

PLANNING COMMISSION
Regular Meeting
Council Chambers
100 W. Spring Valley Road
Tuesday, February 28, 2017

Mr. Paul Clark called the meeting to order at 7:00 p.m.

ATTENDANCE

Present: Paul Clark, Amy Korenyi-Both, Jim Durham, Bill Etson, Robert Muzechuk, and Kevin Von Handorf. Don Stewart was present as noted. Also present were City Planner Andrew Rodney, Planner Mark Yandrick, Municipal Attorney Scott Liberman, and Assistant Clerk of Council Julie Weaver. Councilmembers Mark Engert and JoAnne Rau were present in the gallery.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Planning Commission meeting of January 31, 2017.

MOTION: Mr. Von Handorf made a motion to approve the minutes of the Planning Commission meeting of January 31, 2017, as distributed. Ms. Korenyi-Both seconded the motion. The motion passed 6-0.

Mr. Stewart arrived at this time.

OPENING STATEMENT

Mr. Clark read the Opening Statement concerning protocol for public hearings.

PUBLIC HEARINGS

Application P-2016-0030: Rezoning - Cornerstone Phase IV, R-PD with NR Overlay and B-PD with a CC Overlay

Mr. Rodney introduced the public hearing for rezoning about 27.5 acres of the 82 acres of Cornerstone North Phase IV in order to facilitate proposed development in the area. The requested changes affect five areas of Cornerstone North Phase IV south of Brown Road.

MOTION: Mr. Durham made a motion to remove Application P-2016-0030 from the table. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

Mr. Rodney gave the staff report for the changes requested by Robert Hall to modify the existing zoning to permit the proposed multi-family and assisted living residential facilities in Phase IV of Cornerstone North. Mr. Rodney used a map to clarify the proposed zoning modifications and pointed out the acreage and zoning changes for each of the five areas. The rezonings would not

increase the permitted units and would allow for efficient use of the land and the construction of an assisted living facility. Mr. Rodney noted that City Council originally intended SubArea D in the northwest corner of the property to be an office village, per the PDP, to provide a daytime customer base for the shops and restaurants in Cornerstone North. This 10.5 acres should be a sixth area to be rezoned. The current zoning for that corner would allow general commercial and retail uses, including gas stations, drive-thrus, convenience stores, vehicle sales and service and other undesirable non-office uses. Staff felt a significant portion of Cornerstone North was already zoned B-PD, Business-Planned Development.

Staff advised that most of the Standards of Approval could be met. Mr. Rodney stated, absent a known and confirmed user for Sub-Area D, the recommendation of staff was to approve the rezoning with the following one (1) condition rezoning the northwest corner:

1. Sub-Area D (approximately 10.5 acres) north of Cornerstone North Boulevard and west of Area 2, as noted on the provided Rezoning Exhibit, shall be rezoned to O-PD, Office-Planned Development to accurately reflect the site programming and land use plan of the Cornerstone North Preliminary Development Plan, Amendment 1 as adopted by City Council on October 21, 2013.

Mr. Clark opened the public hearing.

Mr. Robert Hall, Cornerstone Developers, Ltd, 3445 Newmark Drive, Miamisburg, stated Oberer Land Developers felt the O-PD zoning for the northwest corner was too restrictive. He said calling it a tradeoff for the increased density for the apartments was invalid. He respectfully asked the Planning Commission to recommend approval of the rezoning, as submitted, without Condition #1.

Mr. George Oberer, Oberer Land Developers, 3445 Newmark Drive, Miamisburg, stated his real estate company had a desirable end-user, which would occupy the entire 10.5 acre corner. When he had introduced the client to the Mayor and the City Manager, he felt the Mayor was excited about the potential end-user. With a rezoning to O-PD, this client would need a Conditional Use approval. He said he could not name the company at this time, but he should be able to reveal more in about ninety days. He asked for the approval of the rezoning request as submitted, without the rezoning of the 10 acres in the northwest corner along Brown Road.

Mr. Clark closed the public hearing.

In an attempt to keep the application moving forward, Mr. Durham discussed tabling the matter versus sending a recommendation to Council. Mr. Hall stated he preferred to move forward. When Mr. Liberman pointed out the application could not be bifurcated, Mr. Durham suggested making a recommendation to Council would be a means of allowing additional time for the end-user to be known. Mr. Liberman and Mr. Durham discussed the methodology to give Council the choice whether to rezone the ten acres. Mr. Durham suggested submitting two ordinances to Council—one with the rezoning of the northwest corner and one without it. Planning Commission could recommend the O-PD rezoning, but Council could choose to accept the end-user and not rezone the 10.5 acres. If additional time was needed, Council could table the application. Because of noticing requirements for rezoning, a public hearing at Council would

not be held until May, unless Council held a special meeting to set the public hearing. Mr. Rodney said he was not able to verify the need for a Conditional Use approval for the proposed end-user, since the user was not known to him. Mr. Liberman noted that Council would need to vote on both ordinances, passing one and denying the other.

MOTION: Mr. Durham made a motion to recommend the rezoning to Council with the condition that the 10.5 acres in the northwest corner of Phase IV be rezoned to O-PD, Office Planned Development with a CC, Community Center Overlay. He added that Planning Commission directed the municipal attorney to prepare two ordinances—one with the O-PD rezoning and one without it, in order to give Council flexibility to make a judgement based on the information not available at the present time. Bill Etson seconded the motion. The motion passed 7-0.

Application P-2016-0052: Final Development Plan – Cornerstone North, Phase IV
Robert Hall for Cornertone Developers

Ms. Korenyi-Both made a motion to remove Application P-2016-0052 from the table. Mr. Muzechuk seconded the motion. The motion passed 7-0.

In giving the staff report, Mr. Rodney pointed out the Final Development Plan for Phase IV encompassed seventy-two acres, about half the total acreage of Cornerstone North. The last remaining area along Brown Road would be Phase V. Mr. Rodney used photos to show current conditions. The proposed uses for Phase IV included offices, hotel, multi-family housing, assisted living and the park along the creek. He described the seven lots, the setbacks, and the public and private roadways, pedestrian crossings, hiker-biker trails, grading and drainage. Because the flat terrain sloped very gently northwest to southeast, staff had some concerns about potential grading issues. Mr. Rodney noted a setback variance probably will be needed between the multi-family area and for-sale housing units, since the developer is proposing fifty feet of setback rather than the one hundred feet required by the UDO. The city planner described the treatment for the creek crossing and mentioned that the park was a required part of Phase IV. He requested a condition that construction of the private development in Phase IV cannot be started until park construction begins. Even if the owner does not invoke the overlay, the requirements of the Final Development Plan will still apply to ensure quality architectural standards. He voiced concerns about stormwater, sanitary sewer extensions and water line extensions along with the importance of proper timing for the construction of the new pond north of Cabela's.

The City Planner stated that most of the Standards of Approval could be met. Staff recommended approval of the Final Development Plan, subject to the following twenty-four (24) conditions:

1. The Cornerstone North Phase IV Final Development Plan shall conform to the approved Cornerstone North Preliminary Development Plan Amendment 1 and all conditions of approval contained therein as determined by the City Planner.
2. All lots shall be subject to Major Site Plan review in accordance with the Unified Development Ordinance. A review for UDO compliance will be conducted as each development proposal comes forward for Major Site Plan review.

3. A Subdivider's Agreement, amendment to the Development Agreement, or other legal arrangement shall be executed that establishes financial commitment for the construction of all public infrastructure prior to recording of any plat document in association with this Final Development Plan.
4. The final location of all building, parking, landscape areas, and related items shall generally conform to this Final Development Plan as depicted unless otherwise conditioned herein.
5. ADA access shall be provided to the public right-of-way for each development site.
6. The proposed 50 foot bufferyard along the east zoning boundary of Lot #4 shall be considered conceptual on this FDP pending variance approval allowing a reduced bufferyard width along this zoning boundary.
7. The parking of vehicles on Lots #2, #3, and #4 shall be limited to areas behind the building setback line along both Wilmington Pike and Brown Road.
8. The ownership entity and long-term plan for perpetual maintenance of the Park shall be approved by the City prior to the issuance of zoning and building permits for private development in Phase 4.
9. The Park shall be under construction prior to the issuance of a zoning and building permits for private development in Phase 4.
10. The 20 foot easement between Lots #4 and #7 shall be a platted extension of the Park parcel – rather than an easement – to ensure consistent and perpetual maintenance by the park ownership entity. The resulting setbacks along these boundaries lines shall be zero (0) feet for parking, paving, and buildings.
11. The Park extension between Lots #4 and #7 shall be irrigated and lit using bollard lighting consistent with the bollard lighting proposed in the Park.
12. All perimeter mounding along Wilmington Pike and Brown Road shall be at least three (3) feet above finished grade of adjacent parking lots.
13. Bufferyards and landscape treatments shall be consistent and harmonious with Phases 1A, 2, and 3 as determined by the City Planner.
14. All lighting of vehicular and pedestrian ways shall be consistent and harmonious with Phases 1A, 2, and 3 as determined by the City Planner.
15. Belden Brick, Concord Blend shall be removed as an approved material for Phase 4.
16. Final location and design of all street and utility infrastructure is subject to the review and

- approval of the City Engineer.
17. Public/private construction access, construction timing of public improvements, and maintenance of traffic on public roads shall be at the discretion of the Public Works Department.
 18. The Applicant and City shall mutually develop and agree upon a comprehensive construction access and staging plan within Phase 4 for public and private construction activities prior to the issuance of any zoning or building permits related to Phase 4.
 19. Individual lot ground signs in this Final Development Plan shall be consistent with the design set forth for Phases 1A, 2, and 3 as determined by the City Planner.
 20. The proposed bridge crossing shall include a decorative safety wall no less than 42 inches in height above the adjacent sidewalk.
 21. The proposed bridge crossing shall include decorative piers at each corner of a design to be approved by the City Planner and City Engineer.
 22. All areas proposed for turf grass within Phase 4 shall be laid with sod unless otherwise approved by the City Planner or City Engineer.
 23. Detailed comments from the Engineering Division shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
 24. Detailed comments from Greene County Sanitary Engineering and other utility companies shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.

Mr. Clark opened the public hearing.

The applicant, Mr. Robert Hall of Oberer Land Developers, 3445 Newmark Drive, Miamisburg, thanked staff for the recommendation of approval, but took exception to following conditions:

Condition #8. Mr. Hall said the ownership and long-term maintenance of the park were covered by Master Property Owners' Association documents the City had already approved. He had a handout with declarations from the MPOA defining potential ownership mechanisms for the park and outlining expenses to be covered. Mr. Hall stated the developer had voluntarily agreed to create a new community authority to generate 50% of the operating costs with the balance to be paid by the MPOA.

Condition #9. Mr. Hall stated withholding private development permits until the park improvements were started was overreaching on the part of the City of Centerville. He was concerned about the delay in allowing the start of the permitting process. Mr. Hall asked for Condition #9 to be removed or changed to exclude major site plan applications and reviews.

Mr. Rodney clarified that applications could be started for zoning and building permits, but zoning certificates would not be issued. Mr. Durham suggested saying, "Zoning compliance and building permits." Mr. Hall stated that was acceptable.

Condition #10. Mr. Hall stated the resolution of the record plan platting issue for the twenty foot easement between lots 4 and 7 (the multi-family area and the hotel) should not be dictated by the City. He classified the matter as an issue of land ownership, since this easement was on private, saleable property to be owned by adjacent landowners and maintained by the MPOA. He expected the improvements to be completed with the plan for the park, owned by the neighboring businesses and maintained by the MPOA. Mr. Hall asked that the condition be deleted.

Condition #11. Condition #11 required irrigation and bollard lighting for the extension of the park as a pedestrian shortcut. Mr. Hall stated the park extension probably would be irrigated by adjacent property owners. He also noted Cornerstone Developers was not planning decorative bollard lighting for this area or the park as a whole for safety reasons. In asking for bollards, the City was overreaching its authority for items over and above the requirements of the UDO. Mr. Hall asked for removal of Condition #11.

Condition #15. Mr. Hall disagreed that the Belden Brick Concord Blend should be removed as an option for Phase 4. He saw the determination as personal opinion and noted the color had been approved for use in all previous phases.

Condition #22. Mr. Hall objected to the requirement for sod in place of seeding for more general use in Phase IV, since sod was not seen as the best option for the long-term. He maintained, after three years, seeding resulted in better turf, especially in areas which were not irrigated. The cost of sod was much higher. He asked for the condition to be deleted.

Ms. Korenyi-Both asked about the Development Agreement documents mentioned by Mr. Hall, and Mr. Clark asked about the annual cost of maintaining the park which was estimated to be \$100,000. Mr. Von Handorf asked for clarification of the plan for the oddly shaped portion of Phase V.

Mr. George Oberer, Oberer Land Developers, 3445 Newmark Drive, stated that seed was always better than sod for the long-term, but seed had to be given time to mature. He pointed out that seed was acceptable in the UDO subdivision regulations.

Mr. Clark closed the public hearing.

At the request of Mr. Durham, Mr. Rodney responded to Mr. Hall's comments. In defense of Condition #8 on the park ownership and maintenance, Mr. Rodney stated the construction of the park and details of its maintenance had been expected earlier in the development, but work on the park was moved into Phase IV at the request of applicant. Mr. Rodney said the City added the condition to avoid perpetual delays in the finalization of this important amenity for the area. As for the easement platting issue, he explained that the Final Development Plan was an overview and that the plat will be subject to the Final Development Plan. The developer

currently planned to use park funding to set up the area, to require individual landowners to irrigate it, and to have it maintained by the MPOA. This configuration could create questions of responsibility. Condition #15 on the Belden Brick came about because some staff felt it did not fit with rest of the materials' palette. For Condition #22 on sod versus seed, Mr. Rodney noted that sodded areas were currently doing much better in areas viewable by the public. In the past, seed has been placed on areas not properly prepared or maintained. He said staff would work with the applicants for compromise in less public areas. Staff felt bollard lighting created a better ambiance for pedestrian walkways; the City will review the Lighting Plan for the park.

Upon question from Mr. Durham, Mr. Liberman acknowledged declarations related to the park had been agreed upon and recorded. He added it should not be a problem for the developer to see the condition here, if the matters were already agreed upon. A new community entity was only suggested recently and was not reflected in the agreement. Staff felt the condition was needed to ensure the construction of the the park in a timely manner. In his opinion, the City is allowed to ask the developer to meet or *exceed* the standards without overreaching its authority.

The group discussed the issue of requiring sod, at length. Most agreed that seed was better than sod in the long-run, as long as topsoil was properly prepared and areas properly maintained. Mr. Rodney found enforcement of compromise measures problematic. Neither adequate time nor sufficient quality for compliance would be easy to determine or define.

Since the PDP, Mr. Oberer stated work on the park was never intended to be part of Phase III. He stressed his company was actively working with the City on the plan and budget for the park. He said staff demands would create significant budget overruns. Mr. Hall pointed out the number of phases had changed over time. When Ms. Korenyi-Both directly asked Mr. Oberer for a timeline for the construction of the park, he said he assumed it would be together with Phase IV and Phase V with areas contiguous to the park. Contracts stated the park would be done before the multi-family units opened.

Mr. Chris Conley of Oberer Commercial Realty pointed out Cornerstone Developers had agreed earlier to a provision requiring construction of the park with the submission of a major site plan for Phase IV. Mr. Rodney responded that the City was unsure if the current plan for the park was adequate.

In a separate issue, Mr. Von Handorf went back to the issue of the drainage easement for an outlet for stormwater from the owner-occupied area in Phase V. Mr. Hall pointed out two possibilities for connections and stated his engineers would summarize what was needed. Mr. Brinegar asked for a condition requiring a drainage easement for management of stormwater from Phase V to the satisfaction of the City Engineer, if one is needed.

Mr. Etson returned the discussion to sod versus seed. Mr. Hall asked for a minimum of three years of growth with seeded areas before passing judgment on the need for sod in extended areas of the development.

In response to a question from Mr. Muzechuk, Mr. Rodney stated the major site plan for the park and the plat for Phase IV had been withdrawn prior to the meeting because they were secondary to the rezoning and the final development plan and because of unresolved funding issues.

Ms. Korenyi-Both asked to remove Condition #15 related to brick color that was recommended by staff. She wanted the additional choice, and Mr. Von Handorf added that the existing building might not look out of place if other buildings used the Belden Brick Concord Blend. If the Developer and the City had already agreed to the terms, Mr. Durham stated Condition #8 should not be problematic. He was in favor of leaving it intact.

MOTION: Mr. Durham made a motion to recommend to City Council the approval of the Final Development Plan for Cornerstone North Phase IV, subject to the 24 conditions recommended by staff with the following edits:

1. Condition #9 is to say the park must be under construction prior to the issuance of zoning compliance and building permits for private development in the Phase IV.
2. Condition #11 concerning the park extension in the easement between Lot 4 and Lot 7 should say the easements shall be irrigated and lit in a manner consistent with the lighting plan for the park. References to bollards are to be omitted.
3. Condition #15 shall be deleted; Belden Brick in the Concord Blend may be used.
4. Condition #22 concerning the use of sod shall remain.
5. Condition #25 is added. The developer shall provide an outlet for a drainage easement for the detention area for Phase V, if it is necessary, to the satisfaction of the City Engineer.

Ms. Korenyi-Both seconded the motion. The motion passed unanimously 7-0.

Application P-2017-0001, Rezoning for 6661 Clyo Road, O-PD to I-1
Arnie Biondo, Director of the Centerville-Washington Park District

MOTION: Mr. Durham made a motion to remove Application P-2017-0001 from the table. Mr. Etson seconded the motion. The motion passed unanimously, 7-0.

Mr. Rodney stated he had briefed Council on the options for the Park District, and Council was not in favor of changing the use tables to allow a City Service Garage as a permitted or Conditional Use in the O-PD zoning district. When he notified the Park District of Council's position, Mr. Biondo requested the application be tabled to keep the rezoning option open, pending further review.

MOTION: Mr. Durham made a motion to table the rezoning of 6661 Clyo Road from O-PD to I-1 until the March meeting of Planning Commission. Mr. Etson seconded the motion. The motion passed 7-0.

Application P-2017-0003: Final Development Plan for the Randall Residence
John Roll and Associates, Inc., Sheehan Road and Social Row Road

MOTION: Ms. Korenyi-Both made a motion to remove the Final Development Plan from the table. Mr. Von Handorf seconded the motion. The motion passed 7-0.

Mr. Rodney presented the staff report for the request for approval of a Final Development Plan for the Randall Residence—a senior living complex with memory care, assisted living, skilled nursing care, independent living, twenty-one (84 units) quad villas, garages and parking lots. Density is calculated at 4.8 units per acre. Because the previously approved Final Development Plan had expired, the application returned to Planning Commission. Mr. Rodney reviewed the zoning, the topography, and the general layout of the proposal. Sawgrass Boulevard, a public street, will bisect the whole of the property, but the remainder of the streets were private. He pointed out the entries and the 10' retaining wall in the southeast corner of the property. Architectural features, lighting and landscaping will be similar to those found in the wider Yankee Trace community. Four ponds will manage stormwater for the Randall Residence.

Staff felt the Standards of Approval could be met and recommended approval, subject to the following eleven conditions:

1. This Final Development Plan shall supersede all previous Final Development Plan approvals per Article 5.09(G)(5) of the UDO.
2. The exterior materials palette shall be subject to approval by the City Planner.
3. All utilities shall be labeled as public or private. All public utilities shall be encumbered within a utility easement as needed via the platting process.
4. Final pathway design of all hiker/biker and pedestrian ways shall be subject to approval by the City Planner.
5. Final location and quantity of monument signs shall not be determined by this Final Development Plan.
6. Final landscape design and material selection shall be subject to approval by the City Planner. The plan shall include a wide variety of tree and shrub species.
7. Final location of the horsepark fence shall be subject to approval by the City Planner. The fence shall be located solely along Paragon Road, Social Row Road, and Sheehan Road.
8. Final design and composition of the proposed retaining walls and any associated fencing or barrier structure shall be subject to approval by the City Planner.
9. All necessary permitting and approval from the Ohio EPA, the Army Corps of Engineers, or any other governing body shall be obtained and provided to the satisfaction of the City

Engineer. This includes for any and all work to be done in or near the designated wetlands area and existing streams.

10. Detailed comments from the Engineering Division will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
11. Detailed comments from Montgomery County Water Services and utility companies will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.

When Mr. Clark opened the public hearing, Mr. John Roll, Roll and Associates, Inc., stated the plans were similar to those previously submitted for the Randall Residence. Although the financing partners had changed, the goal of blending with the Yankee Trace Golf Community remained.

Louis Duchesneau, 921 El Kenna Court, asked about conditions in the Final Development Plan related to mounding along Paragon Road. Mr. Rodney responded that mounding along Paragon Road was covered with the plan for Woodland Greens. Construction may begin in that area later this year. The mounding will be required.

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

MOTION: After Mr. Etson asked for clarification of the wall at Sheehan Road and Paragon Road, Ms. Korenyi-Both made a motion to recommend approval of Application P-2017-0003 with the eleven conditions recommended by staff. Mr. Muzechuk seconded the motion. The motion passed 7-0.

Application P-2017-0008: Variance for Building Height at the Allure Apartment Complex
Jerad Barnett, Mills Development Showcase, Ltd., 6751 Loop Road

Mr. Rodney gave the staff report for a variance to exceed the maximum building height of forty-five feet in a B-PD zoning district by fifteen feet for a total allowable height of up to sixty feet at The Allure. Mr. Jerad Barnett requested the variance for two of the seven buildings at the 312 unit apartment complex at 6751 Loop Road, adjoining Cross Pointe Center. Buildings 2 and 7 will be about 56.66 feet in height. Additional height was included in the variance request to cover contingencies. After explaining how average elevation is calculated, Mr. Rodney noted that hardship not created by the owner included the long and narrow lot and the bedrock near the surface on much of the site. The shape of the site limited placement of the buildings, and the bedrock limited the ability to use subterranean spaces for parking or lower levels. The Community Center Overlay required enhanced cornice features which also added height. Unit ceilings nine feet high are included in the architectural design.

Because most of the Standards of Approval could be met, the Planning Department recommended approval of the variance for a maximum building height of 60 feet, with the following one (1) condition:

1. The Variance shall be subject to approval of the Final Development Plan for The Allure of Centerville in case P-2017-0004.

When Mr. Clark opened the public hearing, Mr. Jared Barnett, Mills Development Showcase, Ltd agreed with the reasons for the variance as listed by Mr. Rodney and stated he felt the height was appropriate for the area.

MOTION: Mr. Von Handorf made a motion to approve the variance subject to the condition recommended by staff, as shown above. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

Application P-2017-0004: Final Development Plan for The Allure
Jerad Barnett, Mills Development Showcase, Ltd., 6751 Loop Road

After stating that the application was related to the previous one, Mr. Rodney used photos to show the existing conditions on the 14.55 acres of the site behind Cross Pointe Center and adjacent to I-675. Zoning is B-PD with a CC Overlay. Since Showcase Cinema closed in 2006, no alternative uses had been suggested until Mills Development presented this application for 312 units of multi-family residential housing in seven buildings with an urban layout around central green space with many amenities. After describing the layout and showing elevations, Mr. Rodney discussed grading, screening, stormwater drainage, fire department requirements, parking, pedestrian access to Cross Pointe Center, lighting, and architecture. He pointed out the requested signage would require variances from the Planning Commission at a later time.

The City Planner stated the Final Development Plan was consistent with the *Create the Vision* principles for infill. He stated the Plan generally met the Standards of Approval for Final Development Plans, and he recommended approval subject to the following thirteen (13) conditions:

1. Per Article 9.47 of the UDO, parkland dedication is required. The Applicant shall provide 2.65 acres of parkland via public land dedication, payment of a fee-in-lieu, private land dedication, or a combination thereof. Such dedication or fee-in-lieu shall be due prior to the issuance of zoning and building permits.
2. The Applicant shall participate financially in the construction of roadway improvements required as a result of this development per the approved Traffic Impact Study and the discretion of the City Engineer. Full payment for the Applicant's share of the improvements shall be due prior to the issuance of zoning and building permits.
3. A final design for the proposed ornamental fence along Loop Road shall be subject to approval by the City Planner. The fence shall closely mimic the fence and column design at the SR48/I-675 interchange.
4. A final design for the proposed pedestrian walkway to Cross Pointe shall be subject to approval by the City Planner. The walkway shall provide pavement, landscape,

lighting, screening, and other aesthetic treatments to present a welcoming environment for pedestrians.

5. A block of high architectural quality shall be utilized in the construction of the proposed retaining walls. Such material shall be subject to approval by the City Planner.
6. The final design of stormwater management infrastructure shall be in accordance with Article 9.35 of the UDO.
7. A sheet(s) reflecting truck turn templates shall be provided with or in advance of the construction documents for review.
8. The Landscape Plan shall be amended to reflect the current site plan.
9. The Norway Spruce trees proposed along Loop Road shall be relocated to provide a general landscape screen between Loop Road and Building #1.
10. Exposed un-finished treated lumber shall be prohibited. All unfinished lumber shall be stained, painted, or otherwise finished or concealed subject to approval by the City Planner.
11. All roof-mounted HVAC equipment shall be concealed in accordance with UDO standards.
12. Detailed comments from the Engineering Division will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
13. Detailed comments from Montgomery County Water Services and utility companies will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.

Mr. Clark opened the public hearing.

Mr. Barnett of Mills Development Showcase, Ltd. stated he had partnered with Hills Properties and had worked for three years on this plan. The company vision was to construct and maintain the complex—to remain in Centerville for the longterm. He highlighted the Cross Pointe connection, the central green space, the compatibility with *Create the Vision* and the many amenities. When Mr. Etson asked if he had any concerns about the conditions, Mr. Barnett responded in the negative.

Mr. Clark closed the public hearing.

MOTION: Ms. Korenyi-Both made a motion for approval of Application P-2017-0004, the Final Development Plan for The Allure, subject to the conditions recommended by staff as shown above. Mr. Etson seconded the motion. The motion passed 7-0.

OLD BUSINESS

Mr. Rodney noted that two application concerning Cornerstone which had been expected under Old Business had been withdrawn by the applicant. They included Application P-2016-0031: the Record Plan for Section 7, Cornerstone Phase IV and Application P-2016-0053: the Major Site Plan for the Park at Cornerstone North.

NEW BUSINESS

Application P-2017-0005: Replat of Cornerstone Section 5, Lot 3 for CoreLife Eatery Robert Hall for Shoppes at Cornerstone III, Ltd., 5201 Cornerstone Boulevard

Mr. Rodney stated Robert Hall requested bisecting the 2.88 acre lot at the corner of Cornerstone North Boulevard and Village Center Drive to create a site for a CoreLife Eatery. The split allowed for adequate parking and setbacks for the restaurant on the vacant corner near Shoppes III. The replat is consistent with the approved FDP per the evaluation by staff.

The Planning Department recommended approval of the plat without conditions.

MOTION: Mr. Stewart made a motion to approve Application P-2017-0005, the lot split for CoreLife Eatery in Cornerstone North Section 5, Lot 3. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

Application P-2017-0006: Major Site Plan for CoreLife Eatery at 5201 Cornerstone North Blvd. Robert Hall for Shoppes III, Ltd.

Mr. Yandrick presented the staff report for the Major Site Plan for CoreLife Eatery, a stand-alone restaurant of about 4,000 square feet, in a B-PD zoning district along Cornerstone North Boulevard at Village Center Drive.

Since many of the requirements were completed with the construction of Shoppes III, only a portion of the usual items needed to be addressed. Showing the elevations and plot plan, he described the architecture, the accent materials, the canopies, the layout of the building, and the pedestrian accessibility. Mr. Yandrick explained that staff recommended flipping the building for a mirror image to spread out the distance between the main entrance of the adjoining building with Zoup! and to make parking less congested yet convenient for both. The change would increase the focus on the corner. As currently situated, the architectural interest was not on Cornerstone North Boulevard or Village Center Drive.

Mr. Yandrick stated the Standards of Approval for a major site plan could be met and recommended approval of the application with the following two conditions:

1. The building orientation shall be flipped to provide a public entrance addressing the Cornerstone North Boulevard & Village Center Drive intersection.

2. 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.

When Mr. Clark asked about the location of the dumpsters, Mr. Yandrick admitted they would be farther away from the service door, but he felt the benefit from the entrance being farther from Zoup! outweighed the extra distance.

Mr. Rodney noted the mirroring should not change the internal configuration of the business.

When Mr. Clark opened the public comment, Mr. Hall, 3445 Newmark Drive, stated the City was overreaching its authority. He questioned how the City could demand the applicant flip the building if the application met the Standards of Approval as submitted. His company included professional planners who design buildings to ensure the success of the business. He cited a number of specific requirements of the standards that had been met and said requiring the flip was overreach by the City. CoreLife representatives had conveyed a mirrored plan would cause internal and external operational issues. The main entrance would be farther from the primary parking field. Mr. Hall stated the UDO and the Final Development Plan allow banks and restaurants to locate the main entrance on any façade and said the developer never represented that the main entrance was going to be at the corner. He asked Planning Commission to remove Condition #1.

Mr. George Oberer, Cornerstone Developers, stated having the parking on the opposite side of the building from the main entrance would affect patronage and was unacceptable.

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

Mr. Etson stated that he was not in favor of the flip, since the requirements were met without it. He was concerned the mirrored plan would create a dumpster issue and danger for people congregating at the busy intersection of Village Center Drive and Cornerstone North Boulevard. Ms. Korenyi-Both agreed. Mr. Von Handorf stated he was satisfied with the plan as long as it included pedestrian access on Cornerstone Boulevard.

Mr. Durham stated agreement with staff. He noted mirroring a plan should not cause major issues. He felt the change would enhance pedestrian flow and would still have good access to parking.

MOTION: Mr. Etson made a motion to approve the Major Site Plan for the CoreLife Eatery at 5201 Cornerstone Boulevard, with only Condition #2 recommended by staff. Mr. Muzechuk seconded the motion. The motion passed 5-2 with Mr. Durham and Mr. Clark voting no.

Application P-2017-0007: Major Site Plan for Performance Jeep at 6950 Loop Road
Michael Leach, Bryant Builders

Mr. Yandrick gave the staff presentation for the major site plan for the Performance Jeep vehicle sales and service business at 6950 Loop Road situated on two lots zoned B-PD. Improvements included upgrades to the south and west facades, changes to the traffic flow through the site, relocation of the dumpster and reconfiguration of the parking. The applicant requested double stacking of vehicles in the south parking area. Mr. Yandrick noted Planning Commission had to authorize the double stacking. Mr. Yandrick shared photos of existing conditions.

He stated the Standards of Approval generally could be met and explained the following four (4) conditions requested by staff:

1. 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.
2. Fire Access, with a WB-50 template, must be maintained on the property through the duration of construction, whereas vehicles and construction equipment should not severely block fire access to and from the site.
3. A lighting plan must be submitted and approved by the City Planner if any lighting changes are proposed.
4. Double stacking of cars in the parking lot in accordance with the site plan received February 20, 2017 is hereby approved.

When Mr. Clark asked for comment from the applicant, Mr. Michael Leach of Bryant Builders, 517 Windsor Park Drive, asked for approval of the major site plan which included the use of composite materials, metal panels and significant landscaping. Bryant Builders and the dealership hoped to bring the site back to life.

Mr. Clark closed the public comment.

MOTION: Mr. Stewart made a motion to approve Application P-2017-0007, the Major Site Plan for the Jeep dealership at 6950 Loop Road, subject to the four conditions recommended by staff as shown above. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

COMMUNICATIONS

Mr. Rodney announced Council approved the rezoning and the Preliminary Development Plan for The Lofts, so Mr. Pearson will be submitting a Final Development Plan soon.

Mr. Rodney enumerated items expected for the March agenda, including the Savannah Place Preliminary Development for the area south of Bethany Commons Drive, the rezoning for 6661

Clyo Road, a Major Site Plan for a new bed tower at Miami Valley Hospital South, and a UDO text amendment related to seasonal garden centers. He shared that Wendy's on Wilmington Pike was working on a Major Site Plan.

Mr. Rodney stated staff presented the Centerville Place Planning Study to the Montgomery County Land Bank, and it was received favorably.

The next meeting of the Centerville Planning Commission will be in the Council Chambers at 7:00 p.m. on March 28, 2017. Mr. Clark adjourned the meeting about 10:50 p.m.



Paul Clark, Chair