

PLANNING COMMISSION
Regular Meeting
Council Chambers
100 W. Spring Valley Road
Tuesday, June 25, 2019

At 7:00 p.m., Mr. Clark called the meeting to order and led the Pledge of Allegiance.

ATTENDANCE

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

Also present were Interim City Planner Mark Yandrick, Municipal Attorney Scott Liberman, Economic Development Administrator Michael Norton-Smith, Assistant Engineer Alisha Burcham, Intern Spencer Collins, and Assistant Clerk of Council Teri Davis.

EXCUSE ABSENT MEMBERS

MOTION: Mr. Muzechuk made a motion to excuse James Durham and Kevin Von Handorf from the meeting. Mr. Stewart 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 May 21, 2019.

MOTION: Ms. Korenyi-Both made a motion for approval of the minutes of the Planning Commission meeting of May 21, 2019. Mr. Muzechuk seconded the motion. The motion passed 5-0.

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

PUBLIC HEARINGS

Application P-2019-0020: Variance, 6341 Adams Circle.

Mr. Yandrick presented the staff report with a presentation of the variance request, background information, site specifics including the location of two catch basins and a fire hydrant, staff analysis, and standards of approval. Applicant is requesting to allow a 6' privacy fence in a front yard.

Mr. Yandrick advised Staff recommends denying the variance due to a lack of evidence of a physical hardship and due to safety and access concerns arising from stormwater and fire hydrant placement.

Mr. Clark opened the public hearing.

Mr. Roger Snyder, representing the Thomas Paine Condo Association, addressed Planning Commission, providing arguments in support the Association's position and providing examples of increased noise levels, lack of privacy, increased crime, and increased litter. He indicated a

willingness on the Association's part to construct the fence with built-in access points to the utilities and fire hydrant.

Commissioners discussed particulars of the proposal and requested specifics about the utility locations. Ms. Burcham indicated the catch basins are privately owned and maintained.

Ms. Amy Powers of 6370 Adams Circle addressed Planning Commission corroborating Mr. Snyder's position regarding the increased litter and pedestrian levels.

Ms. Becky Long, Thomas Paine Condo Association President, addressed Planning Commission, asserting teenagers congregate on her property, causing disturbances and creative hazards. She indicated the fence panels would be high enough above the catch basins to not inhibit access.

Mr. Thomas Gilson of 6391 Adams Circle addressed Planning Commission stating they are unable to open windows due to high noise level.

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

MOTION: Ms. Korenyi-Both made a motion to approve the variance. Mr. Muzechuk seconded the motion. The motion failed 2-3 in a roll call vote with Mr. Clark, Mr. Etson, and Ms. Korenyi-Both voting no.

Application P-2019-0021: Variance, 6839 Marwyck Drive.

Mr. Yandrick presented the staff report with a presentation of the variance request, timeline of events, background information, evidence of original project approval, staff analysis, and standards of approval. Applicant is requesting to install the pool and deck within 10' of the property line and within a utility easement.

Mr. Yandrick advised Staff recommends denying the variance due to a lack of evidence of a physical hardship.

Mr. Clark opened the public hearing.

Homeowner Brian Holbrook addressed Planning Commission, explaining events which led to the issue, other solutions he considered but which were not feasible, his intention to erect the required fencing, and the lack of neighbor opposition to the pool's current placement.

Commissioners discussed the specifics of the pool's location.

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

Mr. Liberman reminded Commissioners that the request is actually two separate variances.

Commissioners discussed options and the easement's purpose and use.

Mr. Muzechuk wanted the issue of the homeowner assuming the risk for building a permanent structure over an easement to be explicit in any approval of the variance.

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

MOTION: Mr. Muzechuk made a motion to approve with the condition that the owner assumes all risk for constructing a permanent structure within a utility easement. Ms. Korenyi-Both seconded the motion. The motion passed 3-2.

OLD BUSINESS

Application P-2019-0015: Final Development Plan Amendment, Cornerstone of Centerville. (Tabled at previous meeting)

MOTION: Ms. Korenyi-Both made a motion to remove the item from the table. Mr. Etson seconded the motion. The motion passed 5-0.

Mr. Yandrick presented the staff report with a presentation of the amendment proposal, specifics of the amendment request, site specifics, photo and map exhibits, and standards of approval. Applicant is requesting to amend Phase IV of the Final Development Plan.

Mr. Yandrick advised Staff recommends Approval with the following 35 conditions:

Standard Conditions –

1. The Cornerstone North Phase 4 Final Development Plan shall conform to the approved Cornerstone North Preliminary Development Plan, all amendments and all conditions of approval contained therein as determined by the City Planner.
2. All lots shall be subject to Major Site Plan review in accordance with the Unified Development Ordinance. A review for UDO compliance will be conducted as each development proposal comes forward for Major Site Plan review.
3. A Subdivider's Agreement, amendment to the Development Agreement, or other legal arrangement shall be executed that establishes financial commitment for the construction of all public infrastructure prior to recording of any plat document in association with this Final Development Plan.
4. The final location of all building, parking, landscape areas, and related items shall generally conform to this Final Development Plan as depicted unless otherwise conditioned herein.
5. ADA access shall be provided to the public right-of-way for each development site.
6. Final location and design of all street and utility infrastructure is subject to the review and approval of the City Engineer.
7. Prior to recording of Record Plat, final construction documents for public improvements must be approved by the City Engineer.
8. Public/private construction access, construction timing of public improvements, and maintenance of traffic on public roads shall be at the discretion of the Public Works Department.
9. The Applicant and City shall mutually develop and agree upon a comprehensive construction access and staging plan within Phase 4 for public and private construction

activities prior to the issuance of any zoning or building permits related to Phase 4.

10. Detailed comments from the Engineering Division shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
11. Detailed comments from Greene County Sanitary Engineering and other utility companies shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.

Standard Conditions (Specific to Cornerstone) –

12. The proposed 50 foot bufferyard along the east zoning boundary of Lot #4 shall be considered conceptual on this FDP pending variance approval allowing a reduced bufferyard width along this zoning boundary.
13. The parking of vehicles on Lots #2, #3, and #4 shall be limited to areas behind the building setback line along both Wilmington Pike and Brown Road.
14. All perimeter mounding along Wilmington Pike and Brown Road shall be at least three (3) feet above finished grade of adjacent parking lots.
15. Parkland Dedication shall be addressed at Planning Commission within the Record Plat submittal, per standard of Section 9.47 of the Unified Development Ordinance, subject to awarding of Clean Ohio Grant Fund per Ohio Public Works Commission.
16. Trees subject to removal within the Tree Preservation Area from the Preliminary Development Plan amendment (P-2019-0018) shall not be removed until approved Major Site Plan and Certificate of Zoning Compliance is issued by the City Planner for the site.
17. All lighting of vehicular and pedestrian ways shall be consistent and harmonious with Phases 1A, 2, and 3 as determined by the City Planner.
18. The proposed bridge crossing shall include a decorative safety wall of no less than 42 inches in height above the adjacent sidewalk.
19. The proposed bridge crossing shall include decorative piers at each corner of a design to be approved by the City Planner and City Engineer.
20. Future subdivision and platting of Lots 4 and 5 are subject to regulations of the Unified Development Ordinance and the platting rules of Greene County.
21. Individual lot ground signs in this Final Development Plan shall be consistent with the design set forth for Phases 1A, 2, and 3 as determined by the City Planner.
22. Bufferyards and landscape treatments shall be consistent and harmonious with Phases 1A, 2, and 3 as well as any requirements of the Clean Ohio Grant Fund as determined by the City Planner.

Material Conditions –

23. Per the applicant's request, upgraded fiber cement and engineered wood siding shall be permitted for Lot #3 (Treplus) as an approved material of this FDP. The use of vinyl and

rolled metal siding shall not be permitted of this FDP.

24. This FDP specifically approves the use of stucco as an approved building material.
25. Belden Brick, Concord Blend shall be removed as an approved material for Phase 4.

Conditions Specific to this Proposal –

26. Building #7 from Lot 2 (Cornerstone Apts) shall be moved to the south side of Cornerstone North Blvd and east side of Park Place to better orient buildings to the street per Neighborhood Center Overlay District.
27. Grading shall be coordinated between sites. Any off-site grading shall have temporary construction easements established in the future Major Site Plan and Construction Documents.
28. Grading shall not be performed within the tree preservation area without approval from the City Engineer.
29. The Park Construction shall be constructed as provided between the developer and City in their existing agreements.
30. The Lot #3 (Treplus) Landscape Plan needs to reflect current boundaries of the Tree Preservation Area as conditioned with approval.
31. A variance approval will be required if Lot 2 does not meet the standards of the UDO for landscaping within the eastern bufferyard adjacent to future unplatted Lot and Lot 5.
32. The applicant shall provide a water flow test once the Brown Road water line is installed and prior to a zoning certificate being issued to provide adequate water supply to the site in harmony with previous Preliminary Development Plan approvals and Section 5.13.G(1)(f) of the UDO that ensures water feasibility on site.
33. An access easement between the unplatted Lot from future Phase V and Cornerstone North Blvd shall be established around the retention pond subject to satisfaction of City Staff.
34. An access easement through the NW corner of Lot 2 shall be established to design the trailhead of the pathway to align with the crosswalk at the driveway intersections subject to satisfaction by the City Planner.
35. An emergency access easement shall be established on Lot 3 property to connect from Lot 2 to retention pond to the satisfaction of the City Engineer.

Commissioners discussed specifics about several of the proposed conditions.

Mr. Clark opened the public hearing.

Applicant Robert L. Hall III, representing Cornerstone Development LTD, addressed Planning Commission expressing that the developer takes exception with only three of the conditions. The developer asserts that Condition #33 should allow flexibility to split the requested easement over the property line and between the two lots. The developer requests Condition #34 be removed, thus keeping the trailhead on the actual Park lot.

Mr. Hall introduced Architect Mr. Clint Evans who addressed Planning Commission requesting the removal of Condition #26, giving explanation as to why the proposed location of Building #7 was chosen.

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

Commissioners discussed the removal and additions of Conditions.

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

MOTION: Ms. Korenyi-Both made a motion to approve with Staff's recommended conditions, but removing Condition #26 and #34, amending #33 to allow the easement to cross the property line and be located on both lots, and adding the following three (3) conditions:

- Approval of this Development Plan does not include a sign package.
- The color Pantone Black7C may be used only as an accent color and with Staff's approval.
- The applicant shall work with City Staff regarding the platting of lot #4 to the City's satisfaction.

Mr. Stewart seconded the motion. The motion passed 4-1.

Application P-2019-0012: Replat, Cornerstone of Centerville. (Tabled at previous meeting)

MOTION: Mr. Stewart made a motion to untable the item. Ms. Korenyi-Both seconded the motion. The motion passed 5-0.

Mr. Yandrick advised the item is not yet ready for Planning Commission action and requested to once again table this item.

MOTION: Mr. Etson made a motion to table the item. Mr. Stewart seconded the motion. The motion passed 5-0.

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

MOTION: Mr. Stewart made a motion to untable the item. Mr. Etson seconded the motion. The motion passed 5-0.

Mr. Yandrick advised the item is not yet ready for Planning Commission action and requested to once again table this item.

MOTION: Mr. Etson made a motion to table the item. Ms. Korenyi-Both seconded the motion. The motion passed 5-0.

Mr. Robert Hall requested an opportunity to address Planning Commission. Planning Commission granted his request. Mr. Hall asserted the Record Plan was very detailed and requested Planning Commission to reconsider its tabling of the item.

With no motion to reopen the item, Mr. Clark moved on to New Business

NEW BUSINESS – there was no new business before Planning Commission.

COMMUNICATIONS

Mr. Yandrick provided the following communications:

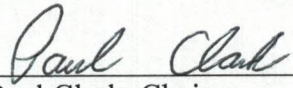
- Introduced and welcomed new Economic Development Administrator Michael Norton-Smith.
- The Planning Department is expecting several applications which will come before the Planning Commission at the July meeting.

Mr. Clark noted an issue with the parking garages proposed on the Treplus project.

Ms. Korenyi-Both noted an issue with the elevations on the Treplus project.

ADJOURNMENT

Seeing no further business, Mr. Clark adjourned the meeting at 10:21 p.m.



Paul Clark, Chair