

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, March 29, 2005

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

Attendance: Mr. Paul Clark, Chairman; Mr. James Durham; Mr. Jim Briggs; Mr. Joe Weingarten; Mr. Jim Brunner; Mrs. Carolyn Meininger (where noted). Absent: Mr. Jeffrey Gammell. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Lee, Planner; Mr. Scott Liberman, Legal Counsel; Mr. Doug Spittler, City Engineer.

Motion to Excuse:

MOTION: Mr. Briggs moved to excuse Mr. Gammell from the meeting as he gave prior notice to staff. Mr. Brunner seconded the motion. The motion was approved unanimously 5-0.

Approval of minutes:

MOTION: Mr. Weingarten moved to approve the Planning Commission minutes of February 22, 2005, as written. Mr. Briggs seconded the motion. The motion was approved unanimously 3-0-2 with Mr. Durham and Mr. Clark abstaining.

Mrs. Meininger arrived at this time.

UNFINISHED BUSINESS

An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections That Apply To Home Occupations And Land Uses Associated With Home Occupations In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code

MOTION: Mr. Durham moved to take the Home Occupation Ordinance from the table. Mr. Briggs seconded the motion. The motion was approved unanimously 5-0-1 with Mr. Weingarten abstaining.

Mrs. Meininger left her seat as a member of the Planning Commission at the time due to a potential conflict of interest.

Mr. Feverston stated revisions were incorporated into the proposed ordinance as requested by the members. The wording "at any one (1) time" was added to the standard of a maximum of one (1) employee on the premises; the hours of operation were changed to 7:00 AM to 6:00 PM; visits by specific appointments of no more than two (2) clients an hour shall not be restricted to these hours; concerning the storage of hazardous or toxic materials, the phrase "in quantities that could have a potentially significant environmental impact on the property or on the surrounding community is prohibited".

Mr. Weingarten stated the word "significant" has no significance. It is an undeterminable item which is unenforceable. Quantities that are significant to one person may not be significant to another.

The definition section references the Emergency Planning and Community Right to Know Act of 1986 and the expanded by the Pollution Prevention Act of 1990, to categorize those materials.

Mr. Weingarten stated those documents contain a list of materials, but not quantities.

Mr. Durham stated in statutes you cannot have rigid definitions. You have a specific reference that pulls in the definition of those two (2) Acts of what materials are prohibited. The proposed wording does put the City at risk in enforcement; however, the words "significant", "reasonable", etc., are interpreted by courts all the time and are put into context as to how a judge would feel is hazardous to the surrounding community.

Mr. Weingarten asked if storage of old files in a garage would not be permitted.

Mr. Feverston stated storage of any kind relating to a home occupation would be prohibited in a garage or an accessory building.

Mr. Weingarten stated that an artist that uses a tent for art shows would not be permitted to store the tent in the garage, but would be required to store it in the house.

Mr. Clark stated this proposed ordinance should be returned to the table to allow the members to review the entire document in preparation for action at the next regular meeting.

MOTION: Mr. Briggs moved to return the Home Occupation Ordinance to the table. Mr. Brunner seconded the motion. The motion was approved 4-1 with Mr. Durham voting no.

Mrs. Meininger returned as a member of the Planning Commission at this time.

Terry Karras (formerly Beazer Homes) - Major Use Special Approval Including Primrose Day Care

MOTION: Mr. Durham moved to remove the Major Use Special Approval application submitted for the Terry Karras Property from the table. Mr. Briggs seconded the motion. The motion was approved unanimously 6-0.

Mr. Feverston stated a Rezoning application accompanied the original Major Use Plan to rezone approximately 11 acres of the parcel to residential zoning. That Rezoning application, as well as the residential development of that specific parcel, has been withdrawn.

Mr. Feverston reviewed the revised Major Use Plan submitted by Terry Karras, for property located south of Alexandersville-Bellbrook Road and west of Wilmington Pike, situated in the Cities of Centerville and Bellbrook. The subject 32.73 acre property has three (3) separate zoning districts; Residential Planned Development, R-PD, on the southernmost portion, Office Planned Development, O-PD, on the middle portion, and Business Planned Development, B-PD, on the northern portion.

The request seeks approval of a Major Use Plan for the purpose of developing the property for business, office and residential uses. The proposal also includes a site plan for Primrose, a daycare situated on approximately 2.25 acres in the northwestern portion of the site and to integrate the business, and office portions of this development with the final phases of the Springbrooke Condominium project.

A fee-in-lieu of parkland dedication will be required for the residential portion of this development.

The City's Comprehensive Plan has identified this undeveloped area of land as Study Area G. Some of the general recommendations for Study Area G included taking into consideration the existing zoning classifications present on the property and try to develop them with a combination of retail, office, and mixed uses on the northern portion; taking into consideration the flood plain area and the stream valley to have them be used aesthetically in the development of the property; create an office area and a combination office park/residential park with open space around the existing landmark house on the site; and, utilizing the existing residential zoning for housing purposes.

The Major Use Plan submitted for consideration will implement most of the aspects and recommendations in the Create The Vision Comprehensive Plan document, Study Area G. The Plan establishes residences on the southern edge of the property which is the expansion and continuation of Springbrooke Condominiums; it takes into account how the office land will be ultimately developed by creating public access from Alex-Bell Road through the property and back out to Wilmington Pike; and it depicts the potential layout of the business zoned land providing access from the public street off Alex-Bell Road as well as linking a private drive to help connect the properties together out to Wilmington Pike.

A public street extends through the area labeled as a bufferyard within the O-PD district. A bufferyard may be reduced in width to a minimum width of 20 feet when in the front yard of an office development. In this case, a 50 foot wide bufferyard is proposed between the future public street and the R-PD district to further protect the residential properties.

The site plan for Primrose Daycare shows access from a private drive from the public street to be constructed through the development beginning at Alex-Bell Road in order to serve this first user. Stormwater detention will be located on the southern corner of the site and the building has been placed on the corner of this particular lot. A rather large floodway exists on the site which

somewhat constricts the acreage available for development on this property. The playgrounds are shown located in the front yard along Alex-Bell Road which is not permitted. Staff has been working with the applicant to shifting the building to locate the playground area between building walls, therefore, eliminating the need for a variance for a front yard playground area as well as adding some protective safety features to that area as well.

Staff recommended approval of the Major Use Special Approval application subject to the following conditions:

1. Sixty (60) feet of right-of-way shall be dedicated along Alex-Bell Road from the centerline, subject to approval by the City Engineer.
2. Alex-Bell Road shall be widened to include an additional lane of pavement, curb, gutter, storm sewer, and a concrete sidewalk, subject to approval by the City Engineering Department. In-lieu-of construction, the applicant may place monies in escrow with the City in an amount equal to the cost of these improvements for the future improvement of Alex-Bell Road subject to approval by the City Engineer. The City Engineer may require the developer to make temporary improvements to Alex-Bell Road, which at this time is expected to include a temporary left-turn lane at the proposed public street into the development and a concrete sidewalk. The applicant shall submit an estimated cost of both permanent and temporary improvements. The cost of all temporary improvements shall be subtracted from the required escrow amount. The design of any required temporary improvements shall be subject to approval by the City Engineering Department.
3. Final design and alignment of the proposed public street within phase one of this development shall be subject to approval by the city Engineering Department. Additional right-of-way may be required to align the intersection with the Planet Ford driveway to provide safe ingress/egress.
4. The proposed public streets south of the Whites corner Tributary, including the bridge over the stream, shall be constructed in their entirety when the second parcel develops south of the creek.
5. All street names shall be approved by the City Planning Department.
6. All private streets shall be constructed to City standards excepting street width as shown on the Major Use Plan subject to approval by the City Engineering Department. Additional curb cuts onto Alex-Bell Road shall be prohibited.
7. A sidewalk shall be constructed from the southern portion of the future Springbrooke Condominiums to connect with the proposed cul-de-sac subject to approval by the City Planning Department.

8. All turning radii on the site plan shall conform to the WB-50 engineering template for emergency fire apparatus access, subject to approval by the City Engineering Department.
9. A hard surface roadway capable of providing emergency vehicle access and support at all times for emergency purposes shall be provided during construction.
10. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance. In-lieu-of constructing the permanent linear detention basin along the north side of the Whites Corner Tributary, a temporary detention basin may be constructed to accept stormwater run-off from the public street proposed in phase 1 of this development. The permanent basin shall be constructed in its entirety at the time when a second lot is developed within the B-PD zoning district.
11. The proposed detention basins shall be constructed in a manner to minimize disturbance of any significant trees, subject to approval by the City Engineering Department.
12. A flood plain development permit shall be provided to the City prior to issuance of any building permit subject to approval by the City Engineering Department.
13. An easement shall be recorded to allow for emergency access to the detention basins by the City.
14. Covenants shall be recorded to provide for the future private maintenance of all private streets, detention basins, and common areas subject to approval by the City Attorney.
15. A final screening and landscaping plan shall be submitted for each development parcel at the time approval is sought, subject to approval by the Planning Department. The bufferyard adjacent to the R-PD zoned land shall be installed at the time the public street is constructed. The plans shall conform to the landscape, screening, and bufferyard requirements contained in the Zoning Ordinance. The plan shall identify existing trees to be preserved and a grading limit shall be established at the drip line of those trees. Trees preserved on site may be credited towards satisfying the landscape and screening requirement of the Zoning Ordinance.
16. A performance bond or other construction guarantee shall be posted by the developer for all landscaping and screening improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four of the Code of Ordinances.

17. The future development of the Springbrooke Condominiums shall be developed in accordance with all conditions of the original Major Use Plan approved by City Council on October 24, 1994.
18. The proposed day care building shall be flipped on the site, north to south, so all outdoor play areas are located out of the front yard subject to approval by the Planning Department.
19. The dumpster for the proposed daycare shall be located out of view from the public right-of-way and screened using brick and/or stone to match the materials of the building subject to approval by the City Planning Department.
20. The final design of the fencing for the proposed daycare shall be subject to approval by the Planning Department.
21. A final exterior lighting plan for the proposed daycare shall be subject to approval by the City Planner.

Mr. Clark opened the public hearing.

Mr. John Koverman, representing the Karras family, stated they had no objections to the recommendations for approval as outlined by staff, but did have a comment about Condition #4 concerning the construction of the public street through the development. Their preference would be to construct the road from Wilmington Pike east just beyond the Landmark House to provide access to the house so it can be rehabilitated and to allow for the development for additional lots before the street has to be constructed in its entirety. He stated the applicant is considering an assessment for the remainder of the public streets and bridge. Mr. Koverman stated he was only trying to alert the Planning Commission that depending on future property buyers, different options may have to be considered for the development of the property and would have to be considered by the members at a later date.

Mr. Durham expressed concern that by building so much of the street, the street costs would be assessed to a very small acreage which may financially overburden the remaining acreage.

Mr. Jason Cambria, applicant for Primrose Daycare, stated he agreed with the recommendation of staff to shift the building creating two separate play areas and, at the same time, addressing the safety issue. He stated they would like to extend the 6 ft. fence to the east along the public street to further enclose the play area.

Mr. Clark stated that would require a variance and Planning Commission could not consider that issue at this time.

Mr. Jim Alt, architect for Primrose Daycare, stated he wanted to take this opportunity to inform the members that the future may warrant an addition or a second structure on this property.

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

Mr. Briggs stated he felt no alteration of Condition #4 should be made at this time.

Mr. Durham stated he would not be inclined to waive Condition #4 in the future unless the applicant presented some type of financing that would set up some type of assessment before requesting the approval or placing money in escrow for part of the bridge with approval to the south. With only the parcel being considered for development on the northern portion of the property, he agreed with Mr. Briggs that the condition should remain as written.

MOTION: Mr. Briggs moved to recommend approval of the Major Use Special Approval application submitted for the Karras property south of Alex-Bell Road and west of Wilmington Pike, including Primrose Daycare, to Council subject to the following conditions:

1. Sixty (60) feet of right-of-way shall be dedicated along Alex-Bell Road from the centerline, subject to approval by the City Engineer.
2. Alex-Bell Road shall be widened to include an additional lane of pavement, curb, gutter, storm sewer, and a concrete sidewalk, subject to approval by the City Engineering Department. In-lieu-of construction, the applicant may place monies in escrow with the City in an amount equal to the cost of these improvements for the future improvement of Alex-Bell Road subject to approval by the City Engineer. The City Engineer may require the developer to make temporary improvements to Alex-Bell Road, which at this time is expected to include a temporary left-turn lane at the proposed public street into the development and a concrete sidewalk. The applicant shall submit an estimated cost of both permanent and temporary improvements. The cost of all temporary improvements shall be subtracted from the required escrow amount. The design of any required temporary improvements shall be subject to approval by the City Engineering Department.
3. Final design and alignment of the proposed public street within phase one of this development shall be subject to approval by the city Engineering Department. Additional right-of-way may be required to align the intersection with the Planet Ford driveway to provide safe ingress/egress.
4. The proposed public streets south of the Whites corner Tributary, including the bridge over the stream, shall be constructed in their entirety when the second parcel develops south of the creek.
5. All street names shall be approved by the City Planning Department.

6. All private streets shall be constructed to City standards excepting street width as shown on the Major Use Plan subject to approval by the City Engineering Department. Additional curb cuts onto Alex-Bell Road shall be prohibited.
7. A sidewalk shall be constructed from the southern portion of the future Springbrooke Condominiums to connect with the proposed cul-de-sac subject to approval by the City Planning Department.
8. All turning radii on the site plan shall conform to the WB-50 engineering template for emergency fire apparatus access, subject to approval by the City Engineering Department.
9. A hard surface roadway capable of providing emergency vehicle access and support at all times for emergency purposes shall be provided during construction.
10. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance. In-lieu-of constructing the permanent linear detention basin along the north side of the Whites Corner Tributary, a temporary detention basin may be constructed to accept stormwater run-off from the public street proposed in phase 1 of this development. The permanent basin shall be constructed in its entirety at the time when a second lot is developed within the B-PD zoning district.
11. The proposed detention basins shall be constructed in a manner to minimize disturbance of any significant trees, subject to approval by the City Engineering Department.
12. A flood plain development permit shall be provided to the City prior to issuance of any building permit subject to approval by the City Engineering Department.
13. An easement shall be recorded to allow for emergency access to the detention basins by the City.
14. Covenants shall be recorded to provide for the future private maintenance of all private streets, detention basins, and common areas subject to approval by the City Attorney.
15. A final screening and landscaping plan shall be submitted for each development parcel at the time approval is sought, subject to approval by the Planning Department. The bufferyard adjacent to the R-PD zoned land shall be installed at the time the public street is constructed. The plans shall conform to the landscape, screening, and bufferyard requirements contained in the Zoning Ordinance. The plan shall identify existing trees to be preserved and a grading limit shall be established at the drip line of those trees. Trees preserved on site may be credited towards satisfying the landscape and screening requirement of the Zoning Ordinance.

16. A performance bond or other construction guarantee shall be posted by the developer for all landscaping and screening improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four of the Code of Ordinances.
17. The future development of the Springbrooke Condominiums shall be developed in accordance with all conditions of the original Major Use Plan approved by City Council on October 24, 1994.
18. The proposed day care building shall be flipped on the site, north to south, so all outdoor play areas are located out of the front yard subject to approval by the Planning Department.
19. The dumpster for the proposed daycare shall be located out of view from the public right-of-way and screened using brick and/or stone to match the materials of the building subject to approval by the City Planning Department.
20. The final design of the fencing for the proposed daycare shall be subject to approval by the Planning Department.
21. A final exterior lighting plan for the proposed daycare shall be subject to approval by the City Planner.

Mr. Weingarten seconded the motion. The motion was approved unanimously 6-0.

NEW BUSINESS

Morris Home Furnishings - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted for Morris Furniture Company, Inc., by MUHA Construction, Inc., requesting approval of two (2) new buildings on the site located at 5695 Wilmington Pike. The zoning on the property is Business Planned Development, B-PD. Specifically, the request is for a 15,625 sq. ft. retail Thomasville Furniture Store to be situated on the west end of the existing Morris Furniture building; and a 1,758 sq. ft. Tim Horton restaurant on an outlot along Wilmington Pike.

The architecture proposed for the Thomasville store meets all the minimum architectural design requirements and will be an attractive addition to the existing building as it blends in well with the existing architecture. There are some access issues on the Tim Horton site which will be addressed by staff with the applicant. The Tim Horton building is proposed to be constructed of brick with an E.I.F.S. cap. Staff is recommending the architectural design return to the Planning Commission for specific approval.

Mr. Durham stated he was concerned the building will be situated on the site below the level of Wilmington Pike. He stated the roof of the building will be required to be constructed to screen the mechanicals on the roof. The building will also be required to have four (4) sided architecture.

Mr. Feverston stated in a conversation with a representative of Tim Horton's, it was stated that a pitched roof of some type is a permitted roof, however, on a case-by-case the Planning Commission can approve a flat roof. Mr. Feverston stated he informed the representative the Planning Commission would want to see mechanicals on the roof well screened.

Staff recommended approval of the Special Approval application subject to the following conditions:

1. Curbed drive aisles and landscape islands shall be established around the proposed restaurant for access control, sight distance and safety purposes subject to approval by the City Engineering Department.
2. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.
3. The Planning Commission shall approve the architectural design of the proposed Thomasville building to assure the materials, shape, massing and architectural features create a unified design on the premises and shall be visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the flat roof.
4. Building elevations for the proposed restaurant shall be subject to approval by the Planning Commission.
5. The dumpster for the proposed shall be screened to match the architectural design of the building subject to approval by the Planning Commission.
6. All roof top mechanicals shall be screened from view subject to approval by the Planning Department.
7. A final landscaping plan shall be submitted subject to approval by the Planning Department.
8. Fire hydrants shall be located within four hundred (400) feet of all designated building access points as measured along actual fire apparatus routes of travel.
9. A detailed exterior lighting plan shall be subject to approval by the City Planner.

Mr. Dave Muha, Muha Construction representing the applicant, stated they had no objections to any of the conditions as outlined in the staff recommendations. He stated that they would request the building elevations and dumpster design by subject to approval by the Planning Department rather than the Planning Commission to avoid any time delay.

Mr. Durham stated he did not think the proposed architecture of the Thomasville store blended well with the different textures of E.I.F.S., the use of a base on this portion of the building, etc. He stated he felt the new addition stood in contrast to the existing building.

Staff felt the design of the addition added character to the building with the use of building materials textures.

Mr. Muha stated the base material could be changed to brick to make a cleaner look. Also, some of the E.I.F.S. material could be replaced with a increased amount of brick. He stated they felt they had an opportunity to put more detail on the building addition and still compliment the existing building.

Mr. Feverston stated staff felt Phase 2 of Centerville Place Shopping Center, allowed SteinMart to have a somewhat different appearance and the adjoining spaces had a cohesiveness to compliment the focal point of the center.

MOTION: Mr. Briggs moved to approve the Planning Commission Special Approval application submitted by MUHA Construction for Morris Furniture Company, 5695 Wilmington Pike, subject to the following conditions:

1. Curbed drive aisles and landscape islands shall be established around the proposed restaurant for access control, sight distance and safety purposes subject to approval by the City Engineering Department.
2. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.
3. The Planning Commission shall approve the architectural design of the proposed Thomasville building to assure the materials, shape, massing and architectural features create a unified design on the premises and shall be visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the flat roof.
4. Building elevations for the proposed restaurant shall be subject to approval by the Planning Commission.
5. The dumpster for the proposed shall be screened to match the architectural design of the building subject to approval by the Planning Commission.

6. All roof top mechanicals shall be screened from view subject to approval by the Planning Department.
7. A final landscaping plan shall be submitted subject to approval by the Planning Department.
8. Fire hydrants shall be located within four hundred (400) feet of all designated building access points as measured along actual fire apparatus routes of travel.
9. A detailed exterior lighting plan shall be subject to approval by the City Planner.

Mr. Brunner seconded the motion. The motion was approved 5-1 with Mr. Durham voting no.

RETS Tech Center - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted for RETS Tech Center located at 555 East Alex-Bell Road zoned Business Planned Development, B-PD. The request is to construct a 13,380 square foot expansion to the west side of the existing technical school. The plan shows the grade as above the finished floor of the building and that grade is to be reduced significantly to match the existing building.

The building elevations submitted as part of the request basically depict a rectangular building extending from the existing building itself with an entry feature on the west elevation serving as the principle entrance into that portion of the building. The existing building has chamfered corners on each side with a diagonal turned metal feature extending through the building. An existing parking lot constructed for overflow parking will be reworked in terms of traffic circulation, the access drive will be shifted further to the west, and a walkway system will be incorporated into the traffic pattern.

Mr. Feverston stated that no additional stormwater detention will be required as the original construction of the technical school allowed for its future expansion.

Mr. Feverston stated the Zoning Ordinance encourages the mass of buildings to have breaks by providing offsets, reveals, shadow lines, etc., for any length of one hundred (100) feet or greater. Any length greater than fifty (50) feet shall provide shadow lines, bays or reveals within the architectural design of the building. The use of oversized brick and E.I.F.S. as exterior building materials must be specifically approved by the Planning Commission.

Staff recommended approval of the Special Approval application subject to the following conditions:

1. All sidewalks where adjacent to parking spaces shall have a minimum width of six and one-half (6.5) feet to allow for bumper overhang.

2. Landscape islands within the parking lot shall have a minimum width of nine (9) feet.
3. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.
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 shall be visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the building mass, flat roof as modified to include a center, pitched roof structure, and the use of Exterior Insulation Finish System (E.I.F.S.) as an exterior siding material.
5. All roof top mechanicals shall be screened from view subject to approval by the Planning Department.
6. A final landscaping plan shall be submitted subject to approval by the Planning Department.
7. Fire hydrants shall be located within four hundred (400) feet of all designated building access points as measured along actual fire apparatus routes of travel.
8. A hard surface roadway capable of providing emergency vehicle access and support at all times for emergency purposes shall be provided during construction.
9. A detailed exterior lighting plan shall be subject to approval by the City Planner.

Mr. Steve Pitchel, architect for the project, stated the grading of the property will require between three (3) and four (4) feet to be removed across the whole property to provide for the proper floor level. No retaining walls will be necessary and the parking lot will be situated lower than the roadway so vehicles will not be visible. He stated that concerning the length of the wall, as mentioned in the staff recommendations, this a 13,500 sq. ft. addition to a 43,000 sq. ft. building. He stated he did not design the existing building which has flat walls and his design is simply mimicking the existing design. The tall tower features match the height and materials used on the existing building. He explained the color rendering of the project was not available to him as the client had it in his office. The building colors include a light and dark brick, and light and dark E.I.F.S.

Mr. Durham stated the tower features look substantially shorter than those existing.

Mr. Pitchel stated the tops are shorter because they clear story elements to bring light into the interior of the building. The eave lines match and the blue pyramid standing seam roof matches the existing building as well.

Mr. Weingarten stated the number of windows in the tower features appear to have bars that are not used in any other portion of the building.

Mr. Pitchel stated those are simply mullions installed to break up the windows into four (4) squares to provide a new element to the design of the addition.

Mr. Durham stated he felt the mullions in the windows are wrong as they break away from being a unified approach to the building. In addition, the eave line is the same, but the mass is so much less than the mass of that roof, it does not reflect the existing building from a design perspective. He stated while it does not have to be a fifty (50) foot wide blue running roof down the middle of it, there should be more mass to it. He stated the two (2) elements as proposed will look dinky and there is no consistent and unified look to the building. Mr. Durham stated he felt the architecture should be redesigned to give an element that better reflects the current element of the running roof down on the diagonal to the current building.

Mr. Pitchel stated creating a design for this small addition to a extremely large building was a challenge. He stated he tried to design something that was more gentle and feeling that needed to have smaller elements brought into it to make it more human. He stated he did not design the existing building so he has to work with what he has been handed and his design has to work with the existing building, but wanted to make it better. He stated he could live without the mullions in the windows.

Mr. Durham stated he felt the two (2) tower elements would be lost in the overall appearance design of the building.

Mr. Pitchel stated the tower elements actually serve a function by opening up the dead space by allowing natural light to come into that tall area. He stated there is usually no way to design an addition to a building that does not appear as an addition, but they have to work together.

Mr. Weingarten asked if the members could ask the architect and staff to work together to take another crack at the design.

Mr. Brunner stated he was having trouble visualizing the design without a color rendering

Mr. Durham stated he felt the tower elements were out of proportion and are not significant enough given the mass of the overall building, the addition and the building to which it is being attached. He agreed with the concerns of Mr. Pitchel, but felt it needed something that better harmonizes and a redesign should be done. He stated that in looking at the west elevation and ignoring the existing building, he thought the element of the tower looked disproportionately small compared to the horizontal mass of the building. He stated he felt it should be taller and a bit larger, although he understood taller would fight with the eave on the existing building. He

stated he understood the challenges of the design, but perhaps an element needs to run partially through the building to connect the towers with a little width which would make the roof taller giving it more mass. Although it remains an addition off to the side, it would be more in proportion to the existing building.

Mr. Pitchel stated he did not mind generating more design fees, but the footprint of the building as desired by his client, has to address the existing building. He stated his design relates somewhat to the existing building without making the same mistake.

Mr. Durham stated the towers could be connected with a roof section that would be the same pitch, with the same eave line, but only fifteen (15) or twenty (20) feet wide that would not be overpowering.

Mr. Pitchel asked how the members would feel if the towers were removed from the design.

The members stated they would not support the removal of those elements because it helps break up the mass of the building.

Mr. Clark asked Mr. Pitchel if he would waive the thirty (30) day time limit to review the application so it could be tabled to give you an opportunity to revise the design for the next meeting.

Mr. Pitchel stated that, being the architect, he did not have the authority to make that decision.

MOTION: Mr. Briggs moved to approve the Planning Commission Special Approval application submitted for RETS Technical Center, 555 East Alex-Bell Road, subject to all conditions contained in the staff recommendation. Mrs. Meininger seconded the motion. The motion was denied 2-4 with Mr. Durham, Mr. Brunner, Mr. Weingarten and Mr. Clark voting no.

Mr. Feverston reviewed the appeal process to Mr. Pitchel.

COMMUNICATIONS

Mr. Feverston stated a draft ordinance for a reduction of parking spaces required for a daycare facility. Council approved the appeal application submitted for Primrose Daycare and agreed with Planning Commission that the requirement should be changed. The members directed staff to set the ordinance for public hearing for review at the next regular meeting.

An application is expected to be submitted for an office building to be located along Clys Road north of Centerville Mill for review at the next regular meeting.

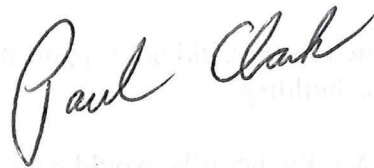
A conceptual plan is being reviewed by staff for an eight (8) acre property located on Clys Road owned by the Karras family immediately west of the Vectren building.

Staff continues to work on a revision to the Zoning Ordinance concerning setback requirements in the Architectural Preservation District (APD).

Mr. Liberman stated that when Planning Commission acts as a Board of Zoning Appeals the requirement of swearing in of witnesses will not be required. That process will be done by Council only to provide a formality for further appeal to the Court.

When asked by Mr. Durham, Mr. Feverston informed the members that Council had approved the appeal of The Tile Shop negating them of relocating the loading doors on the building. The applicant is required to install landscaping shown on the plan, along with additional screening along Loop Road, and place an awning over the passage doors.

There being no other business, the meeting was adjourned.

A handwritten signature in cursive script that reads "Paul Clark". The signature is written in dark ink and is positioned in the lower right quadrant of the page.