

CENTREVILLE PLANNING COMMISSION

Regular Meeting Minutes

J.V. Stone Council Chambers, 100 W. Spring Valley Rd.

Tuesday, August 29, 2023

At 7:00 p.m., Acting Chairperson Kevin Von Handorf called the meeting to order.

ATTENDANCE

Members Present: Acting Chair Kevin Von Handorf, Bill Etson, Amy Korenyi-Both, Craig Moyer, and Don Stewart.

Also present were City Planner Ian Vanness, Municipal Attorney Scott Liberman, Development Director Erik Collins, Economic Development Administrator Joey O'Brien, City Manager Wayne Davis, Assistant City Manager Mariah Vogelgesang, City Engineer Jim Brinegar, Assistant City Engineer David Swanson, and Assistant Clerk of Council Donna Fiori.

Members Absent: Paul Clark and Jim Durham

EXCUSE ABSENT MEMBERS

Mr. Clark and Mr. Durham communicated they would be unable to attend the meeting.

MOTION: Mr. Stewart made a motion to excuse Paul Clark and Jim Durham from the meeting; seconded by Ms. Korenyi-Both. The motion passed 5-0.

APPROVAL OF MINUTES

Minutes of the Planning Commission's regular meeting on July 25, 2023 had been distributed prior to this meeting.

MOTION: Ms. Korenyi-Both made a motion to approve the July 25, 2023 Planning Commission regular meeting minutes as distributed; seconded by Mr. Stewart. The motion passed 4-0-1 with Mr. Etson abstaining.

PUBLIC HEARINGS

**P-2023-0017 – Preliminary Development Plan
Matt Fisher, Architect on behalf of George Abboud
7881 Lockport Boulevard**

Mr. Vanness presented the staff report providing the site location, overlay district zoning, existing site conditions, application summary, standards of approval, staff analysis and recommendation. The applicant proposes a Preliminary Development Plan (PDP) at 7881 Lockport Boulevard. The applicant proposes constructing a two (2) story 3,810 square foot duplex with an attached two (2) car garage for each unit, razing the existing carport, constructing a 1,350 square foot six (6) car detached garage in the rear yard, and adding a second driveway on the south side of the property. Each unit would have three bedrooms, 2 ½ bathrooms, and covered porches. The subject property currently has a one (1) story quadruplex (four (4) attached units) with a carport and parking lot in the rear yard, and a driveway on the north side of the property.

Planning Commission Minutes

Page 2 of 9

The subject property's base zoning district is Multi-Family Residential (R-3), and its overlay zoning district is Neighborhood Center (NC). For a property to utilize its overlay zoning district standards, it must have an approved development plan. The applicant is seeking to invoke the overlay district standards to exceed the R-3 district's maximum density standard of 6 units per acre. The NC overlay district does not limit the maximum allowable units per acre. If approved, the property would have 7.5 units per acre.

City staff recommends APPROVAL with the following four (4) conditions:

1. All review comments from public and utility review agencies shall be incorporated into final construction documents to the satisfaction of the City Planner.
2. The Final Development Plan (FDP) shall show the south driveway having a minimum width of 24' per UDO 9.31 (C) (5) (a) (i).
3. The FDP shall show bollards placed between the driveway and southwest corner of unit 7887 Lockport Boulevard.
4. The FDP shall include required buffer yard and interior parking lot landscaping per UDO 9.25 (C) and(D).

Commission members discussed the massing of the south façade wall on the new garage expressing the need to break up the uninterrupted space with architectural features or other elements.

Mr. Von Handorf opened the public hearing.

Architect Matt Fisher, 1212 Opal Avenue, Miamisburg, expressed this is a preliminary design and discussed the screening and proximity of the new garage wall to businesses, and the use of brick with vinyl being like existing materials in the area.

Commission members and the applicant discussed the location of the vinyl siding on the elevations, the height of the coursing on the existing building compared to the proposed building, the line of sight from Lockport Boulevard, and alternate considerations for vinyl. Mr. Fisher discussed screening from Lockport Boulevard and noted the massing of the garage wall could be addressed as well as alternatives to the vinyl siding.

Sue Shay, 7887 Lockport Boulevard, an existing tenant since 1991 spoke in opposition to the proposal expressing concerns with the disruption of the personal investments she has made in landscaping and a shed. Ms. Shay offered alternatives to the plan to create more green space. She expressed concern for the existing tenants with the potential raising of rent, poor access to automobiles, and the hardship for handicapped tenants.

Maria Nee, Millerton Drive, spoke in opposition to the proposal discussing concerns with the location, ingress to the neighborhood, and the existing green space. She asked the commission to consider the tone and density of the neighborhood.

Nathan Rhodes, 7892 Lockport Boulevard, spoke in opposition to the proposal noting the change in character of the landscape and architecture it would bring. Mr. Rhodes requested that if approved consideration be given to the management of construction ingress/egress due to concerns with the limited space on the street and safety concerns with school bus stops.

With no one else requesting to speak on this matter, Mr. Von Handorf closed the public hearing.

Commission members discussed the articulation of the garage wall, not allowing vinyl siding, and the need for the applicant to perform their due diligence for the ADA accessibility of the existing tenants.

Mr. Stewart expressed concern about the equitable treatment and negative impact the project will have on the existing tenants.

Mr. Von Handorf explained the Preliminary Development Plan process.

With no further discussion, Mr. Von Handorf called for a motion.

MOTION: Ms. Korenyi-Both made a motion to recommend approval to the City Council of the Preliminary Development Plan for application P-2023-0017, with the four (4) conditions as recommended by staff and the addition of the following three (3) conditions:

5. The FDP shall not include vinyl siding and shall instead use a composite material for the siding.
6. The FDP shall address ADA accessibility throughout the property.
7. The FDP shall include architectural features and/or elements on the south façade of the garage to break up uninterrupted space.

Mr. Etson seconded the motion. The motion passed 4-1.

NEW BUSINESS

**P-2022-0020 – Major Site Plan
Josh Long, CESO Inc. on behalf of Sheetz
6318 Far Hills Avenue**

Mr. Vanness presented the staff report providing the property description, adjacent zoning, application summary, lot frontage improvements, changes since the work session, architecture, landscaping, lighting, trash collection facility, roof-mounted mechanical equipment, standards of approval, staff analysis and recommendation. The applicant requests to construct a new one (1) story (29' 6"), 6,139 square-foot Sheetz convenience store that will include a Class Three (3) sit-down restaurant with a drive-thru. The proposed site plan includes a fourteen (14) pump fueling station covered by a 21' 7" tall canopy. The applicant proposes redeveloping the property by razing the existing structure, completing associated site work, installing all utilities, making lot frontage improvements along Far Hills Avenue, Fireside Drive, and Espanola Trail, and constructing a new commercial structure, fueling station, and parking lot. The establishment would be open 24 hours, 7 days per week. The existing building, Elsa's Mexican Restaurant, would be demolished. The Major Site Plan application (P-2022-0020) was originally submitted in November of 2022.

City staff recommends APPROVAL with the following nine (9) conditions:

1. All review comments from public and utility review agencies shall be incorporated into final construction documents to the satisfaction of the City Planner.
2. All recommendations from the TIS and associated utility work shall be incorporated into final construction documents and shall be designed, constructed, and funded by the developer.
3. All lot frontage improvements and associated utility work along Espanola Trail shall be designed, constructed, and funded by the developer.

Planning Commission Minutes

Page 4 of 9

4. The applicant shall receive an approved Record Plat prior to the issuance of a final zoning permit that includes a subdivider's agreement, and public improvement bonds based on cost estimates that are subject to the approval of the City Engineer.
5. Final construction documents shall include additional interior parking lot landscaping to comply with UDO 9.25 (D) (e) and shall be evenly placed on the site to the satisfaction of the City Planner.
6. Additional evergreen shrubs shall be planted along the outer curb of the drive-thru stacking lane to screen vehicular headlights and menu-board illumination from adjacent properties to the south and west to the satisfaction of the City Planner.
7. Final construction documents shall include a photometric plan that complies with the maximum lighting uniformity standards defined in UDO Article 9.27 (C) (2).
8. The trash collection facility enclosure shall not exceed 7' in height per UDO 9.53 (A) (1) (k) (iii).
9. All existing cross-access easements between the subject property and neighboring properties shall be addressed to the satisfaction of the municipal attorney prior to the issuance of final building and zoning permits.

Mr. Vanness noted three items that require specific approval by the commission including:

1. The metal coping on the cap
2. To allow less than 25% of the total wall surface area dedicated to windows on the West and east façades that face a public right of way.
3. The ACM material on the canopy.

Mr. Von Handorf opened the meeting for public comment and invited the applicant to speak.

Attorney Richard Tranter, with Dinsmore & Shohl, 255 East 5th Street, Cincinnati, representing Sheetz introduced the development team representing Sheetz. Mr. Tranter spoke about the project being a permitted use, the items addressed since the work session and noted they are only requesting three exceptions to the Unified Development Ordinance (UDO) related to the coping, window coverage and canopy material. He discussed enhancements that have been made to the property concerning traffic access, pedestrian access, landscaping and buffering.

Mr. Etson inquired about items not addressed from the work session including stone extending up the base of the canopy pillars, a sight plan coming from the north on top of the hill on Far Hills Avenue with the screening of mechanicals, and an alternative material to metal cap.

Josh Long, 466 Randall Road, Delaware, with CESO representing Sheetz stated the sight plan was done from the center of the building. Mr. Long agreed to conditions related to changing the metal material, screening the mechanicals, revising columns, and meeting window coverage requirements.

Mr. Etson inquired about the ACM material on the canopy trusses.

David Bruckelmeyer, 630 Morrison Road, Gahanna, with Sheetz spoke about the trusses explaining they are structural steel and would be wrapped with a bronze ACM material noting the alternative would be painted structural steel.

Mr. Moyer noted the ACM over the steel would be a cleaner look than painted structural steel.

Mr. Von Handorf inquired about additional screening on the east property line to mitigate headlight disturbance from the exits to the residential area. Mr. Long discussed the existing mature landscaping that will not be disturbed. He stated they are willing to work with staff to establish a screening plan.

Mr. Tranter discussed condition #9 stating it is a private easement agreement and has no impact on this project. He requested condition #9 be stricken.

Mr. Liberman explained condition #9 was added at his request. He noted there is an existing cross-access and parking easement agreement which the city is not a party to but is between the private parties. The request is just to have an explanation provided by the applicant whether the parties agree or not, so we have a record for our file.

Mr. Von Handorf, Mr. Tranter, and Mr. Liberman discussed acceptable alternatives to condition #9 and agreed that a memo submitted to the municipal attorney with an explanation of how the easements will be addressed would be acceptable.

Mr. Vanness informed commission members that all written comments submitted to the City concerning Sheetz have been provided for them at their seats.

Mr. Von Handorf reviewed the process and decorum for public comment.

The following individuals spoke in opposition to the Sheetz development requesting its denial:

- Attorney Robert Curry, 10050 Innovation Drive, representing Graceworks spoke in opposition to the Sheetz project. Mr. Curry expressed his belief that staff only focused on the standard of approval that it fully complies with UDO requirements. He detailed concerns related to the following: Environmental concerns, crime, 24/7 operation inconsistent with other uses, changes in the neighborhood, bringing in traffic, drive-thru speakers disturbance, removal of parking spaces used by the church, the safety of pedestrians and motorists, creating a cut-through the church which goes in front of daycare, history of accidents on Far Hills Avenue at Bethany Village, traffic impact study does not address offset street of Fireside Drive and Bethany Village. Mr. Curry asserted the standards support declining this proposal.
- Lauren Coyle, 6641 Statesboro Road, Administrator for Bethany Village Retirement Community, spoke about Bethany Village demographics, traffic statistics, increased traffic, congestion, lost cars making U-turns in Bethany Village, misalignment of Bethany Village Drive and Fireside Drive lanes, safety concerns, crime, and a 24/7 operation not consistent with the character of the surrounding area. Ms. Coyle submitted a petition opposing Sheetz.
- Art Astbury, 6501 Pond Ridge Road, Bethany Village resident spoke about existing traffic challenges in the intersection including speed of northbound vehicles, safety concerns with pedestrian ability to cross six lanes of traffic, and the negative impact Sheetz will have on the residential feel of Bethany Village.
- Pastor Julie Reuning-Scherer, 268 Cherry Drive, of Epiphany Lutheran Church, spoke about Epiphany Lutheran Church's mission and facilities. Pastor Reuning-Schereer expressed dangers with an increase in cut-through traffic from Espinola Drive through the church parking lot, access issues for Fire/EMS, and risks that come with carryout sales of alcohol, CBD, and tobacco products. She discussed concerns with a 24/7 operation including loitering, theft, and public disturbances that put the public at risk and that the safety impacts to the church and community do not serve the welfare of the broader community. Pastor Reuning-Scherer submitted a petition opposing Sheetz.

Laura Carr, 5259 Cynthia Lane spoke in support of the Sheetz development.

Mr. Von Handorf provided a summary of concerns raised including cut-through traffic at Epiphany Lutheran Church, offset intersection at Bethany Village, large trucks in the area, additional traffic, lost cars, pedestrian crossing, and left turn signal. Mr. Von Handorf requested comments be kept to furthering the discussion beyond what has already been said or addressing other items.

The following individuals spoke in opposition to the Sheetz development requesting its denial:

- Heather Phillips, 635 Springmill Drive, Director of Epiphany Lutheran Pre-School spoke about early childhood education, safety concerns of students, families and staff, and the negative impact on enrollment. She discussed the proximity of the playground to the turn lane on Far Hills Avenue, cut-through traffic endangering drop-off/pick-up up and safety drills in the parking lot. Additionally, Ms. Phillips asserted the 24/7 sale of alcohol and tobacco presents safety concerns.
- Michelle Borns, 200 East Elmwood Drive, Chair of Epiphany Lutheran Drama Ministry, spoke about the ministry its impact on the community, and her family's educational history. She raised safety concerns regarding loitering, theft, public disturbances, walking to the car from church at night, and traffic safety issues related to various events held at the church. Ms. Borns discussed the measures in place to protect the safety of children and asserted Sheetz puts cast, staff, and children at risk. Additionally, she asserted the sale of alcohol and tobacco presents unwanted temptations.
- Attorney Mark Chilson, 10619 Falls Creek, legal counsel for Epiphany Lutheran Church provided the commission members with a handout. Mr. Chilson spoke about the history, purpose, and activities of the church and preschool. He expressed appreciation to Centerville and to the public safety services. Mr. Chilson asserted Centerville would be interfering with the right of exercise of religion without a compelling government interest with the approval of Sheetz at this location. He discussed safety concerns with the allowance of full right turns out of Sheetz onto Espinola Trail and noise interferences with church activities. Mr. Chilson spoke about cities that have turned down Sheetz and shootings that have occurred at locations in Columbus. He discussed a press release concerning increased violence and attacks against places of worship and their congregants. Mr. Chilson spoke about discussions between the church and Sheetz concerning the easement and the church's desire to keep the easement in place. He asserted this is not the right place for this Sheetz.
- Pastor Larry Hoffsis, 6509 Orchid Circle of Epiphany Lutheran Church spoke about the history of Epiphany Church and Bethany Village and his employment at both facilities stating he resides at Bethany Village. He discussed the vulnerable ages of people affected in this area. Pastor Hoffsis shared traffic concerns with bottlenecks and gridlocks at the intersection at Bethany Village and Fireside Drive and the resulting safety impacts on Bethany Village and Epiphany Church. He asserted there would be no value loss with a denial of Sheetz however with its approval there would be the diminishment of care, services, education, ministry, religious, and moral influences.
- Linda Shea, 204 N. Village Drive, described the location of her house and the safety concerns of Village South and Far Hills Avenue pedestrians. She discussed Primary North Village and increased traffic in the neighborhood from Sheetz detailing existing issues with speeders and unawareness of the 4-way stop. Ms. Shea spoke about standards not being met which include a 24/7 operation with the sale of products that are not consistent with the use and character of surrounding properties and does not provide safe conditions for pedestrians and motorists. She expressed support for the other statements from the evening with concerns about the church and Bethany Village. She asserted it was the wrong business, in the wrong location, at the wrong time.

- Regis Lekan, 321 S. Village Drive, resident of the Village South neighborhood, addressed standards C, D, and E. He echoed previous speakers' comments about additional traffic adding concerns with school buses and stops that utilize Fireside Drive. He discussed the bad combination of excess traffic, increased environmental impacts, and criminal activity. He indicated the transient customers, alcohol sales, crime, and loitering are a threat to the safety of the adjoining residential neighborhood. He described canvassing the neighborhood and the neighbors' thoughts. Mr. Lekan asserted this type of business is incongruent with adjacent properties on three of its four sides. Mr. Lekan submitted his written comments.
- Steve Knapp, 1191 Chisolm Trail, stated he was a member of Epiphany and indicated he submitted an email. He highlighted the number and large scale of stations throughout the area, a trend toward alternate fuels, increased traffic, and impacts on the highway on/off ramps. Mr. Knapp asserted it would take away from other businesses in the area that offer the same services and questioned the proximity to the proposed Washington Township site. He discussed the environmental impacts of potential spills.
- Karen Borgert, 191 W. Whipp Road, described her experience with the design and building of similar daycares and expressed concern with drop-off and pick-up times coinciding with the busy times of Sheetz all occurring on a small residential street. She asserted this is not in the best interest of children and families. Ms. Borgert discussed walkability concerns at Whipp Road and Far Hills Avenue noting the only safe place to cross is at Fireside Drive and this will no longer be the case if Sheetz is approved. She indicated Sheetz will negatively impact the quality of life for residents.
- George Hummel, 6370 Marshall Road, described his work experience in developing environmental management systems. He asserted the City should require an environmental impact study and described the potential dangers with the 24/7 operation of 14 fuel pumps. Mr. Hummel emphasized the need to make sure environmental impacts are being addressed.
- Kathy Whited, 141 S. Village Drive, stated she lives in the neighborhood and attends and works at Epiphany. She is opposed to this business being at her church and in her neighborhood with the potential environmental and crime impacts, and the sale of alcohol, CBD, and tobacco near a school, church, and in her neighborhood. She asserted this is not consistent with the use and character of the surrounding properties. Ms. Whited highlighted the need to look at the community as a whole, noting the saturation of the market with this type of business. She indicated that the safe ingress/egress for emergency vehicles will be affected for other properties in the area with the addition of Sheetz.
- Brian Huxtable, 188 S. Village Drive, reiterated the concerns of neighbors, explaining the existing problem with cut-through traffic from Whip Road. He discussed the threat to the walkability of the neighborhood and asserted commission should question the traffic impact study.
- Gary Miller, 1365 Black Oak Drive, discussed the burial and visitation of his wife's ashes at the Epiphany Memorial Chapel. He expressed that the Sheetz would disturb the peace and tranquility of people visiting the Memorial Chapel.

Mr. Von Handorf requested input from the City Engineer on issues and concerns raised in reference to the traffic impact study (TIS). Mr. Brinegar deferred to their traffic engineer who prepared the TIS. Mr. Von Handorf also inquired about an Environmental Impact Study (EIS). Mr. Liberman stated it is not required by the UDO.

Planning Commission Minutes

Page 8 of 9

Josh Long, CESO discussed the TIS and how the numbers are generated. He noted that the convenience store captures existing traffic. The intersection study was for Fireside Drive and Far Hills Avenue which is centered on the intersection and the west side at Bethany Village has a median that causes the offset.

Mr. Etson inquired if the Sheetz exit near the church was a left turn only.

Mr. Long expressed there is no need for the Sheetz traffic to exit to the right through the church.

Mr. Tranter discussed options to prevent Sheetz traffic or others from using the church parking lot as a cut-through.

The applicant and commission discussed options to deter Sheetz traffic from exiting and turning right on Espanola Trail by creating curb cuts on driveways and adding left turn-only signage.

Mr. Chilson stated Epiphany does not want any barriers to be put up on Espanola Trail preventing entry to the Church for its members.

With no one requesting to speak commission members deliberated and discussed potential conditions.

With no additional discussion, Mr. Von Handorf called for a motion.

MOTION: Ms. Korenyi-Both made a motion to approve major site plan application P-2022-0020 with the nine (9) conditions as recommended by staff, revising condition #9 and adding six (6) conditions as follows:

9. The applicant shall submit a memo to the municipal attorney stating how all existing cross-access easements between the subject property and neighboring properties will be addressed prior to the issuance of final building and zoning permits.
10. Metal cap shall be replaced with a permitted material per the Unified Development Ordinance 9.53 (C) (2) (c) (ii).
11. The west and east façades shall have at least 25% window coverage, which the east façade may include faux windows.
12. The applicant shall modify the entire canopy columns to be shielded with stone to match the base; Planning Commission specifically approves the use of ACM on the exposed trusses.
13. All rooftop mechanicals shall be screened from the northbound Far Hills Avenue view.
14. The applicant shall work with City Staff to incorporate additional landscaping along the east side of Espanola Trail to screen residences from vehicular headlights from the subject property to the satisfaction of the City Planner.
15. The driveways on Espanola Trail shall be designed in a manner to limit right turns (southbound on Espanola Trail) and shall include appropriate left-turn-only signs to the satisfaction of the City Engineer.

Seconded by Mr. Stewart. The motion passed 5-0.

COMMUNICATIONS

There were no communications.

ADJOURNMENT

Planning Commission Minutes

Page 9 of 9

There being no further business, Mr. Von Handorf adjourned the meeting at 10:13 p.m. The next Planning Commission meeting is scheduled for Tuesday, September 26, 2023.

Submitted By: Donna Fiori

Paul Clark
Approved – Chairperson

10/4/2023
Date