

Village of Evendale Planning Commission
Evendale Commons PBD Review Overall Development
Comment List for Submittal #1, May 2005

1) *Traffic/Access*

- Two commission members (Jim & Michael) meet with TEC & Jack to discuss scope of services

This is being handled by representatives of the Village and their traffic consultant, TEC.

James - The Village of Evendale required a traffic impact study of the proposed facility. This was prepared and submitted by the developer's traffic consultant (CESO). In addition, the Village hired an independent consultant (TEC) to review and advise on the traffic impact. In the approved preliminary submittal of August 27, 2004, TEC had three comments in regards to the submitted plan as follows:

- 1. Necessary left turn storage capacity at the existing Glendale Milford Road bridge: CESO verified the width and provided a drawing indicating the configuration of the lanes. This was acceptable to TEC.**
- 2. Driveway spacing on Reading Road: This was revised and agreed to by TEC.**
- 3. The intersection at Glendale-Milford and Reading Road: The developer has not included improvements to this intersection as part of the development. It is our opinion that any improvements to this intersection would be the responsibility of the Village of Evendale, since this intersection currently has a Level of Service of F during peak times. The Village of Evendale has received a grant from the Ohio Department of Transportation to revise this intersection.**

The final item in the TEC report was the ability to review any submittal once a tenant is known. The question that should be asked at this point is "What is the traffic volume that Wal-Mart projects and how does that compare to the original report?"

It is not the developer or tenants' responsibility to cure all of the perceived traffic ills of a community. However, it is our opinion that the developer has shown a propensity to assist in reasonable solutions that they could implement.

Our recommendation is for the locations of the intersections to be set. The final details of these intersections can be worked out over time, as the center is not scheduled to be opened until spring of 2007. It is not critical for every aspect to be resolved, but the general premises/location must be established, for the infrastructure and utility locations and approvals.

- Final subdivision submittal restrictions & concerns

Anchor Properties will work with the Village to prepare this information for the Village's review and approval.

James - Agreed Covenants Document

- Out parcels on Reading Road access to main entrance/exit on Reading Road i.e.; internal frontage road

The Evendale Commons "PBD" was approved requiring cross access easements for the Reading Road parcels. The lots fronting on Reading Road will have cross access easements, the locations of which will be included on the Final PBD Plan and Final Plat for each lot. The provision for the cross access easements will also be required in the Declaration of Covenants and Restrictions and Reservation of Easements (copy to be provided).

Tim - Agreed

James - The original concept plans dated Aug 27, 2004 indicated that there would be three curb cuts allowed for the 7 out parcels as well as access to the proposed road. These would allow for adjoining outlots to share a common access point. The Declaration of Covenants and Restrictions and Reservation of Easements should cover the ability of shared responsibility for these curb cuts.

Although some seem to have the impression that an actual driveway connecting all of the parcels together is what was approved, this was not the case.

- Reading Road curb cuts

A total of three (3) curb cuts were approved for the parcels fronting on Reading Road as a part of the Evendale Commons "PBD" in addition to the signalized access road. Two (2) of the curb cuts are full access and one (1) is limited access. Anchor Properties is not proposing any additional curb cuts on Reading Road other than those originally approved and has, with the addition of the Stiney property to the "PBD", eliminated an additional existing full curb cut. The final design of the curb cuts will be included on the Final "PBD" Plan for each outlot impacted.

Tim - Agreed

James - This is acceptable based upon comments above.

- Inwood Drive residential character

It is our understanding that the Village and TEC are reviewing the Inwood Drive intersection and options that would preserve the residential character of Inwood Drive. Anchor Properties would make a financial contribution to this effort.

Jack - Agreed

James - It is our opinion that the intersection of Cunningham Drive and Reading Road be located at Inwood. From an engineering standpoint this is the best solution to not create

bottlenecks within the development and allows the best development scenario for the landbank properties.

- Size and traffic flow over Mill Creek bridge

American Consulting Engineers is in the process of analyzing the lane requirements for the Bridge and will prepare a report on same for review by the Village Traffic Consultant.

James - The bridge is proposed to be wide enough for three lanes. This will need to be an on-going evaluation.

- Internal development roads traffic flow

American Consulting Engineers has analyzed the lane requirements for the internal roadway network and will prepare a report on same for review by the Village Traffic Consultant.

James - This is an engineering/construction issue and not a planning issue.

Jack – TEC continuing to review.

2) **Legal/Marketing**

- Final subdivision plan deed restriction/covenants
 - i. Maintenance of unused structures (vacant bldgs., overall site)

The Declaration of Covenants and Restrictions and Reservation of Easements (copy to be provided) address the ongoing maintenance of the Evendale Commons including individual buildings and common space areas. These Covenants are still enforceable should a building be temporarily vacant. Planning Commission, in their June 28, 2004 recommendation of approval for the “PBD” zone change, Item (d) required executed covenants be provided that would address the conditions of approval including maintenance.

Tim - Agreed

- ii. Design standards (New build, addition, expansion)

Design Standards were included and approved as a part of the Evendale Commons Business Park Requirements. The Design Regulations are contained within Part Six of the document and are enforceable as a part of the approved “PBD” zoning as is any other zoning requirement. Further, the Design Standards are referenced in the Declaration of Covenants and Restrictions and Reservation of Easements (copy to be provided) which will be a recorded document running with the land.

Tim - Agreed

- iii. Require membership and contribution from all to common areas

All of the property owners within the Evendale Commons PBD must execute the Declaration of Covenants and Restrictions and Reservation of Easements. This document

requires that provisions are made for the maintenance of all property in the Evendale Commons "PBD".

Tim - Agreed

- iv. Easement language for access between Reading Road out parcels
The Declaration of Covenants and Restrictions and Reservation of Easements provides for the cross access between the seven (7) lots fronting on Reading Road that share access points.

Tim - Agreed

- v. Mill Creek easement language & ownership issue

Anchor Properties or their designated entity will own the portion of Evendale Commons contained within the Mill Creek Floodway (GB-1 and GB-2) until such time as an entity is identified that is acceptable to the Village to whom ownership can be transferred. Draft Conservation Easement language has been submitted to the Village Solicitor for review.

Tim – Clarify - Comments on easement language

- vi. Evendale's enforcement authority & mechanism to keep and require restrictions/covenants

The requirement for the Declaration of Covenants and Restrictions and Reservation of Easements is part of the "PBD" zoning approval. Failure to have the Declaration of Covenants and Restrictions and Reservation of Easements would be a violation of the zoning approval. The Village of Evendale, in making the Declaration of Covenants and Restrictions and Reservation of Easements a part of the zoning approval, has the ability to enforce all of the provisions of the Declaration of Covenants and Restrictions and Reservation of Easements as a part of the Zoning on this site similar to other provisions of the Zoning Code.

Tim – Agreed

- PBD Overlay development phasing

The Phasing Schedule for the Evendale Commons "PBD" was submitted as Part Five: Development Schedule of the Evendale Commons Business Park Requirements. The most recent submittal for the Final Development Plan for the Business Park and Site "A-1" is consistent with the approved schedule.

Tim - Agreed

- PG Graves and Formica access points identified

Anchor Properties has identified potential future access to adjacent properties to both the south (Formica Property) and the east (PG Graves Drive) on the Final Development Plan for the Business Park. The potential future access points have also been referenced in the Declaration of Covenants and Restrictions and Reservation of Easements. The final

engineered location of these access points will be completed once there is a linkage point to access on the adjacent properties. Site improvements made as a part of the Evendale Commons Business Park will not impede these access points.

Tim – Agreed

James - There will be permanent easements indicated on the plans.

- Site features, utility easements, roads impacting right-of-way

All of the site features are shown on the Final Development Plan. Easements for utilities located outside of public right-of-ways will be indicated as locations are approved by the various utility companies. These easements will be included on the Final Plat of Subdivision.

Tim – Agreed

James - The developer will meet these requirements by including this information on the Final Plat. Developer shall submit Final Plat for approval.

- Underground utilities

All new utilities will either be located underground or suspended from the Bridge where crossing of the Mill Creek is required. All existing utilities will remain in place above ground.

Tim – Agreed

James - Agreed

- Vacant building – lease agreement including maintenance language and vacancy protection

The Declaration of Covenants and Restrictions and Reservation of Easements (draft copy will be provided) address the ongoing maintenance of the Evendale Commons including individual buildings and common space areas. These Covenants are still enforceable should a building be temporarily vacant. Planning Commission, in their June 28, 2004 recommendation of approval for the project, Item (d) required signed covenants that would address the conditions of approval including maintenance.

Tim - Agreed

- Village Solicitor review of any covenants and restrictions

A copy of the draft Declaration of Covenants and Restrictions and Reservation of Easements will be submitted to the Village Solicitor, Tim Burke, for review.

Tim – Agreed

- Section 6 Phasing - Office Plan detail for Phase I including marketing, discussions and the like

Anchor Properties has contracted with Colliers International to assure that successful professional marketing of the Office Park is done. A marketing brochure is being finalized to expand the marketing efforts of the office development.

Tim - Agreed

- If Wal Mart SuperCenter, give examples of 3-5 existing sites with neighborhood retail co-habitants.

Following are examples of other locations where large scale retailers have successfully co-located with neighborhood retail:

1. *Fort Wright, Kentucky*
2. *Deerfield Township/Mason Montgomery Road*
3. *Miami Township/State Route 28 and By-Pass 28*
4. *Deerfield Township/Waterstone*

Photos of these locations will be provided for reference.

Tim - Agreed

- If Wal Mart SuperCenter, give examples of 3-5 existing sites with successful office component.

Following are examples of other locations where large scale retailers have successfully co-located with offices:

1. *Deerfield Township/Waterstone*
2. *Deerfield Township/Governors Point (Mason-Montgomery Road)*
3. *Florence, Kentucky / Houston Road*

Photos of these locations will be provided for reference.

Tim - Agreed

3) Topographical/Infrastructure

- Finished condition of Mill Creek (fencing, slope, matching existing grade with proposed)

The Enlarged Plans of Areas GB-1 and GB-2 indicate the proposed grading to take place in this area. Cross sections are being prepared of representative locations in GB-1 and GB-2 to illustrate the grade changes. The understory brush in this area will be cleared so that mature trees can be preserved. The finished appearance of this area will be similar to that of the Formica Property to the south. A fence is not proposed at the top of the GB-1 and GB-2 areas as it will disrupt the natural appearance of the area.

Tim – Agreed

James - At this time, the Mill Creek Conservancy District has voted to dissolve. Therefore, the recognized authority of the Mill Creek will default to either the Village of Evendale or

some other operation. The recreational uses of the Mill Creek have been proposed, in theory, for a number of years, none of which have come to fruition. Given the above parameters, all the developer can be expected to perform at this time is to prepare the area in a manner consistent with the adjoining properties.

- Existing trees and vegetation to remain around Mill Creek shown on plan

The limits of construction and grading have been indicated on Sheets GB-1 and GB-2 and any areas outside the construction/grading limits will be preserved. The understory brush will be cleared in these areas so that mature trees can be preserved. The final appearance of this area will be similar to that of the Formica Property to the south.

Tim – Agreed

James - The developer will be required to prepare the site in a manner consistent with sound engineering practices. Therefore, the site will be required to be constructed at a level above the posted FEMA flood plain. The site will require some removal of the existing trees and vegetation. In addition, the developer will clear some of the under story (honeysuckle, brush, weeds, etc.), to make the area within the greenbelt aesthetically pleasing.

- Underground utilities

All new utilities will either be located underground or suspended from the Bridge where crossing of the Mill Creek is required. All existing utilities will remain in place above ground.

Tim – Agreed

James - Agreed

- Water Management & Sedimentation Control Plan through Council, Planning Commission to provide comments to Council.

Water Management, Sedimentation Control and Stormwater Pollution Plans have been submitted and are being reviewed by the Village Engineer.

Tim – Agreed

James - Agreed

- Detention/Retention basin locations not consistent with PBD approved plan

The Preliminary Development Plan for the Evendale Commons indicated preliminary locations for the storm water management basins. In the design process of final engineering there will be the need to address site conditions, Village requirements, etc. that will result in

some variations from the Concept Plan. The storm water management systems submitted on the Final Development Plans is consistent with the intent of the approved Preliminary Development Plan. As each site is submitted for review and approval of a Final Development Plan, final storm water management plans will be incorporated either on site or in development storm water basins. The Final Development Plans submitted to the Village indicated the final location of the basins for Site A-1. A retention basin is located on the eastern portion of Site A-1 and a detention basin is located on the western portion of Site A-1. These basins meet or exceed the design requirements of the Village. The Final Development Plan for the overall development includes the locations of additional temporary basins that are designed to collect erosion and manage storm water during construction.

Tim – Agreed

James – The detention/retention basins shown in the conceptual submittal were not intended to be a final design in scope or size. It would be impossible to design a single regional basin, without the amount of hard surfaces being known. Depending on the potential tenants for the spaces in the retail and office areas this could vary significantly. Unless you are requiring the developer to pave all 80+/- acres, the development of a regional system will have to be evaluated as the development continues.

It is our opinion that the detention/retention basins currently proposed are appropriate for the size of the current area to be developed. It is not the intention of the developer to have separate detention/retention basins for each lot, but until the lots have tenants this requirement will be an on-going evaluation for the engineer, planning commission and council.

- Drainage system not an overall site system, not consistent with PBD approved plan

The drainage system for the Evendale Commons PBD is designed to accommodate storm water for the entire development. It is being developed in phases as Final Development Plans are prepared, reviewed and ultimately constructed. The overall design will meet or exceed the requirements of the Village for storm water management, consistent with the approved PBD Plan.

Tim – Agreed

James - Agreed

- Design around detention/retention basins (landscaping, water movement)

The storm water basin on the eastern portion of Site A-1 will be a retention basin with landscaped edges as indicated on the Landscape Plan (detail to be provided). The Basin will include a water feature.

Jack – Requires more discussion

Tim – Agreed

James - Agreed

- Front retention basin incorrectly indicated as storm water detention basin on plans

As indicated above, the basin on the eastern portion of Site A-1 will be a wet retention basin and the basin to the rear of the Wal-Mart store on the western portion of the site will be a dry detention basin. The Plans have been revised to identify the status of the basins correctly.

Tim – Agreed

James - Agreed

- Street names (Planning Commission responsibility)

Evendale Commons Drive has been selected as the name for the street that serves as access to the office development to provide corporate identity. Anchor Properties has suggested that Planning Commission and/or Council determine the names for the other two (2) roadways. As an initial suggestion, Anchor Properties would suggest the following names: Mill Creek Drive, Cunningham Place, Froelich Drive or Gorman Way.

James - The developer has agreed to the retail roadway to be named Cunningham Drive and the office road to be called Evendale Commons Drive.

- Cross walks treatments in public road

Anchor Properties is aware that the pedestrian crosswalks in the Evendale Commons development need to be identified in a manner that provides motorists with an awareness of pedestrian activity while adding to the design element of the project. Suggestions for the appropriate material are still being researched by the Village.

James - As discussed, the crosswalks will be stamped concrete.

- Fencing for function and aesthetics

For liability reasons, a six foot tall black metal fence to emulate wrought iron, has been included around the retention basin of Site A-1. A detail of the fence is located on Sheet 7 of 8. Given the location of the fence relative to the topography, only approximately four feet of the fence should be visible through the landscape material. This type of fencing has been selected as it is both functional and attractive for this location.

Tim - Agreed

- Reading Road outlot grading of existing matching proposed (treatment & landscaping)

A grading plan has been submitted that indicates the rear portion of the seven (7) lots on Reading Road will be graded at a 3:1 slope which is maintainable. The landscape plans for

these areas will be submitted with the Final Development Plans for each of the seven (7) lots. Temporary seeding and erosion control planting will be in place following grading of this area.

Tim – Agreed

James - Agreed

4) Mill Creek

- Easement language and Ownership recommendation and language from Solicitor

Anchor Properties or their designated entity will own the portion of Evendale Commons contained within the Mill Creek Floodway (GB-1 and GB-2) until such time as an entity is identified that is acceptable to the Village to whom ownership can be transferred. Draft Conservation Easement language (copy to be provided) will be submitted to the Village Solicitor for review.

Tim - Clarify- Comments on easement language

James – Agree (see above)

- Clarify pedestrian access to Mill Creek floodway area from Evendale Commons areas

Future pedestrian access to the areas of GB-1 and GB-2 are indicated on the detail sheets GB-1 and GB-2 and will be labeled as such.

Tim - Disagree, no access shown or labeled

- Wetlands relocation area
 - i. In easement area
 - ii. Removal of large trees in that relocation area

There will be minimal disturbance in relocating the wetlands area to the Mill Creek. Anchor Properties will prepare a detailed Wetland Relocation Plan which will be submitted to the Village Engineer for review and approval.

Tim – Agreed

James – Agreed - This plan has been submitted to and approved by the Army Corps of Engineers.

- Grading inside easement area

Anchor Properties will prepare a detailed Wetland Relocation Plan indicating grading which will be submitted to the Village Engineer for review and approval.

Tim – Agreed

James – Agreed (see above)

- Headwalls draining storm water from developed site area

A detail of the headwall discharge is located on Sheet number C-6.2.

James – Requires more discussion - The storm system shall be evaluated by the Village Engineer as it is designed and submitted. The current submittal for Wal-Mart indicates landscaping and fencing around the detention/retention basins that will buffer the visibility of the headwalls.

- Litter control (Mill Creek drainage)

Efforts will be made to keep litter within the Evendale Commons development to a minimum. Trash receptacles designed in keeping with the development (sample to be provided) will be provided throughout the common areas. All waste areas (compactors or dumpsters) will be located within enclosures that meet or exceed Village requirements. Additionally, signage will be posted prohibiting litter and the businesses are to enforce a litter control policy for their business as required in the Declaration of Covenants and Restrictions and Reservation of Easements. The Declaration of Covenants and Restrictions and Reservation of Easements can be enforced as a zoning requirement since this was a requirement of the PBD.

Tim – Agreed

James - Agreed

- Orientation of Reading Road outlots front doors

The final orientation of the buildings to be located on the seven (7) lots fronting Reading Road will be as approved on the Final Development Plan for each lot. No service elevation of a building will be directly adjacent to Reading Road or the entry road.

Tim – Agreed

James - The frontage of the lots should be required to be Reading Road.

- Site wildlife displacement (Planning Commission)

Planning Commission is to address this issue.

Jack – Not an issue the Planning Commission has the ability or the jurisdiction to address.

5) Architectural Features

- Construction sequencing of common area features

The construction of all of the common area features as indicated on the Submitted Final Development Plan will be done as a part of the initial Phase One of construction. Should they not be completed as approved, the Village can withhold the issuance of a Certificate of Occupancy for the development.

Tim - Agreed

- Features consistent with PBD plan?

The proposed common area features are consistent with requirements of the “PBD” and are indicated in Section 5 of the submittal “Checklist of PBD Requirements”.

Tim – Agreed

James - Agreed

- Submittal consistent with guidelines (Architectural Review Board)

The Architectural Review Board is currently reviewing the submittal.

Jack – In the absence of comment from the Architectural Review Board on any given topic the Planning Commission can proceed with review until they are satisfied. The Architectural Review Board is to assist the Planning Commission not make final determinations.

- Design intent examples from existing sites

The building materials and design focal elements are drawn from the architectural vocabulary of Evendale. The Evendale Commons does not replicate another development but has set out to create one that is uniquely Evendale and is responsive to the specific characteristics of the site such as the Mill Creek.

Tim – Agreed

James – Agreed – The proposed development design elements reflect the “branding” of architectural styles located within the municipal complex and adjoining properties along Reading Road. This was a recommendation by the Poggemeyer Group, that capitalizing upon similar design styles along the corridor will create a unified brand/image for the community.

- Detention/Retention basin detail (fountain?)

The retention basin on the eastern portion of Site A-1 will have a water feature. It will be a fountain that not only serve to aerate the water but provides visual interest.

Jack – Requires more discussion

Tim - Agreed

- Water feature (seating areas)

A seat wall, approximately fifty (50) feet long, is incorporated into the design of the water feature. The main seating area with benches is to the west of the water feature in the pedestrian gathering area.

Tim – Agreed

James – Agreed

- Sign design details

The details of the development signs have been revised to reflect building materials and additional detail. A sample board of building materials will be provided.

Tim - Requires more discussion

- Common area details to personalize effect

In addition to the water feature and clock tower, there will also be the pergola, landscaping and pavement accents to personalize the experience in the common areas. Along with creating seating areas, a monument to the Cunningham Family will also be featured in this location.

Jack – Requires more discussion

Tim – Agreed

James - The design elements proposed for the common areas capitalize upon Evendale's history and unique personality.

- Architectural features for terminus points

Anchor Properties is utilizing landscaping as a feature for the terminus points. When the office site at the western terminus point develops, they may choose to center their building on this axis or enhance the landscape area.

Tim – Agreed

James - This will be an on-going review item as additional lots are developed.

- Compare Reading Road Revitalization Plan with submittal

A comparative analysis of the Evendale Commons Development with the Reading Road Revitalization Plan was done and included with the August 24, 2004 Submittal in Section III.

Tim – Agreed

James - Section #3 of the August 27, 2004 approved PBD submittal, the developer has incorporated 27 of 31 recommendations made by the Poggemeyer Design Group. The only issues not incorporated at this time are 1) the creation of a TIF; 2) installation of regional bus stops; and 3) construction of a hotel at the site. The first two items are not part of the submittal at this time and item #3 may be pursued if market conditions dictate a need.

- Brad D's comments included

We have not received any comments from Brad.

Jack – In the absence of comment from the Architectural Review Board on any given topic the Planning Commission can proceed with review until they are satisfied. The Architectural Review Board is to assist the Planning Commission not make final determinations.

- Materials
 - i. Sample boards
 - ii. Walkways
 - iii. Bridge
 - iv. Signs

Material Samples will be prepared for the walkways, bridge and development signs.

Jack - Agreed

6) Landscaping

- Construction sequencing of common area features

The construction of the Common Area Features will be with the initial Phase One of the Evendale Commons Business Park. Final Development Plans have been submitted for these features. If the Common Area features are not completed as approved, the Village can withhold the issuance of a Certificate of Occupancy for the development.

Tim – Agreed

James - Agreed

- Features consistent with PBD plan?

The Landscape Features are consistent with those approved with the "PBD". Streetscape Treatment has been created for both Reading Road and Glendale Milford Road. Entryway features have been created for the two (2) main access points and the entrance to the business park. The common features and central landscape corridor enhance the site. Landscaping for Site A-1 meets or exceeds the requirements of the Village.

Tim – Agreed

James - Agreed

- Submittal consistent with guidelines (Architectural Review Board)

The Architectural Review Board is reviewing the submittal.

Jack – We have responses from Ralph in regard to his review of the project. He has not declared this to be an issue so I would suggest this be a removed item.

- Ralph T's comments included

Anchor Properties is working directly with Staff to address these comments.

Jack – Requires more discussion

- Utilize aspects of the Mill Creek in design

The landscape architect for the development, Bentley Koepke, will be consulted in the selection of plant material for the development to complement or enhance plant material found in the Mill Creek.

Tim - Requires more discussion

- Unique features to personalize the area

In addition to the water feature and clock tower, there will also be the pergola, landscaping and pavement accents to personalize the experience in the common areas. Along with creating seating areas, a monument to the Cunningham Family will also be featured in this location.

Tim – Agreed

James - This is acceptable as the developer has been responsive by incorporating unique common area features in the development.

7) Development Features/Signage

- Construction sequencing of signs

The development signs will be constructed with the initial Phase One of the development as approved by the Village. The signs will be constructed so that the retailer for Site A-1 will be incorporated initially; the tenant(s) for Site A-2 will be added.

Tim – Agreed

James - Agreed

- Consistent and compatible with landscaping and architectural features (Architectural Review Board)
The Architectural Review Board is reviewing.

Tim - For all comments related to Covenants and Restrictions: reviewed and commented on draft covenants and comments incorporated to Solicitor's satisfaction. Attachment to covenant will incorporate final conditions of approval.