

CENTERVILLE CITY COUNCIL
WORK SESSION MEETING
DECEMBER 4, 1989

TIME: 7:30 P.M.
PLACE: Centerville Municipal Building, Law Library

PRESENT: Mayor Shirley Heintz
Deputy-Mayor James Singer
Councilmembers Bernard Samples
Brooks Compton
Sally Beals
J. V. Stone
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
Administrative Assistant Michael Haverland
City Planner Alan Schwab
Councilmembers Elect Mark Beasley
Mark Kingseed

Mr. Schwab reviewed for Council a Rezoning Request submitted by British Petroleum Oil to rezone a 2.994 acre tract of land on the southwest corner of Clyo Road and Wilmington Pike from O-S, Office Service to B-2, General Business. Acreage involved is part of the Joseph Rippe tract and InvestMark Realty property. Mr. Schwab located the subject property on a map and identified adjacent zone classifications. City Staff recommended disapproval of this Rezoning Request to the Planning Commission based upon the following:

1. The City Master Plan designates low density single-family residential use of the subject tract of land. However, this tract of land was rezoned in two separate actions to O-S, Office Service after the adoption of the Master Plan.
2. The City Master Plan promotes the clustering of commercial land at major transportation nodes within the community and cautions against strip commercial zoning along the major roadways within the City.
3. There is an abundance of vacant commercial zoned land in this area of the City.
4. The rezoning of the subject tract of land to B-2 does not follow a logically defensible boundary other than the land needs for the applicant's proposed uses.
5. The proposed land to be rezoned leaves an illogically zoned residual O-S zoned district which in the case of the Rippe portion abutting proposed Clyo Road would not have enough frontage to meet the minimum lot frontage for a O-S zoned lot.
6. The amount of land involved in the rezoning is reasonably small.
7. The proposed rezoning is in the opinion of staff a "spot zoning".

Mr. Schwab outlined concerns of the Planning Commission being whether there should be any business zoning south of the intersection of Clyo Road, the viability of the use of the remainder of InvestMark's O-S zoned land and Rippe's O-S zoned

land, and business zoning located so near single-family residential. Upon request of the Applicant this matter was tabled by the Planning Commission on August 29, 1989 to afford the applicant the opportunity to address these concerns. During their Meeting on September 26, 1989, the Planning Commission by unanimous vote recommended denial of this rezoning to City Council. The only new presentation at the September Meeting was a site plan for the O-S zoning which surrounds the land included in the requested change.

Mr. David Rickert, Attorney for the Applicant, explained how the remaining O-S zoning would serve as a break-down or buffer for the single-family zoning to the south.

Mr. Robert Archdeacon, Woolpert Consultants and engineer for the Applicant, reviewed zoning along the east side of Wilmington Pike in Greene County. He does not recognize this as "spot zoning" in consideration of the business zoning to the north. He believes that the remaining O-S zoned land is developable. Mr. Archdeacon presented a Land Use Plan developed for the entire remaining acreage between Bigger Road and Wilmington Pike, south of I-675 and north of Cheltenham.

Mr. Victor Green explained how the proposed rezoning follows the trend already established. He identified the need for a auto service station at this location.

Mr. Larry Davis, BP Oil Representative, reviewed how this proposal fits into the Land Use Plan developed by Woolpert Consultants for the entire area. He stated their intention to stay the existing house on the remaining O-S zoned land.

Mr. Singer indicated his desire to consider the Land Use Plan more completely prior to action concerning this Rezoning Request. Mr. Green stressed their need for action as quickly as possible.

Mr. Schwab reviewed for Council a Rezoning Request submitted by Paul J. Striebel & Associates for property owned by Charles L. Backus, Jr., a change from R-1d, Single-Family Residential to O-S, Office Service. He located the property on a map being lots 252 and 262 West Franklin Street situated along the south side of West Franklin Street immediately east of the Corporation Line. Mr. Schwab outlined the zoning of adjacent properties. He reviewed the Planning Commission Meeting at which time the Commission debated whether the change should be to O-S or to APD, Architectural Preservation District. The Planning Commission recommended denial of this Application to City Council and directed the City Staff to prepare a rezoning for the same properties to APD. The Planning also directed staff to prepare a study for review of the properties along the south side of West Franklin Street between Gershwin Drive east to Virginia Avenue to determine what zoning classification would be most appropriate.

Mr. Paul Striebel advised that the Applicant intends to demolish the existing structures and construct a new office building. He favors controls which APD zoning provides.

Mr. Leonard Snell was present at this Meeting to request a minor amendment to the approved plans for Interstate Executive

Center on Loop Road. The request was to re-cluster remaining buildings to be constructed. This amendment will not affect the total square footage to be built nor will it alter the parking lot in any way. All buildings in this project will be architecturally consistent with each other. Considering this as a minor amendment, City Council concurred with the proposal as presented.

Mr. Schwab reviewed a proposed Ordinance to amend the Zoning Ordinance for the City of Centerville, in an attempt to make the rear yard setback requirements in R-1c zoning work with those areas already developed according to previous requirements. This would alleviate the necessity of a Variance in unique cases.

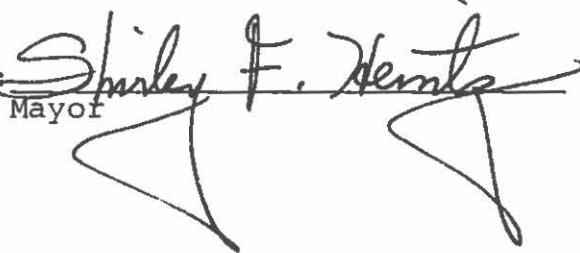
Mr. Kenning pointed out the fact that the Ordinance regulating the location of outdoor dish-type antennas passed in 1984 automatically stood repealed January 1, 1989. Council concurred that another Ordinance for this same purpose be placed on the next Council Meeting Agenda. This Ordinance to be prepared with no sunset clause and with some minor changes required based upon the new Zoning Ordinance text.

Mr. Kenning brought attention to a letter received from the City of Kettering in reference to prisoner care during the years 1987, 1988 and 1989. He recommended paying the 1987 costs this year and the remainder in 1990. A Resolution for this purpose will be placed on the next Council Meeting Agenda.

Discussion followed relative to an Employee Assistance Program and the intent for Centerville to be a drug free Community.


Marilyn J. McLaughlin
Clerk of Council

Approved:


Mayor