

CENTERVILLE PLANNING COMMISSION  
Regular Meeting  
Tuesday, December 14, 2010

Mr. Clark called the meeting to order at 7:30 P.M.

Attendance: Mr. Paul Clark, Chair; Mr. Jim Briggs, Mr. Jim Brunner, Mr. Jim Durham, Mr. Bill Etson, Mr. Jeff Gammell, and Mr. John Palcher. Also present: Mr. Steve Feverston, City Planner; Mr. Scott Liberman, City Attorney; and Mr. Nathan Cahall, Economic Development.

Approval of Minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission Work Session minutes of November 30, 2010 as submitted. Mr. Brunner seconded the Motion. The Motion was approved 6-0-1 with Mr. Etson abstaining.

PUBLIC HEARINGS

Mercedes-Benz of Centerville – Sign Variances

Mr. Feverston presented Variance Application P-2010-0044 submitted for Mercedes-Benz of Centerville located at 1 Loop Road requesting three (3) sign variances for the property. The zoning on the property is B-PD, Business Planned Development. This Variance Application is a result of discussions the Planning Commission had with the Applicant during a Work Session held on October 26, 2010.

The first variance is a request to display a commercial sign in addition to three (3) non-commercial flag. Article 9.51 of the Centerville Unified Development Ordinance (UDO) prohibits commercial flags. A commercial flag is considered to be a ground sign by the UDO and is subject to those requirements. There exists no practical difficulty that necessitates a ground sign having the height and area depicted in the application.

Staff recommended denial of this variance based on the following analysis:

1. The sign requirements of the Unified Development Ordinance (UDO) prohibit the display of any commercial flag.
2. A commercial flag is considered to be a ground sign by the UDO and subject to those requirements.
3. There exists no practical difficulty that necessitates a ground sign having the height and area depicted in the application.

Mr. Feverston presented the second Variance requesting the elimination of the requirement for a raised curb adjoining the proposed ground sign. A raised curb, having a minimum separation to a structure such as a ground sign from a driveway or parking lot is intended to protect both the vehicle and structure from damage. In this case, the area in question is intended for vehicle display and not for use by the public or customers to the dealership. This curb would impede the development vehicle display area and gateway improvements proposed for this portion of the dealership creating a practical difficulty.

The Planning Department recommended approval of the variance to eliminate the raised curb as requested.

Mr. Feverston presented the third Variance. He stated the Applicant is requesting the installation of a second ground sign for the subject property. He stated the sign requirements of the UDO permits one (1) ground sign per premise. The subject property is unique having 3 separate and distinct frontages to public streets including approximately 490 linear feet of frontage along Far Hills Avenue, 238 feet along Loop Road, and 230 linear feet along Interstate 675. The Centerville Comprehensive Plan, Create the Vision, encourages visual enhancements to the streetscape both in the public and private realms. Chapter 4, Community Appearance, establishes the interchange area of Interstate 675 and Far Hills Avenue as a key gateway into the City and encourages the establishment of signage, landscaping, lighting, structures and buildings in these areas to promote the economic vitality and quality of living in the City. The proposed ground sign with the decorative stone wall, accent lighting, and landscape elements accomplishes this goal and is designed to compliment and extend the landscaping and hardscape improvements made by the City in this area.

The Planning Department recommended approval of the Variance for a second ground sign subject to the following condition:

1. The sign must incorporate all improvements proposed as a part of this variance including the decorative stone wall, accent lighting, and landscape elements.

Ms. Wende Morgan-Elliott, Design House Resources, Ms. Jenell Ross, Bob Ross Auto Group and Mr. Eric Sauer, landscape architect, were in attendance for the review of the application.

#### Commercial Flag

Mr. Clark opened the public hearing concerning the variance for a commercial flag.

Ms. Morgan-Elliott presented their request to renovate the Bob Ross Mercedes Benz Dealership located at 1 Loop Road stating the variance for placement of a commercial flag would be included in the vehicle display area that is proposed by Ms. Ross and was discussed during a Planning Commission Work Session.

There being no other speakers, Mr. Clark closed the public hearing.

Mr. Briggs stated the flag placement at the corner creating a gateway is a special circumstance to approve the variance.



Mr. Feverston stated the flagpole can exist in the proposed location; however, it will have to display a noncommercial flag.

Mr. Durham stated that the proposed commercial flag is defined as a ground sign which is not permitted by the UDO.

There being no other speakers, Mr. Clark closed the public hearing.

Mr. Brunner stated there will be other components on the pad that will indicate the dealership as one of Mercedes Benz which he felt adequately identified it as such.

Mr. Durham agreed allowing the commercial flag would essentially be allowing a third ground sign and stated he felt it would be too much.

MOTION: Mr. Durham moved to approve the Variance to permit the display of a commercial flag as requested for Mercedes-Benz of Centerville, 1 Loop Road. Mr. Brunner seconded the motion. The motion was denied 1-6 with Mr. Briggs voting yes.

Mr. Feverston reviewed the appeal process to the applicant's representatives.

#### Raised Curb

Mr. Clark opened the public hearing concerning the variance for the raised curb.

There being no speakers, Mr. Clark closed the public hearing.

Mr. Durham stated that the purpose for the raised curb is to protect the ground sign from customer vehicles as a public safety measure. The location for the raised curb will not have access by customer vehicles and, therefore, Mr. Durham felt the variance should be approved.

MOTION: Mr. Durham moved to approve the Variance to eliminate the raised curb adjoining the proposed ground sign for Mercedes-Benz of Centerville, 1 Loop Road, as requested. Mr. Briggs seconded the motion. The motion was approved unanimously 7-0.

#### Maximum Number of Ground Signs

Mr. Clark opened the public hearing concerning the variance for the maximum number of ground signs.

Mr. Sauer wanted to be assured the portion of the sign that says "City of Centerville" is not counted as part of the sign area.

Mr. Feverston stated that portion of the sign would not be counted as part of the permitted sign area.

There being no other speakers, Mr. Clark closed the public hearing.

Mr. Durham stated that the property has three frontages to major streets; Far Hills Avenue, Loop Road and I-675 and abutting two highly traveled intersections along these roadways. The physical layout creates practical difficulties for the owner to provide adequate signage for the property. He stated that this issue was discussed at the work session in November. The creation of the vehicle display area and the signage proposed for the stone wall does address the practical difficulties on this property.

MOTION: Mr. Durham moved to approve the Variance to permit a second ground sign Variance for a second ground sign subject to the condition that the sign must incorporate all improvements proposed as a part of this variance including the decorative stone wall, accent lighting, and landscape elements. Mr. Brunner seconded the motion. The motion was approved unanimously 7-0.

#### UNFINISHED BUSINESS

##### Rezoning of 29.83 acres more or less from Industrial Planned Development (I-PD) to Office Planned Development (O-PD)

MOTION: Mr. Briggs moved to remove the Rezoning application from the table. Mr. Brunner seconded the motion. The motion was approved unanimously 7-0.

Mr. Feverston stated this request was tabled by the Commission for additional information. The Planning Commission directed staff to research and provide information about the vacancy rate within Centerville Business Park. The information was prepared by Mr. Ryan Lee of the Planning Department and distributed to the members in their information packets prior to the meeting. Should the acreage be rezoned to Office Planned Development (O-PD), there would be only one (1) existing business, Beacon Electric, remaining as a legally non-conforming use in the business park. Of the 84,400 square feet of available specialty office tenant space currently available, 51,100 square feet is located in the multi-story medical building (northwest corner), 30,000 square feet is located in the Hazco building (northeast corner), and approximately 3,300 square feet available in the office condo area.

Mr. Clark asked if the City received additional comments from Mr. Parker or Mr. Tolloiver who spoke in opposition at the last hearing.

Mr. Cahall stated he received a follow-up call from Mr. Tolliver. He expressed his continued opposition to the rezoning, being the only property where the use would become non-conforming.

Mr. Clark asked if he would still be impacted if the rezoning were reconfigured to only include the parcels along Clyo Road and not the entire business park.

Mr. Feverston stated that if the rezoning were reconfigured to only include the parcels along Clyo Road Mr. Tolliver's property would remain I-PD and not be impacted.



Mr. Durham complimented the staff on the report they prepared for the Commission detailing existing land uses and the areas/buildings currently available for lease. He stated that since the highest vacancy rate within Centerville Business Park are also the highest-end office buildings. He stated that given our experience with the Industrial Planned Development Zoning on small parcels within the City, there has been a pattern of deterioration over time in the level of upkeep and tenant occupancy. He stated that based on this and the staff report prepared by Mr. Lee, the proposed rezoning the entire Centerville Business Park to O-PD is in the better interest for the entire City of Centerville to maintain a healthy tax base and necessary for the business park to maintain property values overall and to keep the high-end office buildings along Interstate 675 competitive in the office market.

Mr. Etson asked if the Beacon Electric building built exclusively for an industrial use and what is the impact to Beacon electric.

Mr. Feverston stated that it was originally built for Motor Works in a flex-office configuration. The building could be used again as a flex-office in the O-PD zoning district. He stated that if rezoned, Beacon Electric would become a legally non-conforming use. The business would still conduct business as usual for as long as the business remains on the property. As a legal non-conforming use, the business could not physically expand.

Mr. Durham asked should Beacon Electric leave, would a comparable use be permitted to move into the building and conduct business.

Mr. Feverston stated that the non-conforming section of the UDO would permit a comparable use to locate in this building. He stated that should the building remain vacant for more than one (1) year, any new use must only be those uses permitted in the O-PD zoning district.

There being no further comments, Mr. Clark closed the Public Hearing.

MOTION: Mr. Durham moved to recommend to City Council the rezoning of 29.83 acres more or less in Centerville Business Park from Industrial Planned Development (I-PD) to Office Planned Development (O-PD). Mr. Briggs seconded the motion. The motion was approved unanimously.

#### Gresham Smith Partners for Miami Valley Hospital South – Major Site Plan

Mr. Feverston stated that Gresham, Smith and Partners have submitted revised building elevation plans as conditioned by the Planning Commission in its approval November 9, 2010 of Application P-2010-0042, for the Miami Valley Hospital South bed tower and OB center expansions. These revised building elevation plans address the concerns of the Commission.

He stated the power plant has been rotated 180 degrees as requested by the Commission. The power plant building was slightly enlarged by 2,800 square feet. Additionally, Miami Valley Hospital through its architect is requesting to proceed with the construction of the Joint Center at this time. This will be an expansion of the proposed hospital building and increasing the building footprint by 5,600 square feet. This was shown as a future expansion on the plans approved by the Planning Commission. He also stated that there is one modification proposed

for this major Site Plan. The entrance drive from Clyo road is proposed to be reduced in width from a four lane boulevard to a two-lane road.

Staff recommends approval of the building elevations, modifications to the power plant and including the Joint Center expansion stamped received by the City of Centerville Planning Department on December 10, 2010 as submitted.

Mr. Briggs asked how tall the additional structure will be.

Mr. Feverston stated the area in question is one story in height.

Mr. Durham asked if the cupola was new.

Mr. Feverston stated that it was. He further stated that this re-design better emulates the main entrance on the other side of the hospital.

Mr. Clark asked for comments from the applicant.

Mr. McClain Towrey and Mr. David Steward, Architects with Gresham, Smith Partners was in attendance.

Mr. Durham asked what the maximum height of the building with the variance that was granted to Maimi Valley Hospital and what is the height proposed for this addition.

Mr. Feverston stated that the maximum building height is 100 feet.

Mr. Towrey stated that the proposed building height is 85 feet.

Mr. Durham asked about the material proposed for the lighter tones shown for portions of the hospital building and the false columns on the power plant building.

Mr. Towrey stated that a cast stone will be used on the elevations facing the courtyard to continuing the look of the existing building to other portions of the proposed building and power plant. The base will be a larger precast stone also similar the existing building, however it will not be as tall as the existing building. He also stated that matching the size of the windows for the patient rooms is not possible given the size of the rooms.

Mr. Durham complimented the representatives of the applicant for their responsiveness to the questions that were raised at the last meeting and stated that the proposed changes are a big improvement.

Mr. Palcher stated that work is being work presently asked if that was for this expansion.

Mr. Towrey stated that they have started rough grading of the site for this project anticipating the installation of foundations.



MOTION: Mr. Durham moved to approve the architectural elevations for Miami Valley Hospital South as requested. Mr. Briggs seconded the motion. The motion was approved unanimously.

### NEW BUSINESS

#### Gresham Smith Partners for Miami Valley Hospital – Record Plan

Mr. Feverston presented the record plat for Miami Valley Hospital South located at 2400 Miami Valley Road. The request is to establish utility easements on their 114.849 acre parcel. There is no subdivision of land or public improvements associated with this Plat. The street named Miami Valley Drive is mislabeled on the plat and should be Premier Drive.

Staff recommends approval subject to the following condition:

1. The stub street labeled as Miami Valley Drive shall be relabeled to its current street name Premier Drive.

Mr. Clark asked for comments from the applicant.

MOTION: Mr. Briggs moved to approve the Record Plan subject to the condition that the stub street labeled as Miami Valley Drive shall be relabeled to its current street name Premier Drive. Mr. Gammell seconded the motion. The motion was approved unanimously.

#### Mercedes-Benz of Centerville – Major Site Plan

Mr. Feverston presented Application P-2010-0043, a Major Site Plan for Ross Mercedes-Benz located at 1 Loop Road. The property is zoned B-PD, Business Planned Development. The applicant is requesting to construct an addition and Remodel the existing dealership and construct a vehicle display area. He stated the Applicant has indicated that the preferred design for the vehicle display area is the tri-circle design shown on the Site and Landscaping Plan, Sheet L-102. The designs on Sheets L-101 and L-103 are the alternate designs.

Staff recommends approval of the Major Site Plan subject to the following conditions:

1. The vehicle display area shown on L-102 is the preferred design and approved as a part of this application. The designs shown on sheets L-101 and L-103 are not approved.
2. All landscaping, decorative fencing and stone columns shall be funded and installed by the Applicant including the co-ordination with and permitting by the Ohio Department of Transportation (ODOT) of all improvements located within the IR-675 right-of-way. The City has indicated a willingness to assist the applicant in pursuing grant monies for those improvements within this right-of-way.
3. A performance bond or other construction guarantee shall be posted by the developer for all landscape, screening, or bufferyard improvements required by the Unified Development Ordinance (UDO) subject to approval by the City Planner in accordance with Article 9.25 C of the UDO.

4. The Planning Commission shall approve the architectural design of the proposed building to assure the materials, shape, massing and architectural features create a unified design on the premises and is visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the E.I.F.S, metal panels and color for the building body.
5. A final exterior lighting plan shall be subject to approval by the City Planner.

Representatives of the applicant, Ms. Wende Morgan-Elliott, Architect and Mr. Eric Sauer, landscape Architect were present

Mr. Clark asked for comments from the applicant.

Ms. Morgan-Elliott presented to their request to renovate the Bob Ross Mercedes Benz Dealership located at 1 Loop Road. She stated that this building has been very challenging from an architectural materials standpoint. She stated the proposal will include a minor expansion of the sales area and a re-face of all four sides of the building. They will be using stucco and not EIFS as an exterior material and eliminate the striping that is currently on the building. The metal panel system is a dry-design system. The building colors are shades of grey with a Mercedes Benz blue as a trim color. The plans also include the creation of a vehicle display area at the southwest corner of the property adjacent to the State Route 48 and I-675 off-ramp intersection. She bought a sample of the stone to be used on the vehicle display/sign area.

Mr. Clark stated that this proposal has come a long way from an earlier work session and is pleased with the look of the building.

Mr. Durham asked about staff condition number 4 referencing EIFS and should this condition include stucco.

Mr. Feverston stated that the reference to EIFS was in error and this condition should include stucco.

MOTION: Mr. Durham moved to approve Major Site Plan, Application P-2010-0043, submitted for Mercedes Benz of Centerville, 1 Loop Road, subject to the following conditions:

1. The vehicle display area shown on L-102 is the preferred design and approved as a part of this application. The designs shown on sheets L-101 and L-103 are not approved.
2. All landscaping, decorative fencing and stone columns shall be funded and installed by the Applicant including the co-ordination with and permitting by the Ohio Department of Transportation (ODOT) of all improvements located within the IR-675 right-of-way. The City has indicated a willingness to assist the applicant in pursuing grant monies for those improvements within this right-of-way.
3. A performance bond or other construction guarantee shall be posted by the developer for all landscape, screening, or bufferyard improvements required by the Unified Development Ordinance (UDO) subject to approval by the City Planner in accordance with Article 9.25 C of the UDO.



4. The Planning Commission shall approve the architectural design of the proposed building to assure the materials, shape, massing and architectural features create a unified design on the premises and is visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the Stucco, metal panels and color for the building body.
5. A final exterior lighting plan shall be subject to approval by the City Planner.

Mr. Palcher seconded the motion. The motion was approved unanimously.

#### Young Learners World – Major Site Plan

Mr. Feverston presented the request by Young Learners World located at 1200 Norwich Lane. He stated that the request is to construct a permanent access drive between their property and the Greenbrier Office Condominium to the south.

Staff recommends approval subject to the following conditions:

1. A joint access and parking easement shall be recorded subject to approval by the City Attorney or a variance be filed to eliminate the ten foot parking and paving setback to the common lot line of both properties.
2. The driveway shall be widened to a minimum width of 20 feet to accommodate two-way traffic subject to approval by the City Engineer.
3. A raised curb shall be installed along the driveway edge.
4. The driveway shall be placed a minimum of 2 ½ feet from the back of curb to the privacy fence for the play yard.

Mr. Clark asked for comments from the applicant.

Mr. Neil Holtvolt, 7152 Paragon Road, the owner of Young Learners World, addressed the Commission. He stated built the business in 1988. He stated that there are a couple of changes to the staff presentation that he would like to make. First, both he and the condominium manager, Mr. Lytle Timkerton has always agreed to the driveway. He stated that the condominiums have only one means of ingress/egress along Olde Greenbrier Boulevard. He stated that Mr. Timkerton and the fire marshal suggested the make the temporary access drive a permanent connection between the two businesses. He stated that the advantage to the medical building is they are sometimes crowded and having a second exit and use of his lot for overflow parking is desirable. He stated that he doesn't use all of his parking and Mr. Timkerton has permission to use his excess parking spaces.

Mr. Holtvolt further stated that he feels that the 12 foot width of the driveway is more than sufficient to use but not for major use. He stated that Mr. Timkerton and his tenants do not wish to move their parking spaces toward Olde Greenbrier Lane because of the debris coming from the trees there. The 20 width recommended by staff would cause a shift to these parking spaces and therefore would have no interest in the drive. This additional width would also cause an encroachment into the play yard adjacent to the drive. He told the Commission that he already altered the play yard to accommodate the temporary drive and was visited by the State Inspection/Licensing Office. The state inspector told him that his play yard is non-conforming and he cannot alter the play yard or they would pull his license and he would be out of business and has since put the play yard back to its original condition.

Mr. Briggs asked Mr. Holtvolt if there is a compliance problem with the State if the drive is 20 feet wide.

Mr. Holtvolt stated there is not. He stated that his complication was from the fact that he moved the play yard fence back to accommodate the City's requirement for the 24 foot wide temporary drive. He reiterated that this driveway helps his neighbor, doesn't help his own business and told the Commission that he promised his neighbor that he would build this drive.

Mr. Clark called for a point of order. He asked if the applicant can forward this to the City Council and have the Council modify the drive width.

Mr. Liberman stated that the applicant has the right to appeal the Commission's decision to the City Council within 15 days of the decision date.

Mr. Durham asked why does staff want a 20 foot wide drive.

Mr. Feverston stated that 20 feet is the minimum driveway aisle, the existing driveways are 24 feet wide, skewed slightly from one another and each has perpendicular parking spaces adjacent to them making them two-way drives. Connecting two-way drives with a one-lane drive albeit short in length creates a bottleneck where drivers are playing dodge-em.

Mr. Durham asked if the drive were marked as one-way would this be acceptable.

Mr. Feverston stated that it would be acceptable to staff with appropriate signage clearly marking it as one-way.

Mr. Sliemers stated 12 feet would be wide enough for emergency vehicles.

Mr. Holtvolt stated that a one-way drive is acceptable to him and since his staff and customers would not use it, it could be marked as one-way going north so his neighbor could use it as an exit.

MOTION: Mr. Durham moved to approve Major Site Plan, Application P-2010-0048, submitted for Young Learners World subject to the following conditions:

1. A joint access and parking easement shall be recorded subject to approval by the City Attorney



2. The driveway shall be widened to a minimum width of 12 feet to accommodate one-way traffic northbound subject to approval by the City Engineer. Further, appropriate directional signage must be installed.
3. A raised curb shall be installed along the driveway edge.
4. The driveway shall be placed a minimum of 2 ½ feet from the back of curb to the privacy fence for the play yard.

Mr. Gammell seconded the motion. The motion was approved 6-1 with Mr. Clark voting No.

There being no further business, the meeting was adjourned.

*Paul Clark*

