

**CENTERVILLE PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, January 30, 2001**

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

Attendance: Mr. James Durham; Mr. Rand Oliver; Mr. James Briggs; Mr. Joseph Weingarten.  
Absent: Mr. Patrick Hansford; Mr. Richard Pluckebaum; Mr. Jack Kindler. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Scott Lieberman, Legal Counsel.

Motion to Excuse:

MOTION: Mr. Briggs moved to excuse Mr. Hansford, Mr. Pluckebaum and Mr. Kindler from the meeting as each gave prior notice to staff. Mr. Weingarten seconded the motion. The motion was approved unanimously 4-0.

Approval of Minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission minutes of January 9, 2001, with the addition that Mr. Hansford made the motion to approve the Work Session minutes of January 9, 2001. Mr. Weingarten seconded the motion. The motion was approved 3-0-1 with Mr. Oliver abstaining.

NEW BUSINESS

Ritter's Frozen Custard - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval submitted for Ritter's Frozen Custard to be located at 9605 Dayton-Lebanon Pike in the H. R. Office Park. The zoning on the 1.644 acre parcel is B-1, Neighborhood Business. The request is to develop a 1,600 sq. ft. frozen custard store on the site directly north of the Goddard School, south of Heritage Realtors, east of vacant residential property, and west of residential development. The development directly south of the Goddard School is residential as well. Sixty-one (61) parking spaces are proposed which satisfies the 27 parking spaces required for the facility. The dumpster is proposed to be located in the northwest corner of the site which may require the adjacent parking space to be eliminated.

The proposed building expresses a base, body and cap, and is circular in shape. The materials proposed by the franchise owner, Ms. Gail Burtsfield, are brick on the back half of the building and primarily glass windows on the front portion from which customers will be served. The turned metal roof will be blue in color and the building walls will be beige rather than white as first proposed.

The parking lot landscaping proposed meets the requirements in the Zoning Ordinance, however, the landscaping and screening along the west property line is not adequate. Some existing trees, if preserved, could be applied to the amount of landscaping required.

Mr. Feverston reviewed architecture used on surrounding projects including the Goddard School, Heritage Realty and the existing residential projects in the immediate area. The architecture of those buildings are rectangular in shape, are perpendicular to the street with the exception of Heritage Realty which is angled on a corner property, and have a balanced window pattern to visually break up the mass of the buildings.

The Planning Department recommended denial of the application as the building does not satisfy the General Architectural Design Requirements in the Zoning Ordinance, which requires the design, massing, materials, shape, and scale of all new and modified principal buildings to be visually compatible with the surrounding buildings.

Mr. Feverston stated should the Planning Commission approve the building design, the Planning Department would recommend the following conditions:

1. The south driveway shall be shifted to the east a minimum of 20 feet subject to approval by the City Engineering Department.
2. Vehicle access and circulation shall be refined by the applicant to address turning radii, driveway widths, and merger point subject to approval by the City Engineering Department.
3. A final grading and stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating detention and/or retention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
4. The final landscaping plan shall be subject to approval by the Planning Department.
5. A performance bond or other construction guarantee shall be posted by the developer for all landscape, screening, or bufferyard 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.
6. A final lighting plan shall be approved by the Planning Department.
7. The final design of the dumpster enclosure shall be subject to approval by the Planning Department.
8. No sign depicted shall be approved as a part of this application.

Mr. Scot Stone, Attorney representing Ms. Burtsfield, and Mr. Sol Lemke, of Ritter's Frozen Custard, were in attendance for the review of the application.

Mr. Lemke explained the history of Ritter's which started over 30 years ago in the Indianapolis area. He indicated their founder, John Ritter wanted a building which people would recognize as the upscale concept of the business which communities consider more than an ice cream store, they consider it an "event". He stated people familiar with their facilities welcome them to a community not only because of their product, but for their family-type atmosphere and job opportunities given to high school students.

Mr. Stone stated the most concern of the Planning Commission seemed to be that of the architecture. He asked if the site plan layout was satisfactory.

The members of Planning Commission felt the site plan layout was acceptable with the conditions as outlined by staff.

Mr. Stone presented beige brick samples, although he indicated Ms. Burtsfield would be agreeable to red brick. He stated they felt the blue roof was necessary citing the blue terner metal roof used on RETS Tech Center as an example of architecture approved previously by the Planning Commission. He stated their building would be far less prominent than the massive structure on East Alex-Bell Road which has surrounding uses similar to the proposed site.

Mr. Lemke distributed copies of building elevations of a Ritter's facility being considered in Carmel, Indiana, which has architectural standards that must be applied to their application. Mr. Lemke and Mr. Stone indicated with these same type of architectural changes to the Centerville location, it would be a nice addition to the City.

Mr. Durham stated he would like to table the application until the architectural elevations are submitted for staff's review.

Mr. Lemke indicated drawings could be submitted in the next few days so Planning Commission could again review the application at their next regular meeting.

Mr. Stone agreed to table the application until the additional information is submitted to staff for reconsideration to be scheduled for the next regular meeting on February 13, 2001.

MOTION: Mr. Oliver moved to table the Special Approval application for Ritter's Frozen Custard until revised building elevations are submitted to the Planning Department for their review. Mr. Briggs seconded the motion. The motion was approved unanimously 4-0.

There being no further business, the meeting was adjourned.



