

PLANNING COMMISSION  
Regular Meeting  
Council Chambers  
100 W. Spring Valley Road  
Tuesday, July 30, 2019

At 7:02 p.m., Mr. Clark called the meeting to order and led the Pledge of Allegiance.

ATTENDANCE

Members Present: Paul Clark, Amy Korenyi-Both, Robert Muzechuk, Jim Durham, and Don Stewart.

Also present were City Planner Mark Yandrick, Municipal Attorney Scott Liberman, Economic Development Administrator Michael Norton-Smith, City Engineer Jim Brinegar, and Assistant Clerk of Council Teri Davis.

EXCUSE ABSENT MEMBERS

MOTION: Mr. Stewart made a motion to excuse Kevin Von Handorf from the meeting. Mr. Muzechuk seconded the motion. The motion passed 5-0.

APPROVAL OF MINUTES

No additions or corrections were submitted for the minutes of the Planning Commission meeting of June 25, 2019.

MOTION: Mr. Stewart made a motion for approval of the minutes of the Planning Commission meeting of June 25, 2019. Ms. Korenyi-Both seconded the motion. The motion passed 4-0-1 with Mr. Durham abstaining.

Mr. Etson arrived at 7:05 p.m.

Mr. Clark read a statement for all present noting protocol for conduct of business during the meeting.

PUBLIC HEARINGS

**Application P-2019-0023: Variance, Cornerstone of Centerville**

Mr. Yandrick presented the staff report with a presentation of each variance request, background information, site specifics, staff analysis, and standards of approval. Mr. Yandrick noted the need to add the fourth variance and explained the waiving of the public notice due to the variance be replicable to the other variance. Mr. Liberman provided further information regarding the fourth variance noting that it was always expected based on the development plan.

Applicant is requesting four variances which include:

1. The landscape bufferyard be reduced to 50' on the east side property line.
2. Landscape planting requirements be lessened.
3. Maximum building height to 60'
4. The parking setback on east property line reduced to 50'.

Mr. Yandrick advised

1. Staff recommends approval of variance #1 with no conditions.
2. Staff recommends approval of variance #2 with no conditions.
3. Staff recommends approval of variance #3 with the following three conditions:
  - a. The tower height shall be no more than 60' in height.
  - b. The principal roofline shall be no more than 51' in height.
  - c. The tower windows shall only emanate lighting for internal use and shall not emanate any light to attract an unusual amount of visual attention of persons not located on premises per Section 9.07(C)(7) of the Unified Development Ordinance.
4. Staff recommends approval of variance #4 with no conditions.

Commissioners discussed the specifics of the site and surrounding properties and discussed requirements and intent of the original FDP.

Mr. Clark opened the public hearing.

Clint Evans, representing JA Murphy, discussed JA Murphy's rationale for the landscape setback request. Mr. Evans noted JA Murphy takes no exception to Staff's recommended conditions.

With no one else requesting to speak on this matter, Mr. Clark closed the public hearing.

Commissioners discussed the actual setback needs of the property and further discussed how the setbacks affect neighboring properties.

MOTION: Mr. Durham made a motion to approve variance #1 with the condition that south of Cornerstone North Boulevard the only variance is for the dumpster pad which will be no closer than 50 feet from the property line and to allow a 50 foot bufferyard on the east property line, north of Cornerstone North Blvd. Ms. Korenyi-Both seconded the motion. The motion passed 5-1.

MOTION: Mr. Durham made a motion to table variance #2. Ms. Korenyi-Both seconded the motion. The motion passed 6-0.

MOTION: Mr. Durham made a motion to approve variance #3 with the three conditions recommended by Staff. Ms. Korenyi-Both seconded the motion. The motion passed 5-1.

MOTION: Mr. Durham made a motion to approve variance #4 with the condition that south of Cornerstone North Boulevard the only variance is for the dumpster pad which will be no closer than 50 feet from the property line and to allow a 50 foot setback on the east property line, north of Cornerstone North Blvd. Ms. Korenyi-Both seconded the motion. The motion passed 5-1.

### **Uptown Action Plan.**

Mr. Clark reminded the Commissioners of his involvement with the Visioning Committee, and that consensus of the City Attorney is that it is okay for him to participate in this item discussion. Mr. Liberman concurred.

Mr. Norton-Smith presented the staff report explaining the Uptown Action Plan will be an amendment to the existing Create the Vision comprehensive plan. The presentation included background, process, and particulars of the Uptown Action Plan.

Mr. Norton-Smith advised Staff recommends approval as an amendment to the Create the Vision comprehensive plan.

Mr. Yandrick noted approval may lead to future Design Review Criteria modifications.

Mr. Clark discussed the positive atmosphere of the meetings.

Mr. Clark opened the public hearing.

Rebecca Barone, 87 Lyons Dr., noted she is a proponent of a thriving uptown and supportive of the plan but has concerns regarding the connecting roads issue.

With no one else requesting to speak on this matter, Mr. Clark closed the public hearing.

Mr. Durham expressed that the Uptown Action Plan is an excellent result and is completely consistent with Create the Vision plan.

With no further discussion of the matter by the Board, Mr. Clark called for a motion.

MOTION: Mr. Durham made a motion to approve. Mr. Etson seconded the motion. The motion passed 6-0.

OLD BUSINESS

**Application P-2019-0012: Replat, Cornerstone Section 6 Lot 1B  
Cornerstone of Centerville. (Tabled at previous meeting)**

MOTION: Ms. Korenyi-Both made a motion to remove the item from the table. Mr. Durham seconded the motion. The motion passed 6-0.

Mr. Yandrick presented the staff report with a presentation of proposal, project boundaries and easements.

Mr. Yandrick advised Staff recommends approval without conditions.

Mr. Clark asked Mr. Brinegar if there are any engineering issues. Mr. Brinegar advised they have worked through all the issues.

Mr. Robert Hall addressed the Commission. He thanked Staff for assistance working through utilities issue. He respectfully requested approval.

With no further discussion of the matter by the Board, Mr. Clark called for a motion.

MOTION: Mr. Durham made a motion to approve. Ms. Korenyi-Both seconded the motion. The motion passed 6-0.

**Application P-2019-0013: Replat, Cornerstone Section 7B  
Cornerstone of Centerville. (Tabled at previous meeting)**

MOTION: Ms. Korenyi-Both made a motion to untable the item. Mr. Etson seconded the motion. The motion passed 6-0.

Mr. Yandrick presented the staff report with a presentation of proposal, project boundaries and easements.

Mr. Yandrick advised Staff recommends Approval with the following 6 conditions:

1. Prior to release of the record plan for recording, all frontage improvements required along Brown Road and the future Cornerstone North Boulevard shall be financially secured to the satisfaction of the City via Subdivider's Agreement and performance bond or guaranty, approved by the City.
2. Any private storm water infrastructure intended to service an adjacent required public improvement shall be constructed by the Subdivider prior to or concurrently with construction of those public improvements.
3. The proposed temporary private drainage and access easement along I-675 conveying storm water from the eastern terminus of Brown Road shall be modified to allow proper storm water flow to the satisfaction of the City Engineer.
4. The applicant shall revise an annotation correction on the record plat.
  - a. On Sheet 5, the 27' cross access easement for emergency use needs the arrows corrected to the proper dashed line. It currently shows it on the existing sanitary sewer easement.
5. Prior to the release of the record plan for recording, the construction documents and engineer's estimate of costs submitted in association with this record plan shall be
6. A 10' north-south access easement on Lot #3 shall be added to the plans, to be centered around the sidewalk to connect Cornerstone North Blvd to the Cornerstone Park.

Mr. Robert Hall addressed the Commission requesting condition #6 be removed. He presented specifics regarding the various lots and noted the pedestrian connectivity.

Mr. Steven Hicks addressed the Commission stating that Treplus encourages pedestrian activity, but is concerned with the requirement of condition #6 and respectfully request it be removed.

Mr. Yandrick noted that without the condition, there is no guarantee that a future owner of the Treplus property would maintain public access to the trail.

Mr. Hall reiterated that multiple pedestrian-ways are proposed in the plan.

Mr. Durham asked Mr. Liberman for the legalities of private property rights versus public easements and suggested an easement between the properties boundaries. Mr. Liberman recommended a cross-access agreement subject to his approval. Mr. Liberman asked the developers what their opinion of a cross-access agreement. Mr. Hicks noted they would not be opposed.

MOTION: Mr. Durham made a motion to approve with the first five of staff conditions and modifying condition #6 to provide for a cross-access agreement subject to the City Attorney's approval. Ms. Korenyi-Both seconded the motion. The motion passed 6-0.

## NEW BUSINESS

**Application P-2019-0022: Major Site Plan, J.A. Murphy, Cornerstone of Centerville.**

Mr. Yandrick presented the staff report with a presentation of the proposal, landscape plan, accessory structures, UDO conflicts, standards of approval. Mr. Yandrick noted the addition of a seventh building to the plan.

Mr. Yandrick advised Staff recommends Approval with the following 8 conditions:

1. Detail plan review comments from Engineering office shall be incorporated into the civil construction plans submitted after Planning Commission, and subject to approval of the City Engineer. An Ohio-licensed professional engineer is to stamp, sign and date the plans.
2. The applicant shall provide updated storm sewer calculations for approval of the City Engineer and comply with all local, state and federal regulations.
3. Adequacy of water pressure will need to be tested upon installation of the 12" main on Brown Road prior to issuance of a zoning certificate for construction.
4. The applicant shall provide canopy trees on the north side of carports along Brown Road and near the park property to buffer from public right-of-way and adjacent properties.
5. Hardscaping and landscaping should be provided along sidewalks between public right-of-way and buildings to enhance the pedestrian experience, subject to the approval of the City Planner.
6. Landscaping on the east bufferyards should meet the requirements of the Unified Development Ordinance or any variance approvals.
7. 3' high Mounding shall be provided on the south side of the private section of Cornerstone North Blvd, subject to approval of the City Planner.
8. Building #7 must be 100' from the property line, unless a variance is approved by Planning Commission.

Mr. Clint Evans addressed Commissions and expressed no issue with condition 1-3, 5, 6 or 8, He believes conditions 4 and 7 are already addressed in the overall landscaping plan. He emphasized JA Murphy's desire to highlight the water feature.

Commissioners discussed the location and design of garages and carports.

MOTION: Mr. Durham made a motion to approve the item with the eight conditions recommended by Staff. Mr. Stewart seconded the motion. The motion passed 6-0.

**Application P-2019-0024: Major Site Plan, Treplus, Cornerstone of Centerville.**

Mr. Yandrick presented the staff report with a presentation of the proposal, design challenges, conflicts with UDO, standards of approval.

Mr. Yandrick advised Staff recommends Approval with the following 11 conditions:

1. Detail plan review comments from Engineering office shall be incorporated into the civil construction plans submitted after Planning Commission, and subject to approval of the City Engineer. An Ohio-licensed professional engineer is to stamp, sign and date the plans.

2. The engineer of record is to field-inspect, provide as-builts, and certify compliance with all drainage facilities on the approved plans.
3. The applicant shall provide updated storm sewer calculations for approval of the City Engineer.
4. Stormwater on site should adequately handle stormwater from proposed upstream detention pond of future single family residence.
5. Adequacy of water pressure will need to be tested upon installation of the 12" main on Brown Road prior to issuance of a zoning certificate for construction.
6. Private streets shall be 24' wide with curbing along all sides of the road to meet the standards Section 9.13 of the U.D.O.
7. All driveways must be 20' in length from garage to back of street or back or sidewalk, subject to approval of City Staff.
8. ADA Compliance should be met for all pedestrian ways on site.
9. Retaining walls should match the Versa-Lok Weathered Mosaic Flagstone Blend, per the approved materials of Phase IV Final Development Plan.
10. Landscaping shall be provided on the north bufferyard consistent with bufferyard standards of the U.D.O, subject to approval of the City Planner.
11. Trees subject to removal within the Tree Preservation Area from the Preliminary Development Plan amendment (P-2019-0018) shall not be removed until approved Certificate of Zoning Compliance is issued by the City Planner for the site.

Mr. Clark asked about contingency for the sycamore if damaged. Mr. Yandrick replies that no contingency was placed in a staff recommendation, but one could be added at Planning Commission's discretion.

Mr. Steven Hicks addressed the Commission noting Treplus is very excited about this project. Agrees with all conditions except 4, 6 & 7. Treplus has not had time to study the impacts to the development of conditions 6 & 7. He further discussed topographic challenges of the site.

Mr. David Marshall discussed the street widths and drainage issues. He noted UDO exceptions of private roads and driveways. Stormwater drainage is designed to balance UDO requirements, costs, and the desire to save the sycamore. #4 doesn't allow for City Engineer flexibility and approval.

Mr. Yandrick pointed out the UDO parking requirements are also in effect.

Mr. Durham asked Mr. Brinegar if he would be satisfied with #4 having an amendment to state "stormwater will be dealt with to the satisfaction of the City Engineer."

Mr. Brinegar explained the issues of piping and discharging stormwater. He also addressed the street width and driveway length regulations.

Mr. Durham noted no issue with the street widths, but do see problem with lack of curb on both sides, and would like to add flexibility to the driveway length issue to allow engineer approval.

Mr. Liberman believes the 22 foot width requires a variance.

MOTION: Mr. Durham made a motion to approve with the modification of condition #4 to read “Stormwater on site should adequately handle stormwater from proposed upstream detention pond of future single family residence to the approval of the City Engineer” and modifying condition #7 to read “All driveways shall be 20’ in length from garage to back of street or back of sidewalk, except as approved by City Staff.” Mr. Stewart seconded the motion. The motion passed 6-0.

#### COMMUNICATIONS

Mr. Yandrick provided the following communications:

- Introduced Economic Development Administrator Michael Norton-Smith.
- Advised that Assistant Engineer Alisha Burcham is leaving the City.
- Mary Lou Pence is retiring tomorrow from Public Works.
- He was officially selected as City Planner; other departmental hiring will be getting underway.
- Will be reviewing Create the Vision.
- Will be starting UDO updates which may involve Planning Commission work sessions.
- Adams Cir. fence variance appeal to go to City Council August 5.

Mr. Stewart asked for a clarification of the standards of approval used in the assessment of variances.

#### ADJOURNMENT

Seeing no further business, Mr. Clark adjourned the meeting at 9:56 p.m.

  
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Paul Clark, Chair