

PLANNING COMMISSION
Regular Meeting
Tuesday, December 9, 2014

Mr. Paul Clark called the meeting to order at 7:30 p.m.

ATTENDANCE

Present: Mr. Paul Clark, Ms. Amy Korenyi-Both, Mr. Jim Briggs, Mr. Jim Durham, Mr. Bill Etson, Mr. Robert Muzechuk, and Mr. Kevin Von Handorf. Also present: City Planner Andrew Rodney, Municipal Attorney Scott Liberman, Assistant City Engineer, John Sliemers, Planner Mark Yandrick and Assistant Clerk of Council Julie Weaver.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Planning Commission Meeting of November 25, 2014.

MOTION: Mr. Briggs made a motion for approval of the minutes of the meeting of November 25, 2014, as distributed. Mr. Von Handorf seconded the motion. The motion passed 4-0-3, with Mr. Durham, Mr. Etson and Mr. Clark abstaining, because they were absent from the November meeting.

Mr. Clark read the Opening Statement.

PUBLIC HEARINGS

Application P-2014-0031: Rezoning 16 East Elmwood Drive from R-1D to O-S
Applicant, Tony Peh, Tri State Insurance

Mr. Yandrick gave the staff presentation concerning the request to rezone 0.49 acre at the corner of State Route 48 and East Elmwood Drive from R-1D, Single Family Residential, Zone Classification to O-S, Office-Service, Zone Classification. Mr. Yandrick located the property on an aerial view and the zoning map and showed photos of the site. Lots along SR 48 to the south are zoned O-S and lots to the north are zoned R-1D. Mixed commercial uses predominate across SR 48 in Washington Township. The property, vacant since 2011, was last used as a Montessori school. Mr. Yandrick showed the list of permitted uses and conditional uses in an O-S Zoning Classification and noted that the applicant intended to use the site as an insurance office.

Mr. Yandrick went over the Standards for Approval for a rezoning and stated that staff had received no objections from the neighbors. The Planning Department recommended approval of the application for the rezoning to O-S, Office-Service, Zone Classification.

Mr. Durham asked about the remainder of the homes along SR 48 to the north toward Alex-Bell Road and east along Alex-Bell. Staff felt that these homes should not be rezoned without further study. The homes along SR 48 on the block in question were currently occupied and stable,

unlike the long-term vacancy at 16 E. Elmwood. For any commercial use, crossing multiple lanes of traffic would make access increasingly difficult closer to the intersections of SR 48, Alex-Bell Road and I-675.

When Mr. Durham questioned the intensity of some of the permitted uses in the Office-Service zoning and noted the possibility of requests for variances, Mr. Rodney responded that the size of the lot limited the potential for intense uses. The Office-Service zoning would be the least impactful alternative for the neighborhood given the history of the property.

Mr. Clark opened the public hearing.

The applicant, Mr. Tony Peh of 1395 Regal Ct., Dayton, stated that he intended to remodel the interior of the house, do minor renovations on the exterior and install a sign along SR 48. The property should continue to look like a residence.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion to recommend to Council the rezoning of the parcel at 16 E. Elmwood from R-1D, Single Family Residential, Zone Classification, to O-S, Office-Service, Zone Classification. Mr. Briggs seconded the motion. The motion passed 7-0.

Ms. Amy Korenyi-Both noted that she had a conflict of interest with the remaining agenda items, recused herself from the remainder of the meeting and left the building.

Application P-2014-0032: Variance for Reduced Number of Parking Spaces at Milano's, 5381 Cornerstone Boulevard North – Applicant, Amy Green of Intertech Design Services

Mr. Rodney presented the staff report for a variance for the number of parking spaces for Milano's Class I sit-down restaurant in an area zoned B-PD. Amy Green of Intertech Design Services had requested approval of 105 spaces rather than the required 116, about 91% of the total. The parking setback from Feedwire Road is 50 feet. Although the parking for the Costco Wholesale Warehouse across the street was oversized, the company would not be required to allow Milano's overflow parking on its property. Mr. Rodney noted several other considerations. Potential for parking is available with cross access to the lot to the west. Additionally, a transit stop is located nearby, and places for eight bikes are included in the plan. Mr. Rodney went over the standards for approval of a variance and recommended approval of the application.

Mr. Clark opened the public hearing.

One of the owners of Milano's, Eric Lundgren of 3432 Southern Boulevard, Kettering, responded to questions from the Planning Commission. Mr. Von Handorf and Mr. Muzechuk asked Mr. Lundgren about his experience with parking spaces at other Milano's locations. Mr. Lundgren said he was not aware of issues with parking at stores with similar seating and similar parking capacity.

Mr. Clark closed the public hearing.

Mr. Clark voiced displeasure with the variance; he felt granting a variance for a site that was wide open and just being developed from a blank slate was a bad precedent. He did not want pedestrians crossing the street for parking on the south edge of the Costco site.

Mr. Rodney stated he was dealing with what was presented. It was not his role to require the applicant to purchase additional property. He had considered the practical difficulty of dealing with roadways on three sides of the property and the setback requirement of fifty feet.

Mr. Durham countered that the developer was the current owner, so the owner had created the hardship by the size of the lot being sold. He said that, having built for Milano's in the past, the developer was familiar with the requirements of the restaurant and with the requirements of the development plan. He stated that hardship created by the owner, Cornerstone Developers, was not a basis for a variance. The role of the board was to determine if there was any other basis for a variance under Ohio law, since the ordinance requires 116 spaces. He saw none. He, too, stated concern for a proliferation of variances.

MOTION: Mr. Briggs made a motion for approval of the parking variance requested in Case P-2014-0032. Mr. Muzechuk seconded the motion. A roll call vote denied the variance, 1-5, with Mr. Muzechuk voting yes.

Application P-2014-0036: Variances for Number, Area and Height of Pylon Signs for the Cornerstone North Development – Applicant, Robert Hall, Cornerstone Developers, Ltd.

In the staff presentation, Mr. Rodney located the pylon signs for the Cornerstone North development at 5299 Cornerstone North Drive (Wilmington Pike and Dille Drive) and at 4330 Feedwire Road (at Feedwire Road and Charles Drive). He reviewed the requested variances as follows:

- a. Height of signs. The UDO permits signs 16 feet high. The applicant requests signs 25 feet high.
- b. Area of signs. The UDO permits 32 square feet per face, and the applicant requested 112 square feet per face or a total of 224 square feet.
- c. Number of signs. The variance requested that two ground signs be allowed on the lots containing the pylon signs, so the business on the parcel could also have a ground sign.
- d. Off-premise advertising. No off-premise advertising is permitted by the UDO. These pylon signs would advertise other businesses in the development.

Mr. Rodney presented background for the variances. He described the orientation of the signs to the main roads, the distance from the right-of-way, the size of the 150-acre development and the long frontages. The pylon signs would help drivers identify or "brand" the whole development and identify businesses, not located on the perimeter. He stated that the height and large area would have minimal impact on Feedwire Road, but would be more intrusive for the residential neighbors on Wilmington Pike. He went over the staff report, including the standards for approval for the individual variances.

The Planning Department recommended approval of the requested variances for ground sign height, area, quantity, and off-premise advertising at 4330 Feedwire Road, approval of the requested Variances for ground sign quantity and off-premise advertising at 5299 Cornerstone North Boulevard, but denial of the variances for ground sign height and area at 5299 Cornerstone North Boulevard because of the presence of residential properties. The approvals would be subject to the following conditions:

1. Final placement of the Cornerstone of Centerville project pylon signs shall be determined by the City Planner. The signs shall not be placed on top of any mound.
2. The granted Variance(s) pertain solely to the Cornerstone of Centerville project pylon signs. No additional ground sign area or height shall convey to the individual owner, occupant, or tenant of the subject properties.
3. Off-premise advertising on the subject properties shall be limited solely to the Cornerstone of Centerville North project pylon signs.
4. Advertised businesses or vacant tenant spaces on the project pylon sign shall consist solely of those located in the Cornerstone of Centerville North development.
5. Any tenant with signage on the project pylon signs shall not be permitted a permanent ground sign on their individual premises. The ground sign area ordinarily permitted on the premises may be exchange for an additional wall sign in accordance with UDO Article 9.51(G)(2)(d).

Mr. Durham asked about the potential for a second pylon sign on Wilmington Pike. He questioned Mr. Liberman whether Planning Commission could limit additional pylon signs on Wilmington Pike. Mr. Liberman answered in the affirmative and recommended separate votes on the variances because of the number of issues and the specific staff recommendations.

When Mr. Clark opened the public hearing, Mr. Robert Hall, Oberer Land Developers, 3475 Newmark Drive, Miamisburg, gave a brief history and reminded Planning Commission that earlier variances for signs were withdrawn following tabling of an application in August 2013, because staff felt it was premature. A prominent project identification sign at Wilmington Pike and Feedwire Road was no longer able to be constructed because of right-of-way acquisition and tree preservation requirements. He requested that all the current variances be approved by Planning Commission, due to the importance of identifying the major anchors and the overall development.

Mr. George Oberer, Jr., Cornerstone Developers, 3745 Newmark Drive, Miamisburg, set the framework for the variances. He pointed out that the Cornerstone North development, in process since 2009, was the first major test of the requirements of the Unified Development Ordinance adopted in 2008. He stated that full occupancy was needed to make the Tax Increment Financing work and asked for flexibility by the City because of the difficulty fitting multiple tenants onto the site. He named challenges of the UDO, changing requirements for streets and trees, and difficulties of the site, including the 50' wide setbacks, the topographical changes and the blue

line stream. He noted the major monument identification sign was no longer possible at the corner of Wilmington and Feedwire. He said the size of these signs was important because major tenants were worried about the effect of mounding and landscaping on the visibility of their businesses. Restrictions on height and area on Wilmington Pike would be a problem. When questioned by Mr. Clark, he said he anticipated that a second pylon sign would be needed on Wilmington Pike to identify the village center entrance, but asked for it to be addressed at a later time.

Mr. Loren Gannon, 5285 Wilmington Pike, asked that the Wilmington Pike pylon sign be put at the southwest corner of the development instead of across from his property. He said the remaining trees were "pitiful" anyway and the sign would be more effective there.

When asked how the proposed sign would look from Mr. Gannon's property, Mr. Hall said the sign would be perpendicular to the street, about 25 feet high and 3.5 feet wide with lighted letters protruding a few inches. The face would not be lighted, only the letters.

Mr. Robert Hall stated that the developer would forego the pylon signs at Wilmington Pike and Dille Drive and at Feedwire Road and Charles Drive in exchange for a project pylon sign at Wilmington Pike and Feedwire Road and a future smaller pylon sign at Wilmington Pike and the village center access drive, although the sign at the village center was not part of the current request. He pointed out that concessions would need to be made in the tree preservation area.

Mr. Denis Mathes, 5327 Wilmington Pike at Dille Drive, agreed with Mr. Gannon's sentiments about the trees and the location of the sign at the corner of Wilmington and Feedwire. He felt the light from the pylon sign at Dille Drive would be more offensive to the neighbors situated at an angle to it than it was for him.

Seeing no additional speakers, Mr. Clark closed the public hearing.

Because he was in favor of only two signs for Cornerstone North, Mr. Durham suggested tabling the application and asking staff and the developer to look again at putting the identifying monument sign at the corner of Wilmington Pike and Feedwire Road, with no large pylon sign on Feedwire Road. He also wanted to hear a tentative proposal for a smaller village center pylon. Because of the size of the development and presence of two major roadways, he felt there could be justification for variances.

Mr. Rodney asked for further direction from the Planning Commission. He questioned whether the monument sign at the corner should include commercial messages. Mr. Durham recommended working with the developer, but, in his opinion, the main purpose should be to identify the development as Cornerstone North. He said the main anchors were so large they would be seen and found, and the outlots could have individual ground signs. When Mr. Rodney asked if any of the trees needed to survive, Mr. Durham asked for a staff recommendation, and Mr. Von Handorf stated that as many trees as reasonably possible should be kept. Mr. Etson asked for a clear new proposal and the reasoning behind the recommendation, even if all the trees needed to go.

MOTION: Mr. Durham moved to table application P-2014-0036 to the next meeting or February, if needed. Mr. Von Handorf seconded the motion. The motion passed 6-0.

Application P-2014-0041: Variances for Shoppes I at Cornerstone North
Applicant: Robert Hall for Cornerstone Developers, Ltd.
Location: 5299 Cornerstone North Boulevard

Mr. Rodney gave the staff report for the variances requested by Robert Hall of Oberer Land Developers for the Shoppes I at Cornerstone, a 10,000 square feet multi-tenant commercial building planned for 5299 Cornerstone North Boulevard having frontages on Wilmington Pike, Dille Drive and Cornerstone North Boulevard in an area zoned B-PD with a Community Center overlay. The following variances were requested:

1. To exceed the maximum building setback of 10 feet along Dille Drive and Wilmington Pike.
2. To permit parking, service entry, loading and unloading in the front and side yard instead of the required rear yard, since there is no rear yard with the three frontages.
3. To exceed the maximum permitted parking spaces in the Community Center overlay district with 117, rather than the maximum of 40.
4. To reduce the required perimeter bufferyard of 45 feet around parking facilities where there are not shared drives, since the standard was not met on the south and east property lines.
5. To eliminate bufferyard and landscaping of 10 feet along the north property line.

Mr. Rodney introduced the elements of the site; the building's focus faced Cornerstone North Boulevard. After locating the site on a map and showing the building elevations, Mr. Rodney discussed the difficulties of the lot. Because the lot has three frontages, it has no rear yard. The layout generally adheres to the requirements of the approved Final Development Plan Phase 1A.

Mr. Rodney explained each of the variances in greater detail. For Variance 1, the focus of the building is on Cornerstone North Boulevard where it meets the maximum 10 feet setback requirement. The building was not large enough or oriented to meet the building standards for smaller setbacks along either of the other frontages. Staff supported the location of the building, in order to minimize gaps between buildings on Cornerstone Boulevard North and encourage walkability. The proposed building setback is 182 feet from Wilmington Pike and 107 feet from Dille Drive.

In Variance 2, parking and loading are required to be in the rear yard, but there is no rear yard because of the three frontages. These parking and loading areas are in what would be perceived as rear yard.

In Variance 3, the maximum number of parking spaces allowed is 40, but the applicant requested 117. The Community Center overlay requires on-street parking on Cornerstone North Boulevard and general parking areas. To promote pedestrian movement, the overlay restricts on-site parking spaces. In a hypothetical case, Mr. Rodney determined a reasonable number of spaces for three

tenants in a standard B-PD district to be 94. The applicant argues that the requested parking is reasonable.

For Variance 4, the bufferyard requirement in the overlay district standards is 45 feet adjacent to public right-of-way or a public street. The applicant is asking for reduction of the 45 feet of bufferyard to 10 feet along Dille Drive and 21 feet along Cornerstone North Boulevard. Nearby areas not in the overlay district have different standards. Across the street, Costco has a bufferyard requirement of 20 feet and the lot across Dille Drive will have 10 feet of bufferyard. The variance from the bufferyard requirement is desired to accommodate additional parking spaces. Generally, landscaping was provided per the standards of the Unified Development Ordinance.

For Variance 5, Mr. Rodney pointed out the bufferyard on the north lot line is dependent on the placement of the shared access driveway across from a Costco access point which is ideal from an engineering standpoint, but it restricts the opportunity for a bufferyard and landscaping. Mr. Rodney noted that landscaping is provided along the entry drive, in the vicinity of the north property line. He recommended approval of the variances except Variance 4, reducing the requirement for a 45 feet bufferyard to 10 feet along Dille Drive and 21 feet along Cornerstone North Boulevard. As a compromise, he suggested Planning Commission might consider requiring the bufferyard of 45 feet to the east along Cornerstone North Boulevard and reducing the bufferyard along Dille Drive to the south 35 feet. This change would decrease the number of parking spaces and also make the buffers and landscaping more in keeping with the UDO.

When Mr. Clark opened the public hearing, Mr. Hall of Oberer Land Developers said he understood staff's desire to limit visual intrusion of off-street parking and loading. He asked for visual symmetry for both sides of Dille Drive—10 feet of bufferyard. Mr. Hall shared that the multi-tenant building now has four users, so it would require more parking spaces (124) than previously anticipated. He said denial of the variance concerning the landscape buffers would limit the needed parking. A 35' foot bufferyard would reduce parking by 17 spaces.

In reply, Mr. Rodney said that loss of parking spaces was what was needed in order to encourage pedestrian activity.

Mr. Cahall questioned whether a potential fourth user would become a reality.

Mr. Loren Gannon, a neighbor on Wilmington Pike, asked about the setback to the Shoppes. Mr. Rodney said there would be a distance to the building of about 180 feet. Mr. Rodney assured him 35 feet of landscaping and mounding would be required.

In response to Mr. Cahall's question about potential clients, Mr. Chris Conley of Oberer Real Estate Division stated that a tenant for the building was signed with contingencies, others were vying for the spots. He said all were concerned that enough parking spaces would be available for a sustainable long-term opportunity.

Seeing no other speakers, Mr. Clark closed the public hearing.

Mr. Cahall pointed out that moving the north lot line further north would help solve the bufferyard problem. Mr. Durham agreed that the applicant created a lot of a size that requires variances when the entire development was nearly a vacant slate. Mr. Muzechuk agreed and asked if Planning Commission could expect requests for variances for every future use in the development.

Mr. Cahall commented that the village center overlay had significantly different requirements from standard business zoning. The triple frontage lot was a factor, but trying to impose a general B-PD style to the overlay district also created difficulty.

Mr. Durham stated that the triple frontage was a factor affecting some of the variance requests and requiring some accommodation. However the current layout was not acceptable. The developer decided where the street should go, what he is putting on specific parcels, the size of the lot, the number of tenants and the size of building the tenants require. The owner created the hardship.

MOTION: Mr. Briggs moved for approval of Varinance 1, the setback from Wilmington Pike and Dille Drive. Mr. Von Handorf seconded the motion. The approval of the motion failed to carry by a vote of 3-3, with Mr. Durham, Mr. Muzechuk, and Mr. Clark voting no.

MOTION: Mr. Muzechuk made a motion for approval of Variance 2, to permit parking, service entry and loading in the front yard facing Wilmington Pike. Mr. Briggs seconded the motion. The motion was denied by a vote of 2-4, with Mr. Muzechuk and Mr. Etson voting yes.

MOTION: Mr. Briggs made a motion for approval of Variance 3, to exceed the maximum permitted number of parking spaces. Mr. Etson seconded the motion. The motion was denied by a vote of 2-4, with Mr. Etson and Mr. Briggs voting yes.

MOTION: Mr. Briggs made a motion for approval of Variance 4, to reduce the bufferyard width of 45 feet to allow for the additional parking spaces. Mr. Etson seconded the motion. The motion failed by a vote of 0-6.

MOTION: Mr. Durham made a motion for approval of Variance 5, to eliminate the bufferyard of 10 feet along the north property line. Mr. Briggs seconded the motion. The motion passed unanimously, 6-0.

Application P-2014-0039: Final Development Plan, Cornertone Phase 2
Applicant: Robert Hall, Cornertone Developers, Ltd.
Location: Southeast Quadrant of Cornerstone North

Mr. Rodney presented the staff report for the Final Development Plan, Phase 2, for about 23 acres in the southeast corner of the former Dille property—south of the creek, north of Feedwire Road and east of the Costco Wholesale Warehouse site. The plan includes building pads for two large format commercial users, including grading, utility setup and the placement of public roadways. The elevation of the site and the use of a retaining wall on the northern border of Phase 2 left unanswered questions about the effects of this development plan on the multi-family

housing units planned north of the creek. Mr. Rodney used a map to show the lot layouts, the cross access easements, landscape islands, and the configuration of Clinger Lane out to Feedwire Road. Both Clinger Lane and Cornerstone North Boulevard will be constructed to public roadway standards. Along Feedwire Road and the eastern boundary of the property, the right-of-way widths, mounding, and buffering will be consistent with the requirements of Phase 1A. The architectural elements and the color palette will also be consistent with those of Phase 1A. Groundbreaking is expected in 2015.

Staff recommended approval of the Final Development Plan, subject to the following 15 conditions:

1. The Cornerstone North Phase 2 Final Development Plan shall conform to the approved Cornerstone North Preliminary Development Plan Amendment 1 and all conditions of approval contained therein as determined by the City Planner.
2. Prior to City Council holding a Public Hearing for this Final Development Plan, the Public Works Department shall receive, approve, and sign a final Traffic Impact Study for the entirety of the area covered by the Cornerstone North PDP.
3. This Final Development Plan shall conform to the approved Cornerstone Section 3 plat (P-2014-0040) as determined by the City Planner.
4. The private portions of Cornerstone North Boulevard shall be designed and built to public street standards up to the boundary with Lot #3. An appropriate transition of vehicle and pedestrian ways across this boundary shall be designed in accordance with the Major Site Plans for Lots #2 and #3. Final design shall be in coordination with the Major Site Plans for both Lot #2 and #3 as determined by the City Engineer.
5. 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.
6. Final location and design of all street and utility infrastructure is subject to the review and approval of the City Engineer.
7. Bufferyards and landscape treatments shall be consistent and harmonious with Phase 1A as determined by the City Planner.
8. Perimeter bufferyards, mounding, and landscaping shall be provided along Feedwire Road and I-675 in accordance with Article 9.25, Table 9.6 of the UDO. Final design of the bufferyard treatments along I-675 may be coordinated with the Major Site Plan for Lot #3.
9. All lighting of vehicular and pedestrian ways shall be consistent and harmonious with Phase 1A as determined by the City Planner

10. Landscaping and bufferyard treatments of a sufficient depth and density shall be provided along the northern boundary of Phase 2 to adequately screen the large format retail uses from the proposed residential areas to the north as determined by the City Planner. Such treatments shall be determined during the Major Site Design review phase for each lot.
11. Final location of any proposed pylon signage shall not be determined by this Final Development Plan.
12. Temporary emergency access turnaround(s) shall be constructed – if necessary – to the specifications of the Sugarcreek Township Fire Department and the City Engineer.
13. Landscape islands within Cornerstone North Boulevard shall be irrigated and maintained by the Master Property Owner's Association.
14. The intersection of Cornerstone North Boulevard and Clinger Lane shall include a decorative concrete treatment consistent with the treatment at Dille Drive and Charles Drive.
15. A revised set of FDP documents shall be submitted to the City Planner for archival purposes, reflecting all conditions of approval. Such documents shall also include a Grading Plan which reflects the entirety of Phase 2.

Mr. Clark noted Sugarcreek Fire Department had said it would not be serving Cornerstone or other incorporated areas of Sugarcreek Township. Mr. Liberman stated having Fire and EMS services in place was an important issue. He suggested adding a condition that fire protection and EMS protection to the site shall be assured to the satisfaction of the City of Centerville prior to any construction.

Mr. Clark opened the public hearing.

Mr. Robert Hall of Cornerstone Developers asked Planning Commission to revise staff recommendations 5, 8, and 14. He asked that Condition 5 read "at the discretion of Cornerstone Developers in conjunction with the Public Works Department." Mr. Cahall stated that would be in direct contradiction to the Development Agreement between Cornerstone and the City of Centerville. Mr. Hall stated that Condition 8 required mounding that was not possible at this time. He asked for Condition 14 requiring decorative concrete at Cornerstone North Boulevard and Clinger Lane to be stricken from the list. Staff was not in favor of changing the conditions.

George Oberer, Jr. of Cornerstone Developers stated that decorative concrete was costly and required too much maintenance. He had reluctantly agreed to the original three areas, but was adamantly against installing this fourth area along Cornestone North Boulevard.

Mr. Clark closed the public hearing.

Mr. Durham said the validity of the applicant's concerns about conditions 5, 8 and 14 could be determined by Council.

MOTION: Mr. Durham made a motion for approval of Application P-2014-0039, the Final Development Plan for the Cornerstone North, Phase 2, subject to the 15 conditions recommended by staff and the following 16th condition recommended by Mr. Liberman:

16. No building permits shall be issued until Fire and EMS protection are ensured to the satisfaction of the City of Centerville.

Mr. Briggs seconded the motion. The motion passed unanimously, 6-0.

NEW BUSINESS

Application P-2014-0034: Major Site Plan for Milano's Restaurant
Applicant: Amy Green of Intertech Design Services
Location: 5381 Cornerstone North Boulevard

There was brief discussion of whether to proceed following the defeat of the parking variance application earlier in this meeting. There was also discussion of the implications of the Fire and EMS coverage dispute. The applicant, Mr. Eric Lundgren, asked Planning Commission to continue the review of the Major Site Plan.

Mr. Rodney gave the staff report on the Major Site Plan for an 8700 sq. ft. Milano's Restaurant at 5381 Cornerstone North Boulevard, a corner lot with three frontages situated at the Charles Drive entrance to the development. He noted that the landscaping plan for canopy trees along Cornerstone Blvd and Charles Drive and lighting plan did not currently meet the requirements of the UDO. In the staff analysis, he also stated that the building lacked any finish at top except the parapet wall; a cap was required. Because the site has three frontages and high visibility at a major entry to the development, the building should be held to a somewhat higher standard.

Mr. Durham agreed that the building needs additional finish on the façade facing Feedwire Road and the west elevation in order to incorporate four-sided architecture fully. Mr. Rodney added that the applicant had added landscaping, but faux windows or other architectural details were needed.

Mr. Rodney went through the Standards of Approval from the staff report, pointing out that the parking requirement could be met, even without the variance, if some seats were removed. Staff recommended approval of the Major Site Plan, subject to the following five conditions:

1. Article 9.53(C)(2)(d)(i) states that roof styles other than gable or hip roofs must be approved on a case-by-case basis by Planning Commission. A flat roof is hereby specifically approved by Planning Commission.
2. The following elements shall be incorporated into the final architectural design of the building as determined by the City Planner:
 - a. A cornice cap shall be added to the top of the parapet wall;

- b. The south elevation (Feedwire Road) shall include a full treatment of architectural features across the face of the building, which could include – but not limited to – awnings, windows, and accent lighting.
3. All parking lot lighting shall be located within landscape areas.
4. All perimeter landscaping shall meet the minimum UDO requirements or a Variance must be requested.
5. The Major Site Plan approval is contingent on the results of the Variance case for this site (P-2014-0033).

Mr. Clark opened the public hearing.

Mr. Eric Lundgren of Southern Boulevard in Kettering and one of the owners of Milano's made several points. He asked to be allowed to keep the walkway on the north side of the parking lot at grade level. Mr. Lundgren thought a raised walkway would be a safety concern and would interfere with plowing snow. He did not want bollards or a raised sidewalk, only striping. He asked Planning Commission not to require more windows on the south façade of the building; he said the building was designed to meet the minimum standards of the UDO and that he had letters stating that the design was in compliance with the standards. He also questioned the need to plant additional landscaping.

Eugenia Martin 2012 Loveman Drive, Worthington, of Cyp Studios, went on record protesting the requirements of the UDO. She reviewed the requirements of canopy trees planted 25 feet on center and said they would create a green wall, jeopardize the the health of other plantings and cause some trees to die for lack of sun and nutrients. As the trees grew they would need to be thinned out or become too crowded. Economics and viability were both issues. She said she and her client, Mr. Lundgren, were considering a variance.

Mr. Lundgren stated he did not want the expense of planting trees that could not survive in the density the City was requiring. He stated that visibility is critical for businesses, so a green wall was a concern. He was adamant that the building complied with minimum UDO standards.

Mr. Durham explained his position that the design did not comply with the four-sided architectural standards.

Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion for approval of Application P-2014-0034, the Major Site for the Milano's restaurant at 5381 Cornerstone North Boulevard, subject to the 5 conditions recommended by staff with the amendment of Condition 2 and the addition of Condition 6 as follows:

2. Condition 2 shall be revised to include, "The south and west elevations shall include full treatment of architectural features across the face of the building."

6. No building permits shall be issued until Fire and EMS protection are ensured to the satisfaction of the City of Centerville.

Mr. Briggs seconded the motion. The motion passed unanimously, 6-0.

Application P-2014-0035: Record Plan for Milano's Restaurant, 5381 Cornerstone North Blvd.
Cornerstone North Section One, Lot 1
Applicant: Robert Hall, Cornerstone Developers, Ltd

Mr. Rodney presented the staff report for the replat of Section One, Lot 1. The applicant requested to split off the Milano's lot from a 7.5 acre parcel. The Milano's restaurant will be at the corner of Charles Drive and Cornerstone North Blvd in a B-PD zoning district. The replat included small sliver of land deeded for right-of-way at Feedwire Road and a cross access easement to the lot to the west. Mr. Rodney recommended approval of the replat.

When Mr. Clark offered the floor for public comment, no one came forward.

MOTION: Mr. Durham moved for approval of the record plan for Cornerstone North, Section One, Lot 1 at 5381 Cornerstone North Boulevard. Mr. Briggs seconded the motion. The motion passed 6-0.

P-2014-0037: Cornerstone North Shoppes I, Major Site Plan
5299 Cornerstone North Boulevard,
Applicant: Robert Hall, Cornerstone Developers, Ltd.

Mr. Durham asked for the intention of the applicant in proceeding with the review of the Major Site Plan after most of the related variances had been denied. Mr. Hall asked for a short break to allow for discussion, so Mr. Clark called a five minute recess. When the meeting returned to order, Mr. Hall requested that the application be tabled to the next Planning Commission meeting.

MOTION: Mr. Durham made a motion to table Application P-2014-0037, the Major Site Plan for Cornerstone Shoppes I, to the meeting of Planning Commission on January 27, 2015. Mr. Briggs seconded the motion. The motion passed unanimously.

Application-2014-0038: Record Plan for the Shoppes I at Cornerstone North
5299 Cornerstone North Boulevard, Cornerstone North, Section Four
Applicant: Robert Hall, Cornerstone Developers, Ltd

Mr. Rodney explained the record plat for the two-acre parcel for Section Four, the Shoppes I at Cornerstone North. Noting the lot line, the cross access easement, and the small sliver of land to be deeded as public right of way for the intersection of Wilmington Pike and Charles Drive, he showed the items on a map. He pointed out a question about the width of the right-of-way on the western boundary line at Wilmington Pike. Mr. Cahall added that the Public Works Department would like an additional 2' to 4' dedicated in order to match the width of the right of way to the south of this lot along Wilmington Pike and assure needed width here.

Mr. Rodney stated that Council would not hear the case for the record plan until the right-of-way issue was sorted out. The Planning Department recommended approval of the proposed plat, with one (1) condition:

1. If required, additional public right-of-way along the west property line of Lot #1 shall be proposed for dedication via this plat prior to review by City Council.

When Mr. Clark asked for public comment, applicant Robert Hall of Cornerstone Developers stated that to his knowledge the developer had dedicated the right-of-way required along Wilmington Pike. He said the site plan would work, even if additional right-of-way would be needed, because the bufferyard was wide enough to compensate, if a change should be needed.

Mr. Durham suggested that Planning Commission table the item. Mr. Rodney said that either way would work.

MOTION: Mr. Briggs made a motion to recommend to Council the approval of the record plan, subject to the condition recommended by staff. Mr. Durham said he would prefer to table the plat, but Mr. Etson seconded the motion. The motion was approved by a vote of 4-2, with Mr. Durham and Mr. Clark voting no.

Application P-2014-0040: Record Plan for Cornerstone Phase II, Section Three
Applicant: Mr. Robert Hall of Cornerstone Developers
Southeast Quadrant of Cornerstone North

The City Planner gave the staff report for the proposed record plan for a lot split of about 25 acres in the southeast quadrant of the Cornerstone North development. The plat would create three (3) lots and dedicate right-of-way for the extension of Cornerstone North Boulevard and Clinger Lane. The plat includes two parcels inside the ring road and one outlot along Feedwire Road. A cross-access easement is proposed for the private portion of Cornerstone North Boulevard extending from Clinger Lane to Lot #3. The Planning Department recommended approval of the proposed plat with three (3) conditions:

1. Utility easements accommodating wet and dry utilities shall be provided in cooperation with the requisite utility and the City Engineer.
2. Final construction documents for all public improvements shall be furnished to and approved by the City Engineer prior to recording of this plat.
3. A guarantee of construction and installation of improvements shall be provided in accordance with UDO Article 9.17.

Mr. Hall noted that the utilities for the area north of the creek would be part of a separate plan at a later time.

MOTION: Mr. Briggs made a motion to recommend to City Council the approval of the record plat for Cornerstone Section Three, as requested in Application P-2014-0040, subject to the three

conditions recommended by staff. Mr. Muzechuk seconded the motion. The motion passed unanimously 6-0.

COMMUNICATIONS

There was discussion of a work session in early January with a potential developer of the Showcase Cinema site. Mr. Durham asked for a work session with Council so that they could hear each other's comments. He also requested to see some materials and staff comments before going into the meeting.

Mr. Clark asked about the Voss display ramps seen from I-675. Mr. Briggs asked about the fence and stone pillars at Ross Mercedes and Voss construction site on Loop Road.

The next meeting was scheduled for January 27, 2015, beginning at 7:30. Mr. Rodney will organize a work session in January with City Council.

There being no further business, the meeting was adjourned.



Mr. Paul Clark

Chair of the Planning Commission