

CENTERVILLE PLANNING COMMISSION  
Regular Meeting  
Tuesday, June 14, 2011

Mr. Clark called the meeting to order at 7:30 P.M.

ATTENDANCE

Present: Chairman Mr. Paul Clark, Mr. Jim Briggs, Mr. Jim Brunner, Mr. Jim Durham, and Mr. Bill Etson. Absent: Mr. Jeff Gammell. Also present: Mr. Steve Feverston, City Planner; Mr. Nathan Cahall, Economic Development Administrator; Mr. Scott Liberman, Municipal Attorney; Mr. John Sliemers, City Engineer; Greg Horn, City Manager and Mrs. Julie Weaver, Clerk.

EXCUSE ABSENT MEMBERS

Mr. Gammell had contacted the Planning Department that he would be absent because of a family emergency. MOTION: Mr. Durham moved to excuse the absence of Mr. Gammell. Mr. Briggs seconded the motion. The motion passed with five ayes.

APPROVAL OF MINUTES

No changes were suggested for the minutes of May 31, 2011 or June 2, 2011.

MOTION: Mr. Briggs moved to approve the minutes of the Planning Commission Meeting of May 31, 2011. Mr. Brunner seconded the motion. The motion was approved unanimously, 5-0.

MOTION: Mr. Briggs moved to approve the minutes of the work session meeting of June 2, 2011, as distributed. Mr. Brunner seconded the motion. The motion passed with 4 ayes with Mr. Etson abstaining because he did not attend the meeting of June 2, 2011.

PUBLIC HEARINGS

Application P-2011-0094 – Wende Morgan-Elliott, WMEA, Ross-Mercedes  
Sign Variances for 1 Loop Road

Mr. Feverston announced that the applicant's attorney had sent a letter requesting that these sign variances be tabled until the Planning Commission meeting of July 26. Also noted in the letter were the submission of an amended record plan for Application P-2010-0045 and the withdrawal of Application P-2011-0069, an application for sign setback variances.

MOTION: Mr. Durham moved to table Application P-2011-0094, an application for sign variances for Ross-Mercedes, until the Planning Commission Meeting of July 26, 2011. Mr. Briggs seconded the motion. The motion passed with 5 ayes.

UNFINISHED BUSINESS

Application P-2010-0045 – Michael Anderson, Van Atta Engineering for Mercedes-Benz  
Replat for Ross Mercedes and Ross Buick GMC

Following recent discussions between staff, Ms. Jenell Ross and her representatives, an amended record plan was submitted and attached to Application P-2010-0045. The amended record plan for the property at 1 Loop Road separates the Mercedes-Benz dealership from Ross Buick and GMC; it reconfigures the parcel from three lots to two. The proposed platting eliminates many of the non-conformities for setbacks that would have required variances. The Planning Department recommended approval of the amended record plan.

MOTION: Mr. Durham moved to recommend the amended record plan to Council. Mr. Briggs seconded the motion. The motion passed with 5 ayes.

Application P-2011-0063 – Cornerstone Developers, Mr. George Oberer, Jr.  
Preliminary Development Plan – Cornerstone North – 5300 Wilmington Pike

MOTION: Mr. Durham moved to remove Application P-2011-0063 from the table. Mr. Etson seconded the motion. The motion passed with 5 ayes.

Mr. Feverston gave the staff report and located the parcel at the northeast corner of Wilmington Pike and Feedwire Road. The main zoning districts are B-PD and R-PD. Using aerial photos, maps and slides, Mr. Feverston showed the physical characteristics of the property, the proposed main entrances, the ring road, the phasing of the development, the probable rights-of-way needs, a tree overlay, and the uses for the various areas. The developer will bring a preliminary plan to Council for the R-PD district at a later time. Mr. Robert Siebenthaler, an arborist, had done a tree survey and had identified areas where trees or groups of trees will be saved. New plantings of 4-6" caliper trees will fill in along the perimeter on Wilmington Pike and Feedwire Road to maintain the wooded feel of the property. Mr. Feverston showed slides with concepts from State Street in Westerville as examples of the preferred appearance for the development. Guaranteeing the proper care of the green areas around the buildings and the tree lawns for the long term was a high priority for the Planning Department. Care of public conservation areas will be handled separately.

The responses of Cornerstone Developers to the staff recommendations for conditions of approval and two articles from the arborist on protecting trees during construction had been given to the Planning Commission at the start of the meeting. Mr. Feverston asked that the articles be incorporated into the conditions.

After reading the 16 conditions of the staff recommendation, Mr. Feverston stated that staff and the Cornerstone team are near agreement on the majority of the conditions. Language to make continued discussions possible is being incorporated. Mr. Feverston itemized the major remaining issues. For Condition 6, the applicant asked for an easement to be created to care for common area landscaping. The City Planning Department would prefer a single common entity be responsible. In Condition 12, the applicant is requesting that the condition say an "average" of nine feet wide for landscape islands allowing some planting areas to be varied in width. Mr. Feverston requested an additional recommendation, Condition 17, that landscape islands be combined to protect incoming traffic at Entry 3, subject to the approval of the City Engineer.



Mr. Feverston stated his understanding of the concerns of Cornerstone Developers. For Condition 4, Cornerstone Developers stated that further study of the conservation areas is not needed. A conservation plan has been incorporated into the Preliminary Development Plan. The trees have been inventoried. Mr. Feverston said he was comfortable with leaving the condition subject to the approval of the City Planner. With Condition 6, irrigation and common maintenance of outlot green areas was a remaining issue. The developer wants each parcel to be responsible for its own irrigation with possible easements and covenants. Staff wants consistency guaranteed with an association or common entity being responsible. Condition 7 deals with the effects of the construction of underground utilities, sewer lines and storm sewers along stream valleys where significant clusters of trees are located. Protecting the trees during construction is an important concern. Condition 9 requires medians along Wilmington Pike and Feedwire Road in order to match the appearance of other major thoroughfares in Centerville. The issue has not been addressed directly. As part of Condition 12, staff saw a need for the access drive between Anchor 2 and Anchor 3 to be protected from cross traffic. Staff would be willing to compromise with a curb cut and drive midway into the area to filter traffic away from the buildings sooner, subject to the approval of the City Engineer. In Condition 13, staff asked that the sidewalk plan be part of the Preliminary Development Plan, since a pedestrian circulation plan would be helpful. The developer asked to incorporate the sidewalk plan into the Final Development Plan. Progress is being made and the sidewalk plan may be ready by the time the plan goes to Council in August.

At this point, Mr. Clark asked about the status of the traffic impact study. Mr. John Sliemers, Assistant City Engineer, replied that the information submitted by the applicant is being reviewed by the City's consultant. He stressed that the recommendation of the consultant could have significant ramifications for the current Preliminary Development Plan.

Mr. Clark opened the public hearing.

Mr. George Oberer, Jr., noted that the Preliminary Development Plan had evolved steadily since the first meetings. Progress had been made on nearly all the remaining issues. In reference to the Conservation Plan in Condition 4, Mr. Oberer stated his agreement that this can be worked out, but acknowledged he was not sure what area the staff was designating. Referencing Condition 6, he stated that the Final Development Plan would resolve the irrigation and maintenance issues related to the outlots and rights-of-way. His group will seek a solution through easements and restricted covenants to assure the cooperation of lot owners. He has had some success with requiring the use of the same lawn service with the requirement for irrigation clearly spelled out in the agreements. He asked for flexibility in finding the best solution.

In the discussion that followed, Mr. Durham stated his lack of confidence in an owners' association to enforce covenants. Mr. Oberer noted that other areas he has developed have been deeded out to the roadway and the owners have successfully cared for the property according to clear definitions. Mr. Oberer suggested owners be charged for complete landscape maintenance with an assessment of a "common area surcharge" based on lot size and location. Mr. Liberman requested that the condition be made subject to the approval of the City Attorney. Mr. Durham asked for inclusion of the phrase, "uniform high quality maintenance."

Mr. Durham expressed construction concerns for the trees designated to remain on the property. He asked who will be responsible. Mr. Oberer replied that he would be responsible for the trees in the conservation areas, but not the trees in the frontage on Wilmington Pike.

Mr. Oberer requested flexibility concerning Condition 9. He asked for no right-of-way acquisition to be required beyond the Cornerstone North property lines for Phases 1 through 3. Mr. Durham expressed the opinion that flexibility is implied with the traffic study not being completed and the need for the City to become a major player. A development agreement must be worked out. Mr. Oberer agreed to negotiate the breaks for traffic along the access corridor in Condition 12 before the Final Plan is formed, and Mr. Feverston concurred. Since the Oberer staff was nearly ready to add sidewalks to the plan, Mr. Oberer stated that the request for the pedestrian circulation flow in Condition 13 was not a major concern. Mr. Durham pointed out the need for sidewalks at access points from Feedwire Road.

Mr. Clark requested the incorporation of the two documents from the arborist on tree preservation during construction as part of the conditions. Mr. Feverston suggested their attachment to Condition 4.

Mr. Michael Clary, 4968 Wilmington Pike, asked about the transition of the added traffic lanes on Wilmington Pike into the current lanes in Kettering. He lives just north of the intersection of Wilmington Pike and Brown Road. Mr. Sliemers stated that he could not answer the question until the traffic study is analyzed. Most of the impact will be south of Brown Road; the goal is not to do more than absolutely necessary. Mr. Clary asked to be contacted of the date and time of the August meeting when the Preliminary Development Plan comes to City Council.

MOTION: Mr. Durham moved to recommend Application P-2011-0063, the Preliminary Development Plan for Cornerstone North, for the approval of Council, subject to the 17 conditions that follow. Mr. Briggs seconded the motion. The motion passed with 5 ayes.

1. The Preliminary Development Plan shall be the plans stamped received by the City of Centerville Planning Department on June 9, 2011 and the Cornerstone at Centerville Development Plan Resubmission booklet dated June 10, 2011, except as modified herein.
2. 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.
3. Prior to the submittal of a Final Development Plan for any portion of the subject property, the applicant shall deed the land where the Brown roadway easement is situated to the City of Centerville Community Improvement Corporation.
4. 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 on the Preliminary Development Plan and in the Cornerstone at Centerville Development Plan Resubmission booklet subject to approval by the City Planner. Trees 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.”

5. The Final Development Plans for Sub-Areas A and C (Phases 1 and 2) shall include a Landscape Plan for trees, 4-6 inches in caliper, to be replanted along Wilmington Pike and Feedwire Road subject to approval by the City Planner.
6. The required bufferyards along Wilmington Pike and Feedwire 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.
7. 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.
8. 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 the approval of 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.
9. 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.
10. The final location of all access points shall be established with the Final Development Plan(s) for the Cornerstone Development.
11. The drive situated northwest of Anchor 1 in the Village Center shall have no direct parking; a raised curb shall be constructed and a 9 foot wide landscape area established on the south side subject to approval by the City Planner.
12. Two drives shall be established, one situated between Anchor 1 and JA2 and the second between Anchor 2 and Anchor 3 that have no direct parking, including raised curbing and a 9 foot wide landscape area on each side subject to approval by the City Planner.
13. Sidewalks shall be constructed along all internal public and private streets subject to approval by the City Planner.
14. Pedestrian crosswalks shall occur at all street or driveway intersections.
15. All regional 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 site running generally from the northwest corner of the

site through Phase 1b and the establishment of common detention facilities for all outlots subject to approval by the City Engineer.

16. No signage is approved as a part of this Preliminary Development plan.
17. Parking lot islands at the end of Entry #3 shall be combined to protect incoming traffic subject to the approval of the City Engineer.

Application P-2011-0065 – George Oberer, Cornerstone South - Preliminary Development Plan

MOTION: Mr. Durham moved to remove Application P-2011-0065 from the table for consideration. Mr. Briggs seconded the motion. The motion passed with 5 ayes.

Mr. Feverston gave the staff report, locating the property at the southeast corner of I-675 and Wilmington Pike, bounded by Clys Road. Zoning is O-PD. The plan suggests the development of the office parcels in four phases, beginning from Clys Road near Possum Run Road. Miami Valley East Drive will be constructed westward in phases, ultimately connecting to Wilmington Pike. Concept plans shown in the resubmission booklet of June 10, 2011 were discussed. Staff recommends the use of durable materials with less dependence on EIFS, a synthetic stucco siding. Mr. Oberer's written response to staff recommendations indicated that he is in agreement except for Conditions 5 and 7. In relation to Condition 5, Mr. Oberer asked that designation of pedestrian trails and walkways be postponed until the Final Development Plan. Condition 7 dealt with landscape maintenance for the southern parcel. Mr. Durham asked if the same language being used for the irrigation and landscape issue for Cornerstone North would be satisfactory here also. Mr. Oberer concurred.

MOTION: Mr. Durham moved for approval of Application P-2011-0065, the Preliminary Development Plan for Cornerstone South, subject to the seven conditions that follow. Mr. Briggs seconded the motion. The motion passed with 5 ayes.

1. The Preliminary Development Plan shall be the plans stamped received by the City of Centerville Planning Department on June 9, 2011 and the Cornerstone at Centerville Development Plan Resubmission booklet dated June 10, 2011, except as modified herein.
2. The Development Plan Resubmission booklet for the Cornerstone South development 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 the Final Development Plan.
6. A plan for pedestrian walkways shall be submitted with the Final 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.

The next meeting of the Planning Commission is scheduled on June 28, 2011, at the Centerville Municipal Building at 7:30 p.m. Since he will be travelling, Mr. Durham will not be present.

There being no further business, the meeting was adjourned.

*Paul Clark*