

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, September 24, 2013

Mr. Clark called the meeting to order about 7:35 p.m.

ATTENDANCE

Present: Chairman Paul Clark, Mr. Jim Briggs, Mr. Jim Durham, Mr. Jeff Gammell, Ms. Korenyi-Both and Ms. JoAnne Rau. Also present: City Planner Steve Feverston, Planner Andrew Rodney, Economic Development Administrator Nathan Cahall, Municipal Attorney Scott Liberman, Finance Director Steven Hinshaw, Assistant City Engineer John Sliemers, GIS Technician Mark Yandrick and Assistant Clerk of Council Julie Weaver.

EXCUSE ABSENT MEMBERS

Mr. Etson had notified staff that he would not be in attendance.

MOTION: Mr. Durham made a motion to excuse the absence of Mr. Etson. Mr. Briggs seconded the motion. The motion passed 6-0.

APPROVAL OF MINUTES

There were no additions or corrections for the minutes of the Planning Commission Meeting of August 27, 2013.

MOTION: Mr. Briggs moved for approval of the minutes of the Planning Commission Meeting of August 27, 2013, as distributed. Ms. Rau seconded the motion. The motion passed with six ayes.

There were no additions or corrections for the minutes of the Planning Commission Meeting of September 10, 2013.

MOTION: Ms. Rau moved for approval of the minutes of the Planning Commission Meeting of September 10, 2013. Ms. Korenyi-Both seconded the motion. The motion passed 5-0-1, with Mr. Gammell abstaining because he was absent from that meeting.

PUBLIC HEARINGS

Application P-2013-0050: Cornerstone North Preliminary Development Plan Amendment #1 – George Oberer, Jr., Cornerstone Developers, Ltd.

Mr. Feverston gave the staff presentation for the amended Preliminary Development Plan for the 154.3 acre parcel at the northeast corner of Wilmington Pike and Feedwire Road. He used an aerial view to describe the features of the property, the topography, current land uses and access and egress points. The entrances and the ring road are expected to be public streets. Mr. Feverston also projected photos to show the area and noted that a demolition permit, that expires November 8, 2013, was issued for the Dille house. The developer requested rezoning land bordering the residential area in the northeast quadrant

to enlarge the footprint of the R-PD zone where single family for sale products and multi-family residential housing will be offered. That rezoning was tabled by the Planning Commission until October 29, 2013.

Mr. Feverston highlighted the differences between the Preliminary Development Plan that was approved in March 2013 and this amended plan. Besides shifting a portion of the building pad for the major anchor into area formerly designated as part of the Village Center, a detention pond and landscape area were deleted from the southwest corner inside the ring road and the hotel site was shifted eastward. The Village Center overlay was enlarged somewhat to the north and east. Because the square footage of the commercial areas increased significantly, large parking expanses now dominate the southern part of the plan. A retaining wall about 23 feet high and from 800-1200 feet long is expected to be required between the creek and the building pads for the big box stores.

Mr. Feverston noted that the iconic trees are located predominately along the edges of the property. Many of these trees will have to be removed because they are diseased or in the rights of way for the widening of Wilmington Pike and Feedwire Road or for the interior network of roadways and easements. Mr. Feverstson stated that great care would be needed to preserve the remaining trees during construction.

Mr. Feverston explained the limited scope of the amended Preliminary Development Plan. It would set public access points and streets, define grading, chart utility easements, and clarify a basic lighting plan. No site plans or details for individual building parcels were included. Approval of this application was intended to keep the project moving forward.

Mr. Feverston showed the palette of materials, a sample sign package, lighting fixtures and benches, along with a cross section of a street for the Village Center. He noted the requirements of the UDO for buildings to be built close to the edge of the main street with parking at the rear of the businesses, 4-sided architecture, connecting walkways, consistent amenities and significant landscaping. Landscaping, walkways buildings and lawns must be emphasized while parking, mechanicals and trash collection facilities are de-emphasized.

Staff recommended approval of the Preliminary Development Plan Amendment subject to the following seventeen 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 August 29, 2013, except as modified herein.
3. 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.

4. 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.
5. 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.
6. 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.
7. 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 Sub-Areas B and E and the establishment of common detention facilities for all outlots subject to approval by the City Engineer.
8. The final design of the proposed retaining wall shall be submitted with the revised Final Development Plan subject to approval by the City Planner showing design compatibility with the material selections shown on the PDP.
9. Parking for the outlot parcels in Sub-Area C that are not a part of the Village Center shall be limited to areas behind the building setback line along Wilmington Pike and Feedwire Road or the principal building whichever is closer subject to approval by the Planning Commission.
10. The Preliminary Development Plan shall be modified to identify the Village Center Area subject to approval by the City Planner. This area shall include the following areas referenced in work sessions by the Planning Commission and City Council; Sub-Area A, Sub-Area C north of Entry #2, Sub-Area D along the "ring" road, and Sub-Area E from Wilmington Pike eastward to include the park/amphitheater area.
11. A full, comprehensive traffic study shall be submitted and approved by the city engineer prior to filing any subsequent final development plan application of any portion of the development site or major site plan within Phase I of the project area.
12. 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.

13. The final location of all vehicular access points, sidewalks shall be established with the Final Development Plan(s) for the Cornerstone Development.
14. 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 that is consistent with the approved Preliminary Development Plan subject to approval by the City Planner.
15. 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.
16. The Final Development Plans for Sub-Areas A, B and C 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.
17. A landscape area including grass lawn, trees, shrubbery and mounding shall be established at the bend of the 'ring' road for sight distance and aesthetic purposes where a landscape area and stormwater retention pond was proposed by the applicant with their 2011 and 2013 Preliminary Development Plans and twice approved by City Council. The design of this area shall be included as a part of the Final Development Plan for this area subject to approval by the City Planner

Mr. Durham asked about the landscape medians planned for Wilmington Pike. Mr. Feverston stated that the landscape medians had always been part of the plan for the widening of Wilmington Pike. Mr. Sliemers said some type of turnaround would be provided so the residents would be able to proceed northbound.

Mr. Durham said he recommended designating the acreage for the landscape area in Condition 17 as something similar to the 2011 plan.

Mr. Clark opened the Public Hearing and invited Mr. Oberer to the podium.

Mr. George Oberer, Cornerstone Developers, Ltd., Newmark Drive, Miamisburg, made comments on several topics. He noted the tight schedule for the major anchor to have a building pad in the spring and an opening in the fall of 2014. He said that the Council had approved the original Final Development Plan, Phase 1A, at its meeting the night before. He thanked everyone for working to make the schedule achievable. He stated that, in this amendment, the major regional anchor moved further west and south to decrease the height of the retaining wall needed to about ten feet and increase the distance from the residential area in the northeast quadrant of the development. He clarified that the housing along Brown Road would be a "for sale product" and but not necessarily "detached."

When Mr. Clark asked Mr. Oberer if he had concerns about the seventeen conditions, Mr. Oberer stated that he was comfortable with them and had discussed them with staff prior to the meeting.

Mr. Durham voiced major concerns about the effects of the changes from the original plan for a Village Center. He said the new plan reduced not only the number of shops in the center, but also reduced the walkability, vistas and cohesiveness of the area. He felt that having two major anchors and two junior anchors (instead of two major anchors and one junior anchor) significantly increased the square footage of the big box commercial zone and changed the personality of the development.

Mr. Oberer said that the Village Center had been expanded to the east across the stream and across the road in order to keep its impact. He said he did not have firm commitments from more than the major anchor and the 8 outlots. Included for those sites were two gas stations and fast food. Mr. Conley, Oberer Realty Services, noted that they were working with some sit-down restaurants, fast casual restaurants, the major anchor and its fuel center fronting on Wilmington Pike. Several outlots and 2 village center shops were in negotiation.

Mr. Durham challenged Mr. Oberer concerning the quality of the whole development where gas stations and fast food restaurants dominate the perimeter, saying this would detract from the possibility of finding quality tenants elsewhere in the center. He asked if the Planning Commission could recommend to Council the restriction of gas stations and drive-up windows in the Village Center, including the outlots.

Mr. Cahall checked the UDO and stated that drive-up windows were permitted in side and rear yards in the Community Center Overlay District.

With this in mind, Mr. Durham stated that the ability of the City to restrict the kinds of businesses that are being brought in was very limited. The main control was the approval of the Development Plan, or not. He felt that a developer saying, "We need this for our retailer," was not enough reason to give such a far-reaching approval.

Mr. Clark stated that he was disappointed with the Amended Preliminary Development Plan. He noted that position of the big box store for the major anchor blocked the view of the Village Center, so that it could not be seen from the south. Having shops on each side of the street along the busy ring road would isolate them, since people would not be able to cross the street easily. He also noted that the massive retaining wall behind the commercial anchors was not shown on any drawing anywhere in the submission.

Mr. Conley stated that the plan was very much as it had been shown to the group in work session, and Mr. Oberer stated that the City needed to make some compromises for a regional tenant who has other options.

Mr. Joe Harmon, 531 Willowhurst Drive, questioned why stormwater drainage and tree preservation plans were not included in this application. He noted that the City is giving up area in the Village Center without asking anything in return and inquired why the public should be expected to fund roadways within a commercial development. Both construction and maintenance would be major expenses for taxpayers.

Mr. Feverston clarified that this Amendment to the Preliminary Development Plan is limited in scope. The revised Final Development Plan will include more information on many items, including a stormwater drainage plan. He stated that the funding of the improvements was not a Planning Commission issue.

Mrs. Diane Wysong, 664 Legendary Way, expressed her disappointment in the kinds of shops being discussed. She expected the upscale atmosphere of the Greene or downtown Oakwood with a Dillard's, an ice cream shop, a toy store and other small specialty shops.

When Mr. Clark closed the Public Hearing, two additional Planning Commission members made comments. Mr. Gammell said, although it was not what was originally proposed, the developer was trying to preserve the Village Center and that it was important to look at a larger picture of what was being accomplished for the community. Mrs. Rau felt that the Village Center was no longer integrated into the whole of the development. She was not impressed that the big box stores and their parking lots would predominate.

MOTION: Mr. Durham made a motion to approve the Preliminary Development Plan for Cornerstone North Phase 1A, Amendment 1, with the conditions stated in the staff recommendations, edited as follows:

Condition 5 should use the term "City Attorney."

Condition 6 should say "approval by the City Planner," rather than "by the Planning Commission."

Condition 12 should say, "Landscape medians a minimum of 10' in width."

Condition 13 should include "and hiker-biker paths" following "vehicular access."

Condition 17 should define the size of the area to be landscaped inside the ring road. He suggested "and the landscaped area shall be comparable in size to the area originally designated on the Preliminary Development Plan."

Mr. Briggs seconded the motion. The motion passed 4-2 with Mr. Durham and Mr. Clark voting no.

Application P-2013-0051: Preliminary Development Plan – Applicant: John Roll, Roll Associates for Centerville Developers, LLC.

Andrew Rodney gave the staff report for the Preliminary Development Plan proposed for the Randall Residence and nearby retirement community on the southern portion of the 60+ acres bounded by Sheehan Road, Social Row Road and Paragon Road. The zoning is R-1C with a Lifestyle Community Overlay. He used an aerial map and photographs to describe the area, its physical features, the proposed roadways, the topography, and detention ponds. The plan included the Randall Residence with a memory unit, assisted living apartments, independent living apartments, and a centrally located activity center that connects to each of the other parts. Additionally, twenty-one owner-occupied quads were shown. No plans were submitted for the acreage north of Sawgrass Road, the main entry street and bisector of the property. Mr. Rodney stated that this Preliminary

Development Plan encompassed an area reviewed in Create the Vision, Study Area I, and met its criteria for development.

Mr. Rodney discussed the architecture for the project. The Randall Residence showed 4-sided architecture, areas of open spaces, high quality materials, stone accents, dormers, brick recesses, and pitched roofs or faux pitched roofs. The twenty-one quads would have 2-car attached garages and utilize similar materials. The perimeter of the property would have serpentine mounding, white fence, hiker-biker trails and signage as elsewhere at Yankee Trace. The internal streets would be private and bordered by detention ponds and plentiful landscaping.

The Planning Department recommended approval of the Preliminary Development Plan, subject to the following 14 conditions:

1. Final design of the Sawgrass/Paragon and Sawgrass/Sheehan intersections are subject to approval by the City Engineer. All clear zones shall be determined by the developer's engineer.
2. Final design and location of emergency access drives and related traffic gates (if proposed) are subject to approval by the Washington Township Fire Department and City Engineer.
3. All parking areas and fire access road lanes shall be designed to accommodate WB-50 size fire apparatus, shall have an unobstructed vertical clearance of 14 feet, and be capable of supporting the imposed load of fire apparatus weighing 75,000 pounds.
4. The Applicant shall verify their Traffic Impact Study, dated April 13, 2012, is compatible with their phasing schedule and those land uses established by the preliminary development plan subject to approval by the City Engineer.
5. Prior to approval for construction on any portion of the subject property, the Applicant/Owner shall deed the land for Social Row Road to the City of Centerville Community Improvement Corporation.
6. Prior to approval for construction on any portion of the subject property, the Sheehan Road and Paragon Road roadway easements shall be dedicated as public right-of-way by way of record plan.
7. Conservation plans shall be established in the final development plans for the wetland and old growth tree area in the northeast quadrant of the property subject to approval by the City Planner. The preservation of this wooded area shall be performed in accordance with UDO Article 9.13(K).
8. The required bufferyards along Social Row Road, Sheehan Road, Paragon Road, and Sawgrass Boulevard, shall be platted as reserve areas to provide for common landscaping, irrigation, and maintenance by a master owner's association.

9. Public access easements shall be recorded for any pedestrian facility located outside a public right-of-way or reserve area.
10. The final design of stormwater drainage systems for the entire subject property shall be submitted for approval as part of the first final development plan.
11. As offered by the Applicant, a detailed investigation of the drainage issues plaguing lands immediately north of the subject property will be performed so the developer may alleviate any problems and concerns.
12. All regional stormwater management facilities, to include the major detention facilities identified as Ponds #1-#9, shall be constructed and installed as part of the first final development plan.
13. Final architectural design shall be established under each subsequent final development plan. Specifically, the Randall Residence shall be architecturally designed to incorporate design features of the Yankee Trace Clubhouse such as, but not limited to wall materials, trim features, and roof pitch to reflect its presence as the dominant feature in the proposed development.
14. The Golf Club at Yankee Trace Design Review Guidelines, dated October 1994, shall be adopted for the subject property.

Mr. Clark opened the Public Hearing, and applicant Mr. John Roll of Roll & Associates, Kettering Blvd, Dayton, noted details about the project. He said that the hiker-biker trails, the green mounding and the Randall residence would be included in the first phase of construction. The buildings of the Randall Residence would have pitched roofs, except the central hub which would have parapets to hide rooftop mechanicals. He discussed the view from Sheehan Road and Social Road, noting efforts to minimize any intrusiveness in the neighborhood.

Mr. Joe Harmon, Willowhurst Drive, asked about the wetlands delineation and the placement of a detention pond in the wetlands area.

Mr. Louis Duchesneau, 921 El Kenna Court, stated his appreciation for the landscaping and screening to be provided along Paragon Road. He pointed out the weight of the density of the housing on the property is to the south and asked for a guarantee that the housing to the north would balance the overall required density. Mr. Rodney stated that the requirement for a given number of housing units of various types is set, and the applicant must adhere to the requirement or come back to the Planning Commission. Mr. Duchesneau also asked the minimum width of the setback of the homes across from El Kenna Drive. After checking the UDO, staff stated that a buffer yard of 25 feet would translate into a minimum setback of 75 feet. Mr. Duchesneau requested ample screening in the area.

MOTION: Ms. Korenyi-Both made a motion to recommend approval of the Preliminary Development Plan to the City Council, subject to the conditions set forth by staff. Mr. Gammell seconded the motion. The motion passed unanimously, 6-0, with the conditions listed above as staff recommendations.

PUBLIC HEARING: UD0 Text Amendment for Tabling, Sidewalks Used as Parking Blocks, Wall Signs on Multiple Frontages and the Definition of "Building Frontage"

Mr. Rodney explained the recommendations of Staff for changes to the Unified Development Ordinance for several clean-up items. Staff suggested changing the amount of time the Planning Commission is able to table an item from sixty days with the consent of the applicant to a specific future date with or without the consent of the applicant. The members of the Planning Department also felt that all sidewalks used as wheel stops (parking blocks) should be a minimum of 6.5 feet wide. A third item would allow the permitted area of wall signs for a building with multiple frontages to be spread over more than one frontage. The final item included in the text amendment was the clarification of the definition of a "building frontage."

Mr. Rodney noted that other clean up items for public notifications, street trees and paved hard surfaces would be forthcoming in the next months.

When Mr. Clark opened the Public Hearing, no one came forward to speak.

MOTION: Mr. Durham made a motion to recommend to City Council the approval of this Ordinance amending the Unified Development Ordinance. Mr. Gammell seconded the motion. The motion passed unanimously, 6-0.

Application P-2013-0049: Replat of Nestle Creek III, Sec. Three, Lot Split at 6935 Abington Green Court – Applicant Oscar and Brenda Badgley.

Mr. Rodney gave the staff presentation for this request for a lot split in the Nestle Creek Subdivision which is a Cluster Development. Mr. and Mrs. Badgley asked for a building lot of about 0.53 acre to be split from their 2.6 acre property near the intersection of Abington Green Court and Weathered Wood Trail. No further subdivision of the larger lot will be possible per the governing covenants.

Staff recommended approval of the record plan, subject to three conditions.

MOTION: Mr. Durham made a motion to recommend approval of the record plan, subject to the following three conditions of staff:

1. A protective covenant shall be placed on this record plan which prohibits any further subdivision of Lot #24. Such language shall be approved by the City Attorney.
2. All protective covenants and restrictions of Nestle Creek, Section One as listed on Montgomery County, Ohio Plat Book 159 Page 32 shall remain in effect.
3. Detailed plan review comments from the Engineering Division shall be incorporated into the record plan document subject to approval by the City Engineer, which include:
 - a. The C1 chord bearing may be wrong;
 - b. C3 is not shown.

Mr. Gammell seconded the motion. The motion passed, 6-0.

Application P-2013-0052: Amendment to an Approved Plan for Wendy's Restaurant at 1019 S. Main Street – Applicant Michael Etter.

Mr. Feverston gave the overview of the application for cosmetic upgrades to the Wendy's restaurant at 1019 S. Main Street in Centerville Place. He used an aerial view and architectural renderings to describe the renovations. The cap and top of three facades will be removed and replaced with new EFIS cap on four sides. Also planned are updates of accent lighting, the use of cultured stone accents and the installation of PVC panel walls. A new metal awning will cover the drive-up window. Renovations are planned for access drives, but signage on the building will be removed and repositioned.

Mr. Feverston stated that staff was recommending approval of the application, subject to the following two conditions requested by the Washington Township Fire Department.

1. The address for the building shall be clearly visible, kept free and clear of obstructions, and be a size of at least five (5) inches by three (3) inches as required by the Washington Township Fire Department.
2. During construction, permanent or temporary address signage shall be displayed.

MOTION: Mr. Gammell made a motion to approve Application P-2013-0052 for cosmetic upgrades at Wendy's restaurant, subject to the two conditions recommended by staff. Mrs. Rau seconded the motion. The motion passed unanimously, 6-0.

COMMUNICATIONS

Mr. Feverston shared no communications.

The next meeting of the Centerville Planning Commission is scheduled on October 29, 2013 at 7:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.



Paul Clark, Planning Commission Chair