

PLANNING COMMISSION
Regular Meeting
Council Chambers
100 W. Spring Valley Road
Tuesday, January 30, 2018

At 7:00 p.m., Mr. Clark called the meeting to order and led the Pledge of Allegiance.

ATTENDANCE

Present: Paul Clark, Amy Korenyi-Both, Jim Durham and Don Stewart. Also present were City Planner Andrew Rodney, Planner Mark Yandrick, City Engineer Jim Brinegar, Municipal Attorney Scott Liberman and Assistant Clerk of Council Julie Weaver. Councilmembers Bill Serr, John Palcher and JoAnne Rau along with City Manager Wayne Davis were present in the gallery.

Absent: Bill Etson, Bob Muzechuk and Kevin Von Handorf.

EXCUSE ABSENT MEMBERS

Mr. Rodney stated the three absent members had notified him they would be not be present.

MOTION: When Ms. Korenyi-Both made a motion to excuse the absent members, Mr. Stewart seconded it. The motion carried 4-0.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Planning Commission meeting of Tuesday, December 19, 2017.

MOTION: Ms. Korenyi-Both made a motion for approval of the minutes of the Planning Commission meeting of December 19, 2017, as distributed. Mr. Stewart seconded the motion. The motion passed 4-0.

READING OF THE OPENING STATEMENT

Mr. Clark read the opening statement for public hearings.

PUBLIC HEARINGS

Application P-2017-0038: Rezoning 5800 Clyo Road from R-1c to O-PD

Motion: Ms. Korenyi-Both made a motion to remove Application P-2017-0038 from the table. Mr. Stewart seconded the motion. The motion passed 4-0.

Stating he would concentrate on updates since the previous meeting, Mr. Rodney presented an abbreviated staff report for the rezoning of approximately 40 acres owned by Far Hills Church at

5800 Clio Road. Attorney Robert Curry of Thompson Hine filed the application on behalf of Sinclair Community College to rezone the property from R-1c, Single-Family Residential, to O-PD, Office-Planned Development. The City Planner noted Planning Commission tabled the issue at the previous meeting, because the members felt there was insufficient information to render a decision. Mr. Rodney stated the Traffic Impact Study now was complete except for minor edits following a meeting with the relevant parties on January 24, 2018. The general finding of the research was traffic from the college will have a measureable impact on the surrounding roadways, however, the impact was determined not to be undue or hazardous with the enrollment of 1500 students over the next few years. The City Planner also pointed out the Traffic Impact Study did not show the college to be solely responsible for the increasing congestion—especially at the Wilmington Pike and I-675 interchange. In the short term, staff will work with the stakeholders in the Clio Road area to find some equitable stop-gap measures. In the long-term, major work will be needed—construction requiring the cooperation of a wide range of large property owners, stakeholders, Montgomery County, Greene County, ODOT, Sugarcreek Township and the City of Centerville—for the improvements at I-675. Mr. Rodney shared that Mr. Curry had promised to deliver the final version of the Traffic Impact Study prior to Council's review of the rezoning case.

Since the application generally met the Standards of Approval for a rezoning, Staff reaffirmed its recommendation for approval of the application to rezone 5800 Clio Road from R-1C, Single-Family Residential, to O-PD, Office-Planned Development, zoning classification.

When Mr. Durham asked for an explanation of the use of 1500 occupants for the Traffic Impact Study, the City Planner stated he would let the applicant speak to that issue. Mr. Durham clarified that his concern was the capacity of the 97,000 sq. ft. building. He felt the rezoning should consider the capacity of the building for *any end-user*, especially since the sale of the property had not been finalized. The Traffic Impact Study was done with an agreed upon number, rather than the population the building could support. The City would have no recourse if another end-user procured the property. The capacity of the parking lot per the land use tables would give a number in the 2300 to 2400 range for students—a possibility if Sinclair was highly successful or if another end-user purchased the property. Mr. Durham stated the City of Centerville was being asked to make a leap of faith, because the total capacity of the building potentially could be needed and could affect traffic to a greater degree.

Mr. Durham also stated the need for careful consideration of the rezoning, because the Far Hills Church property bordered residential areas on two sides. Mr. Rodney pointed out that the large size of the property abated much of the impact for the neighbors and traffic would ingress and egress onto thoroughfares, rather than through the residential neighborhood. When Mr. Durham asked if the stub street into Cheltenham could be opened and used for egress and ingress, Mr. Liberman stated he would have to research the possibility. Mr. Durham also pointed out the close proximity of neighbors along Center Point Drive. Mr. Rodney noted any changes to the footprint of the building or the parking lots would require a development plan and public hearings.

When Mr. Clark opened the public hearing, Mr. Robert Curry, residing at 530 Maysfield Road, spoke on behalf of Sinclair Community College to review the standards from the applicant's point of view. He pointed out Sinclair had searched for several years for a suitable site to serve

the south Dayton community and that Sinclair's use of the property would further many of the goals of the *Create the Vision. Comprehensive Land Use Study*.

Mr. Steve Johnson, President of Sinclair Community College, residing at 1010 Runnymede Way, stated Sinclair was in the business of community service and intended to be a responsible neighbor for the long-term. He briefly reviewed Sinclair's 130-year history of workforce education. Having 240 degree programs, it is one of the largest community colleges in the nation and has a solid history operating satellite classroom sites. He shared other statistics on Sinclair, profiled its students and shared the results of a survey done in parts of Montgomery, Greene and Warren Counties, prior to discussing the community forum held at Centerville High School in December for neighbors of the Clio Road site. The most common concerns voiced by the neighbors at that meeting were the use of the dead-end street abutting the property, the number of buildings to be built on the site, peak traffic congestion, the possibility of an RTA bus turnaround, light pollution, trespassing and litter around the ponds, the lack of detailed long-term plans and inadequate evergreen screening in the buffer area. He stated Sinclair would work to mitigate the concerns.

Mr. Curry returned to the podium to discuss the appropriateness of the O-PD zoning and to review the seven Standards of Approval from the perspective of the college. He discussed each standard, noting the rezoning to O-PD met the standards. Overall, he emphasized Sinclair believed the impact on the neighbors would be minimal, since nothing was changing with the configuration of the building, the activities were held inside, the focus was on Clio Road and the setback buffers were significant. He stated the reasons Sinclair believed the traffic impact would not be significant and affirmed Sinclair was willing to cooperate in needed adjustments to ingress and egress and to reassess the traffic impact in the future. For the traffic study, he said Sinclair gave the number of students as 1500 based on its experience.

Mr. Clark posed several questions to Mr. Johnson. He asked about the average number of classes per day and when they dismissed. Mr. Johnson responded there were dozens of sections of classes per day downtown, but 1500 students never were coming and going at one time. Class times were staggered in the early morning, throughout the day and in early evening. When Mr. Clark asked if conferences would be held there, Mr. Johnson replied in the negative. He said the gyms might host smaller events. Mr. Clark inquired about the rate of growth at the Mason satellite, and Mr. Johnson stated the Mason campus had about 1000 students in two buildings after 11 years.

Mrs. Susan Serr, 6536 Atterbury Ct. gave background on the development of 5800 Clio Road from the perspective of an adjoining property owner. Originally, residents of Cheltenham had been led to believe the property would be residential, with housing all the way to Clio Road. When the church purchased the property, the area was deforested and a buffer was built, but the landscaping was neither significantly dense nor preserved over time. Most of the year, the back of the building was clearly visible in the adjacent neighborhoods. Mrs. Serr's main concerns were light pollution from headlights and lot lighting, noise, and the lack of adequate healthy landscaping in the buffer area. She said she was in favor of education but felt the rezoning should not be passed without protections for the residents, including the upkeep of the visual screening and restrictions on lighting, noise and uses inconsistent with the residential character of the neighborhood.

Mr. David Sanchez, resident of 6524 Atterbury Ct. since 1999, stated he was concerned about the lack of consistent information on the number of students, about drainage issues on the property and about the lack of the disclosure of a long-term site plan. He stated the minutes of a meeting of the Sinclair Trustees spoke of a future presentation concerning a site plan, the enrollment projections and partnership opportunities. Mr. Sanchez contacted an appraiser who was unable to determine possible negative impacts on property values for Atterbury Court without knowing future plans for the site. Mr. Sanchez asked for Sinclair to share its long-term vision.

Mr. Rodney pointed out the applicant had not brought a development plan forward and would not be required to do so until changes were requested for the footprint of the building or parking lots. At that point, neighbors would be notified and a number of public hearings would be held. He added case law does not permit conditions to be added to a rezoning approval. The vote is strictly “yes” or “no” on a recommendation to Council.

Mr. Curry added Sinclair would be willing to establish a community task force to meet on a regular basis to provide a forum for the concerns of nearby residents. Mr. Johnson pointed out the college was interested in maintaining green space. He explained that 2,000 to 5,000 students was the response to a question of numbers in the next 50 to 100 years.

Stephanie Cara, 2501 Tedbury Ct., inquired if the recent announcement of the closing of Good Samaritan Hospital had been figured into the Traffic Impact Study, because the closure could increase services offered at Miami Valley Hospital South. She expressed concern about increased traffic, headlights and noise on Center Point Drive, since her property adjoined the church property in that area. She questioned the map showing the Centerville vision of O-PD zoning from Cheltenham to Clyo Road, including the corner with St. Francis Church.

In response to her main points, Mr. Rodney said the impact of the closing of Good Sam was unknown at this time, but would probably affect the Miami Valley Hospital locations downtown and on North Main more than Miami Valley Hospital South. Hospital consultants were working closely with Sinclair’s consultants on the traffic impact study. He stated the City would like to limit traffic on the connection to Center Point Drive, but, because it is a public street, Sinclair would have the right to access it. He explained the map of future land use showing the entire corner from Cheltenham north in blue was a land use map from the *Create the Vision* study about 2006. Both large churches were classified as institutions at that time, making the blue predominant for the entire corner. Until now, not much had changed in the last 15 years.

Mr. Michael Uddin, 6638 Tiverton Circle, expressed concern about the potential loss of green space, urban office density adjoining the residential neighborhood, the use of Center Point Road, the potential subdivision of the property, signage and expansion of buildings on the site that is currently about 50% green space. Mr. Uddin asked the City to protect the immediate neighborhood.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Ms. Korenyi-Both made a motion to approve Application P-2017-0038, the rezoning of 5800 Clyo Road to O-PD zoning classification. Mr. Stewart seconded the motion.

Prior to the vote, Mr. Durham reviewed the main elements of the application. He pointed out the decision was only a recommendation to the City Council, and he reiterated that no conditions can be placed on a rezoning decision. Mr. Durham summarized that the 100 ft. setbacks required for O-PD zoning would give the neighbors significant protection, and the college would be a significant community asset. He pointed out the Planning Commission had heard the concerns of the neighbors and agreed that the church had removed nearly all the trees on the property and that the adjacency issues were not ideal. Unable to change the past, he stated he would reluctantly vote yes knowing the Planning Commission would have some control of any future development on the site.

The motion for approval having been made and seconded, the Planning Commission then voted 4-0 to recommend approval of the rezoning to City Council. Mr. Rodney announced the public hearing for the rezoning would be on the Council agenda of March 19, 2018, at 7:30 p.m. in the Council Chambers of the Municipal Building.

Application P-2018P 0003: Seven Variances for Gateway Lofts in Chardonnay Valley
Applicant: Ryan Pearson of EDGE Group

Mr. Rodney gave the staff report for the variances requested by Mr. Pearson, who represented Mr. Rick Kirk of Hallmark Communities, the developer for Gateway Lofts, a 360-unit apartment complex with about 600 parking spaces. The City Planner used an aerial map to show the location of each of the seven variances.

In explaining Variance #1, the request for a setback of 35 feet for Building 16 at the east property line, Mr. Rodney pointed out the topography of the area. The normal setback is 100 feet; in this case, the closest neighboring building is 425 feet away and up a significant grade. The City Planner felt the topography was a unique hardship for the builder in situating the buildings, but it also created sufficient buffer. He recommended approval of this variance.

Variance #2 requested ten square feet of sign area for the ground sign at the Versailles Drive entrance off Loop Road. Because of the unique configuration of the Gateway Lofts property, the frontage in this area of the 38.7-acre property was only 60 feet wide, about the width of the private roadway and right-of-way where they meet the public portion of Versailles Drive. The rule for sign area is one square foot of sign area for each ten linear feet of street frontage—allowing only six square feet for a ground sign in this case. The applicant asked for a sign area of ten square feet. The City Planner stated the narrow width of the property at Versailles Drive was a unique hardship; the sign was important for wayfinding as much as advertising. Mr. Rodney recommended approval of Variance #2.

Variance #3 requested 43 square feet of wall sign area on the clubhouse facing Alex-Bell Road. Wall signs in multi-family zoning areas may not exceed two square feet, but the applicant requested an exception for the main signage for the development with no ground sign at Chardonnay Drive. The wall sign faces Alex-Bell Road, a four-lane roadway divided by a median planted with trees. The sign will not be visible to the residential neighbor across Alex-Bell Road. Mr. Rodney recommended approval of the Variance #3.

The remaining variances related to a sign tower for the I-675 frontage to advertise the property along the interstate highway. The tower itself would be an additional ground sign for the property and require Variance #4, since only one ground sign is permitted per premises. Variance #5 related to the height of the tower; 43.5 feet would be required to compensate for the topography and the wooded location. Six feet is the standard maximum height. Variance #6 would permit the tower to have messages on three faces. The standard permits two. Variance #7 would permit each sign face to have more than the standard face area of 32 square feet each. The requested total area for the three sides was 216 square feet. Mr. Rodney recommended denial of all the variances related to the sign tower. He stated he understood that the lower elevation of the topography warranted extra height and the speed of interstate traffic necessitated a larger sign, but this was not the only frontage available for a ground sign and the proposed use did not merit variances of this magnitude without further proof of hardship. Therefore, staff argued Variances #4 through #7 did not sufficiently meet the standards for approval.

Mr. Clark verified the procedure for the public hearings with the Municipal Attorney. Mr. Liberman stated the variances were advertised as one hearing, so there could be either one public hearing and multiple votes, or the chair could open and close public hearings, as he saw fit.

Mr. Clark opened the public hearing for Variance #1 for the reduced setback for Building 16. Mr. Pearson, the applicant representing the EDGE Group, 230 W. Spring Street, Columbus, stated Mr. Rodney had explained the reasons for the request for a setback of 35 feet. He stated he would answer questions.

Seeing no other speakers, Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion to approve Variance #1 to permit at 35 ft. setback for Building #16. Ms. Korenyi-Both seconded the motion. The motion passed 4-0.

Mr. Clark opened the public hearing for Variance #2. Seeing no speakers come forward, he closed it.

MOTION: Mr. Durham made a motion for approval of Variance #2 to permit ten square feet of area for the ground sign at Versailles Drive. Ms. Korenyi-Both seconded the motion. The motion passed 4-0.

Mr. Clark opened the public hearing for Variance #3, to permit 43 square feet of sign area for the wall sign on the clubhouse facing Alex-Bell Road. Seeing no speakers come forward, he closed it.

MOTION: Mr. Durham made a motion for approval of Variance #3. Ms. Korenyi-Both seconded the motion. The motion passed 4-0.

Mr. Clark opened the public hearing for Variances #4 through 7 relating to the sign tower.

Mr. Rick Kirk, CEO of Hallmark Campus Communities, 150 East Broad Street, advised that the tower would be in a wooded area and would be seen only from the interstate highway where it would help the Gateway Lofts compete with the highly visible buildings of The Allure. He

shared a picture of a sign tower used in Columbus as an example of the quality of the tower that would be used to identify the development. The height was needed because the elevation in the area was low compared to the interstate highway and because of the height of the trees at the location. He stressed the architectural quality of the tower. He requested consideration of the variance.

Seeing no one else come forward to speak, Mr. Clark closed the public hearing.

When Mr. Kirk asked for suggestions on how to make the tower acceptable, Mr. Durham stated signs along I-675 tend to become billboards when they are adjusted for the size of the frontage and the speed of the traffic. He stated he was open to considering a larger sign at Versailles Drive for identification of the community. Ms. Korenyi-Both stated she would rather see the tower than a costumed person advertising on the sidewalk along Alex-Bell Road. She appreciated all the company had done to accommodate the residents and the requirements of the City. She asked for discussion and sensitivity. Although Mr. Stewart understood the need to compete for business and empathy with the developer, he stated concern for following current guidelines and not setting a new precedent. Ms. Korenyi-Both agreed that the degree of hardship was not as great or as clear as for the other variances. When she suggested cutting back the size of the tower, Mr. Pearson responded that the sign would get lost in the scale of the interstate corridor, if it were made smaller. Mr. Clark asked about a location with a higher natural elevation, because the tower seemed out of place as popped out of the trees. Mr. Durham asked about the possibility of a variance to allow an off-premises sign along Loop Road, since he saw hardship for advertising the development as a whole.

MOTION: Mr. Durham made a motion to approve Variances #4, 5, 6, and 7 related to the tower sign along I-675. Ms. Korenyi-Both seconded the motion. The motion failed with a vote of 0-4.

NEW BUSINESS

Application P-2018-0001: Record Plat, H.-R. Office Park, Section Two-A
Timothy Rudd of Braum & Associates for H-R Investments Co. LLC
9505 Dayton-Lebanon Pike

Mr. Rodney announced that this application had been withdrawn voluntarily by the applicant earlier in the day. Mr. Rudd will work with the individual utility companies to extinguish the existing easement. Mr. Rodney noted Mr. Rudd will have one year to re-instate the application should the need arise.

Application P-2018-0002: Major Site Plan for a LaPiñata Restaurant
9505 Dayton-Lebanon Pike, Michael Battaglia of MUHA Construction

Mr. Rodney introduced the application and requested that the material boards be passed among the Planning Commission members.

Mr. Yandrick presented the staff report for this application for a major site plan for a 4200 sq. ft. Mexican restaurant on the 1.42-acre lot at 9505 Dayton-Lebanon Pike. The zoning is B-1, Neighborhood Business. The plan is for 122 seats inside, 36 seats on the patio and 68 parking

spaces. Mr. Yandrick stated the plan elevations were identical in detail to those approved in 2016 for the adjoining lot to the south.

Mr. Yandrick used an aerial map and photos to show the existing conditions, which included a vacant office building, a stormwater basin, an independent outside air conditioner and a rear access road. The Coldwell Banker Building will be demolished and the lot will be reset for the restaurant. Advantages to this location included more area for parking spaces and the ability to tap into the existing stormwater system rather than create an underground detention basin.

The plan generally met the standards for grading, parking; setbacks for the building, parking and paving; pedestrian circulation; ingress and egress; lighting; landscaping and architecture. Planning Commission would need to approve the widespread use of E.I.F.S. as a siding material in one of the conditions of approval. Mr. Yandrick noted that roof-top mechanicals must be screened, but they were not shown on the drawings. Signage will be approved separately.

Mr. Durham voiced concern for the screening of the mechanicals and stated the west elevation (rear) of the property would be fully visible not only from Sheehan Road because of the corner location but also from the driveway and the parking lot. Mr. Battaglia responded the mechanicals on the roof would have parapet screening five feet high, and Mr. Rodney added the utility companies had regulations not permitting meters and other ground-level equipment to be hidden behind screening walls. Mr. Rodney and Mr. Durham discussed the possibility of an L-shaped wing wall.

Because the standards generally could be met, Mr. Yandrick recommended approval, subject to the following eight (8) conditions, as listed in the staff report:

1. A landscape estimate and bond (performance or cash) valid for one (1) year shall be submitted for all proposed on-site landscaping prior to the issuance of a Certificate of Zoning Compliance, if planting is not to occur prior to opening.
2. The applicant shall provide estimates for all work within the public right-of-way for bonding purposes. All work within the right-of-way shall comply with City of Centerville standards. Separate construction documents, an estimate, and bond (performance or cash) valid for one (1) year for all proposed work within the public right-of-way – including street trees, driveways, and stormwater infrastructure – shall be approved by the City Engineer.
3. Calculations, drainage area maps, and all necessary information (pre- and post-construction) shall be approved by the City Engineer.
4. Construction document notes and detailed plan review comments from the Public Works Department shall be incorporated into construction plans subject to review and approval by the City Engineer. An Ohio-licensed professional engineer is to stamp, sign, and date the plans.
5. The access road on the west end of the property shall be repaired and repaved to the satisfaction of the City Engineer.

6. Planning Commission hereby explicitly approves the use of EIFS for the building façade as required by UDO Article 9.53(C)(2)(c)(iii).
7. Signage is not approved as part of this Major Site Plan and shall be applied for separately.
8. Mechanicals shall be shown on the construction drawings and screened from the Public-Rights-Of-Way

When Mr. Clark invited comments from the applicant, Mr. Michael Battaglia of MUHA Construction at 855 Congress Park Drive, pointed out that all construction would be on private land, so he did not see the necessity for posting a bond in Condition #2. Mr. Rodney agreed and stated the condition was a contingency, if later it was determined that work in the right-of-way was necessary. Mr. Battaglia pointed out progress on drainage calculations and permits, before he discussed the rooftop mechanicals, saying the roadway was ten feet below the building elevation in the front and mechanicals would be easy to hide. A parapet of five feet should be adequate for screening from any vantage point.

Mr. Durham asked for the addition of Condition #9 for the applicant to work with staff for better screening of the utilities on the west wall. A wing wall might be a possibility. Mr. Battaglia pointed out any landscaping would have to be low to permit access.

David Muha, MUHA Construction, 855 Congress Park Drive, noted the building was identical except for one or two minor details to the one Planning Commission previously approved. He stated screening of the meters had been discussed, and he felt the problem might be able to be resolved with landscaping.

MOTION: Mr. Durham made a motion for approval of the major site plan, subject to the 8 conditions recommended by staff, as shown above and the addition of Condition #9, as follows:

9. The applicant shall work with staff for better screening of the utilities on the west wall.

Mr. Stewart seconded the motion. The motion passed 4-0.

COMMUNICATIONS

In the coming months, Mr. Rodney expected applications for major site plans for the Wendy's Restaurant on South Main Street and for a StoryPoint assisted living center in Phase IV of Cornerstone North.

Seeing no further business, Mr. Clark adjourned the meeting about 9:30 p.m. The next meeting of the Centerville Planning Commission will be held in the Council Chambers at 7:00 p.m. on Tuesday, February 27, 2018.



Paul Clark, Chair