

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, February 29, 2000

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

Attendance: Mr. James Durham, Chairman; Mr. Jack Kostak; Mr. Patrick Hansford; Mr. Richard Pluckebaum; Ms. Cheri Williams; Mr. Rand Oliver. Absent: Mr. Jack Kindler. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Norbert Hoffman, City Engineer.

Approval of Minutes:

MOTION: Mr. Oliver moved to approve the Planning Commission Regular Meeting minutes of February 8, 2000, as written. Ms. Williams seconded the motion. The motion was approved 5-0-1 with Mr. Kostak abstaining.

COMMUNICATIONS

Mr. Feverston stated that a request had been received from the developers of Holiday Inn Express for review of a concept plan involving the development of their facility at Wilmington Pike and Whipp Road.

Planning Commission agreed to meet on March 14, 2000, at 6:30 P.M., to discuss the concept plan as requested.

PUBLIC HEARINGS

City of Centerville (Nearing Property) - Rezoning from I-PD and R-PD to O-PD

Mr. Feverston reviewed the City initiated Rezoning application for a 4.874 acre parcel of property located on the west side of Clyo Road south of Deer Run Road requesting a change in zoning of 4.744 acres from Residential Planned Development, R-PD, and 0.13 acres of Industrial Planned Development, I-PD, to Office Planned Development, O-PD. The surrounding land uses include single-family (Deer Run Condominiums) to the north; single-family and vacant land (Forest Walk subdivision) to the east; light industrial to the south; and, single-family (Deer Run Condominiums) and industrial land to the west.

The purpose of the change in zoning is to establish a transitional zone between existing residential zoning to the north and commercial zoning to the south. As a result of a 1998 analysis of the established zoning on vacant properties with the City, the study evaluated the appropriateness of the current zoning on vacant lands with regards to the land uses that have developed on surrounding properties. The study also considered the current zoning classifications and those land uses that may be developed on surrounding properties.

The existing R-PD zoning would permit a maximum of 28 multi-family units that could be developed as either apartment or condominium units. No buffering would be required to screen the Deer Run Condominiums from a future multi-family development on this land. Additionally, the current zoning does not allow for any transition to the existing industrial zoned lands to the south and west.

The land uses permitted in the O-PD zoning district would allow the property to be developed to its highest and best use. Retail commercial or industrial and uses are not permitted in an O-PD zoning district. The O-PD zoning district would also request a bufferyard to be installed at the time the property is developed to screen the Deer Run Condominium homeowners. The required bufferyard has a minimum width of 100 feet and is the most intensive screening requirement in the City's Zoning Ordinance.

Mr. Feverston stated this land, when combined with the vacant industrially zoned land to the west, could serve as the entry to a larger research/business park should this land be rezoned to O-PD. As stated in the Policy Plan, the City is encouraging the development of the business park concept for which this land would be well suited.

Staff recommended approval of the rezoning based on the following analysis:

1. The City Comprehensive Plan requires land uses must be allocated and related so as to be harmonious. Uses which complement each other should be grouped, while conflicting uses should be separated via transitional land uses or buffer zones.
2. The current zoning of R-PD on this parcel conflicts with the Land Use Plan contained in the City Comprehensive Plan. However, the residential land uses that have developed along both sides of Clio Road including Black Oak, Black Oak Forest, Deer Run, Whispering Oaks, and most recently, Forest Walk, all conflict with the City Land Use Plan. The Land Use Plan suggests all of these lands were better suited for research or restricted industrial uses.
3. The current Land Use Plan, adopted in 1969, is out-of-date for this area of the City. It did not anticipate the removal of the Penn Central Rail Lane in the early 1980's and overestimated the demand for industrial land as well as underestimated the demand for residential land in the City.
4. The Centerville Policy Plan was adopted in 1984 to address these inconsistencies with the Comprehensive and Land Use Plans.
5. Transitional land uses are the highest and best use for this parcel as it is situated and related to those residential land uses that have developed adjacent to and across Clio Road from the industrial land uses that have and will develop to the south and west of this property.

6. The O-PD, Office Planned Development, zoning district provides transitional land uses and is the best zoning district to accomplish the transition from industrial to residential. Additionally, the O-PD zoning district provides for a 100 foot wide buffer zone to the adjoining Deer Run Condominiums to lessen the impact of any permitted use that may be developed on this property.
7. The property owners, the Nearing Family, own approximately 24 acres of vacant, industrially zoned land west of the subject property. If combined, this land could serve as the entry to a larger research/business park should this land be rezoned to O-PD. A stated goal of the City Comprehensive Plan is to encourage the development of the business park concept rather than scattered industrial developments. As stated earlier, this land is well suited for this purpose.

Mr. Durham opened the public hearing.

Mr. Ulrich Gaertner, 891 Deer Run Road, was concerned that the existing trees would be removed from the property once development occurs.

Mr. Feverston stated that the City encourages preservation of trees and credits developers with such to be applied to their landscaping requirement.

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

The members of Planning Commission agreed the proposed O-PD zoning would create the best transitional zoning to the surrounding neighborhood as well provide the 100 foot buffer requirement to the Deer Run Condominium community.

MOTION: Mr. Hansford moved to recommend approval of the Rezoning of 4.874 acres of land, situated on the west side of Clio Road south of Deer Run Road, from R-PD and I-PD to O-PD to City Council. Mr. Kostak seconded the motion. The motion was approved unanimously 6-0.

Jewish Federation of Greater Dayton - Major Use Special Approval

Mr. Feverston reviewed the Major Use Special Approval application submitted by the Jewish Federation of Greater Dayton to develop a private community center and related amenities on a 13.984 acre parcel of land located on the northeast corner of Loop Road and Versailles Drive. The zoning on the property is Office Planned Development, O-PD, on which the proposed development is a permitted use. The applicant is proposing 186 parking spaces which satisfies the requirement of 183 spaces on the site.

The building will be constructed into the existing hillside to utilize the slopes on the site. The two level building will be constructed of stone and brick materials with a terra cotta roof color. The lower level will have a daycare, the lower auditorium, and classrooms; the main level will include the auditorium, staff offices, a multi-purpose room, kitchen, and meeting rooms. The main entrance to the facility is accessed from Versailles Drive facing south. A drop-off turnaround drive is located at the main entrance as well as on the north side of the building for the daycare facility and lower level auditorium entrance. The building pad will be approximately the same ground elevation as I-675 which abuts this property to the north. A retreat house is proposed on the northeastern portion of the site. Phase 2 of the project will include some recreational uses on the property.

Most of the significant trees on the site are located along the eastern property line. A dry detention area is to be located in the southeast corner within the buffer area. However, since the slope of the property best suits this area for detention, staff felt the location was appropriate.

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

1. A final grading and stormwater drainage plan shall be approved by the 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. The proposed detention basin in the 100-foot bufferyard is reasonable given its remote location, the existing grades and the abundance of underbrush. The sides and bottom of the basin shall be planted with deciduous and conifer trees in accordance to the buffer requirements of the Zoning Ordinance.
2. A gravel driveway capable of providing emergency vehicle access and support for firefighting purposes shall be constructed to serve the retreat house, subject to approval by the City Engineering Department. The roadway shall incorporate a turnaround to accommodate the maneuvering of emergency vehicles.
3. Building elevations for the retreat house shall be submitted and subject to approval by the Planning Commission.
4. A detailed lighting plan shall be subject to approval by the Planning Department.
5. A final landscape plan shall be submitted and subject to approval by the Planning Department. 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 requirements of the Zoning Ordinance.

6. 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.
7. The final location and screening of the dumpster shall be subject to approval by the Planning Department.
8. No sign depicted shall be approved as part of this application.

Mr. Durham opened the public hearing.

Mr. Stephen Carter, architect, Mr. Bob Baird, engineer, and Mr. Charles Abramovitz, Jewish Federation, were present for the review of the application.

Mr. Carter stated that all conditions as reviewed by staff were acceptable to the developer.

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

Mr. Pluckebaum was concerned with traffic from this project using the private street through the Chardonnay Valley condominium project for access.

Mr. Feverston stated that unlike the proposed RETS school, this use should have minimal impact on Chardonnay Valley. The proposed access drive to the community center is on the public portion of Versailles Drive. Versailles Drive in Chardonnay Valley is a private drive with a median that defines the entrance. He stated that when the development continues in the condominium project, a future developer may construct a gatehouse structure at the entrance to Chardonnay Valley from Versailles Drive to discourage through traffic.

The members felt the proposed project was very attractive and were pleased with the creative design for this property.

Mr. Hansford stated he felt the Planning Department could review and approve the building elevations for the retreat house rather than the Planning Commission.

MOTION: Mr. Hansford moved to recommend approval of the Major Use Special Approval application submitted by the Jewish Federation of Greater Dayton to City Council subject to the following conditions:

1. A final grading and stormwater drainage plan shall be approved by the 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. The proposed detention basin in the 100-foot bufferyard is reasonable given its remote location, the existing grades and the abundance of underbrush. The sides and bottom of the basin shall be planted with deciduous and conifer trees in accordance to the buffer requirements of the Zoning Ordinance.
2. A gravel driveway capable of providing emergency vehicle access and support for firefighting purposes shall be constructed to serve the retreat house, subject to approval by the City Engineering Department. The roadway shall incorporate a turnaround to accommodate the maneuvering of emergency vehicles.
3. Building elevations for the retreat house shall be submitted and subject to approval by the Planning Department.
4. A detailed lighting plan shall be subject to approval by the Planning Department.
5. A final landscape plan shall be submitted and subject to approval by the Planning Department. 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 requirements of the Zoning Ordinance.
6. 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.
7. The final location and screening of the dumpster shall be subject to approval by the Planning Department.
8. No sign depicted shall be approved as part of this application.

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

Towne Properties (Villager Apartments) - Temporary Variance to Abate Screening Requirement

Mr. Feverston reviewed the Variance application submitted by Towne Properties for the Villager Apartments located on Fireside Drive at North Village Drive. The zoning on the property is Residential Planned Development, R-PD. At the time of development in 1962, the property was zoned Entrance Corridor, E-C, which required shrubbery screening to any adjacent area zoned single-family residential be planted and maintained.

The applicant has indicated that no such screen was installed at the time the apartment community was developed; however, in or around 1965, at its own initiative, the management company installed a single row of privet hedges along the rear of the northernmost portion of the development, north of North Village Drive. This satisfied the screening requirement at the time.

In 1997, the City passed a Zoning Amendment which contained new requirements for non-residential and multi-family residential uses that abutted other residential uses. The current Zoning Ordinance requires a multi-family use, where it abuts a single-family use, to provide all of the following screening: a bufferyard 25 feet in width, an earthen mound, a privacy fence or wall, and a certain ratio of planting per 100 linear feet of bufferyard.

The amendment made the Villager Apartment Community legally non-conforming with regard to the screening requirements. Section 24.D.1 of the Zoning Ordinance states "No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity." The pruning of the hedges by the management company last fall has resulted in an increase in the non-conformity by eliminating the existing, required shrubbery screen.

Staff recommended the Variance application be denied based on the fact that the Variance request by the applicant infringes on the rights of the adjacent single-family property owners to enjoy a visual screen from the apartments and parking areas, albeit temporarily. Abatement of the screening requirement is not necessary for the applicant's reasonable use of the property. Furthermore, there is no apparent hardship or practical difficulty inherent to the property that would preclude the restoration of the required screening.

Mr. Durham asked if the application were denied, what would be required of the applicant.

Mr. Feverston stated that a comparable screen would have to be installed at a height of 5 to 6 feet to replace what was removed from the site whether it be a privacy fence or plantings. He stated that a fence could be installed and the existing privet hedge left in place to reestablish itself in the future.

Mr. Durham opened the public hearing.

Mr. Tim Thompson, Towne Properties, stated that they are requesting a temporary variance of one (1) growing season to allow the existing privet hedge to reestablish itself and again provide a screen to the neighboring properties to the east. He stated that in an attempt to rejuvenate the hedge, it was cut to avoid any future growth from becoming too vine-like. He indicated that is same process used on the same type of hedge plantings in other areas within the project. Mr. Thompson indicated there are existing gaps within the hedge and they would install new plants in those areas.

Mr. James Briggs, 170 Glenburn Drive, stated there are four (4) gaps in the existing hedge which has been in that condition for quite some time. He stated that the hedge is over 30 years old and it is hard to believe it will regenerate itself. There was no maintenance of any kind to the hedge until a complaint was made to the management company and the result is the hedge was cut down. Mr. Briggs stated that the neighbors are asking for a viable screen to be installed based on the absence of the original screen.

Mr. Ken Hahn, 311 South Village Drive and spokesperson for the Village South neighborhood, stated the apartments have been good neighbors in most cases, however, the removal of the screening is inexcusable. He stated that in any case where an applicant seeks a variance for relief after the fact, the application should be denied based on it being inappropriate. Should the variance be approved, Planning Commission would be sending the wrong message to property maintenance personnel which would not be good for the City and its citizens. Mr. Hahn requested the screening be replaced with an appropriate screen to protect the single-family neighborhood's privacy and property values.

Mr. Marvin Trawick, 190 Glenburn Drive, stated the remains of the privet hedge, being sharp sticks, creates a safety issue for children in the area. He stated the hedge kept the apartment residents from wandering onto the neighboring properties with their pets, etc., and encouraged the Planning Commission to require the screening be replaced.

Mr. Darren Harville, 155 Glenburn Drive, stated that headlights from vehicles are a much greater problem shining into their residences since the hedge was cut down. He stated that the resale of his property will be hindered with no screening in place.

Ms. Marlene Sullivan, 211 Glenburn Drive, stated she would like the screening to be required by the City to be replaced.

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

Mr. Pluckebaum asked if the City's horticulturalist had looked at the hedge so that a professional opinion was received as to if the hedge would grow back.

Mr. Feverston stated that Mr. Engler had not looked at the hedge. This variance request is an issue pertaining to the zoning requirement of providing and maintaining a 5 to 6 foot high hedge at this location.

When asked by Mr. Hansford how the issue was brought to the attention of the City, Mr. Feverston stated a complaint was filed with the zoning inspection office.

Mr. Durham stated that the City has minimum planting height standards and pruning of existing plants should not be less than the minimum standard.

Mr. Oliver stated that the hedge was meant to be a screen to the neighboring properties and must be maintained.

Mr. Hansford stated that the hedge could potentially grow back in a year and since no permit is necessary to prune plants, direction was not given by the City concerning the standards.

Mr. Durham asked if the City would have approved the request by Towne Properties to take down the hedge as it now exists.

Mr. Feverston stated the City would have told them not to prune the hedge to less than 6 feet in height.

Mr. Kostak asked if a situation of this type had occurred previously.

Mr. Feverston stated that he was not aware of this type of situation occurring.

MOTION: Mr. Oliver moved to deny the Variance application submitted by Towne Properties for the Villager Apartments, 6300 Fireside Drive, for a temporary variance to abate the screening requirement. There was no second made to the motion.

MOTION: Mr. Kostak moved to approve the Variance application submitted by Towne Properties for the Villager Apartments, 6300 Fireside Drive, for a temporary variance to abate the screening requirement. Mr. Pluckebaum seconded the motion. A roll call vote resulted in the Variance application being approved 4-2 with Ms. Williams, Mr. Pluckebaum, Mr. Hansford and Mr. Kostak voting yes; and, Mr. Oliver and Mr. Durham voting no.

Mr. Durham informed the residents who spoke in opposition to the variance, they had the right to appeal the decision of the Planning Commission to City Council.

NEW BUSINESS

Buckingham Financial - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application submitted for Buckingham Financial proposed for development on a 1.62 acre parcel of land located along the west side of Clio Road north of East Franklin Street. The zoning on the property is Light Industrial, I-1. The parking requirement of 56 spaces has been satisfied as the developer is proposing 68 spaces on the site.

The existing structure on the has been inspected by staff and found to have no historic significance. Mr. Feverston stated that this property once was the site of a cannery and the foundation of that cannery was used for the structure on the property; however, that foundation, as well as the building walls, are failing due to moisture damage.

The proposed brick office building will have a drop-off area with a canopy height of 12 feet. The Fire Department is requesting the canopy height be 14 feet to allow fire equipment access under that structure which would greatly affect the architecture of the high roof on the building. To remedy this problem, staff suggested that a curb cut be constructed on the northern portion of the site and limited to right-in/right-out. The curb cut on the southern portion at Millerton Drive is a full movement access. The median on Clyo Road modified to provide a left turn lane.

Mr. Feverston stated there many large trees identified on the southern half of the site, however, most are damaged or diseased.

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

1. A curb-cut shall be constructed to Clyo Road at the northern portion of this site to provide to meet emergency access needs. This drive shall be limited to right turn maneuvers and aligned with the driveway for the drop-off. The final design shall be subject to approval by the City Engineering Department.
2. The raised median on Clyo Road shall be modified by the applicant to accommodate left-turn maneuvers at the main entrance into the property 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. A detailed lighting plan shall be subject to approval by the Planning Department.
5. The dumpster screening shall be faced with brick to match the building subject to approval by the Planning Department.
6. A final landscape plan shall be submitted and subject to approval by the City Planning Department. 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 requirements of the Zoning Ordinance.

7. 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.

Mr. Tom McDougall, Mr. Jim Hawthorne and Mr. Jay Buckingham were present for the review of the project.

Mr. McDougall stated that they understood the need for the left-turn lane on Clyo Road and will work with the City Engineer to make that improvement.

Mr. Hawthorne stated they would prefer to add the second as recommended rather than change the structure to accommodate access for emergency vehicles.

Dr. Bill Vanenzzi, Deer Run Road, asked if there would be a division between the parking area and the sidewalk along Clyo Road.

Mr. Feverston indicated there would be a 10 to 11 foot separation between the sidewalk and parking area.

Mr. Durham stated that proposed office building will have a positive impact on the area.

MOTION: Mr. Hansford moved to approve the Planning Commission Special Approval application submitted for Buckingham Financial Group subject to the following conditions:

1. A curb-cut shall be constructed to Clyo Road at the northern portion of this site to provide to meet emergency access needs. This drive shall be limited to right turn maneuvers and aligned with the driveway for the drop-off. The final design shall be subject to approval by the City Engineering Department.
2. The raised median on Clyo Road shall be modified by the applicant to accommodate left-turn maneuvers at the main entrance into the property 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. A detailed lighting plan shall be subject to approval by the Planning Department.

5. The dumpster screening shall be faced with brick to match the building subject to approval by the Planning Department.
6. A final landscape plan shall be submitted and subject to approval by the City Planning Department. 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 requirements of the Zoning Ordinance.
7. 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.

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

Just Saab of Dayton - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted for Just Saab of Dayton proposing the development of a new auto dealership to be located on the northeast corner of Loop Road and Alex-Bell Road. The zoning on the 1.165 acre parcel is Business Planned Development, B-PD. Thirty (30) parking spaces are required for this particular development and the applicant has proposed 42 spaces.

An overall master plan has been approved for this site, and should an additional access be requested to Loop Road for this development, an amendment must be submitted and approved by Council. The curb cut shown on the proposed plan is in concept only since an amendment has not been filed.

The proposed flat roof building is to be constructed with a combination split-faced block and E.I.F.S material. Vertical windows will be used for the showroom area with an arched awning over the entrance door on the front elevation facing Loop Road. Garage bays are to be located on the north and south elevations of the building. The applicant has indicated the building walls can be offset with one parapet being approximately 10% higher than the other to satisfy the requirement in the ordinance to break up building mass.

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

1. The driveway labeled as "future south access driveway" requires the approval of the City Council as an amendment to the master plan and cannot be approved as part of this application. Should the City Council not approve this driveway, a temporary turn-around shall be constructed in this location subject to approval by the City Engineering Dept.

2. The Planning Commission shall approve the design of the proposed building to assure the form, mass, materials, and colors create a unified design on the premises and are visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the flat roof, the use of E.I.F.S. as an exterior siding material, and the parapet be adjusted to reflect a 10% difference in height between the blue entrance portion and the rest of the building.
3. The north row of parking spaces may be shifted to within 5 feet of the north access driveway provided intersection sight distance is maintained, subject to approval by the City Engineering Department.
4. The dumpster screening shall be a masonry structure with split-face block to match the siding of the building subject to approval by the Planning Department.
5. A final grading and stormwater drainage plan shall be approved by the City Engineering Department.
6. A detailed lighting plan shall be subject to approval by the Planning Department.
7. A final landscape plan shall be submitted and subject to approval by the City Planning Department.
8. 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.
9. No sign depicted shall be approved as part of this application.

Mr. Skip Schafer, representing the property owner, stated that the application for an amendment to the Major Use Plan is to be filed at the end of the week for consideration of the additional access to Loop Road.

Mr. Ralph Cooper, architect, stated the elements of the building shows different areas, such as the seashell color is the service area, the blue color is the sales area, and the arch awning represents an airplane wing which is part of the Saab Company history. He stated that in order to comply with the requirements, an additional 1.5 inches of E.I.F.S. was added to the top portion of the building to create a shadow line to help break up the mass.

Mr. Pluckebaum asked the where the HVAC units would be located.

Mr. Cooper stated they would be located on the roof of the building behind the parapet walls and hidden from view.

MOTION: Mr. Hansford moved to approve the Special Approval application for Just Saab of Dayton subject to the following conditions:

1. Any easement agreements shall be subject to approval by the City Attorney and contingent on approval of the City Council of the modification of the Master Plan to allow for the south entrance drive.
2. The north row of parking spaces may be shifted to within 5 feet of the north access driveway provided intersection sight distance is maintained, subject to approval by the City Engineering Department.
3. The dumpster screening shall be a masonry structure with split-face block to match the siding of the building subject to approval by the Planning Department.
4. A final grading and stormwater drainage plan shall be approved by the City Engineering Department.
5. A detailed lighting plan shall be subject to approval by the Planning Department.
6. A final landscape plan shall be submitted and subject to approval by the City Planning Department.
7. 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.
8. No sign depicted shall be approved as part of this application.

Further, the Planning Commission approved the design of the proposed building to assure the form, mass, materials, and colors created a unified design on the premises and was visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the flat roof, the use of E.I.F.S. as an exterior siding material, and the parapet be adjusted to reflect a 10% difference in height between the blue entrance portion and the rest of the building.

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

Voss Daewoo - Planning Commission Special Approval

Mr. Feverston reviewed the Planning Commission Special Approval application submitted for Voss Daewoo for development of a automobile sales and service intake building on the site located on Loop Road east of the existing Voss Trucks and Used Cars facility. The zoning on the 3.53 acre parcel is Business Planned Development, B-PD, which permits an auto dealership use.

The proposed building will be a glass showroom front, brick face building and a thick E.I.F.S. band at the top of the building. A service intake area will be located on the west end on the north elevation of the building. Service of the vehicles will take place at the Voss Service Center on the opposite side of Loop Road. Landscaping will be placed on the east and west sides of the proposed building to satisfy the requirement.

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

1. The Planning Commission shall approve the design of the proposed building to assure the form, mass, materials, and colors create a unified design on the premises and are visually compatible with the surrounding buildings. Specifically, the Planning Commission must approve the flat roof, and the use of E.I.F.S. as an exterior siding material.
2. The location and screening of a dumpster shall be subject to approval by the Planning Department.
3. The landscape islands adjacent to the building shall be increased in size to eliminate the blind corners around the building subject to approval by the City.
4. A final grading and stormwater drainage plan shall be approved by the City Engineering Department.
5. A detailed lighting plan for additional exterior lighting shall be subject to approval by the Planning Department.
6. No sign depicted shall be approved as part of this application.

Mr. Richard Beatty, representing Voss Daewoo, was present for the review of the project and had no objections to the conditions for approval as recommended by staff.

Mr. Hansford stated the proposal fits in well with the surrounding properties.

MOTION: Mr. Hansford moved to approve the Special Approval application submitted for Voss Daewoo subject to the following conditions:

1. The location and screening of a dumpster shall be subject to approval by the Planning Department.
2. The landscape islands adjacent to the building shall be increased in size to eliminate the blind corners around the building subject to approval by the City.
3. A final grading and stormwater drainage plan shall be approved by the City Engineering Department.
4. A detailed lighting plan for additional exterior lighting shall be subject to approval by the Planning Department.
5. No sign depicted shall be approved as part of this application.

Further, the Planning Commission approved the design of the proposed building to assure the form, mass, materials, and colors created a unified design on the premises and was visually compatible with the surrounding buildings. Specifically, the Planning Commission approved the flat roof, and the use of E.I.F.S. as an exterior siding material.

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

There being no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to read "J. Pluckebaum". The signature is fluid and cursive, with a long horizontal stroke at the end.