive, expressed concern about how such a development would affect the sewers.

Mr. Griffin explained that such large scale developments are routinely checked out with other affected public bodies. He read the County Sanitary Engineer's Report, on file with the Planning Commission, that while such a development would overload existing facilities the imminent construction of new Sugar Creek - Green County Treatment facilities would be able to handle it and provided construction is staged to coincide with available capacity such a development would be desirable to help pay for the new facilities.

Mrs. Nora Lakes, 1470 Black Oak Drive, called the Commission's attention to the soil conservation services of the U.S. Dept. of Agriculture available through Mr. Richard Watkins in the District Office, 104 E. Main, Trotwood. She expressed concern with drainage problems that might result from this development as it affects the existing Black Oak area citing current problems with drainage in the area.

It was agreed that Mr. Watkins should be contacted with the idea of reviewing site elevation for the proposals as they progress for expert opinion and advice to the Commission in connection with its review.

Ralph Spencer, 1413 Ridgefield Way, asked for more specific information about the ability to handle sewage.

Mr. Brainard said they planned to begin their work with the single-family units and they anticipated at least 2 years before the multi-family units and the heavy sewage use would be needed and that he understood the enlarged facilities would be finished within two years or less. Completion of the project is anticipated to stretch over approximately 10 years.

Mike Taylor, 7460 Pinefrost, raised the question of the adequacy of Clio Road to handle the anticipated traffic.

It was noted that Clio would have to be significantly improved and that the developer would construct that part of Clio abutting the site. Mr. Griffin noted that the City is currently working on ways to improve the intersection of Clio Road and Alex-Bell Road.

James Adrian, 1407 Ridgefield Way, had several specific modifications which he wished to have considered. He felt the green space buffer strip between the single-family homes on Ambridge and Ridgefield Way should be at least 375 feet instead of the 200+ indicated by the scale of the map.

He asked that consideration be given to letting Ambridge remain a dead-end street and he also asked for assurance that construction would indeed begin in the southeastern section of the site.

Joseph Barton, 7185 Bigger Road, asked if some consideration could be given to a direct access from the northeastern portion of the site to Alex-Bell Road. He indicated that he and his neighbors had property bordering the site and such access would be beneficial to them for future development.

Richard Koebbe, 7735 Glenbriar Pl., expressed concern that the "radical" architecture used in some of the areas depicted in the film would not be compatible with the existing styles in Centerville and Black Oak Estates.

Mr. Granzow stated that the film was not meant to be indicative of proposed architecture.

It was explained that the request for zoning change was only the first step in achieving a residential development plan and that specific architectural and site plans have yet to be developed and that they will be subject to Planning Commission review and action.

Mr. Sherry, Ambridge Road, reiterated the general concern of the residents with the specific development of the RDP and asked at what point they could anticipate future opportunity to review and discuss proposals.

George Kusch, Ambridge Road, asked if the Commission felt the illustrated 200 ft buffer was adequate. There appears to be an elevation difference in the area which would make the single-family homes particularly aware of the multi-family units.

It was noted that terrain would affect the ultimate design of buffering areas.

It was explained that while it is only the request for zoning change that requires a formal public hearing prior to Planning Commission action, all meetings are open to the public and it was agreed that the Black Oak Civic Association would be notified of meetings at which specific proposals would be on the agenda.

Further, the Commission noted that the developers to date had exerted considerable effort to apprise the neighboring area of their proposals presumably with the idea of taking cognizance of their opinions and reacting in a cooperative manner to them. It is assumed that the developers will continue as they had begun.

Mr. Granzow indicated this to be their intention.

Mrs. Lakes asked about ownership of the park areas and expressed concern about adequate off-street parking.

Bill Yeck of the Centerville-Washington Park District was present and discussed the written report he had filed with the City Manager on this matter. He said at this time they felt the various "open" areas should be treated in several ways depending on their accessibility via public or private streets. His report indicates that a public recreation park is needed in this area.

Charles Conklin, Ambridge Road, asked if the builders would sit down with the residents in the area. He expressed concern about heavy truck traffic on Ambridge.

Mr. Brainard reiterated the developers' intention to continue to work with residents of the surrounding area.

Charles McQueeney, President of the Black Oak Civic Association, told the Commission that the developers had been most cooperative about discussing their proposals and listening to reactions and that while there were some specific areas of concern, he felt most of the people now living in the Black Oak Area were excited about the possibilities of the planned unit approach and in favor of going ahead with it.

The Commission requested copies of the studies supporting the tax base figures as well as estimates of total construction costs.

Commission action on the zoning request was scheduled for December 28.

4. A Public Hearing was scheduled for December 28, on a request from Mark H. Beachler and Glenn T. Frierhood, The Cricket Cage, 65 W. Franklin Street, for a Variance (V-70-9) of 13 feet in the 15 ft. set-back requirement in a B-1 district.

5. A Public Hearing was scheduled for December 28, on a request from William C. Davis, D.D.S., 79 West Franklin Street, for a Variance (V-70-10) of 13 feet in the 15 ft. set-back requirement in a B-1 district.

The Meeting was then adjourned.

Respectfully submitted,

Marion Loemker,
Secretary