

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, June 13, 2000

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

Attendance: Mr. James Durham, Chairman; Mr. Richard Pluckebaum; Mr. Rand Oliver; Mr. Jack Kindler; Mr. James Briggs; Mr. Joseph Weingarten. Absent: Mr. Patrick Hansford. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Robert N. Farquhar, City Attorney.

Motion to Excuse:

MOTION: Mr. Weingarten moved to excuse Mr. Hansford from the meeting as he gave prior notice to staff of his absence. Mr. Kindler seconded the motion. The motion was approved unanimously 6-0.

Approval of Minutes:

MOTION: Mr. Briggs moved to approve the Planning Commission minutes of May 30, 2000, Regular Meeting, as written. Mr. Pluckebaum seconded the motion. The motion was approved 5-0-1 with Mr. Oliver abstaining.

PUBLIC HEARINGS

Douglas Budden (Rainbow Rascals) - Variance of Maximum Building Ground Floor Area

Mr. Feverston reviewed the Variance application submitted for Rainbow Rascals by Douglas Budden requesting a ground floor area of 7,000 square feet which exceeds the 5,000 square feet of maximum building ground floor area in an Office-Service, O-S, zoning district. This daycare facility is to be located on Clys Road east of Bigger Road and north of the Lexington Meadows Condominium community. He stated that if the facility was constructed with a second floor rather than a single-story design, the larger square footage would be permitted, however, two building levels are usually avoided with this type of use. Council has determined to review these types of requests through the variance procedure on an individual basis rather than allowing them by right.

Staff recommended approval of the Variance application based on the following analysis:

1. The provision in the Zoning Ordinance that limits the maximum ground floor area of a building was placed in the Zoning Ordinance in 1986 to accommodate the few small lots within the City that were zoned B-1, Neighborhood Business, or O-S, Office-Service, at that time. This provision also applies to the properties in the APD, Architectural Preservation District. The O-S and B-1 properties, at that time, were small and would not allow the construction of a building much larger than 5,000 square feet given the setback, parking and screening requirements. The maximum ground floor area requirement of 5,000 square feet was intended to transition the size of a building from the larger

commercial buildings to the smaller single-family homes that typically were adjacent to these zones. This land was platted to create lots larger than the typical lot zoned B-1, O-S, or APD where this provisions applies.

2. The proposed daycare is a permitted use in an O-S zoning district. This use would serve as a transitional use between the industrial developments to the north and the residential developments to the south.
3. The O-S zoning is also considered transitional in the sense that it provides a step-down in building size from the larger industrial and commercial buildings to the smaller residential buildings. The intent of the maximum ground floor area provision was to allow this step-down to occur. However, in this case, the residential buildings across from the subject property are typically two-story and have a ground floor area of 5,000 square feet or larger. A variance to permit the maximum building ground floor area to be 7,000 square feet, as shown on the Special Approval Application, is reasonable and meets the intent of the ordinance.
4. This parcel could accommodate a two-story building with a maximum ground floor area of 5,000 square feet. This, however, would create practical difficulties for the property owner.

Mr. Durham opened the public hearing.

Mr. Douglas Budden, applicant representing Rainbow Rascals, stated their company is a family-owned operation with 32 existing facilities in 5 states. He stated they felt it was important to determine if the maximum ground floor variance would be granted prior to filing a site plan based on their traditional building layout. The building to be proposed has a residential character constructed of brick, fieldstone and dimensional roof shingles. Most of their other locations are 7,000 square feet in building size and Mr. Budden stated they would rather construct a single-story building rather than a two-story building. He stated that for the building to function properly, it is important to keep the same building design they have constructed on other sites.

Ms. Maddie Saddam, 6400 Braxton Place, felt this particular location along two high volume traffic streets was dangerous for a daycare use. She stated there is no park for the many children in the Thomas Paine area in which to play and suggested the area be developed as a park with the area that is already designated for green space as part of the Lexington Meadows development.

Ms. Lisa Whitaker, 6635 Brigham Square #5, stated that Hills Developers indicated a park would be located along Clio Road a part of Lexington Meadows at the time of their project development. She asked if any site plan had been submitted for that or any property along Clio Road which would abut the Rainbow Rascals property.

Mr. Feverston indicated no plan for a park had been submitted, however, it could develop as a park at some point in time.

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

Mr. Durham stated that a daycare is a permitted use in the O-S zoning district and the only issue is the maximum building size. He stated the Planning Commission could not dismiss the use of a property based on traffic volume.

MOTION: Mr. Pluckebaum moved to approve the Variance submitted by Douglas Budden for Rainbow Rascals requesting a maximum square feet of ground floor area of 7,000 square feet. Mr. Kindler seconded the motion. The motion was approved unanimously 6-0.

UNFINISHED BUSINESS

B. P. Oil Company - Building Architecture

Mr. Feverston stated the revised building elevations for B. P. Oil Company, located at 6201 Wilmington Pike at Clyo Road, were reviewed by the Planning Commission during the work session prior to this regular meeting. The applicant has submitted an alternative design that was constructed on Dayton-Yellow Springs Road just east of I-675 in Fairborn. The exterior walls of the buildings are to be constructed of a brick material. The applicant would like to keep the canopy with the solar panels as shown in the original presentation.

Staff recommended the revised building elevations be approved subject to the following conditions:

1. Divided windows shall be added to the brick rectangular piers on the north, south and east building elevations.
2. A turned-metal awning shall be added over the door on the north building elevation to match the other turned-metal features on the building.
3. The design of the car wash shall reflect the architectural style of the revised main building. Specifically, matching brick shall be used on both buildings.
4. The mechanicals shall be screened with a brick material to match the buildings or they shall be placed on the roof of the structure and screened, subject to staff approval.

MOTION: Mr. Briggs moved to approve the revised building elevations for B. P. Oil Company, 6201 Wilmington Pike, subject to the following conditions:

1. Divided windows shall be added to the brick rectangular piers on the north, south and east building elevations.
2. A turned-metal awning shall be added over the door on the north building elevation to match the other turned-metal features on the building.
3. The design of the car wash shall reflect the architectural style of the revised main building. Specifically, matching brick shall be used on both buildings.
4. The mechanicals shall be screened with a brick material to match the buildings or they shall be placed on the roof of the structure and screened, subject to staff approval.

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

NEW BUSINESS

Dryden Builders - Planning Commission Special Approval

Mr. Feverston reviewed the Special Approval application submitted for Dryden Builders located at 1741 Thomas Paine Parkway requesting approval of a 10,500 square foot rear building addition. The zoning on the 1.424 acre parcel is I-1, Light Industrial. The existing driveway is to be extended on the west side of building to loop around the building on the east side to create the additional parking required as part of the building expansion. The proposed dumpster location is on the southeast corner of the site.

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

1. The Planning Commission must approve the architectural design of the proposed building to assure the form, massing, materials create a unified design that is compatible with the surrounding properties. The Planning commission must specifically approve the use of concrete block on the building exterior.
2. The two parallel parking stalls in the southwest corner of the site shall be eliminated to allow adequate space for truck maneuvering.
3. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.

4. The final design of the dumpster screening shall be subject to approval by the Planning Department.

Mr. Durham asked if additional screening would be required for the portion of the property abutting residential zoned property.

Mr. Feverston indicated additional screening would be required, however, credit would be given to the existing screening on the property.

Mr. Durham indicated that being the case an additional condition of approval should be included for the landscaping/screening requirement.

Mr. Don Hinkle, owner of Dryden Builders, stated he totally disagreed with the requirement for the bonding of landscaping and screening to assure someone is going to do something and indicated it is almost a threat. He stated the building addition is necessary for the space needed for his expanding business, however, he indicated he would not construct the project if the landscaping/screening bonding is a condition of the approval. He stated these types of requirements are an indication that the City does not want business to locate within its jurisdiction. Mr. Hinkle stated a bond requirement is total ignorance by the City that only will cost him money.

Mr. Durham reminded Mr. Hinkle he would receive credit for the existing landscaping. He stated, further, that bonding is a requirement that City Council adopted based on many projects that developers did not complete.

Ms. Margaret Stevens, 6434 Harrison Court, stated she was only concerned with the project if it were to create any kind odor to the surrounding neighborhood.

Mr. Hinkle assured her the expansion as well as the existing business would not create any kind of odor on the property or to the surrounding neighborhood.

Mr. Oliver stated staff should work with the applicant to credit all existing landscaping to the landscaping/screening required as a part of the site expansion.

MOTION: Mr. Oliver moved to approve the Special Approval application for Dryden Builders subject to the following conditions:

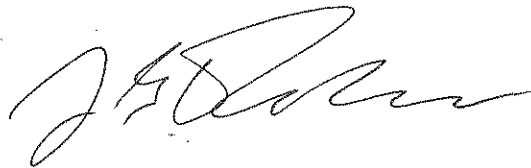
1. The Planning Commission must approve the architectural design of the proposed building to assure the form, massing, materials create a unified design that is compatible with the surrounding properties. The Planning commission must specifically approve the use of concrete block on the building exterior.

2. The two parallel parking stalls in the southwest corner of the site shall be eliminated to allow adequate space for truck maneuvering.
3. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
4. The final design of the dumpster screening shall be subject to approval by the Planning Department.
5. A final screening plan shall be submitted to and subject to approval by the Planning Department, and a bond for such landscaping shall be posted in an amount to be determined by the City Engineer.

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

Mr. Feverston explained the requirement for bonding of the landscaping/screening could be appealed to Council should the applicant choose to do so.

There being no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to be "J. H. Brown", is centered on the page below the text.