

CENTERVILLE PLANNING COMMISSION

Regular Meeting

Tuesday, March 12, 2013

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

ATTENDANCE

Present: Chairman Paul Clark, Mr. Jim Briggs, Mrs. JoAnne Rau, and Mr. Bill Etson. Also present: City Planner Steve Feverston, Economic Development Administrator Nathan Cahall, Municipal Attorney Scott Liberman, City Manager Greg Horn, Assistant City Engineer John Sliemers and Assistant Clerk of Council Julie Weaver.

MOTION: Mr. Briggs made a motion to excuse the absence of Mr. Durham and Mr. Gammell. Mrs. Rau seconded the motion. The motion passed 4-0.

APPROVAL OF MINUTES

There were no additions or corrections for the minutes of the Work Session of February 26, 2013, or the Planning Commission Meeting of that same date.

MOTION: Mrs. Rau moved for approval of the minutes of the Planning Commission Work Session of February 26, 2013, as distributed. Mr. Briggs seconded the motion. The motion passed with four ayes, 4-0. Mr. Etson made a motion for the approval of the minutes of the Planning Commission meeting of February 26, 2013. Mrs. Rau seconded the motion. The motion passed unanimously, 4-0.

PUBLIC HEARINGS

**Application P-2013-0007: Rezoning – Applicant, George Oberer, Jr., Cornerstone Developers, Ltd.**

Mr. Feverston shared that he had received an email earlier in the day from Mr. Oberer asking the Planning Commission to table to a later date the request for rezoning a portion of the Cornerstone North parcel from B-PD with a Community Center Overlay (CC) to R-PD with a Neighborhood Residential Overlay (NR), zone classification. Mr. Clark asked Mr. Oberer if this was correct and he agreed that it was. Mr. Clark opened the public hearing.

MOTION: Mr. Briggs made motion to table the application for the rezoning of a portion of the Cornerstone North parcel until the Planning Commission Meeting on April 30. Mr. Etson seconded the motion. The motion to table P-2013-0007 passed with a 4-0 vote.

**Application P-2013-0010: Preliminary Development Plan for Cornerstone North at 5300 Wilmington Pike – Applicant, Mr. George Oberer, Jr.**

Mr. Feverston gave the staff report on this first step for a 156 acre development situated east of Wilmington Pike, north of Feedwire Road and south of Brown Road. Zoning is R-PD in the northeast corner and B-PD in the remainder with overlays on some sections. He located the property on a map, explained the proposed uses of the various areas, showed

gress and access points, identified major roadway improvements, pointed out internal circulation, showed areas for the preservation of trees, discussed the possible demolition of the stone house on the property and compared the current preliminary development plan with the one Council approved in 2011. Previously, Mr. Oberer had publicly stated his intent to put some type of owner-occupied housing on about 9.8 acres bordering Brown Road as a buffer for the single family homes to the north in Brown's Run. Mr. Feverston stated that the residential section of the parcel is largely undifferentiated with no details of the plan available at this time. He discussed the phasing of the current plan. Mr. Feverston projected the tree survey from 2011 showing viable trees and noted that some of these would be in the right-of-way for widening Wilmington Pike and Feedwire Road. The interior of the lot has been lumbered over time. The replanting of 4-6" caliper trees along the perimeters of the property will help to maintain iconic green impression of the property. Trees will be preserved along the stream valley and some near I-675. He projected some of the design theme elements in the current preliminary plan and showed differences in the village centers between the old and new plans. A main street look would be desirable and required by the overlay. In describing the park-like area along the stream bed, Mr. Feverston emphasized that, if Mr. Oberer elects to expand the R-PD district by rezoning and using the overlay, the style of village center and the residential components would need to be consistent and unified. Adequate buffers will be needed on each side of the stream along the slopes in order to protect the residents from the sight of the rear of the big box stores. The Planning Department included a condition to restrict parking from the street side of building along the perimeter on Wilmington Pike and Feedwire Road, even in areas where the Community Center Overlay was not requested. Mr. Feverston showed pictures of materials, street furniture, ground signs, plantings and view corridors similar to those in Westerville. He encouraged common elements for signage. The Planning Department recommended approval of the Preliminary Development Plan for Cornerstone North, subject to the following twenty-three conditions:

1. This plan assumes that a portion of Sub-Area F will be rezoned. The developer will either continue with that rezoning or that portion of Sub-Area F will remain as currently zoned. Other portions of this plan will not be stayed or affected by the continuing processes on Sub-Area F.
2. The Preliminary Development Plan shall be the plans and documents stamped received by the City of Centerville Planning Department on February 19, 2013, except as modified herein.
3. The Final Development Plan for any portion of the subject property shall be conditioned on the applicant deeding the land where the Brown Road right-of-way is situated to the City of Centerville Community Improvement Corporation.
4. A Final Development plan for each Phase, as a minimum, must be approved by the Centerville City Council with a recommendation from Planning Commission. A Major Site Plan may be included with the Final Development Plan. Otherwise, a Major Site Plan must be approved by the Planning Commission for each lot prior to construction.
5. Prior to submittal of any Final Development Plan for the subject property, the

5. Prior to submittal of any Final Development Plan for the subject property, the applicant shall submit as a part of this Preliminary Development Plan a revised Traffic Impact Study incorporating the City's traffic consultant's recommendations to the satisfaction of the City Engineer subject to approval by the City Engineer including, but not limited to right-of way dedication, public roadway widening, signalization, access control, internal street and drive improvements and addressing both short term and long term impacts to the Wilmington Pike corridor and the I-675/Wilmington Pike Interchange area and establish a phasing schedule.
6. The Village Center be modified to incorporate the building placement approved for concept and intent by City Council in the August 15, 2011 Cornerstone North Preliminary Development Plan.
7. Conservation plans shall be established in the Final Development Plan(s) for all trees or stands of trees identified in Sub-Areas A, C and E consistent with the approved Development Plan subject to approval by the City Planner.
8. Trees to be preserved at the intersection of Wilmington Pike and Feedwire Road shall be those trees identified by the applicant on a plan received on March 31, 2011 and included as a part of the Preliminary Development Plan.
9. Trees to be preserved within the conservation areas shall be protected as described in two documents by the International Society of Arboriculture titled "Tree Care Information: Avoiding Damage During Construction" and "Tree Care Information: Treatment of Trees Damaged By Construction. It is understood that trees will be removed to allow for the construction of the north/south public road and related utilities through the conservation area within Sub-Area E.
10. The Final Development Plans for Sub-Areas A and C (Phases 1-A and 1-B) shall include a Landscape Plan for trees, a mixture of trees 2-6 inches in caliper, to be replanted along Wilmington Pike and Feedwire Road subject to approval by the City Planner. Larger caliper trees shall be placed in key locations within and along the perimeter of these Sub-Areas in a manner subject to approval by the City Planner.
11. The required bufferyards along Wilmington Pike and Feedwire Road shall be platted as reserve areas or easements to provide for common landscaping, irrigation and maintenance by a master association or a legal regime approved by the Municipal Attorney that will give similar enforcement power to the City to require uniform high quality maintenance.
12. All underground utilities shall be placed outside of any area that may be designated for tree conservation subject to approval by the City Planning Commission.
13. Landscape medians for Wilmington Pike and Feedwire Road shall be constructed as a part of this development and incorporated into the Traffic Impact Study for construction and phasing subject to approval by the City Engineer.
14. The final location of all access points shall be established with the Final

Development Plan(s) for the Cornerstone Development.

15. The Final Development Plan(s) shall identify all sidewalks to be constructed along all internal public and private streets subject to approval by the City Planner.
16. Pedestrian crosswalks shall occur at all street or driveway intersections.
17. All stormwater management facilities shall be constructed and installed as a part of the first phase of development to include the major detention facilities along the central drainage area of the development running generally from the northwest corner of the site through Phase 1A and the establishment of common detention facilities for all outlots subject to approval by the City Engineer.
18. Sub-Area G shall be increased in area to 9.76 from 9.059 acres in accordance with the Preliminary Development Plan dated August 15, 2011.
19. Should the City Council concur with the applicant that the rezoning proposed in application P-2013-0007 be approved, Sub-Area E and/or Sub-Area B shall be modified and expanded to assure there is an effective bufferyard established separating the proposed residential zoning district from the large format retail buildings and incorporated into the Preliminary Development Plan subject to approval by the Planning Commission.
20. The Community Center overlay district shall be applied to the out parcels along Wilmington Pike north of the main entrance drive as approved by City Council on August 15, 2011.
21. Parking for the outlot parcels shall be limited to areas behind the building setback line along the Wilmington Pike and Feedwire Road or the principal building whichever is closer subject to approval by the Planning Commission.
22. Stone salvaged from the Dille house shall be incorporated into the site.
23. No signage is approved as a part of this Preliminary Development plan, however, the design of the ground signs for all outlots shall incorporate an architecturally consistent theme, have similar materials (brick or limestone), proportions and setbacks subject to approval by the City Planner.

Following Mr. Feverston' presentation Planning Commissioners asked a number of questions. Mr. Clark again asked about the configuration of the 9+ acres of the owner-occupied area in the north east quadrant. Mr. Feverston stated that he felt the multi-family housing was appropriate along the thoroughfare. He inquired about the potential for a gas station at the southeast corner of Brown Road and Wilmington Pike. After research, Mr. Liberman answered in the affirmative, if the overlay is used. Upon question, Mr. Sliemers stated he was satisfied with the conditions from an engineering standpoint. When Mrs. Rau asked about the design requirements for the big box stores for landscaping, pavement and other esthetics, Mr. Feverston stated that one of the intents was to have unifying themes and quality elements throughout the development. Specific design standards will include four-sided architecture, quality materials, plantings and a

certain street look and feel. Mr. Briggs questioned when the traffic study would be completed. Mr. Etson again asked for an explanation of why the owner-occupied housing area did not extend westward to the main entrance from Brown Road. Mr. Feverston replied that it made sense to buffer the owner-occupied housing from the volume of traffic turning onto the internal road. Moving toward the east from office/retail to multi-family housing to owner-occupied housing would be a gradual transition to the residential neighborhoods on both sides of Brown Road. The whole area is zoned for six units per acre; the City cannot dictate the type of ownership. However, the developer has volunteered to maintain approximately 9.8 acres as owner-occupied housing, as approved in the 2011 plan. There was discussion of expansion of the Community Center Overlay for all the lots north of the main entrance on Wilmington Pike. Mr. Rau asked for a description of the parcels and uses on the west side of Wilmington Pike across from Cornerstone North.

Mr. Clark opened the public hearing and invited the applicant, Mr. George Oberer, Jr., 3475 Newmark Drive in Miamisburg, to be the first speaker. Mr. Oberer presented his vision for a mixed-use pedestrian-friendly development with timeless architecture. In order to meet pre-set design standards, all perspective tenants/purchasers would obtain a Cornerstone Architectural Control Committee approval prior to submission of plans to the City of Centerville. The goal would be to meet Unified Development Ordinance standards for a village atmosphere while maintaining fiscal feasibility for development. He described the layout and phasing of each of the various sections of the plan. He noted that Cornerstone Developers would concur to extend the Community Center Overlay from the office village section (Sub-Area D) southward along Wilmington Pike to the main entrance drive and eastward to the Village Center, thus enlarging the area with the Community Center Overlay. Sub area E, 21.4 park-like acres, would follow the stream valley and possibly have an amphitheater, creating opportunities for outdoor entertainment and vistas for patios. Sub Area G is intended to have for sale housing products that will extend 250' further to the west than the residential area along Brown Road. In speaking of tree preservation, he stated that trees outside the open space would be removed as required for site development. After discussing signage and landscaping, he stated that street trees shall be 2-6" caliper trees as measured 12" from the ball at the time of installation. Mr. Oberer pointed out a thirty-five foot platted reserve along Wilmington Pike and a twenty foot reserve along Feedwire Road. He showed the suggested phasing schedule starting in the fall of 2013 and extending out three to five years. Mr. Clark asked if any drawings, maps or details for the northeast residential area were available. Mr. Oberer said there were no concept plans at this time. Mr. Briggs asked if there would be a twenty foot buffer on Brown all the way to the boundary of the property and asked if the conditions were acceptable to Mr. Oberer, he replied in the affirmative. He stated that the traffic study would be submitted in about three weeks.

Mr. Clark asked Mr. Oberer to define what had changed since the approved plans of 2011. He stated that the plan was more refined in some ways, since Cornerstone Developers had identified some particular end-users who would need buildings of a particular size and orientation. Building placement had been adjusted slightly. The internal street patterns had been redone, so that the ring road no longer extended directly to Brown Road. One right turn access had been eliminated on Wilmington Pike. The phasing schedule had changed also.

Michael Clary, 4968 Wilmington Pike, Kettering, asked if there would be restrictions on noise levels and hours for outdoor activities. Mr. Feverston responded that the City has noise ordinances regulating noise levels and hours of operation. Mr. Clary noted that traffic is already bad and that he already had difficulty getting in and out of his property safely.

Loren Gannon, 5285 Wilmington Pike, asked about screening, noting that young trees would need shrubs to infill while they grew to a reasonable size. He also talked about mounding, street light placement, and the reality of traffic blocking his driveway. He requested that no barriers be put in place impeding left turns from driveways for the residents of Wilmington Pike. He agreed that most of the trees in the woods were currently in poor condition, saying that some were in danger of falling across roadways.

Janet Johnston, owner of 5183 Wilmington Pike, voiced concern for damage (cracked plaster, windows and foundations and movement of chimneys) to the older homes on the west side of Wilmington Pike due to the digging and heavy traffic required for the widening of Wilmington Pike. She inquired whether the west side of the road would be rezoned so that residents could sell their properties more easily. Mr. Feverston stated that Council traditionally has not promoted strip zoning in our community, saying that business traffic would create additional strains on access. He did say that City Council may consider a rezoning if 4 to 5 homeowners got together in a joint application if the properties were razed and re-developed as a single development. Mr. Johnston mentioned the displacement of animals, mostly pests, from the Cornerstone site. She thought any median turn lane should be wide enough to minimize accidents for those waiting to turn.

Mr. Andy Singleton, 4311 Limerick, asked for details about improvements to Brown Road. Mr. Feverston responded that the timeline would be dependent on the phasing, but the road eventually would be widened to meet subdivision standards. Any turn lanes and signal requirements would be determined by the traffic study. Mr. Singleton asked if there was any estimate of the total number of units to be built.

Steve Hamilton, 4321 Mantel Court in Brown's Run, asked what intersections would be covered by the traffic study. Mr. Sliemers said the traffic study includes intersections and signals along Wilmington Pike from Brown Road to Clyo Road with I-675 bridges, ramps and turn lanes included and also Feedwire Road going east. Some long and short term plans are already in process with construction for Feedwire Road coming soon.

Kenneth Atetkowski, Dayton Korean Baptist Church, 5051 Wilmington Pike, stated concern that the church would lose members if it did not have good access. The current drive is not directly across from Brown Road. If they move their drive to the north, they lose the possibility of separating the parcels for resale. Mr. Sliemers stated the City would work with them to make the situation as favorable as possible, but it did seem like having ingress and egress at the traffic signal would be an advantage.

Craig Fanning, owner of Rollandia and Magic Castle on Brown Road, thanked staff for the time and communications concerning progress. He asked to go on record supporting the development.

Doreen Elliott, 4301 Mantel Court, requested an explanation of the four new access points along Brown Road. Mr. Feverston explained the arrows and stated that the intent is to distribute traffic and interconnect the quadrant. At this time, three of the four drives are mainly for access to parking lots. Ms. Elliot stated concern about creating safety hazards because of close driveway spacing. She also asked if there was a need for the development, since so much empty business space is available in the area.

Gary Corbett, 4311 Killian Court in Brown's Run, asked about the density of the residential area. Mr. Feverston stated that 6 units per acre are allowed for R-PD zoning. These can be single family through multi-family homes. Mr. Oberer has publicly stated that he intends to use owner-occupied housing for the 9+ acres shown along Brown Road. If the overlay is invoked, the number for the remainder could be up to 14 units per acre, but Cornerstone Developers would have to adhere to very strict guidelines and design standards. Buildings could be no more than forty-five feet tall and would be required to have pitched roofs, normally equating to three stories. Mr. Corbett asked how a traffic study could be done without knowing the possible number of residents. Mr. Feverston replied that more details will be required for a final development plan. Mr. Sliemers talked briefly about the estimates and trip generation in the traffic study.

Robert Stewczyk, 4216 Limerick Lane, expressed concern for empty businesses and for the crime that comes to an area with rental housing. He asked who provides police, fire protection and educational services to the property. Mr. Feverston stated that Centerville provides police services, Sugar creek Township provides EMS and Fire protection, and residents will be in the Sugar creek/Bellbrook School District. Mr. Cahall added that current property taxes earmarked for various entities will continue to be collected by those entities.

Ben Slike, a resident of Brown's Run, noted that Brown Road is the only way into the subdivision and into the businesses on the street. He asked if Brown's Run would be kept open during construction. Mr. Cahall responded that every attempt would be made through phasing the other infrastructure improvements to keep the road open for residents and businesses. The resident also stated that the road has many walkers. He asked if sidewalks could be installed before construction on the roadway.

Steve Hamilton asked about the phasing of the street projects, including I-675 and Cornerstone South, and whether the engineer signs off on all of this at once or in parts? Mr. Sliemers answered that Cornerstone North is expected to happen first. Construction will begin on Feedwire Road soon because of a grant the City received; however, the timing of work on Wilmington Pike is dependent upon the traffic study and the signing of a development agreement. I-675 will require both short-term and long-term upgrades. The main concern is that the roadways need to be ready when the development opens.

Mr. Clark closed the public hearing.

MOTION: Mr. Briggs made a motion to recommend to the Centerville City Council the approval of the Preliminary Development Plan for Cornerstone North, subject to the twenty-three conditions recommended by the City Planner, as shown above. Mr. Etson seconded the motion. A roll call voted showed the motion passed by a vote of 3-1, with Mr. Clark voting nay.

**Application P-2013-2011: Preliminary Development Plan for Cornerstone South – Applicant, Mr. George Oberer, Jr., Cornerstone Developers, Ltd., 0000 Clyo Road.**

Mr. Feverston gave the overview of the Preliminary Development Plan for Cornerstone South, noting that it was very similar to the plan that had been approved by the Planning Commission in 2011 and that expired in 2012. The zoning for the entire area is O-PD, Office Planned Development, with a CB, Corporate Business Overlay, zone classification. He located the parcel south of I-675, east of Wilmington Pike and west of Possum Run Road, described it as primarily flat with good interstate highway exposure, and summarized the phasing schedule. He presented samples of the corporate architecture for the office campus with building materials, designs, colors, and outdoor furniture similar to the elements used at Polaris near Columbus. The build out for the development is expected to be ten to twenty years. With no part of the plan expected to begin in 2013, he stated that the expiration of the approval of the plan by the City Council needed to be addressed. Mr. Feverston suggested that a condition be added to his recommendations which were as follows:

1. The Preliminary Development Plan shall be the plans stamped received by the City of Centerville Planning Department on January 31, 2013 and the Cornerstone of Centerville South Preliminary Development Plan booklet dated February 19, 2013, except as modified herein.
2. Cornerstone of Centerville South Preliminary Development Plan booklet shall be modified to minimize the use of synthetic stucco siding (EIFS); all buildings shall meet or exceed the minimum requirements established by the UDO for building mass, form and architectural requirements when submitted as a part of a Major Site Plan.
3. The applicant shall submit as a part of this Preliminary Development Plan a revised Traffic Impact Study incorporating the City's traffic consultant's recommendations to the satisfaction of the City Engineer subject to approval by the City Engineer including, but not limited to right-of way dedication, public roadway widening, signalization, access control, internal street and drive improvements and addressing both short term and long term impacts to the Wilmington Pike corridor and the I-675/Wilmington Pike Interchange area and establish a phasing schedule.
4. A Final Development plan for each Phase, as a minimum, must be approved by the Centerville City Council with a recommendation from Planning Commission. A Major Site Plan may be included with the Final Development Plan. Otherwise, a Major Site Plan must be approved by the Planning Commission for each lot prior to construction.
5. The final design of all gateways, public amenities including decorative street lighting, public benches, and street trees, and the proposed General Design Guidelines to create a "campus environment" shall be submitted by the Applicant as a part of their Final Development Plan.
6. A plan for pedestrian walkways shall be submitted with the Preliminary



Development Plan for all sidewalks, hiker/biker trails and any walkway outside of a public right-of-way.

7. The required bufferyards along Clyo Road and Possum Run Road shall be platted as reserve areas to provide for common landscaping, irrigation and maintenance by a master owners' association or a legal regime approved by the Municipal Attorney that will give similar enforcement power to the City to require uniform high quality maintenance.

Mr. Clark opened the public hearing and invited Mr. George Oberer, Jr., to address the Planning Commission. Mr. Oberer stated that the intent was to create an office campus with a pedestrian-friendly atmosphere and inviting features. Pre-set design standards have been put in place and all tenants would need to get approval of the Cornerstone Architectural Committee before submitting plans to the City of Centerville. One of his points stated that outside of the open spaces the developer may remove trees for the development. He said there would not be speculative construction and that the time line for Cornerstone South is a much longer term, with Phase Three not expected to begin until 2023 or beyond.

Jeff Matthews, 1422 Possum Road, thanked Council for adjusting the eastern end of Clyo Road and calling for mounds and buffering for residents where Possum Run joins Clyo Road.

Edward Blake on the Board of Trustees for Hope Church stated that showing the extension of Miami Valley Drive across church property without any agreement in place had polarized the congregation. He respectfully requested that the connection and bridge be removed from the materials being circulated. Mr. Feverston noted that the City was reacting to submissions by the applicant. When Mr. Cahall asked when the parties had last talked, Mr. Blake replied that it had been over a year.

Mark Pratt 1436 Possum Run Ct. asked about the buffers for Clyo Road and when the widening would take place. Mr. Cahall responded that Sugarcreek Township was in charge of the timeline for the widening. Mr. Cahall believed that the buffers would be built when the road was constructed.

Mike Bauman, 4259 Sugarleaf Drive, asked the specific size of the buffers being planned for Clyo Road in Cornerstone South. Mr. Cahall said the minimum width would be a twenty foot buffer and should include mounding. Mr. Bauman then asked if the City would require LEED standards for lighting or regulation of lighting pollution. Mr. Feverston stated that the City does not obligate LEED, but lights must be directed downward, shielded and have specific light levels. When Mr. Bauman asked about the maximum height of buildings in Cornerstone South, Mr. Feverston replied that height was limited to forty-five feet which normally limits buildings to three stories. He would expect a transition to lower heights to the east near the residential neighborhoods.

There was a brief continuation of the discussion of the extension of Miami Valley Drive through the Hope Church property. Mr. Feverston stated that access is not guaranteed at this time, since no agreement is in place. Mr. Horn stated that for long-range planning purposes roadways are often shown in preliminary plans before right-of-way is obtained.

Since the phasing is not expected to begin for several years, the Planning Commission asked Mr. Liberman to formulate a condition that would cover the necessary extensions of time so that approval of this Preliminary Development Plan would not expire in one year. A Final Development Plan could then be delayed until more detail on the needs of specific tenants would be available.

Mr. Briggs moved to recommend approval of the Preliminary Development Plan for Cornerstone South to the City Council, subject to the seven conditions recommended by the City Planner and the eighth condition as written by the Municipal Attorney to cover the extensions of time on the approval of this Preliminary Development Plan. Mrs. Rau seconded the motion. The motion passed with four ayes. The eighth condition is as follows:

8. Due to the proposed phasing schedule that exceeds one year, upon request of the applicant, the City Planner shall be allowed to administratively grant one year extensions. The City Planner shall be allowed to grant up to two additional one year extensions.

#### NEW BUSINESS

Mr. Feverston explained that the Planning Commission appoints one member to the Community Reinvestment Area Housing Council and that the three year term of Mr. Briggs would expire soon. The CRA meets at least once a year to review and acknowledge tax abatements for City of Centerville properties. The Housing Council would also hear any appeals, if the abatements were revoked. Upon question, Mr. Briggs stated his willingness to continue to serve.

MOTION: Mr. Eton moved to appoint Mr. Briggs to the CRA Housing Council for an additional three year term. Mrs. Rau seconded the motion. The motion was approved 3-0-1, with Mr. Briggs abstaining.

#### COMMUNICATIONS

Mr. Feverston shared no communications.

The next meeting of the Centerville Planning Commission is March 26, 2013 at 7:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.



Paul Clark, Planning Commission Chair