

**PLANNING COMMISSION**  
**Regular Meeting Minutes**  
J. V. Stone Council Chambers, 100 W. Spring Valley Road  
Tuesday, February 23, 2021

At 7:01 p.m., Mr. Clark called the meeting to order and led the Pledge of Allegiance.

**ATTENDANCE**

Members Present: Paul Clark, Kevin Von Handorf, Amy Korenyi-Both, Bill Etson, Robert Muzechuk, and Don Stewart. Pursuant to Substitute House Bill #197 and as amended by House Bill #404 Jim Durham attended remotely via the telephone.

Also present were City Planner Mark Yandrick, Municipal Attorney Scott Liberman, Assistant City Planner Joey O'Brien, Development Director Michael Norton-Smith, Assistant City Engineer David Swanson, Planning Intern Austin Nelson, and Assistant Clerk of Council Donna Fiori.

**APPROVAL OF MINUTES**

Minutes of the Planning Commission work session and regular meeting on December 15, 2020 had been distributed prior to this meeting. No additions or corrections were noted.

MOTION: Mr. Etson moved to approve the December 15, 2020 Planning Commission Work Session and Regular meeting minutes as distributed; seconded by Mr. Muzechuk. The motion passed 7-0.

**OPENING STATEMENT**

Mr. Clark read the opening statement concerning protocol for public hearings and rearranged the published agenda to review the Final Development Plan Amendment application first, delaying the Variance application until later in the meeting since Mr. Yandrick stated the applicants were not present.

**PUBLIC HEARINGS**

**Application P-2021-0003: FDP Amendment**  
**Robert Hall III, Cornerstone North Phase 4**

Mr. Yandrick presented a summary and overview of the item. The applicant requested to amend Final Development Plan (FDP) P-2019-0015 to allow vinyl siding as an approved building material which is only permitted as an accent material through the FDP. Mr. Yandrick stated staff recommends denial of this amendment as it does not align with the design standards of Create The Vision Study Area J or the Cornerstone Development Agreement.

Mr. Yandrick explained an FDP is typically valid for 2 years however with a long-term construction project such as this the approval is permanent. Mr. Liberman concurred.

Mr. Clark opened the public hearing.

Robert Hall of Oberer Land Developers, 3445 Newmark Dr., Miamisburg. Respectfully requested the commission to not to accept the recommendation of staff but to recommend approval. Mr. Hall cited vinyl as an appropriate alternative for wood based on the location and detailed the quality of vinyl product. Mr. Hall requested commission consider recommending approval with the condition that the use of vinyl be limited to Cornerstone Phase 4 Section 7b Lot 3 the Treplus property.

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Ross Sanford of Treplus Communities, 1535 Lake Shore Dr., Columbus. Mr. Sanford stated lumber prices are at an all-time high. He indicated they have a partner if they can get the siding changed to vinyl and get the costs down. Mr. Sanford noted vinyl siding is a durable long-lasting product in a variety of options. He expressed disappointment in the staff recommendation citing the location is tucked away with no public right of way and the proximity to Phase V which permits vinyl.

There was discussion regarding height and length of vinyl on various elevations with potential seams and joints.

Mr. Clark closed the public hearing.

Commission questioned the consequence of adding a condition to only permit the use of vinyl on a particular lot within the FDP. Mr. Liberman stated the condition can exist specific to the area which would set a precedent for another site to request the same.

Discussion occurred on scope of conditions and liability, material and labor costs of wood and vinyl, and circumstances for a variance.

Mr. Clark recognized Mr. Hall's request to speak. Mr. Hall requested clarification if a variance could be requested on the major site plan for a change in material. Mr. Liberman stated a variance cannot be requested for material per the Unified Development Ordinance.

MOTION: Mr. Von Handorf moved to recommend approval of FDP amendment case number P-2021-0003; seconded by Mr. Stewart. The motion failed 0-7.

**Application P-2020-0032: Variance, Pool and Fence Height in Front Yard  
Debbie Wallace and Becky Perry, 2195 Belleville**

Mr. O'Brien presented a summary and overview of the application for a private pool with a 5' fence in a front yard. He provided a description of the corner property with the unique condition of three front yards and a half acre stormwater detention easement. He noted if the commission is favorable to the variance requests, a condition of pool landscape screening should be considered.

Mr. Clark opened the public hearing and seeing no speakers, closed it.

Commission discussed screening of the pool from the public right of way, landscaping, storm water drainage, and minimum variance related to fencing in a front yard.

MOTION: Mr. Stewart moved to approve variances for case number P-2020-0032 with the following two conditions:

1. The applicant shall provide adequate landscape screening of the pool from public right of ways to the satisfaction of city staff.
2. The fence shall be located no closer to Pelbrook Farm Road than the house.

Seconded by Mr. Muzechuk. The motion passed 6-1.

**OLD BUSINESS** – None

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**NEW BUSINESS**

**Selection of Vice-Chair for Planning Commission**

The Planning Commission rules of procedure require the annual appointment of a Vice-Chair. Mr. Clark announced that Mr. Von Handorf was his nomination to continue in the role as Vice Chair of the Planning Commission.

MOTION: Mr. Clark moved to appoint Mr. Von Handorf to the office of Vice-Chair. Mr. Etson seconded the motion. The motion passed 7-0.

**COMMUNICATIONS**

Mr. Yandrick provided the following communications:

- City Council issued a 12-month moratorium on storage facilities which does not affect current applications.
- A UDO text amendment coming related to a FEMA required floodplain management ordinance update.
- Housing plan study coming this fall.

Michael Norton-Smith presented current updates to the Uptown Plan including a contract with architect MKSK and provided an overview of a façade improvement program and uptown mural project.

Mr. Clark expressed condolences to the family of Phil McLaughlin on his passing.

Mr. Von Handorf thanked commission members for the vice-chair appointment.

The next meeting of Planning Commission is scheduled to take place on March 23, 2021 at 7:00 p.m.

**ADJOURNMENT**

Seeing no further business, Mr. Clark adjourned the meeting at 8:21 p.m.

Submitted By:                     Donna Fiori                    

                    Paul Clark                      
Approved – Chairperson

                    3/24/2021                      
Date