

XENIA TOWNSHIP ZONING COMMISSION

PUBLIC HEARING

July 19, 2016

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE MEETING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

The Xenia Township Zoning Commission held a meeting on July 19, 2016 at 6:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385 with the following members present:

Attendees: Jeffrey Zweber, Virgil Ferguson, Donna Randall, and Alan Stock, Zoning Inspector/Clerk.

Chairman Jeffrey Zweber called the meeting to order at 6:00 p.m.

Jeffrey Zweber advised that this Public Hearing was to discuss the text changes to include Agritorism to the Zoning Resolution and for a possible rezone on U.S. 68 South. He advised these would be handled separately. He decided to handle the rezone for U.S. 68 South first because more audience members were present for that Hearing.

Jeffrey Zweber asked for all attendees and guests to stand for the Pledge of Allegiance. All participated in the Pledge of Allegiance.

Jeffrey Zweber advised that agendas were handed out so that the audience members could follow along. Jeffrey Zweber stated that Alan Stock requested that everyone sign in, and asked that everyone make sure they do that before they leave. Jeffrey Zweber shared that the first item on the agenda was to verified that the Zoning Commission complied with all of the requirements and procedures for a public hearing. Jeffrey Zweber advised that they received this request on June 20th, 2016 and was transmitted to Regional Planning. Jeffrey Zweber advised that Zoning Commission set the date for the hearing on July 19th, 2016 which fit within the twenty to forty day window. He advised a notice was published in the newspaper, and letters were sent out the residents. Jeffrey Zweber advised that the Zoning Commission had received Regional Planning's recommendation. Jeffrey Zweber advised that they had been compliant to the required procedures thus far. Jeffrey Zweber informed that the recommendation from Regional Planning was exhibit three.

An unknown member of the audience asked if Jeffrey Zweber could state the whole issue that the Public Hearing was going to cover.

Jeffrey informed that the applicant has requested that a 2.17-acre parcel of land on the east side U.S. 68 South be rezoned to B-2 from the current zone, which is partially B-3 and partially Agricultural. Jeffrey Zweber referenced the Zoning Map for Xenia Township and advised that the entire Township was divided up into various zones that are defined in the Zoning Resolution. Each zone has basic permitted uses, and conditional uses that would require an application be sent in to the Board of Zoning Appeals. Jeffrey Zweber advised that the issue before the Zoning Commission involved simply changing a color on the map. Jeffrey Zweber informed that he was going to share Regional Planning's recommendation. He advised that the Zoning Commission

was not bound to the recommendation, and that they did not have to agree with it. Jeffrey Zweber informed that the petitioner will come up and state their case and after wards the public comments section would be opened. People who want to speak in favor of the rezone will speak first, and those who want to speak against will speak afterwards. He advised that he will allow people to speak more than once, and have their say. Jeffrey Zweber informed that after that public comments section closed, the Zoning Commission will then deliberate and discuss everything that they heard and all of the information they have. Jeffrey Zweber advised that the expected outcome was that the Zoning Commission would vote to either pass or deny the rezone, in which case the Zoning Commission would then pass their recommendation on to the Trustees. Jeffrey Zweber advised that it could be possible they would need more time discuss the topic, in which the Zoning Commission will then set a date for a continuation. Jeffrey Zweber read the definition of the B-2 zone from the Xenia Township Zoning Resolution, which stated that the purpose was to “provide for a variety of retail stores and related activities and for office buildings and service establishments which serve the convenience and service needs of the consumer population. Land to be placed in this district is intended to have level topography for safe ingress/egress for parking, public utilities, central water supply, off site waste water disposal, and major transportation facilities readily available.” Jeffrey Zweber read the recommendation from Regional Planning, which stated, “the site in question is situated between an established business area and an established residential subdivision. The step down from a more intense B-3 Highway Business to a B-2 Neighborhood Business designation offers a logical transition from higher to lower intensity. Both the adopted County Plan and the unadopted Xenia Township Plan recommend continuation of the business cluster on U.S. 68 South of the U.S. 35 bypass. This site is on the southern edge and the proposed B-2 would be a logical transition in intensity from B-3 to R-1. The absence of public water and sewer service complicates the request, but as long as the Ohio EPA or Greene County Public Health approves the onsite systems, development can occur. The purposed access easement along the south side of the purposed rezoning should be used by the business to keep curb cuts at a minimum on the arterial road. Confirmation of compliance with ODOT’s site distance regulations should also be required for the proposed drive.” Jeffrey Zweber advised that Regional Planning then went on to the recommendation, “base on the above findings and discussion it is recommended the proposed rezone request be approved if the site distance is confirmed in compliance with ODOT and onsite water and waste water treatment can be approved. Rather than a separate entrance, use of the purposed easement for access on Route 68 is recommended.” Jeffrey Zweber advised once again that the Zoning Commission was not bound to this. Jeffrey Zweber gave the floor to the petitioner.

Bob Gage, of GBT Realty, advised that the public may have noticed a new Dollar General being built down the road, and informed that was one of their developments. He advised that the other two new Dollar Generals that are being built are theirs as well. Bob Gage advised that this third location was a request of the retailer. He advised that they pick the locations, and have GBT Realty go out and buy the selected locations and begin development. Bob Gage stated that what they are after is to separate a little over two acres of land that splits out on to a larger forty-three acre tract of land that is all zoned agricultural. He advised that on the north side of the property, there is a little section of B-3. He informed that they want to carve out a parcel of land, which is a little over two acres, to develop this new facility on. Bob Gage advised that the shared access to the facility will remain on the southern part of the property. He informed that they are proposing to do a curb cut at that location and then do a drive off of that into the property they are looking to develop. He said that this would give access to the remaining B-3 behind the property. He said

this would be on curb cut off of U.S. 68 South instead of multiples. Bob Gage advised they are looking to build a 9,100 square foot Dollar General with an onsite well and septic system. Bob Gage also advised there will be an onsite retention facility for the storm water. He advised that they are planning to meet every ordinance specified by the B-2 zone. Bob Gage shared that they felt this was a good location for this new store. Bob Gage advised that they are looking to extend the commercial area north of the property with a less intense zoning of B-2. Bob Gage advised that the development would be the same as what can be seen down the road on Paceline. He advised that the store will employ ten to fifteen people. Bob Gage informed that these are low volume stores that do not create traffic, they just capture the traffic that is already there. Bob Gage said that, as far as site lines go in compliance with ODOT, because the property is in a fifty-five mile an hour zone here is a six hundred ten foot site line triangle that they have to meet. Bob Gage advised that they do meet this requirement in both directions. Bob Gage said that impervious coverage for a B-2 zone is 25%. Bob Gage advised that, with their development plan, they are coming closer to 50% coverage. Bob Gage informed that is the only variance they will have to ask for. Bob Gage asked for any questions.

Jeffrey Zweber asked, in terms of the impervious coverage that was mentioned, if that was a retention pond in the front of the property in the pictures presented.

Bob Gage, of GBT Realty, confirmed this, and said that the retention pond will take care of all of the storm water. He informed that there is a pond between the parking lot and Highway 68. He informed that this was basically the lowest spot for the property, so they designed the pond there to collect all of the rain water that runs off from the impervious material.

Alan King asked if the property would be leased to a local resident, because he had heard Bob Gage mention that GBT Realty owns the land and leases it out.

Bob Gage, of GBT Realty, informed that they would be leasing the property to Dollar General, a national retailer. He advised that they build the buildings for them then they lease them back to Dollar General.

Alan King asked if they were a separate entity from Dollar General.

Bob Gage, of GBT Realty, confirmed that they were a separate entity.

Alan King clarified that this facility would be run by the Dollar General corporation.

Bob Gage, of GBT Realty, advised this will be a corporate run facility but all of the employees are hired locally.

Alan King asked what the potential employment would be.

Bob Gage, of GBT Realty, advised that they start off with ten employees, and then depending on how busy the store gets it can be up to fifteen people. He said typically half are part time and the other half are full time.

Alan King asked how far their driveway was from the nearest house.

Bob Gage, of GBT Realty, advised that it would be approximately three hundred feet.

Alan King asked if the easement they want to put into place would leave adequate road frontage for some agricultural use.

Bob Gage, of GBT Realty, said yes, and that the requirement is three hundred feet, which, is what they have carved out to leave room for agricultural use. He also advised that the driveway is included in this three hundred feet.

Alan King asked if Bob Gage knew what the driveway was going to consist of and whether or not there would be an entitlement.

Bob Gage, of GBT Realty, said he was not sure of the physical makeup of the land, but he assumed that there was a ditch that runs along the side of the road, in which case an entitlement would be needed.

Alan King asked where the Dollar General driveway would be in relation to the Xenia Township Fire Department.

Bob Gage, of GBT Realty, said that he believed it was right across the street.

Alan King asked if there had been any preliminary sewer and water percolations or any surveys done of nearby wells.

Bob Gage, of GBT Realty, advised that they do not typically do that until they get through the first phase of the rezoning process.

Alan King asked if there would be high intensity water use on the property.

Bob Gage, of GBT Realty, advised that there would not be. He informed that there will be two restrooms and a drinking fountain inside of the store. Bob Gage advised it will use less water than a three bedroom house.

Jeffrey Zweber asked for any further comments from the Commissioners. Jeffrey Zweber asked that all questions given by the public be directed to him and that all speakers come up to the podium and give their name and address.

Russell Curtis, 970 Valley Dale Drive, said that he heard a pond was mentioned and said that that pond would belong to the farmers in the area. He asked if they would be taking drainage back there.

Jeffrey Zweber answered no. A different pond was going to be newly constructed at the front of the lot.

Russell Curtis, 970 Valley Dale Drive, said that he at first thought it was going to be the same ponds the farmers used. He then asked if the easement off U.S. 68 South for the farmers would still be there.

Jeffrey Zweber advised that the area that parcel that the petitioner is looking to rezone has three hundred feet of space from the agricultural land around it. He advised that this just makes the frontage go from five hundred feet to three hundred feet.

Julie Brown, of 983 Livingston Road, wanted to formally ask for a packet because there were not enough laid out and she did not get one.

Alan Stock told her that if she left her e-mail address he would send it to her in the morning.

Julie Brown, of 983 Livingston Road, thanked Alan Stock. She then asked what would happen to the building if the business were to fail, since GBT Realty is leasing it.

Jeffrey Zweber informed that the zoning change that they are considering, if passed, will be good until it is changed again. He further explained that the parcel of land will stay B-2 even if the store fails, and if GBT Realty wanted to they could sell the land or lease it to somebody else. He advised that they would be permitted to do whatever is allowable within a B-2 zone.

Robert McNelly, of 788 Maple Drive, asked what the terms of the lease were and how long it was for.

Bob Gage, of GBT Realty, advised that the lease was a fifteen-year lease with a thirty-five year renewal.

Robert McNelly, of 788 Maple Drive, asked what the other Dollar General locations in town were zoned.

Bob Gage, of GBT Realty, advised that the Paceline location was already zoned commercial and did not require a rezone.

Jeffrey Zweber advised that neither of the other two locations fell within the Xenia Township, so they are covered by city zoning.

Robert McNelly, of 788 Maple Drive, asked what the true difference between B-2 and B-3 was.

Jeffrey Zweber shared that the intended purpose of B-3 is to provide for highway-oriented uses and less intensive business types to serve the market of an urban area rather than a neighborhood and are usually found along major traffic arteries. He advised that B-3 districts usually house major shopping centers with convenient off street parking. The land is intended to have a level topography with a safe ingress and egress, public utilities, central water supply, offsite waste facilities, and major public transportation. Jeffrey Zweber advised that B-3 Highway Districts should be no less than five acres.

Alan King advised that under B-3, automobile service stations are permitted, along with furniture stores, commercial areas, parking garages, and bars. He informed that B-2 is a lighter zone that allows things like banks, gift shops, hardware stores, nursery schools, and mortuaries. He advised that B-2 is less industrial.

Jeffrey Zweber also advised that hotels and motels are allowable under B-3 but not B-2.

Robert McNelly, of 788 Maple Drive, asked if the speed limit around the area in question was indeed fifty-five miles per hour.

Bob Gage, of GBT Realty, advised that the actual posted speed limit is forty-five miles per hour.

Robert McNelly, of 788 Maple Drive, asked how this new store would affect their property values. He asked Bob Gage if his company had ever done any studies to this effect, and whether or not they believe the property values will improve or not.

Bob Gage, of GBT Realty, advised that they do believe the property values will improve. He said that what they are doing is stepping down the use allowed on the property. He said that typically they do not see property values around their sites decrease, they increase. He informed that there had not been a large impact on residential properties that they have seen. Bob Gage shared that the effect has been positive everywhere they have gone.

Robert McNelly, of 788 Maple Drive, asked how the houses that are around the parcel in question handled their sewer.

Jeffrey Zweber advised that the part of the report that was not read addressed this question. Jeffrey Zweber read that in chapter eleven from Regional Planning, they advised that the nearest public water supply and sanitary sewer is located at the intersection of Innovation Way and Union Road approximately three thousand feet to the north west. Jeffrey Zweber continued on and shared that there were no plans to service the station at this time. The site in question is located at the southeastern fringe of the Xenia Waster Water Facility area. Jeffrey Zweber summed this up and said that this will all run into what the City of Xenia is working on off Union Road. Jeffrey Zweber advised that this is the closet station for sewer and water to the lot in question.

Robert McNelly, of 788 Maple Drive, asked what kind of customer through put does the store typically expect or see.

Bob Gage, of GBT Realty, advised that typically these stores generate about ten cars per hour. He said that ten people per hour come in the store from the time it opens until it closes.

Robert McNelly, of 788 Maple Drive, asked if customers would be denied to use the restrooms, since Bob Gage had said the store would use less water than a three-bedroom house.

Bob Gage, of GBT Realty, advised that this was not the case, but it is not typical for every customer to come in and need to use the restroom.

Robert McNelly, of 788 Maple Drive, said that even so there will be a minimum of ten employees in the store. He said that he had never had ten people in his house, and asked that Bob Gage amend the statement that he made regarding the water use being lower than that of a three-bedroom house because he finds that hard to believe.

Joe Harkroab, of 100 Park View Road, wanted to comment for the record that he believed this was a great proposal change to the zoning map.

Jeffrey Zweber said that statements for and against were coming up, but for now this section was for questions and clarifications.

Joe Harkroab, of 100 Park View Road, retracted his statement and apologized. He advised that his time at the hearing was limited and he just wanted to make his statement before he left.

Clint Miller, of 950 Valley Dale Drive, asked how much land they intended to purchase, because it said that they wanted to rezone 2.17 acres of land.

Bob Gage, of GBT Realty, said that they were purchasing 2.17 acres.

Larry Caraway, of 960 Valley Dale Drive, asked if the area in the back where the access road is going to be place would still be B-3 or if it would be B-2.

Jeffrey Zweber said that to his understanding there will be an easement for access, but it is not going to be rezoned. He advised that this will be an easement across agriculture to access the B-3 parcels in the back.

Larry Caraway, of 960 Valley Dale Drive, said that he did not understand why this land part of the land was even being used, and felt that everything was just getting pushed further down.

Jeffrey Zweber informed that the Xenia Township Zoning Resolution states that agricultural land is supposed to have a minimum of three hundred feet of road frontage. Jeffrey Zweber said that in looking at this it appears the left exactly three hundred feet of road frontage, to make this a conforming lot.

Larry Caraway, of 960 Valley Dale Drive, asked what the business hours in B-2 zoning are.

Jeffrey Zweber advised that there were no restrictions on hours of operation.

Larry Caraway, of 960 Valley Dale Drive, asked how many towns or Townships the size of Xenia had or have three Dollar Generals.

Jeffrey Zweber advised that he was unsure.

Bob Gage, of GBT Realty, advised that every city or Township that they choose to build their stores in will have this number.

Jeffrey Zweber asked for any further questions.

Danny Jewett, of 689 South Columbus Street, said that he believed there was an easement already on the property in question. Jeffrey Zweber informed that the area he was referring to was just part of the lot, and that it has a strange shape. Danny Jewett asked if there was going to be a turn lane off U. S. Route 68 South to access the Dollar General. Jeffrey Zweber said that he did not think there were any plans to have a turn lane, or to change Route 68. Danny Jewett asked about the projected business hours.

Bob Gage, of GBT Realty, informed that the stores are open from 8:00 a.m. to 10:00 p.m. Monday through Saturday and 9:00 a.m. through 9:00 p.m. on Sunday.

Steve McPherson, 983 U.S. Route 68 South, said that the developer had mentioned using impervious surfaces for a portion of the parking area. He advised that this cuts down the retention pond size required. Steve McPherson advised that the issue with this is that you do not know what all is going down through the ground water. He said that with a retention pond, you could see if oil and other things get mixed into the water and you can catch problems. He said the whole purpose of them spending so much money on the impervious concrete is to cut down on the retention pond. Steve McPherson advised that, in terms of Xenia Township notifying residents of the meeting, only residents that are adjacent to the property being discussed would receive direct letters. Jeffrey Zweber said that the notification process had recently been improved, and the requirement for a sign was new to the Xenia Township. Steve McPherson said that it was like pulling teeth trying to get information when he had not received the documentation.

Jae Barrett, 983 U.S. Route 68 South, asked how long the construction will take and what the hours of construction will be.

Bob Gage, of GBT Realty, will take one hundred twenty days from start to finish. He advised that they will adhere to the construction limitations of the Xenia Township.

Joe Roller, 2324 Shelterwood Drive, asked for clarification if the type of concrete that is going to be used will be pervious and allow water to soak through. Bob Gage advised that it will be impervious.

Jeffrey Zweber asked for the picture of the site plan to be pulled up to help clear up the confusion on the impervious/pervious coverage. Bob Gage explained what will be covered by impervious pavement, and clarified that there will be no pervious pavement on this site. He advised that all of the runoff will be caught in the retention pond.

Julie Brown, 983 Livingston Road, asked if the water in the well was going to come from a separate irrigation system that they have.

Bob Gage, of GBT Realty, said that there will be two separate irrigation systems. The building will have its own irrigation system. He said that this was what was typical.

Russel Curtis, 970 Valley Dale Drive, advised that the drainage out there in front of the ditch cannot currently handle any more water.

Bob Gage, of GBT Realty, advised that these were all very technical questions and they had not yet done all of the testing and research yet.

Jane Wade, of 930 Valley Dale Drive, asked if a property that is zoned residential can also have a B designation simultaneously. Jeffrey Zweber advised that this was not possible. She then asked if the information on the Greene County GIS is accurate. Alan Stock advised that sometimes there is confusion because there is classification listed on GIS but not the actual zoning. He advised that the classification is what the property is being taxed as. Mr. Stock

advised that she could get on the Xenia Township website and pull up a zoning map. Jane Wade asked what the history was with rezoning a piece of a property and then the rest of the property following soon after. Jeffrey Zweber said that any property owner can come in and file an application for a rezone and they will have to go through this process.

Jeffrey Zweber asked for public comments in favor of the rezone.

Robert McNelly, of 788 Maple Drive, said that the businesses in the area currently are, as he stated bluntly, garbage dumps. He said that from what he has seen so far, this planning has been very professional and thought out. Todd McNelly said that the community has been seeing is big box stores, like Walmart, coming in and building large facilities that they use for a few years, then when the move on to a new facility they sit vacant for a long stretch of time. Todd McNelly informed that some companies have been making this move of splitting up their footprint rather than building large super stores. He advised that he thinks this is a good idea in that respect. He said it will be easier to repurpose the smaller stores.

Jeffrey Zweber asked for any further comments in favor. There were none. Jeffrey Zweber then asked for any comments against the rezone.

Jane Wade, of 930 Valley Dale Drive, said that the small parcel is not such a big deal, but there has been crime in the area when there were previous businesses in the area. She advised that another issue she has is the potential to decrease the surrounding property values.

Mari McPherson, 983 U.S. 68 South, read the e-mail she sent the Xenia Township voicing her opinion against the rezone. She advised that there are already two Dollar General Stores with a third being built, so adding a fourth footprint does nothing to benefit Xenia. Mari McPherson continued that the area around the parcel in question is mostly agriculture, and is a nice place to live if you want a nice, quiet, and beautiful area. She advised that with the recent used car lot that has been opened on U. S. 68 South, the addition of another business would create an unsightly view of the area. She advised that the increased traffic, sound pollution, and light pollution would severely affect the quality of life in the surrounding area.

Steve McPherson, 983 U.S. 68 South, said that he and his wife did not move out into the country to have twenty-four hour security lights flooding the area from commercial businesses.

Nancy Curtis, 970 Valley Dale Drive, asked for clarification if the request is to rezone the parcel from agricultural to commercial. Jeffrey Zweber confirmed that that was the request. She asked how the “junkyard” got zoned residential from commercial. Jeffrey Zweber advised that the zoning map had not been changed for any parcel in the area while he has been on the Zoning Commission. She asked if it was zoned for a business. Jeffrey Zweber confirmed that it was. Nancy Curtis asked how there was a house on the property if it was not zoned for residential use. Jeffrey Zweber advised that there are many non-conforming lots and uses within the Xenia Township. Jeffrey Zweber advised that Alan Stock and the Trustees do the very best they can to deal with nuisance properties, zoning violations, and non-conforming lots.

Robert McNelly, 788 Maple Drive, said that the concern of the community is that, if the rezone goes through, that the parcel will be used for what its intended use is. He advised that the junkyard is just being used as an example of a property that is not being used properly or as

intended. He informed there is a concern that the same thing will happen on this property in question. Robert McNelly said that the community wants assurances that the Xenia Township is prepared to enforce the zoning laws on this property if needed.

Julie Brown, 983 Livingston Road, said that she purchased her house to escape from the city, so this notice was very abrupt to her and her husband. She advised that in the community, and the City of Xenia, there have not been very many major crimes or major gun robberies. Julie Brown said that she was appalled to find out the store was going to be a Dollar General. She said that placing this store here is asking for trouble. Julie Brown said a concern for her was the possible rise in crime rate.

Jae Barret, 983 U.S. 68 South, said that she worked at a Casano's located next door to a Dollar General for quite some time, and she frequented it often to get snacks on breaks and during lunch. She advised that the employees were usually around her age, and were very unprofessional at times. She said that she does not want people like that working near her home. She is concerned that theft will occur. Jae Barret said that another concern is that this area will turn from an agricultural area to a business area.

Ryan Simpson, 841 Maple Drive, said that his concern lied with the traffic increase. He said that adding this store here could possible increase traffic, especially on days when their supply trucks come. He said he does not think, for traffic purposes, it is such a good idea to have it so close to the fire station.

Russel Curtis, 970 Valley Dale Drive, said, relating to what Nancy Curtis had mentioned about the "junk yard", that the community's biggest question was how this junk yard seem to appear overnight.

Steve McPherson, 983 U.S. 68 South, advised that he enjoys the farm he lives on due to the nice, quiet environment. He advised that the construction of the Dollar General will cause an increase in traffic due to the construction crews coming to work on site, and an increase in accidents will occur due to drivers being distracted by the construction. He advised that the ambulances and police responding to the accidents will create more noise.

Clint Miller, 950 Valley Dale Drive, said that the major concern with the residents is, once the Dollar General gets put up, and it fails, it will become an eyesore cluttered with garbage.

Jeffrey Zweber asked if anyone else wanted to speak.

Joe Roller, 2324 Shelterwood Drive, informed that he represented the owner of the property. Joe Roller said that he had a background in farming and agriculture. He said that he has heard a lot of comments made about how much the people like the view, and how much they like the farms. He advised that the farms are businesses as well, and if they like the view so much and they want control over the land, then they need to own it. He informed that the land is for sale. Joe Roller said that he wanted to give this discussion a different perspective. He advised that all of the houses that were built out there were built on somebody else's farmland. Joe Roller informed that the property owner has the right to do what he wishes with his land. In regards to failure, he said that history shows Dollar General is a strong store. He advised that they have to sign a

contract, which is not privy to the public, that prevents other stores from being built within eight hundred feet of the Dollar General.

Mari PcPherson, 983 U. S. 68 South, advised that the community is not trying to deny the property owner the right to do what he wishes with his land within his current zoning rights. She said that they are asking for him not to change the zoning, and to leave it as it is.

Dana Caraway, 960 Valley Dale Drive, advised that she is concerned that if people miss the turn in to the Dollar General, they could use their residential roads as turnaround spots. She said that cars turning around will create more traffic. She is concerned about the traffic because she has grandkids that are being raised out by that area. Dana Caraway said that she wants her children and grandchildren to be safe, so the traffic and possible crime worries here.

Larry Caraway, 960 Valley Dale Drive, asked the price of the parcel in question. Joe Roller advised that he and the property owner would be happy to visit with anyone willing to make an offer.

Clint Miller, 950 Valley Dale Drive, said that the property in question was never offered or put on the market. He asked why Dollar General is pursuing this piece of land when there is other land down the road that falls within the correct zoning designation and has been for sale for years.

Robert McNelly, 788 Maple Drive, said that he agrees with the majority that this is not a good move. He has major concerns with the possible traffic increase. He also advised that there are already speeding concerns on U. S. 68 South. He said that this is not a safe area for this Dollar General to be placed due to the number of accidents on that road. Robert McNelly said that he is also convinced that this Dollar General will not increase the property values in the surrounding area. He offered up the suggestion of the community pooling their resources to buy the property if anyone was interested in taking that route.

Jeffrey Zweber asked for any other comments.

Judy Randall, 700 Hook Road, advised that traffic coming off Hook Road is already bad as it is. Judy Randall advised that putting in another business will just create more traffic issues.

Jeffrey Zweber asked for any further comments. There were none. Jeffrey Zweber closed the public comments and moved on to the Zoning Commission's deliberation.

Alan King said that he had both positives and negatives for the rezone. He advised that he understood their concerns, and even advised that he used to live in one of the resident's homes. Alan King advised that while he understood the pain of what they were experiencing, the parcel in question is down the road quite far. Alan King said that he applauded Dollar General for returning to the "small neighborhood business" trend. He recognized that, if this rezone goes through, Xenia will have three Dollar Generals, which he does not think is a bad thing. Alan King said that he thought it was a positive thing that they were going for a less intense zone, and that they were staying as close as possible to the other commercial areas. He said that his gut is telling him that the properties will be worth more with this Dollar General in place. Alan King advised that, on the negative side, they do not have newer sewer and water, which is a

recommendation for B-2. Alan King agreed that there would more than likely be an increase in traffic and a little more crime. Alan King said that there really is no way to check on something like this.

Donna Randall said that she knows that life is not stagnant and you cannot control what your neighbor chooses to do. She said that her thinking was that this was a rather messy zoning change. She advised that there were too many “ifs, ands, or buts” that could not be answered.

Jeffrey Zweber advised that the zoning map in the area around the parcel in question has not changed since he has been on the Zoning Commission. He advised that the area in question, and most of the surrounding area, is all zoned for the heaviest use possible. Jeffrey Zweber advised on the west side of U. S. 68 South, where the fire station is, is already zoned for the heaviest use. He advised that there are a good number of non-conforming lots out in this area. Jeffrey Zweber said that changing this parcel to a less intense zoning on this scale does not really seem like a big change.

Donna Randall made a motion to deny the rezoning request, Kent Harbison seconded the motion. Virgil Ferguson – nay, Kent Harbison – aye, Alan King - nay, Donna Randall – aye, Jeffery Zweber – nay. Motion PASSED by a vote of 3-2.

Jeffrey Zweber made a motion to adjourn the hearing, Virgil Ferguson seconded. The meeting was adjourned at 8:25 p.m.

ATTEST

Alan D. Stock, Zoning Clerk