

Centerville Planning Commission  
Regular Meeting  
October 16, 1973  
7:30 P.M.

1. Roll Call -- Present were Mr. Baker, Mr. Tate, Mr. Maxton, Mr. Myers and Mr. Murphy. Mr. Wells, Chairman, and Mr. Davis were absent.
2. Approval of minutes -- Motion by Mr. Maxton for approval, seconded by Mr. Tate. Unanimous approval.
3. Public Hearings:

Z-73-8 and C-73-5 -- Request to rezone from R-1 to R-3 and conditional use for an office-residential use, property on the north side of West Franklin Street one property east of West Franklin and Hampton Road. Mr. Winterhalter explained the proposal. Mr. Schab explained the drainage of the land.

The applicant was represented by Mr. Ron McDonald, Attorney. The proposed use is for physician's office for treatment of the eyes and an office for fitting of glasses. There will be no manufacturing or lens grinding done here. No exterior change except removal of the garage door. Other changes will be interior only. 20 to 21 car parking lot in rear. Dr. Glanton has 35 to 40 patients daily at the North Main Street location. Closes at 6:00 P.M., and on Wednesdays; open Saturdays. Hours are by appointment only. Proposes gravel type catch basin at rear to slow down water runoff.

Mr. Myers inquired as to present location of Dr. Glanton's office. Answer -- 55 North Main Street, Centerville, Ohio.

Mr. Myers then asked why this particular spot is desirable since there are only residences presently in this block. Answer by Dr. Glanton: This is on a main arterial and it gives the extra space he needs.

Mr. Maxton -- Was the doctor aware that this property was not properly zoned for his purpose when he purchased it? Answer -- Yes, he was aware of this.

Question by Mr. Baker to Mr. Schab -- Will there be greater runoff of water? Answer -- There will be more water running off. Mr. Schab stated that the lower property has the obligation to accept the runoff from higher ground.

Dr. Glanton's attorney stated that another reasonable plan for storm water disposal would be acceptable.

Those speaking in opposition:

James T. Lynn, Jr., Attorney, representing James F. Presbaugh, 157 West Franklin Street in opposition to the rezoning. "This is a classic example of spot zoning, which is contrary to good zoning and State law." Will injure neighboring property. The requested conditional use is not within the intent of the ordinance. Commented on the added runoff of surface water. "The wooden fence, 6 feet high, as proposed, is not fitting in the City of Centerville." Area presently has no fences such as this and it would be objectionable. The use of grinding equipment, though small, is objectionable even though only edging the glass is not manufacturing. The drainage will, in all probability, cast water on adjoining neighbors and by necessity must add to the burden, due to the blacktopping for 20/21 parking spaces.

Mrs. Lundy, 222 Gerber Court, opposes the request as spot zoning as well as its proximity to the school and the increase of traffic. It is important to keep a neighborhood type area for benefit of small children when Magsig School converts to an elementary school building.

Robert Archdeacon on Davis Road opposes on the basis of storm drainage lack in the area. Asked Dr. Glanton if the 20 to 21 parking spaces were essential. Could some of the area be kept in grass to aid in slowing water runoff. Planning Board should consider what is wanted on West Franklin Street. He recommends extension of A. P. District for this area. Robert Thompson, representing Concept West Civic Association; the association opposes spot zoning such as this, also argues with applicant's reasoning for emergency eye care; stated that New Centerville Emergency Clinic could provide this service.

Hearing closed at 8:30 P.M.

Mr. Baker asked for the Planner's answers to the following questions:

1. Should this be A.P. District or is this an ideal use for Office-Residential use?
2. Does Washington Township zoning adjacent to Centerville affect this request?
3. The fence as proposed, is it adequate?
4. The amount of parking, is it excessive?
5. Traffic in and out, what is the impact?
6. There should be no lighted signs and no evening hours.

Mr. Winterhalter answered questions emphasizing spot zoning and excessive parking as major objections. He thought rezoning of West Franklin to A.P. should be seriously considered due to traffic along the arterial and its entrance way importance to "Historical Centerville". Nearby Washington Township zoning is for multiple family, commercial and industrial. Recommendation to deny.

The Planning Commission discussed spot zoning and the possibility of zoning this and adjacent properties "A.P."

Mr. McDonald suggested that the request for zoning would not require rezoning of the area to A.P. District. He stated that the area should be rezoned to A.P. District.

Mr. McDonald suggested that the requested zoning would not change anything so it could be zoned A.P. at some later date. This is not spot zoning.

Mr. Maxton moved that Z-73-8, rezoning R-1 to R-3, be denied, seconded by Mr. Murphy. Unanimously denied. Mr. Maxton recommended to the City Planner that the entire area be rezoned A.P. Planner to prepare application after consulting with Board of Architectural Preservation. Mr. Tate feels a single piece of property should not be rezoned but should go to corporation line on both side of Franklin Street.

Bob Thomas, Gershwin Drive, wanted clarification of the intent of the A.P. Board, and its goals and relationship to Planning Commission.

Unfinished Business:

Bellbrook Planning Commission meeting. They will meet October 31, 1973, if Harold Wells is able to attend. There will be an agenda. Review site plan and impact statement of Spanish Village south of Fireside Drive, E.C. zoned.

Impact statement was read and discussed by the Commission. Site plan presented by John Weiland, the applicant. The existing drainage system was discussed and the City Engineer who questioned the capacity of existing drainage tile.

John Beale representing Epiphany Lutheran Church suggested plantings and screening along church property; wants wooden fence as well as live plantings in expectation of deteriorating fence. Placing of dumpsters questioned. Dale Smith, applicant, said trash was collected daily therefore large number of dumpsters not needed.

Richard Frey, member of Lutheran Church, asked if existing trees and shrubs would be left intact. Dale Smith stated these trees, etc., would be left, do not want to remove anything. What would the architectural view to the south be? It would be compatible with the rear and the front of the building as shown in the architectural renderings.

Mr. Winterhalter feels some pessimism about the economic success of this project. Would rather see this same project in another part of the City as it is really a neighborhood center with three other neighborhood centers nearby. Mr. Myers fully approves of the architectural style of this proposal in this location.

The ratio of 38,000 square feet total -- 15,000 square feet for use as office space. Council can tie down the exact ratio of retail to office use. Mr. Myers moved that the preliminary plan of Spanish Village, south of Fireside Drive, submitted October 16, 1973, and so dated be approved, seconded by Mr. Maxton. Unanimously approved.

V-73-13 -- Beverly Roche, 5640 Marshall Road. Variance request for addition to the house which would not meet the setback requirements of the area. Mr. Winterhalter explained request and recommended approval. Mr. Maxton moved,

seconded by Mr. Murphy that V-73-13, a request for variance to the house at 5640 Marshall Road, be approved. Mr. Baker stated that in the past the Commission had required a public hearing in similar cases. The purpose for the public hearing is to inform the neighbors of the proposed change. Mrs. Roche stated that a public hearing would delay construction and would seriously inconvenience her. Unanimously approved.

Southbrook Manor, Section 3, Record Plan. The application was presented by Mr. Archdeacon. Sidewalks to be on the north side along Princewood but not on cul-de-sacs. Four-family units are along the north side of Princewood adjacent to the industrial zone, balance north of Princewood are doubles. The location of the access to the proposed park was discussed. It is planned to be at the east side of the last lot on Princewood. This will be dedicated to the City. Mr. Baker made the motion that the record plan of Southbrook Manor, Section 3 be approved with a 10 feet right-of-way with a 4 feet walkway to be installed into the park by the owners, seconded by Mr. Tate. Unanimously approved.

Lighting Plan for Recreation Vehicle Sales and additional lighting for Voss Chevrolet on Loop Road.

The additional lighting request is for five new posts with lighting directed toward Village South.

Mr. Tate moved that the lighting plan for Voss Chevrolet north side of Loop Road be disapproved as shown on the site plan presented and dated October 16, 1973. The motion carried unanimously.

Recreational Vehicle Area Lighting Plan. Mr. Winterhalter directed to contact Dayton Power & Light for advice on lighting fixtures. Mr. Maxton moved, seconded by Mr. Myers that this proposal be tabled pending further report by the City Planner.

Thoroughfare Plan Standards -- Final set of standards handed out by the City Planner for review. No action to be taken this date.

Seeley Plat, Record Plan -- South Main Street (Dayton-Lebanon Pike). City Engineer recommended acceptance of the plat. Suggested softening the berm by using a 3-1 slope to match the berm area to the south.

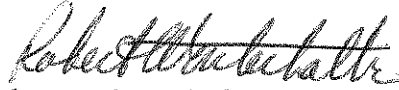
Motion by Mr. Baker to approve the record plan of the Seeley Plat subject to a berm being constructed acceptable to the City Engineer, seconded by Mr. Maxton. Unanimously approved.

Springmont B-2 zoning site plan review. Mr. Robert Ferguson presented the application. This was part of the former Eugene Kemp farm on Bigger Road opposite the Woods' Apartments.

Bowling alley would be the principal use of this B-2 plan. The applicant wants another 150 feet into the E.C. area for the bowling alley. Would have

small colonial type shops in the front and nearby.

Meeting was adjourned at this point at 11:40 P.M. The discussion with Springmont continued. No action taken at this time.



Robert Winterhalter  
City Planner

RW:fh

