

**MINUTES  
PLANNING COMMISSION**

**March 25, 2015**

**MEMBERS PRESENT:** Kyle Adams, Sheree Brownson, Gil Ning, Ron Rehm, Fred Seling, Mark Weaver and Jean Roberts

**MEMBERS ABSENT:** Jackie Middleton and Grant Mason

**STAFF PRESENT:** Andrew Dutton

**I. MINUTES**

Ron Rehm moved, Fred Seling seconded, to approve the Minutes of February 25, 2015 as received. Motion carried.

**II. PUBLIC HEARINGS**

**Application #CU-380. John Walsh of GBC Design, representing Greenfield Crossing LLC,** is requesting conditional use approval for a 50-unit assisted living facility at 939 Portage Road in an R-4 (Multi-Family Residential) District.

John Walsh, GBC Design, architects/engineers for the project, stated in 2012 a request was heard by the Planning Commission to construct 50 units for an assisted living facility and the balance of the site was proposed to be developed as an 82-unit apartment complex. Since that time, the assisted living facility was constructed and consisted of 46 units and it was found that the market for the facility was in great demand. The facility opened in 2013, was already full, and they were turning residents away. Mr. Walsh stated the proposal now before the Commission was for the construction of another 50-unit assisted living facility behind the existing one.

Mr. Seling stated it was his understanding that, as part of this project, 11 apartment units were also proposed. Mr. Walsh stated that was correct.

**Application #CU-381. Joseph Kennedy, representing Victory Training Center,** is requesting conditional use approval for a 12,000 sq. ft. indoor commercial recreation facility at 1550 Spruce Street Extension in an M-2 (General Manufacturing) District.

Joseph Kennedy stated he represented Victory Training Center who wished to operate a 12,000-sq. ft. indoor commercial recreational facility. Also present was Eric Swartzentruber who was a partner of Victory Training Center. Mr. Kennedy stated the facility would be located on the northeast portion of the property and was currently in operation. Mr. Kennedy stated there was a turf field inside the building, and the facility rented it to organizations to enhance athletic training year around. Mr. Kennedy stated the facility currently operated from 4:00 p.m. until 8-10:00 p.m.; sometimes on the weekends, the facility was open until midnight. Mr. Kennedy stated there would not be any outside activities at any time; everything would be done inside the building. Mr. Kennedy stated the facility was located on a quiet, dead end street and did not feel noise would be an issue. Mr. Kennedy stated they did not charge admission for spectators to come in and watch an event; they merely rented the facility to coaches to come in and train their athletes.

1Mr. Kennedy stated he felt they met the criteria of Sections 1147.08 and 1147.09 with the exception that the property was not located within 300' of an arterial street. Mr. Kennedy stated a variance would be requested from the Board of Zoning Appeals.

### III. CONDITIONAL USE APPLICATIONS

**Application #CU-380. John Walsh of GBC Design, representing Greenfield Crossing LLC,** is requesting conditional use approval for a 50-unit assisted living facility at 939 Portage Road in an R-4 (Multi-Family Residential) District.

Mr. Walsh stated the property consisted of 16.8 acres and was zoned R-4. Mr. Walsh stated the property was "odd shaped", and there was a lot of changes to the topography and a ravine. Mr. Walsh stated there was a small portion of the property that was zoned R-1. Mr. Walsh stated the same entrance drive would be utilized for the new facility to provide just one means of ingress/egress to the site. Mr. Walsh stated the new facility would be connected to the existing facility and would also have its own entrance/drop off and parking. Mr. Walsh stated there would also be garages for some of the residents who did come with cars to provide a broader market to its tenants; there would also be some 2-bedroom units. The 11 apartment units would be located on the south part of the property at the top of the slope to take advantage of the views to the ravine/stream.

Ron Rehm moved to approve Application #CU-380 of John Walsh of GBC Design, representing Greenfield Crossing, LLC requesting conditional use approval for a 50-unit assisted living facility at 939 Portage Road in an R-4 (Multi-Family Residential) District.

Gil Ning seconded the motion.

Kyle Adams voted yes.

Sheree Brownson voted yes.

Gil Ning voted yes. Mr. Ning stated he felt they had done a fantastic job with the topography of the site.

Ron Rehm voted yes.

Fred Seling voted yes.

Mark Weaver voted yes.

Jean Roberts voted yes.

Motion carried by a 7-0 vote.

**Application #CU-381. Joseph Kennedy, representing Victory Training Center,** is requesting conditional use approval for a 12,000 sq. ft. indoor commercial recreation facility at 1550 Spruce Street Extension in an M-2 (General Manufacturing) District.

Mr. Kennedy stated 60 parking spaces were required for the facility, and Staff expressed concern that there would not be enough parking remaining for the rest of the building. Mr. Swartzentruber, owner of the building at 1550 Spruce Street and also a partner in the training center, stated the balance of the building was approximately 35,000-sq. ft. Of that 35,000-sq. ft., 19,000-sq. ft. was used for manufacturing, 10,000-sq. ft. for storage and

7,000-sq. ft. was unoccupied. Mr. Swartzentruber stated the manufacturing portion of the building was used by Amish who were driven to/from the site. Mr. Swartzentruber stated it was an internet-based business and was wholesale only; there was no showroom or walk-in sales. Mr. Swarzentruer stated their hours of operation were from 6:00 a.m. to 5:00 p.m. for production; for shipping, their hours were 8:00 a.m. until 3:00 p.m. Mr. Swartzentruber stated their hours of operation would not conflict with the training center hours. 40 additional parking spaces were proposed to the rear. Mr. Kennedy noted that Mr. Swartzentruber also owned the property at 1530 Spruce Street which would also be available for parking.

Mr. Ning stated Staff asked that the request be tabled as there were issues that the applicant had not yet addressed. Mr. Ning questioned if that was still the case. Mr. Dutton stated any variance for parking would need to be obtained from the Board of Zoning Appeals. Mr. Dutton stated he was also concerned that the parking as it was proposed might not meet the current parking dimensions and isle widths. Mr. Swartzentruber stated a 20' isle was provided around the islands; the parking lot was gravel but had not been maintained as parking. Mr. Kennedy stated 60 parking spaces were provided, although they probably would not use more than 20 at any given time.

Mr. Ning asked if Staff was expecting the applicant to line (designate) the parking spaces. Mr. Dutton stated yes.

Gil Ning moved to grant Application #CU-381 for Joseph Kennedy, representing Victory Training Center, for conditional use approval for a 12,000-sq. ft. indoor commercial recreational facility at 1550 Spruce Street Extension in an M-2 (General Manufacturing) District contingent upon the Board of Building and Zoning Appeals granting a variance for a deviation for an arterial or collector street requirement and also that a planned parking space layout be provided.

Kyle Adams seconded the motion.

Mark Weaver voted yes.

Fred Seling voted yes.

Ron Rehm voted yes.

Gil Ning voted yes.

Sheree Brownson voted yes.

Kyle Adams voted yes.

Jean Roberts voted yes.

Motion carried by a 7-0 vote.

#### **IV. DEVELOPMENT PLAN APPLICATION**

**Application #SP-586. John Walsh of GBC Design, representing Greenfield Crossing LLC, is requesting general development plan approval for a 50-unit assisted living facility and 11 apartment units at 939 Portage Road in an R-4 (Multi-Family Residential) District.**

Mr. Walsh stated the plan met the Code requirements relating to parking setbacks. Site access would be from the one point off of Portage Road and felt the use proposed would have less traffic than what 82 apartment units would have had. Mr. Walsh stated more parking would be provided than what the Code required for the assisted living portion, and those spaces were based on other facilities which Greenfield Crossing operated. Mr. Walsh stated he understood they were one space short for the apartment units, and that would be accommodated for. Mr. Walsh stated landscaping and screening would not be an issue on the final development plan; the parking rows would be fixed, and islands would be added every 100'. Mr. Walsh stated the requested screening abutting the R-1 property would be added, and that photometric and site lighting plans would be provided at the time final development plan approval was requested.

Fred Selig moved to grant approval to Application #SP-586 of John Walsh of GBC Design, representing Greenfield Crossing LLC, for general development plan approval for a 50-unit assisted living facility and 11 apartment units at 939 Portage Road in an R-4 (Multi-Family Residential) District. Mr. Selig stated he believed the proposal met the criteria for approval.

Ron Rehm seconded the motion.

Kyle Adams voted yes.

Sheree Brownson voted yes.

Gil Ning voted yes.

Ron Rehm voted yes.

Fred Selig voted yes.

Mark Weaver voted yes.

Jean Roberts voted yes.

Motion carried by a 7-0 vote.

## **V. MISCELLANEOUS**

Mr. Dutton stated the Commission granted the final development plan of the Montessori School (in October, 2014), and changes to that approved plan were proposed. Mr. Dutton noted that the Zoning Code noted that changes to the approved plan required Planning Commission approval. Mr. Dutton stated a tower had been removed and the façade had changed and provided the Commission with the proposed changes (see file). Mr. Dutton stated the building was in the same location and had the same general footprint. Mr. Dutton questioned the Commission's comfort level with the proposed changes and whether the Commission was comfortable with Staff approving the changes administratively. Mr. Dutton noted there were no specific architectural standards for the CPRO District. Mr. Rehm stated Staff typically would error on the side of caution when changes were made to approved plans and brought plans back before the Commission.

Mr. Selig stated he felt the changes proposed "looked better" than the original proposal.

Ms. Roberts and Mr. Ning indicated they were okay with the changes proposed.

Ms. Roberts stated the Commission was okay with Staff approving the changes proposed.

Meeting adjourned at 6:15 p.m.

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**Jean Roberts, Chairman**

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**Laurie Hart, Administrative Assistant**