

CENTERVILLE PLANNING COMMISSION

Regular Meeting

The Regular Meeting of the Centerville Planning Commission was held on July 26, 1971. In attendance were Bruce Baker, John Davis, Nevin Elliott, Marion Loemker, Harold Wells and Acting City Manager James Smith.

On motion of Mr. Davis, seconded by Mr. Elliott, the Minutes of the June 28, 1971, Meeting were approved. (Mr. Wells and Mrs. Loemker, having been absent from that Meeting abstained.)

It was noted that Items 3-B, 3-C, and 3-D on the Ajenda should have been designated Unfinished Business instead of schuduled for Public Hearings.

1. (V-71-10) A Public Hearing was held on a request from the Bonded Oil Company for a variance from the set back requirements of the zoning ordinance to permit the erection of an internally illuminated, rotating sign at their service station on the southwest corner of the intersection of Dayton-Lebanon Pike (State Route 48) and Spring Valley Road.

James Gilvary, Attorney, appeared on behalf of Bonded Oil. He was accompanied by Mr. Bundl, Director of Construction for Bonded Oil, and Mr. Barnett, a Vice President of the Company.

Mr. Gilvary described the Company's efforts to make use of the two sign stanchions existing on the property, previously a Gulf Station, when they purchased it in 1970. Their request for the necessary variance was denied in December of 1970.

The current request proposes one sign to be erected at a point 60' in from the edge of the pavement of State Route 48 and 35' from the edge of the pavement of Spring Valley Road. The requirement is for a 60' set back from both R-O-W lines. Mr. Gilvary presented pictures of the service stations on the other 3 corners of this intersection indicating they felt their competitive position would be jeopardized if they were required to set the sign any further back from the roadway. Pictures were also submitted of Centerville Lanes indicating a comparable situation on sign location.

Reference was made to a recent variance (V-71-3, approved March 29, 1971) granted Shell Oil Co. for a Station on the north west corner of this intersection allowing them to retain an existing sign located 40' from the pavement of State Route 48 and 27' from the pavement of Spring Valley Road.

It was noted that the Sohio Station is outside the City's jurisdiction. The Acting City Manager was requested to investigate the 76 Station and Centerville Lanes with respect to possible sign violations.

No one appeared in favor of or opposed to this request for Variance.

On motion of Mr. Baker, seconded by Mrs. Loemker, this request for variance was approved subject to the sign being stationary and with the specific provision that if either roadway is widened or either right-of-way edsignation is changed, the variance shall be subject to review.

2. (V-71-8) A Public Hearing was held on a request from the Atlantic Ridgefield Company (ARCO), for a variance from the zoning ordinance to permit retention and maintenance of the sign on their station at 63 South Main Street.

Marvin Rogers, 1671 Sugar Maple Drive, Columbus, Ohio, Maintenance Engineer for Arco, appeared on behalf of the Company. He called attention to the fact that the station and sign had been there for 12 years, as a Sinclair Station; with the merger of the two companies, it became necessary to change the face of the sign thus necessitating a new permit. They have off-set the new sign so that it no longer overhangs the sidewalk but feel that to move it back any further would jeopardize their competitive position because the sign would not be visible at all to south bound traffic.

He described the lot as being a small inside one and said the main barrier to visibility are several large trees on the property immediately to the north.

No one appeared for or against the Request.

In discussion it was noted that the property to the north was up for sale and changes in the physical configuration of the lot might be anticipated. It was agreed that at present a hardship situation on visibility of the sign does exist.

Mr. Rogers indicated that ARCO would be willing to move the sign at any time they could do so and still maintain a competitive visibility.

On motion of Mr. Davis, seconded by Mr. Baker, this request for variance was unanimously approved until such time as a changed configuration of adjacent properties removes the existing hardship.

The Public Hearings being concluded the Commission next discussed the three pending re-zoning requests from the Black Oak Development Company.

3. (Z-71-8, Z-71-10) It should be noted that these two requests affert "pieces" of a large tract (148± acres) owned or under option to the Black Oak Construction Company. Re-zoning of the entire tract was previously requested in conjunction with a Residential Development Plan of multiple uses. That re-zoning was denied. A third piece (Z-71-9, 20.7± for single family residential development immediately adjacent to Black Oak north along Raintree and Black Oak Drive) was recommended to Council for approval on June 16, 1971.

It should be noted that a group of Black Oak residents were present and during the discussion a number of questions were received from the floor and answered.

In discussion it evolved that the Planning Commission felt it would not be in the best interest of the City to begin on a piece-meal re-zoning of this large tract.

With the permission of Chairman Wells, Stanley Swango, President of the Black Oak Development Co., expressed his frustration at being "caught in the middle" and prevented from making use of property which he described as a \$1,000,000 investment.

Mr. Swango cited their previous efforts, at considerable expenditure of time and money, to sell the total package; he pointed out that they had modified their original plans in line with the feedback from various groups as to areas of concern.

He felt that, having refused to accept the composite plan, the City now did not have the right to object to re-zoning in pieces. He said they had to protect themselves against the instability of Cloyo Road in its present state, calling attention to the hodge-podge on the west side and to the City's ostensible desire to develop Cloyo as a major thoroughfare feeding ultimately into Wilmington Pike and I-675.

Mrs. Loemker said that she agreed that at the moment they were seemingly caught in the middle but that she didn't think their personal and corporate economic hardship was severe enough to warrant jeopardizing the entire City's interest and that while disagreeing personally with the Council's judgment in denying the previous Request, a second "wrong" decision would not create a "right" situation.

Mr. Davis said that in a very real sense, the City had much more than \$1,000,000 interest in the proposals.

Mr. Baker pointed out that with the previous "package" proposal, nothing had been presented in the way of alternative "packages" it was an all or nothing concept with, he felt, unacceptably high densities in multi-family use.

Mrs. Loemker asked if the Council had offered any guidelines to the Developers about why the request was denied - i.e., would they act favorably on a total proposal with less intensive use?

It was agreed that it would be helpful to schedule a work session meeting with Black Oak Construction Company to explore alternatives which would enable the entire tract to be planned at one time. It was also agreed that the members of Council should be advised of this meeting and invited to participate. Such a meeting was set for August 10th at 8:00 P.M.

It was specifically understood that the Developer would come to the meeting prepared to offer alternative proposals for a "package" development and not just resubmit the original plan.

The Acting City Manager was asked to notify the Black Oak Civic Association that ~~there would be~~ such a meeting.

It was further agreed that action on pending requests would be taken that night.

4. (Z-71-11) This is also a Request from Black Oak Development Company for the Re-zoning of 57.8⁺ acres on the north side of Centerville Station Road approximately 1000 feet west of Wilmington Pike. (The Public Hearing was held on May 24, 1971.)

It was noted that this proposal envisions the extension of Wilmington Pike as a major thoroughfare south of State Route 725, paralleling and at some distance west of existing Wilmington Pike south of 725. Reference was made to the current re-zoning proposal for the Paul Lapp property (Z-71-2) which was recommended to Council for approval on April 26, 1971 and which encompasses the intersection of Wilmington Pike and I-675.

It was also noted that the Developer had offered to restrict himself to the construction of "doubles" on the 28.3⁺ acres on the west side of the proposed new road, backing up to the single-family residences in Black Oak. Across the thoroughfare, the balance of the site, 29.5⁺ acres is proposed for multi-family units consistent with R-3 densities, though coordinated with a donation of the lower 9 acres fronting on Centerville Station Road as a park, permitting the maximum number of units to be built on the reduced site.

Mr. Davis reported that the desirability of this thorough fare road was currently being evaluated by Council who had not yet acted on the Lapp application.

Mr. Swango said that a 120' R-O-W road was not their idea and that without it they would have proposed single-family houses but had been advised that such a road was in the City's plans and were willing to accomodate their plans to it.

Tom Perretti, 1655 Ambridge Road, asked the Commission to give consideration to not having Ambridge Road go out to this new thoroughfare because he felt Ambridge would become a "through" path to the west from the apartments.

It was agreed that having recommended approval of the Lapp re-zoning with provision for the beginning of the new thoroughfare, this request was a consistent extension. However it was pointed out that for practical purposes the probability is that the new thoroughfare will not be extended southward beyond this site for a number of years and that a density below the maximum allowed in a R-3 zone would be preferable inas much as there will be no southerly egress.

On motion of Mrs. Loemker, seconded by Mr. Elliott, it was recommended by a vote of 4 to 1, predicated on Council having approved the re-zoning request for the Paul Lapp property (Z-71-2), which presumes an extension of Wilmington Pike at a right-of-way width of 120', that this request for re-zoning be approved subject to the following restrictions:

1. that the 28+ acres designated as being reserved for "doubles" be developed at a density not to exceed 3.5 units per acre exclusive of streets, and
2. that the 29+ acres designated as being reserved for multi-family construction be developed at a density not to exceed 5 units per acre exclusive of streets.

Mr. Baker voted against recommending approval stating he felt it would still be suitable for single family housing.

In addition the Planning Commission agreed to specifically call Council's attention to the possible problem created by the connection of Ambridge Road (designed to carry only residential traffic) to the new thoroughfare creating a through route to Bigger Road and out to the west.

5. On motion of Mr. Baker, seconded by Mrs. Loemker it was unanimously voted to approve the revised Preliminary Plot Plan of Walnut Hills Estates, submitted by Richard B. Pavlak.

At the request of Council, the Plan was revised to provide for a second potential connection into Centerville; this one to the west by extending Lausanne Drive to the boundary of the site, anticipating a possible future connection with Seminary View Drive. Inas much as the extension of the street eliminated one of the lots available for sale, the revised plan also eliminated the proposed donation of recreation use of two lots on the north side of Lausanne Drive at its eastern end.

Fredrick P. Jackson, 2420 Centerville Station Road, the owner of the property abutting this site on the west was present to indicate his awareness of and concurrence with the revised plan.

6. (Z-71-12) A Public Hearing was scheduled for August 30th at 7:30 on a request from Irvin B. McCray, Grace E. James and The Sun Oil Company to re-zone 0.647+ acres on the southwest corner of the intersection of Franklin Street and Main Street from Centerville B-1 to B-2.

7. (Z-71-13,14,15,16; C-7103) A Public Hearing was scheduled for August 30th at 8:00 on 4 Requests from Joseph F. Rippe and the R & R Investment Company to re-zone some 82+ acres on the west side of Wilmington Pike south of the proposed Interstate 675 from Centerville R-1 to R-2 and 3 and B-1 and 2. A request for a conditional use accompanied re-zoning request Z-71-14.

8. (CC-2-71) On motion of Mr. Wells, seconded by Mr. Baker, it was voted unanimously to approve the curb cuts requested by the Acme Plumbing Supply Company, Inc. for the Post Office under construction on Irongate Drive subject to "In" and "Out" directional markings being provided respectively on the two 14' cuts on Irongate Drive; said curb cuts as approved are indicated on a drawing number 7013-1 as revised through April 5, 1971.

There being no further business on the agenda, Mr. David Hoover, 6150 Bigger Road in company with two of his brothers sought advice from the Commission on what type of development might be feasible for an irregularly shaped piece of land lying on the east side of Bigger Road, north of the proposed Interstate and south of the corporation line.

They were apprised of the zoning regulations currently in effect and of various developments going on in the immediate vicinity.

Attention was called to the two Special Meetings this month: August 10th at 8:00 with the Black Oak Construction Company and August 17th at 8:00 with Clark Turner of the MVRPC. Next regular meeting August 30th at 7:30 P.M.

Respectfully submitted,

Marion Loemker,
Secretary