

**XENIA TOWNSHIP ZONING COMMISSION
PUBLIC HEARING
ZONING MAP AMENDMENT 1260 SHORTER AVE
M36000200270006800
RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS (B-2)**

January 10, 2024

The Xenia Township Zoning Commission held a public hearing on January 10, 2024 at 6:00 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH 45385.

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

All participated in the Pledge of Allegiance.

Roll Call: Roy Colbrunn, Terry Fife, Alan King, Jeffrey Zweber, Alan Stock, Zoning Inspector.

Jeffrey Zweber, Zoning Commission, Chair, explained the rules and procedures for the Public Hearing and asked Alan Stock, Zoning Inspector to go over the Ohio Revised Code (ORC) requirements for this hearing and whether these have been met.

Alan Stock, Zoning Inspector, went over the Exhibits for this hearing and discussed each of them, and after checking all exhibits he stated that he agreed that all of the ORC procedures have been met and have been verified and placed so that the Zoning Commission can hear this application in its entirety this evening.

Exhibit A: Application

Exhibit B: Proof of Public notices (Newspaper Notice, Sign, Letters to Neighbors, Website, Procedure Check List)

Exhibit C: Staff Report

Exhibit D: Greene County Regional Planning and Coordinating Commission Recommendation

Exhibit E: Agenda

Exhibit F: Public Comments

Jeffrey Zweber, Zoning Commission, Chair, asked the petitioner to step to the podium and make their presentation.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave., stated that \$75,000.00 has already been spent in cleaning up the property. He then stated that they have a MOU with Central State. Mr. Johnson stated that they want

to bring back the daycare and restaurant and to also incorporate vertical farming and entertainment area in the gym. He then stated that they want to bring back things to Wilberforce that were once there.

Roy Colbrunn, Zoning Commission, stated that he is concerned with the state of the gym and asked if they would be able to repair it or if it would need to be torn down and built new.

Johnny Johnson, 1211 Turner Place, Wilberforce, Ohio, 45384, stated that the building is structurally sound, with only a ground leak under the stage and that the plumbing is good. He went on to say that there are more problems with the little building because of vandalism.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave, stated that the fire department had been there because all the utilities had been left on and the gas meter had been hit during clean up. He went on to state that the gas is turned off, but the electric is still on.

Terry Fife, Zoning Commission, asked if Mr. Johnson worked for Project One Globe LLC.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave, stated that during COVID, he worked with Doctors 365 and when he came home, he found business struggling and wanted to help them. He stated that Project One Globe LLC was formed to help businesses to achieve success through mergers and acquisitions.

Jeffrey Zweber, Zoning Commission, Chair, stated that the parcel in question is surrounded by Residential, and asked Mr. Johnson if he was aware of the screening requirements to protect Residential from Businesses, to be a good neighbor.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave, stated that he is being a good neighbor by cleaning up the property. He then stated that he knows the neighbors, and that he lives just down the road from the property. Mr. Johnson then stated that he knows a lot of people won't want change because change is scary. He then stated that he wants to grow the community.

Alan King, Zoning Commission, asked if Mr. Johnson was aware of Section 515, Screening, in the Zoning Resolution.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave., stated that the only residence next to the parcel, is owned by himself.

Alan Stock, Zoning Inspector, clarified that all of the properties surrounding this property are zoned Residential. He went on to state that occupancy will need to be obtained for each building and that will include inspections from the fire department, building regulations, screening and parking for each building.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave., stated that they have a team of people to do the work. He went on to state that he is in the process of building dorms at Wilberforce University, and has no problem complying with regulations.

Alan King, Zoning Commission, asked where food processing and vertical farming fits into a B-2.

Alan Stock, Zoning Inspector, stated that vertical farming was similar to Section 407.2 H,I,J. Mr. Stock further stated that according to ORC, you cannot restrict Agricultural practices regardless of zoning district.

Terry Fife, Zoning Commission, asked if the vertical farming would be strictly educational or educational and retail.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave., stated that it would be for educational purposes. He further stated that they presented this idea to Central State and they decided to be partners for the vertical farming.

Jeffrey Zweber, Zoning Commission, Chair, opened Public Comments at 6:45 PM.

Wilber Jameson, 1285 McGinnis Dr, Wilberforce, Ohio, 45384, asked what was being done with the existing building, what was being torn down or built on the property. He went on to ask how traffic would be accommodated. Mr. Jameson then stated that he is worried that this is the first of several transactions to transform Wilberforce into Intercity USA.

Jeffrey Zweber, Zoning Commission, Chair, stated that the vision and plans that are presented today, are only somewhat relevant to the matter at hand. He went on to state that the matter at hand, is limited to the rezoning of the parcel. Mr. Zweber stated that there are a lot of allowable uses in a B-2, and what was presented tonight, does not bind them, if granted. He further explained that there is a list of zoning and building procedures required for anything that is planned for the buildings.

Wilber Jameson, 1285 McGinnis Dr, Wilberforce, Ohio, 45384, stated that the Zoning Board will make a decision that will impact the community without knowing the real intentions for the property. Mr. Jameson then stated that the Zoning Board has interest in the transaction.

Jeffrey Zweber, Zoning Commission, Chair, stated that the job of the Zoning Board is the interest of Xenia Township. He went on to state that it is completely inappropriate for Board to make a decision based on personal interest.

Wilber Jameson, 1285 McGinnis Dr, Wilberforce, Ohio, 45384, stated that the Board will be making a decision without knowing what they are really making a decision about other than trying to bail out someone that purchased a property that was not zoned for what they want to do. He stated that he saw this with the dorms on Shorter Ave and it is a start of many transactions to come that will impact the neighborhood.

Curtis Wingard, 1785 Wilberforce-Clifton Rd, Xenia, Ohio 45385, asked if the rezoning will impact the road way by needing to be widened, have need for flashing lights, speed limits, etc.

Jeffrey Zweber, Zoning Commission, Chair, stated that traffic improvements is the last leg of the decision, because you don't know what will be coming.

Curtis Wingard, 1785 Wilberforce-Clifton Rd, Xenia, Ohio 45385, stated that residents will absorb the cost of the road improvements.

Alan Partee, 929 Coleman Ave, Wilberforce, Ohio 45384, state that they should be looking towards the future, not the past. He went on to state that he would like to see houses there, not a business and there are other places for businesses.

Jim Nash, 2081 Fairfield Pk, Springfield, Ohio 45502, stated that he owns property on Shorter Ave, and asked if there would be a fence to keep people off private property.

Jeffrey Zweber, Zoning Commission, Chair, stated that there would be screening requirement to separate residences and businesses.

Jim Nash, 2081 Fairfield Pk, Springfield, Ohio 45502, asked Mr. Johnson where he lived.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave, obliged.

Jim Nash, 2081 Fairfield Pk, Springfield, Ohio 45502, asked if all the other properties in the neighborhood would stay the same zoning.

Jeffrey Zweber, Zoning Commission, Chair, stated that 1260 Shorter is the only property to be rezoned.

Wanda Kelly, 1285 McGinnis Dr, Wilberforce, Ohio, 45384, stated that people are already moving out of the community because of traffic and how the community is changing. She went onto state that there are people parking on the street even with a no parking sign, and there is trash on the road from the students. She went on to state that Central State students should be entertained on the campus.

Johnny Johnson, 1211 Turner Place, Wilberforce, Ohio, 45384, stated that he has lived in Wilberforce for 14 years and has worked for Central State and Wilberforce

University for 25 years. He went on to state that they live in a community with two colleges, so there will always be traffic and trash. He then stated that they did a good thing by cleaning up the property. Mr. Johnson then stated that the buildings sat empty for 30 years and as soon as change was asked for, it became a problem.

Yvone Craft-Harshaw, 1280 Wenofred Dr, Wilberforce, Ohio 45384, stated that the saying is “Change is Growth” but putting concrete on land is not necessarily progress or growth. She stated that she appreciated the clean up of the property, but it will now be cluttered with traffic and no room for parking. She went on to say that traffic, parking, and crowds of people does not seem like a good thing and is not growth or progress. She then suggested to build homes or make it a parking lot, but not an entertainment center.

Neela Jackson, 1186 Wilberforce-Clifton Rd, Wilberforce, Ohio 45384, stated that she grew up in Wilberforce when they did not have Speedway or Subway, but they did have Ma’ Baties and a daycare. She further stated that a daycare would be beneficial to the community. Ms. Jackson then stated that the property owner is asking to rezone from Residential to B-2, which is Business, not Commercial. She then stated that she did not hear plans to tear down any buildings or pour concrete. She then stated that there would be security and fencing. She then said that the property has been sitting empty for 30 years and that the plan is to repurpose the existing buildings and that going from no use to a somewhat similar use is not a bad change. She then stated that she could not see putting five houses on the property and that parking could be addressed and could be available to park elsewhere. She then stated that she is in favor of the proposed rezone.

Yvone Craft-Harshaw, 1280 Wenofred Dr, Wilberforce, Ohio 45384, stated that she did not say anything about demolishing the existing building and that she does appreciate that the property has been cleaned up. She then stated that they will have to pour concrete to accommodate parking because there will not be enough parking for people going to the entertainment center, to eat, or people working and or taking their kids to the daycare.

Thomas Johnson, 1268 Hughey, Wilberforce, Ohio, 45384, owner of 1260 Shorter Ave. stated that there is a lot of emotions in the room and wanted to thank everyone for coming. He went on to say that the Zoning Regulations will dictate how many parking spaces are required. He then stated that most of the college students do not have cars and need places that they can walk to. Mr. Johnson then stated that he knew what he

was buying and that this is not about making money, it is about bringing back things to the community that was already there once.

Johnny Johnson, 1211 Turner Place, Wilberforce, Ohio, 45384, stated that there is pavement on the property, it is just overgrown with grass.

Jeffrey Zweber, Zoning Commission, Chair, closed Public Comments at 7:25 PM.

Jeffrey Zweber, Zoning Commission, Chair, asked for Zoning Commission deliberation.

Roy Colbrunn, Zoning Commission, stated that he sees good points on both sides and that he is concerned how this would affect the residents. He went on to say that Payne is not zoned properly, but is Grandfathered, and this property owner wants to properly zone the property for its intended uses. He then stated that a rezone will stay with the property and if sold, the new owners could do anything listed on the B-2 Uses. Mr. Colbrunn then stated that the gym's structure scared him as a firefighter, but they will be required to bring all the buildings up to code before occupancy is permitted. He then stated that he is not sure that traffic will increase any more than it already has with the new dorms. He then stated that he sees the improvements and hears the concerns of the residents that have to deal with the changes.

Alan King, Zoning Commission, stated that the Board tries to accommodate owners of properties to use their land as they see fit with minimal annoyance to the neighbors, legal and lawful. He went on to say that he would rather see buildings used rather than falling down, and that it would be nice to have newly updated facilities that the community needs and a place to a sit-down meal. Mr. King then stated that screening and parking would be required for the property. He then stated that this property has already been a business. Mr. King said that the cons would be more traffic, noise and trash and once turned B-2, could be many different things. He then stated that this property is not a positive for this area as it sits now, so he is more pro for this rezone.

Terry Fife, Zoning Commission, stated that she is concerned that rezoning this property could be like Xenia City after the tornado on 1974. She then stated that h=she is trying to keep her personal feelings in check. She went on to say that Wilberforce is unique and once rezoning is granted, anything can be done on the property that is allowable by the Zoning Resolution. Ms. Fife then stated that she has confidence in the

Zoning Regulations, but needs to understand what areas may change and how it will affect Xenia Township.

Jeffrey Zweber, Zoning Commission, Chair, stated that the current zoning is for single family homes and could be divided into five single family parcels. He went on to say that the history of the parcel has never been single family homes, and has always been a restaurant, daycare and a gym. He went on to say that going to single family homes, would be a change in use for the property. Mr. Zweber stated that the property has been abandoned and fell into disrepair. He then stated that the property could be rezoned to match across the street to be Multi Family and then would have apartments on the property. Mr. Zweber went on to say that they do not like to do spot zoning, and that RM or IG would not be spot zoning, but the issues with traffic and parking would still be there. He then stated that there is B-2's in the neighborhood, so it is not a new use, just expanding a use that is just a few feet away, and the parcel has already been B-2 once. Mr. Zweber stated that it all comes down to any development or no development of the parcel. He then asked if not this parcel, where would it be better to expand the intensity of the neighborhood, that this parcel is the most promising candidate for increasing the intensity of use. He went on to say that this is a good thing to allow more intense land use in the neighborhood. Mr. Zweber stated that he is going to vote for the rezone because this is a good place for development and it was already this use before. He went on to say that he does not feel like this is a change in use, only making the map consistent with growth and development in the neighborhood.

Roy Colbrunn, Zoning Commission, stated that this would be an improvement to the community.

Alan King, Zoning Commission, stated that there are many parcels in the neighborhood that should be zoned differently for their uses.

Motion to approve the rezone of 1260 Shorter Ave from Residential (R) to Neighborhood Business (B-2) was made by Jeffrey Zweber and seconded by Alan King.

Jeffrey Zweber, Zoning Commission, called for a vote.

Roy Colbrunn - AYE

Terry Fife - NAY

Alan King - AYE

Jeffrey Zweber - AYE

MOTION PASSED

Jeffrey Zweber, Zoning Commission, called for a motion to adjourn.

Jeffery Zweber moved to adjourn the public hearing; Roy Colbrunn seconded the motion. All voted AYE. Hearing adjourned 7:55 PM

ATTEST:

Alan D. Stock, Zoning Inspector