

CENTERVILLE PLANNING COMMISSION

Regular Meeting

The Regular Meeting of the Centerville Planning Commission was held on April 26, 1971. In attendance were John Butler, John Davis, Nevin Elliott, Marion Loemker, Elmer Tate, City Manager John Griffin and City Engineer Frank Williams. In the absence of Chairman Harold Wells, Vice-Chairman Elmer Tate directed the Meeting.

1. (Z-71-4) A Public Hearing was held on a request from the Marathon Oil Company, 3110 South Kettering Blvd, Kettering, to re-zone 1.148+ Acres from Washington Township R-2 to Centerville B-2 (Roadside Business). The property is located on the southwest corner of the intersection of Alexandersville-Bellbrook Road (State Route 725) with Bigger Road - Bigger Lane. (It should be noted that Bigger Road is not currently a through public thoroughfare; south of Alex-Bell a portion (.6+ mile) exists as a private lane with no connection through to the southern end of Bigger Road).

Harry G. Ebeling, Attorney, appeared on behalf of the Applicant. He described the surrounding area as being in the process of change and expected to be significantly affected by Interstate 675 nearing construction stages some .9 mile to the north. Marathon feels this is a good location for a service station to serve the anticipated development. He called attention to the "generally accepted" proposal to make Bigger Road a through public thoroughfare.

William R. Yocum, Engineer for Marathon presented pictures of a similar station and described the proposed structures, and their location on the lot.

Mars Nafe, 1560 E. Alex-Bell Road, appeared in favor of the request. He identified himself as the present owner of the property (a portion of a large piece). He said that he felt this is a situation of "looking ahead" to an inevitable development; that the traffic along Alex-Bell is already heavy and with the Interstate the area is destined to be more intensively developed and that a service station would be desirable in this location.

Mrs. Audrey Henderickson, 1730 E. Alex-Bell Road, appeared in opposition to the request. She felt it would adversely affect the value of attractive residential property and would interfere with the ability of children in the area to use Bigger Lane safely.

Arnol Black, 7121 Bigger Lane, appeared in opposition to the request. He said there were plenty of filling stations within a convenient range of this area, four or five within 3/4 of a mile to both the north and west; that he felt a repair service would be an inevitable part of the proposed station and testing cars back and forth on Bigger Lane would adversely affect the area.

Joseph G. Barton, 7185 Bigger Road, appeared in opposition to the request. He asked why all the requests for business were along E. Alex-Bell and not west of State Route 48.

Mr. Tate pointed out that the Commission did not initiate Rezoning Requests but could only act on requests from owners of property.

R.C. Woodall, 1878 E. Alex-Bell, asked for information about Master Plan proposals for Alex-Bell between State Route 48 and Wilmington Pike.

Mrs. Arnol Black, 7121 Bigger Road, appeared in opposition to the request. She said progress can go both ways; she felt a change to business uses would depreciate the area and she said there are too many filling stations now with a number of them unable to make a go of it.

Mrs. Robert E. Rauch, 7150 Bigger Lane, appeared in opposition to the request. She called attention to the fact that there are currently two Marathon Stations within a short distance of this area (at the Oak Creek Shopping Center and at the intersection of 725 and Wilmington Pike) and that the residents of Bigger Lane felt they had a uniquely attractive residential area, on a tree-lined private lane, and wanted to keep it that way as long as possible.

Mrs. Jacob Worner, 1730 E. Alex-Bell, appeared in opposition to the request. She identified herself as a 16 year resident of the area who hoped she and her family would be able to continue living there in a area they "could be proud of."

Mr. Nafe rose again and pointed out that within the next two years at longest, sewer and water would become available and that he felt that would spark an inevitable development of this area no matter how much people wished it wouldn't happen.

Chuck Long, 7172 Bigger Lane, appeared in opposition to the request. He identified himself as a relatively new resident (less than a year) who had spent a long time looking for a home where his family could have dogs and horses and enjoy a semi-rural environment.

Walter Denny, 7260 Bigger Lane, appeared in opposition to the request. He pointed out that Bigger Lane is still a private road maintained at the expense of the residents along it and questioned whether it was legal to put a service station on it until it was in fact a public thoroughfare. He further stated as his opinion that if these changes were coming in the future, then Marathon should wait until the future to put in a service station.

John Possel, 1450 E. Alex-Bell, appeared in opposition to the request. He said he felt Centerville had very few attractive entrance routes into the City left; that Alex-Bell was one of these few and he felt it shouldn't be ruined.

Ronald McSherry, Ambridge Road, appeared in opposition to the request. He said there is already a traffic problem at the intersection of Bigger and Alex-Bell; we don't need a service station and if we do in the future there will be plenty of room for them up close to the Interstate.

Carl Milbrandt, 7111 Bigger Lane, appeared in opposition to the request. He identified himself as the resident most directly affected being the owner of property immediately adjacent on Bigger Lane. He pointed out there are 8 service stations within a 1 mile radius of this area and that 2 of them are Marathon. He repeated the contention that the intersection is already dangerous - one accident a week not being uncommon. He said he felt that the rezoning would devolve his property and he presented a petition with 119 signatures opposing the request.

Robert DeWitt, 7240 Bigger Lane, appeared in opposition to the request. He identified himself as living some distance down the lane and pointed out to the Commission that most of the residents had "acreage" and not just lot-size property. He felt the Rezoning on the south side of Alex-Bell could ultimately lead to a strong pressure for business zoning down the lane itself. He felt Alex-Bell could be supported as a limit to non-residential uses.

Mrs. Everett Lake, 1470 Black Oak Drive, appeared in opposition to the request. She stated in her opinion attractive residential property could be maintained along a "four-lane highway" and that the proposal to widen Alex-Bell should not be construed per se as a justification for business use.

Mr. De Witt asked where Marathon would get utilities for the station. He was advised the site was sufficient by County health standards to provide their own through a well and leeching field.

It was commented that well users are having problems throughout Montgomery County and concern was expressed as to whether this would adversely affect existing residents who are now dependent on wells.

In reply to a question, Russell Wolfe, District Mgn. for Marathon, said it was not planned to build the station until at least 1972 and maybe not until 1973.

In response to a question, Mr. Nafe said the lot in question was only a piece of a larger holding along Alex-Bell.

Mr. Tate declared the Public Hearing at a close, scheduled action on the request for the May 24 Meeting and asked for any comments and/or discussion from the Commission.

Mrs. Loemker pointed out that this was a very small part of a substantial portion of open land, one of the few large tracts remaining in Centerville, and that in her opinion it would be a mistake to let this one lot set the pattern for the substantial acreage involved.

She further noted that the actual construction of the Interstate was a number of years away and that while the area would inevitably be affected by it, an isolated commitment such as this would not be in the best interest of the City and would not be consistent with the City's responsibility to guide its growth.

Mr. Butler pointed out that there is a current proposal before the Commission for a balanced, planned mixture of business and residential use just to the east on Alex-Bell and that single-family homes, presumably attractive and marketable, are proposed along the frontage of the highway.

2. (P.O. 71-1). A Public Hearing was held on a proposed ordinance which would amend the Zoning Ordinance by requiring that no establishment engaging in the retail sale of alcoholic beverages would be allowed except as a conditional use under Section 20 of that ordinance.

Mr. Tate explained the purpose of the proposed amendments and read the text.

No one appeared in favor of the proposed ordinance.

John McIntire, 200 Weller Avenue, appeared in opposition to the proposed ordinance. He cited two reasons for being opposed: First he felt that State Laws governing the retail sale of alcoholic beverages were adequate for the protection of Centerville and that additional local restrictions would tend to discourage certain commercial uses such as hotels, which might be advantageous to the City's economy, from coming into the City; and secondly he felt that the ordinance as written, by specifically identifying certain uses as being subject to the conditional use category if they engaged in the retail sale of alcoholic beverages, implied that the non-specified uses could sell alcoholic beverages without being subject to the conditional use category.

It was the consensus of the Planning Commission that they did not share Mr. McIntire's first concern with discouraging advantageous commercial development; it was

their opinion that if a business feels it has a profitable market in Centerville, administrative procedurers will not discourage it from making the attempt to locate here and that Centerville should have an opportunity to evaluate local concerns, over and above State restrictions in connection with the specific location of businesses engaging in the retail sale of alcoholic beverages. It was noted that an ordinance to provide this local control had been specifically requested by the Council.

However it was also the concensus of the Commission that they shared Mr. McIntires' concern with the second point and that the proposed ordinance should be returned to the Municipal Attorney for comment and possible revision.

In further discussion, Mr. McIntire commented that he felt if local restrictions were imposed, they should be described in the ordinance. It appeared to be the feeling of the Commission that more flexibility would be available to the City with just the general requirement of a Conditional Use designation.

3. (V-71-5) A Public Hearing was held on a request from Haverstick Builders for a variance from the requirements of Section 14, B., b., Ordinance #15-61 pertaining to set back for accessory buildings as regards Lot #36, Terrace Villa Plat, Section 2, 150 Lyons Drive.

Robert Archdeacon, Ralph Woolpert Co., described the situation necessitating the request for variance. It was noted that the accessory uses (a garage and a swimming pool) would conform to the (Major) building set back line and in the case of the garage would be of compatible architecture.

No one appeared in connection with this request.

On motion of Mr. Davis, seconded by Mr. Elliott it was unanimously voted to approve this request for variance to allow the construction of these two accessory structures at a minimum set back of 30', from Lyons Drive in the case of the garage and from Wythe Parish in the case of the swimming pool.

4. (V-71-1) A Public Hearing was held on a request from Kreuzsch & Schermer Construction Co. for a variance from the Zoning Ordinance (Section 15, Item D) to permit the erection of an advertising sign in a residential district. The request is made for 18 months and is for a sign for the purpose of leasing the Clareridge Manor Apartments; the sign is to be located on lot 76, Centerville South, Section Four, is 4' x 8' and is not lighted.

No one appeared in connection with this hearing.

On motion of Mrs. Loemker, seconded by Mr. Butler, it was unanimously voted to approve this request for variance for a period of 18 months.

5. (Z-71-2) On motion of Mr. Butler, seconded by Mrs. Loemker, it was unanimously voted to recommend approval of this re-zoning request by Paul E. Lapp, Inc. to change some 75.5+ acres, located south westerly from the intersection of Wilmington Pike and Alexandersville-Bellbrook Road (State Route 725), from Washington Township R-4 and B-2 to Centerville R-4 and B-2.

The Public Hearing on this request was held on March 29, 1971.

Prior to the above cited action, discussion proceeded as follows:

As requested, Charles Abramovitz, of the Ralph Woolpert Co., presented more detailed topographical information, and he indicated a modification, since the March 29 Meeting, of the route of a proposed new thoroughfare, the modification being based on both more detailed topographical data and the acquisition of additional land to the south by Black Oak Estates, making possible an extension of specific siting for the thoroughfare.

This modification is of an illustrative proposal only and in no way affects the land area which is the subject of the re-zoning request.

It became the concensus of the Commission that this type of comprehensive proposal, which includes the construction of more single-family residences along Alex-Bell Road even though its ultimate widening and great traffic load is a generally accepted proposal is a significant step toward preventing the strip commercial development which overran State Route 48.

6. On motion of Mrs. Loemker, seconded by Mr. Elliott, it was unanimously voted to find acceptable as being compatible with the surrounding area, as illustrative elevation and rendering submitted by Kostic Construction Co. for a proposed office building in the rear of property owned by them along Far Hills Avenue south of the Ponderosa Restaurant.

7. On motion of Mr. Butler, seconded by Mr. Tate it was unanimously voted to recommend approval of the Record Plan, Southbrook Manor, Section One as submitted by the Ralph L. Woolpert Co., dated April 13, 1971.

Prior to the above action, Mr. Tate read a report from City Engineer Frank Williams.

It was also noted by Mr. Williams that the detailed construction drawings provided for sidewalks in accordance with City specifications.

Mr. Yeck of the Park District reported that all due procedures had been effectuated concerning the necessary park donation.

8. The representative from the Regional Planning Commission was not present so that discussion of the Master Plan was not undertaken.

9. (V-71-6) A Public Hearing was set for May 11, 1971 at 8:45 on a request from Dellwood Builders, Inc., for a variance to allow the erection of an advertising sign in a residential district so they can advertise the sale of houses in Rose Estates, a new plat located on Sheehan Road.

10. (V-71-7) A Public Hearing was set for May 24, 1971 at 7:30 on a request from The Centerville Inn, 101 W. Franklin Street, for a variance to permit construction of a sign at the property line instead of conforming to the 15' set-back requirement.

11. (V-71-8) A Public Hearing was set for May 24 at 7:45 on a request from Atlantic Richfield Co., for variance to allow their sign to remain in its present location at the building line instead of conforming to the 15' set-back requirement.

12. R.B. Pavlak, 4361 Plantation Trail, Bellbrook, appeared before the Commission to discuss a proposed development of 56.6+ acres identified as Walnut Hills Estates; 33+ acres lie in Centerville, the balance in Green County.

There is no request for rezoning on the Centerville portion but Mr. Pavlak submitted a proposed platting more or less in compliance with an R-1 district. The Green County section is for multi-family and office use.

Several factors evolved in discussion:

The terrain is unusually irregular and would not appear to lend itself to rectangular platting without excessive grading and clearing.

Any development in this area will be dependent on individual water and septic facilities within the next 2 to 3 years.

Nine lots have less than the 20,000 sq.ft. (It should be noted that some 6 acres was left undivided but no indication of a plan to donate the land to the Park District was made.)

As proposed there is no present or potential access to this site except through Green County.

It became the concensus of the Commission that the preliminary plat as proposed was not acceptable and Mr. Pavlak was advised to restudy the proposal.

Specifically the Commission expressed concern with the lack of access from Centerville and the necessity of using septic systems even temporarily. Mrs. Loemker stated that she felt this land should not be developed until sewers were available.

It was suggested that Mr. Pavlak might explore the possibilities of the Planned Unit Development provisions of the Centerville Zoning Ordinance, and of "clustered construction" as being more suitable to uneven terrain.

It was noted that a Special Meeting has been scheduled for May 11 and the next Regular Meeting was set for May 24.

The Meeting was adjourned.

Respectfully submitted,

Marion Loemker, Secretary