

Minutes of the City of Vandalia Planning Commission
August 26, 2025

Members Present:	Ms. Kristin Cox, Mr. Lucious Plant, Mr. Bob Hussong
Members Absent:	Mr. Dave Arnold
Staff Present:	Michael Hammes, City Planner Ben Graham, Zoning & Planning Coordinator Ben Borton, Director of Public Service Rob Cron, Assistant City Manager
Others Present:	James Test, Sean McKinnies, Jon Bixs, Robert Bellinger, Larry Taylor, Jamie Spencer, Alexis Morgan, Matt Morgan, Sean Olson, Al Machuca, Amy Machuca, Deryl Taylor

Call to Order

Ms. Cox called the meeting to order at 6:01 p.m.

Attendance

Ms. Cox noted that three members were present. Mr. Plant made a motion to excuse Mr. Arnold. Mr. Hussong seconded. The motion carried 3-0.

Reorganization Meeting

Mr. Hammes explained that the terms for members of the Planning Commission expire at the end of June each year. The Commission elects a new Chair and Vice Chair at the first meeting following the start of the new term. He added that Ms. Cox had served as the Acting Chair for the previous meeting, due to the size of the agenda.

Mr. Hammes noted that a member could be selected as Vice Chair even if they were absent from the meeting. In that scenario, he recommended selecting a Second Vice Chair as well. In the event that both the Chair and Vice Chair would be absent, the Second Vice Chair would preside over the meeting.

Mr. Plant nominated Ms. Cox as Chair. Mr. Hussong seconded the motion. Ms. Cox agreed to serve. Roll was called. The motion carried 3-0. Ms. Cox was elected as Chair of the Planning Commission.

Ms. Cox nominated Mr. Arnold as Vice Chair and Mr. Plant as Second Vice Chair. Mr. Hussong seconded the motion. Mr. Plant agreed to serve. Roll was called. The motion carried 3-0. Mr. Arnold was elected as Vice Chair of the Planning Commission, with Mr. Plant elected as Second Vice Chair.

Approval of Minutes of the Planning Commission

Mr. Hussong made a motion to approve the July 8th, 2025 minutes. Mr. Plant seconded the motion. The motion carried 3-0.

Ms. Cox read from a prepared statement, transcribed verbatim below.

Just for everybody in the room, I just wanted to put together a couple of comments about what we do and who we are.

We are Vandalia citizens just like you that volunteer to sit on this board as a way to be more involved in our community. We are appointed by the City and are unpaid for our services. The Commission holds a public hearing, listens to input, and gives City Council a recommendation to approve or deny the request.

There are specific requirements in our code about notifications to the public and public notices about meetings that are strictly followed by our staff.

The goal is to help Vandalia grow in an orderly, safe, and smart way that adheres to our planning and zoning code, the City Charter, our zoning map, and our comprehensive plan. It can be challenging to balance the needs of businesses, builders, and neighborhoods all at once. We are subject to sunshine laws and Roberts rules, and must conduct ourselves in the meetings as such.

While we may have personal convictions about a topic, our main duty is to review the application fairly and review how the code applies to the request. Our recommendation then is forwarded to the City Council for further review and additional community input.

Swearing in of Attendees Wishing to Speak at Meeting

The attendees were sworn in.

Old Business

Mr. Hammes confirmed that there was no Old Business on the agenda.

New Business – PC 25-0011 – PUD and Preliminary Plan – Copperfield Towns

Mr. Hammes introduced Case PC 25-0007. Todd Foley, of DDC Management, requests the creation of a new Planned Unit Development and associated Preliminary Plan for the Copperfield Towns Development at 3330 Mulberry Road in the City of Vandalia. If approved, the 11.36 acre site would be divided into 34 building lots which would accommodate 87 townhomes in 2 and 3-unit structures. The property is currently zoned A – Agriculture.

Mr. Hammes explained that the applicant had submitted a similar application in July of 2022, but that Council had ultimately denied the request.

Mr. Hammes described the surrounding zoning and land use profile, noting that the site is bordered by highway to the south and west, agricultural property to the east, and the Copperfield residential development to the north.

Mr. Hammes discussed the housing proposed for the site. The developer proposed a blend of 2-unit and 3-unit structures, each with townhomes featuring a garage and other amenities. Common spaces, including a large open space area to the west, would be maintained by a homeowners'

association.

Mr. Hammes referred to the proposed preliminary plan. He pointed out that the development would have a single entrance from Mulberry and internal streets forming a loop. Two of those streets would terminate at the east end of the site, but could connect to future development to the east in the future.

Mr. Hammes reported that one monument sign was proposed for the entrance to the development.

Mr. Hammes discussed the open space proposed for the site, noting that a 50-foot buffer would be required along Mulberry and to the east.

Mr. Hammes noted that the land-use density for the site would be 7.65 dwelling units per acre. This would be lower than the 12 units per acre maximum for multi-family residential planned unit developments.

Mr. Hammes discussed the Comprehensive Plan. This property, as well as the other agricultural properties south of Mulberry, are designated as “Medium Density Residential” properties in the Future Land Use Map. The medium density designation specifically identifies townhomes as a viable type of housing for that area. He added that the proposed development appeared to be consistent with the Comprehensive Plan.

Mr. Hammes reviewed the proposed development standards for the site. For building lots, the only permitted use would be Multi-Family Residential. Open space and passive recreational uses would be permitted on the open space lot to the west. Mr. Hammes also noted that the exteriors of dwelling units would be required to have variety, with no two adjacent units having the same design or façade.

Mr. Hammes noted that required improvements to Mulberry Road would be completed to City Standards and under the supervision of the Director of Public Service.

Mr. Hammes discussed the proposed schedule for the development. Primary construction will begin in spring of 2026 with a nine month approximately 9-month construction period planned. Once horizontal construction is complete, dwellings would be constructed as sales allowed.

Mr. Hussong asked if it would be relevant to know why the previous request was denied. Mr. Hammes replied that the current application should be judged on its own merits, but that the history of the site was relevant. He reported that residents in 2022 expressed concern about the quality and design of the proposed homes, the builder involved in the project, and with traffic along Mulberry.

Hearing no further questions, Ms. Cox invited the applicant to address the Commission.

Mr. Jon Bills, of DDC Management, addressed the Commission. He noted that the property owner was present as well. He thanked the Commission for the opportunity.

Mr. Bills agreed that the current proposal was substantially similar to the previous application, but that the current proposal meets the requirements of the City’s goals and plans. He pointed out that the development is designed to meet the requirements of the Medium Density Residential designation in the Comprehensive Plan.

Mr. Bills noted that the size and location of this property makes it ideal for a transition between the single-family homes to the north and the highway to the south. He reiterated the need for new housing in Vandalia, and pointed out that this style of housing would be ideal for employees at growing businesses located nearby.

Mr. Bills added that the previous concerns about traffic on Mulberry were not specific to this development.

Mr. Bills stated that his company was a horizontal developer, and that they would partner with a homebuilder with some experience in the Dayton market to build the structures. At this time, no builder had been selected.

In response to an inquiry from the audience regarding pricing, Mr. Bills confirmed that he anticipated price points in the high \$200,000's to low \$300,000's, but that more specific pricing would not be available until a builder was selected.

Mr. Hammes noted that any builder involved in the project would need to build homes that meet all of the requirements of the PUD and the Ohio Building Code.

Mr. Plant inquired about the ownership of the homes. Mr. Bills confirmed that all units would be owner occupied. The proposed homeowners' association would maintain landscaping and common areas, including ponds, and any non-exclusive use areas such as those behind the structures.

Ms. Cox asked about the project timeline, questioning whether the development could be left without a builder. Mr. Bills replied that there would be a lot purchase agreement obligating the homebuilder to complete a model home followed by a certain number of homes per quarter. The buildout for this development is anticipated to take approximately 2 years, with 12 homes expected per quarter.

Hearing no further questions for the applicant, Ms. Cox opened the public portion of the meeting.

Public Comments

Mr. Jim Test, of 1228 Greystone Circle, stated that he had been a resident of the Copperfield development for 20 years and Vandalia for 50 years. He expressed opposition to the proposed development, suggesting that the homes in Copperfield had higher quality and value than the proposed townhomes.

Mr. Test argued that this development would harm the property values of the Copperfield development to the north. He recommended that this property would be better suited to a continuation of the Copperfield development.

Mr. Test pointed out that the City of Vandalia had done a good job of listening to concerns from residents. He added that these homes could work elsewhere in the city.

Ms. Amy Machuca, of 1166 Landsdale Court, asked about the sizes of homes in the proposed development. She also expressed concern about the traffic along Mulberry, noting that the road cannot handle an additional 140 vehicles. With the curves on this road and concerns about width,

additional school bus traffic, and cars that may cut through Copperfield, there are questions about safety that must be addressed.

Ms. Machuca also asked about the potential impact on the school district.

Mr. Bills returned to the podium to answer some of the questions raised by the speakers. He discussed the size of homes, noting that the specific sizes would depend on the homebuilder.

Mr. Hammes added that the size of a dwelling unit would be calculated using the living area, not the bulk footprint on the site. He pointed out that the developer had proposed a 1,300 square foot minimum dwelling size in their submittal.

Ms. Cox asked about the traffic concerns raised by the previous speaker. Mr. Bills confirmed that the entrance to the development would be directly across from the south entrance to Copperfield.

Mr. Hammes added that entrances would generally be placed across from one another. This is a standard element of traffic design intended to allow opposing traffic to pass without the risk of collision.

Mr. Rob Cron, Assistant City Manager, reported that the developer would be required to widen Mulberry Road and provide curb and gutter and sidewalk along their property.

Mr. Cron also indicated a stretch of Mulberry to the northwest that falls into the jurisdiction of Butler Township. He reported that there had been preliminary discussions about taking over that section of road from the township.

Ms. Cox commented that recent data suggested that the number of school-age children in the school district was declining, based on the aging in place of the population. Mr. Hussong added that the rise in online schooling may impact the district's enrollment as well.

In response to a question from Mr. Plant, Mr. Bills confirmed that all homes would face toward the internal streets within the development. He anticipated that the target market would likely be first-time homebuyers.

Mr. Hammes added that none of the homes that back up to Mulberry would have driveways onto Mulberry.

Mr. Plant asked about screening around the site. Mr. Hammes referred to the landscape plan include in the submittal, pointing out landscape buffers along the highway and Mulberry Road. The internal streets would also have street trees.

Mr. Hussong asked about data relating to speeding, and whether sidewalks have an impact on speeding. A discussion ensued regarding the impact of the development on speeds through the area.

Mr. Al Machuca, of 1166 Landsdale Court, addressed the Commission. He noted that he had opposed the previous application. He expressed concerns that the development would not provide anywhere for kids to play, resulting in them going out onto Mulberry or into the Copperfield development.

Mr. Machuca also expressed concern about the traffic. He pointed out that there is a small bridge on Mulberry that would not permit two large trucks to pass safely. He suggested that adding 87 homes and at least two drivers per car would be a problem.

Mr. Jim Test returned to the podium. He pointed out that any kids in this development who play soccer would go straight through the Copperfield development to get to the soccer fields.

Mr. Deryl Taylor, of the Copperfield Homeowners' Association, addressed the Commission in opposition to the proposed development. He explained that he deals with concerns from his residents every day. The development of this site would increase concerns from his residents, including increased police involvement and possible trespassing.

Hearing no further comments, Ms. Cox closed the public portion of the meeting.

Review Criteria

Ms. Cox explained that the Commission would discuss the District and Preliminary Plan review criteria.

Recommendations and decisions on Planned Unit Development applications shall be based on consideration of the following review criteria. Not all criteria may be applicable in each case, and each case shall be determined on its own facts.

1. The proposed amendment will further the purposes of this overall code;

Staff Comment: Staff feels that the proposed Planned Unit Development furthers the purposes of the code.

The Planning Commission agreed with the staff comment by a vote of 3-0.

2. The proposed amendment and proposed uses are consistent with the City's adopted plans, goals and policies;

Staff Comment: Staff feels that the proposed Planned Unit Development, in its current form, is consistent with the City's goals and policies.

The Planning Commission agreed with the staff comment by a vote of 3-0.

3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;

Staff Comment: Staff feels that the proposed Planned Unit Development is necessary to accommodate the style of home intended for this site. The townhome-style structures proposed would not be feasible in a standard zoning district.

The Planning Commission agreed with the staff comment by a vote of 3-0.

4. The public facilities such as transportation, utilities, and other required public services will be adequate to serve the proposed use;

Staff Comment: Staff feels that the site has adequate access to transportation, utilities, and other required public services.

Ms. Cox and Mr. Plant agreed with the staff comment. Mr. Hussong disagreed. The Planning Commission agreed with the staff comment by a vote of 2-1.

5. The proposed rezoning will not adversely affect the economic viability of existing developed and vacant land within the City;

Staff Comment: Given the location and nature of the proposed development, Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

6. The proposed amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff Comment: Given the proposed preservation of green space as part of this development, Staff feels that the proposed Planned Unit Development complies with this review criteria.

The Planning Commission agreed with the staff comment by a vote of 3-0.

7. The proposed amendment will not constitute an instance where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances;

Staff Comment: Staff feels that the proposed zoning is justified on the merits, and does not constitute special treatment.

The Planning Commission agreed with the staff comment by a vote of 3-0.

8. The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

Staff Comment: Staff feels that this criterion does not apply.

The Planning Commission agreed with the staff comment by a vote of 3-0.

The Planning Commission shall not recommend in favor of, and City Council shall not approve, a preliminary plan for a planned unit development unless each body finds that the preliminary plan does the following:

- A. The proposed development is consistent with the Official Thoroughfare Plan, the Comprehensive Plan and other applicable plans and policies of the City of Vandalia;

Staff Comment: Staff feels that the proposed Planned Unit Development, in its current form, is consistent with the City's goals and policies.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- B. The proposed development could be substantially completed within the period of time specified in the schedule of development submitted by the applicant;

Staff Comment: Staff feels that the proposed schedule of development is reasonable and achievable.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- C. The proposed development provides accessibility to public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development; that the number of vehicular access points to public roads from high traffic generating uses are minimized to limit the number traffic conflict points; and that the streets and driveways on the site of the proposed development shall be adequate to serve the users of the proposed development;

Staff Comment: Staff feels that the design of the proposed development meets this criterion.

Ms. Cox agreed. Mr. Plant and Mr. Hussong disagreed. The Planning Commission **Disagreed** with the staff comment by a vote of 1-2.

- D. The proposed development shall not impose an undue burden on public services such as utilities, fire, school and police protection;

Staff Comment: Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- E. The proposed development contains such proposed covenants, easements and other provisions relating to the proposed development standards as reasonably may be required for the public health, safety and welfare;

Staff Comment: Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- F. The proposed development shall include adequate open space, landscaping, screening and other improvements;

Staff Comment: Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- G. The location and arrangement of signs, structures, parking and loading areas, material/waste storage, walks, lighting and related facilities shall be compatible with existing and future uses both within and adjoining the proposed development;

Staff Comment: Staff feels that the proposed development complies with this review criterion. A minimum 30-inch landscaped buffer, using mulch or live plantings, shall be maintained around the base of the sign on all sides.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- H. The proposed development shall preserve natural features such as watercourses, trees and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;

Staff Comment: Noting the areas designated as open space and the addition of the wildflower prairie area, particularly to the west, Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- I. The proposed development is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;

Staff Comment: Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- J. The proposed development shall not create excessive additional requirements for public facilities and services at public cost;

Staff Comment: Staff feels that the proposed development complies with this review criterion.

Mr. Hussong asked for clarification about how this criterion is defined. Mr. Hammes replied that this criterion was intended to refer to public infrastructure that might be required to make the development viable. He gave an example where a proposed development might be designed to require a lift station and other sanitary sewer upgrades, at significant public cost, when there are alternative designs or options that would not incur that cost.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- K. The proposed development shall not involve uses, activities, layout and building designs that are detrimental to the use of both the proposed facilities and/or nearby properties by reason of excessive traffic, noise or vibration, storm water flooding, air or water emissions, objectionable glare or lack of proper regard for privacy;

Staff Comment: Noting that the only proposed uses are residential in character or passive open space uses, Staff feels that the proposed development complies with this review criterion.

Ms. Cox and Mr. Plant agreed with the staff comment. Mr. Hussong disagreed. The Planning Commission agreed with the staff comment by a vote of 2-1.

Mr. Hussong noted for the record that his objection was purely due to traffic concerns.

- L. The proposed development has buildings designed with sufficient architectural variety and exterior surface complexity but including elements which serve to visually unify the development;

Staff Comment: Given the variety of home designs and their thematic similarities, Staff feels that the proposed development complies with this review criterion.

The Planning Commission agreed with the staff comment by a vote of 3-0.

M. The proposed development has minimized the size of paved areas or provided adequate visual relief through the use of landscaped islands while providing adequate parking.

Staff Comment: As no standalone parking lots or vehicular use areas are proposed, Staff feels that this review criterion does not apply.

The Planning Commission agreed with the staff comment by a vote of 3-0.

Recommendation

Ms. Cox noted that Staff recommended approval of the proposed PUD and Preliminary Plan. She commented that there had been disagreement on the criterion relating to traffic concerns, and wanted to ensure that those concerns made it into the record.

Mr. Plant made a motion to recommend approval of the proposed Planned Unit Development and Preliminary Plan. Mr. Hussong seconded the motion.

Mr. Hussong commented that his daughter lives in Huber Heights, where she sometimes has difficulty moving about within the city. He added that he currently lives on Inverness, and used to be able to easily get where he wanted to go. Being part of a growing city means that it becomes harder to get around. He understands that, and hopes that the City Council does as well as they look for ways to minimize traffic issues.

Hearing no further comments, Ms. Cox called for the vote. The motion carried by a vote of 3-0, and the Planning Commission recommended **approval** of the proposed Planned Unit Development district and Preliminary Plan for the Copperfield Towns project.

Ms. Cox noted that the recommendations of the Commission would next be reviewed at the Council Study Session on Tuesday, September 2, 2025.

**New Business – PC 25-0012 – Planned Unit Development Major Amendment
55 Foley Drive – Beau Townsend Lincoln**

Mr. Hammes introduced Case PC 25-0012. Sean Olson, of Vancon General Contractors, and on behalf of Beau Townsend Lincoln, requests a Major Amendment to an existing Planned Unit Development and approval of a revised PUD Final Plan. The request involves one parcel totaling 1.682 acres +/-, located at 55 Foley Drive in the City of Vandalia.

Mr. Hammes explained that the Beau Townsend group operates a collision repair center at 55 Foley Drive in a PUD. They wish to convert the building to a Lincoln dealership, which would require structural alterations and a change of use for the site. These changes are considered Major Amendments to the existing PUD, requiring Council approval.

Mr. Hammes noted that the current Final Plan had been approved in 2012, and would also be amended by this application.

Mr. Hammes explained that the current PUD was created as an overlay. For the most part, the standards of the HB – Highway Business govern the site and its use. The application requests that “Auto Sales and Leasing” be added to the PUD as a permitted use.

Mr. Hammes reviewed the proposed structural alterations to the building. A showroom would be installed at the west end of the building, facing Interstate 75.

Mr. Hammes referenced the photometric plan in the application, which shows that the lighting for the parking area would be designed to prevent light bleeding onto adjacent properties. The applicant also provided schematics of the specific light fixtures proposed.

Mr. Hammes pointed out that no new structures were proposed as part of this application. The existing building would be renovated, but no expansion or demolition is proposed.

Mr. Hammes referenced the proposed signage for the site. A tall freestanding sign along the highway would remain. That sign is permitted as part of the Interstate and Highway Sign Overlay. The existing monument sign along Foley would be replaced. A selection of sign designs was provided by the applicant, and all signs would need to meet the standards of the code before a permit could be issued.

Mr. Hammes reported that the proposed project would be completed in the fourth quarter of 2026.

Mr. Hammes pointed out that the landscape buffer to the north, between this site and the adjacent residential area, would need to be maintained.

In summary, Mr. Hammes noted that the changes do qualify as Major Amendments, but that the overall impact to the surrounding properties would be minimal.

Hearing no questions, Ms. Cox invited the applicant to address the Commission.

Mr. Sean Olson, of Vancon General Contractors, addressed the Commission. He emphasized that the owners were intent on keeping the Lincoln dealership in Vandalia, and that the building would be greatly improved by the proposed upgrades. He added that Lincoln required the building to be complete by October 2026.

In response to a question from Ms. Cox, Mr. Olson confirmed that there would be no expansion or demolition to the building.

Mr. Hussong asked if additional parking across Foley would be used for overflow parking of cars or customers.

Mr. Jamie Spencer, of Beau Townsend Ford, replied that there would be no need for overflow parking. He expected that the Lincoln dealership would sell 50-75 units. The business would have a smaller footprint than the existing dealerships on National Road.

Mr. Spencer discussed complaints about his existing dealerships. Those complaints typically focus on paging and lighting. Existing landscaping would be removed and replaced. The exterior of the building would be replaced and greatly improved.

Mr. Hussong asked about delivery of new vehicles. Mr. Spencer replied that new vehicles would continue to be delivered on National Road at other facilities.

Mr. Hussong asked if there would be related changes to operations along National Road. Mr. Spencer replied that they would still operate three service operations along National Road.

Mr. Spencer discussed upgrades to the screening along the north side of the road.

Referring to overhead paging, Mr. Spencer noted that the more limited hours of this sales facility, combined with a smaller building, means that there would be no need for overhead paging.

Mr. Larry Taylor, of Beau Townsend Ford, added that the plan was to spend in excess of \$3,000,000 renovating this building for Lincoln. He noted that Lincoln is a luxury brand and that the building would be state-of-the-art.

Mr. Taylor emphasized that his company had been a good business partner with the City over the past 50 years, and working with (and staying in) Vandalia had been a priority.

Mr. Hussong asked about the fencing along the north side of the property. Mr. Spencer confirmed that the fence would also be replaced. He added that there may be a future expansion of the parking lot to the south, which would help with the arrangement of fire lanes and traffic on the property. The goal would be to shift the footprint of the parking lot away from the residential area.

Hearing no further questions, Ms. Cox opened the public portion of the meeting.

Public Comments

Mr. Matthew Morgan, of 101 Westhafer Road, addressed the Commission. He asked about the details of the fence removal along the back of his property. He also asked about the transition and whether there would be an impact to the neighboring properties. He noted that there are utility lines along the property line that could be impacted.

Mr. Spencer replied that the screening and fencing would be replaced, and that they would work with residents to ensure that what goes in would be much nicer than what is removed.

With regard to the impact on utilities, Mr. Olson added that the project would rely on “surgical precision” to limit any potential impact on neighboring properties.

Hearing no further comments, Ms. Cox closed the public portion of the meeting.

PUD Major Amendment Review Criteria

In the case of Major Amendments to a Planned Unit Development, the proposed amendments must meet either the preliminary or final plan criteria, as appropriate. In this case, the final plan criteria will apply to both the proposed amendment and the revised final plan.

Prior to Planning Commission recommending in favor of or City Council approving a final development plan for a planned unit development each body shall find that:

- A. The final development plan conforms to and is consistent with the approved preliminary plan;

Staff Comment: Staff feels that the proposed amendments to the Planned Unit Development District and Final Plan are consistent with the approved preliminary plan.

The Planning Commission agreed with the staff comment by a vote of 3-0.

- B. The final development plan complies with any and all conditions that may have been imposed in the approval of the preliminary plan;

Staff Comment: Staff feels that all relevant conditions imposed upon this development have been met, or that such conditions have expired.

Mr. Hammes noted that an amendment to the PUD had been approved in 2017 to allow for an additional structure, but the structure was never built and the approval lapsed. Any conditions related to that structure would also have lapsed.

The Planning Commission agreed with the staff comment by a vote of 3-0.

Review Criteria (cont'd)

- C. The final development plan complies with the requirements of Section 1214.08 and Chapter 1222 – Planned Unit Developments.

Staff Comment: Staff feels that the proposed final development plan, as amended, complies with the relevant provisions of the Zoning Code.

The Planning Commission agreed with the staff comment by a vote of 3-0.

Recommendation

Ms. Cox noted that Staff recommended approval of the proposed Major Amendment to the Foley and National Road Planned Unit Development as applied to this parcel only.

Mr. Hussong made a motion to recommend approval. Mr. Plant seconded the motion. By a vote of 3-0, the Planning Commission recommended **approval** of the proposed Major Amendment to the Foley and National Road Planned Unit Development.

Ms. Cox noted that the recommendation would be sent to the September 2nd Study Session for Council review.

Communications

Mr. Hammes noted that the September 2nd Study Session would be on a Tuesday due to the Labor Day holiday.

Mr. Hammes reported that staff was working to fill the current vacancy.

Adjournment

Ms. Cox asked for a motion to adjourn. Mr. Hussong made the motion. Mr. Plant seconded the motion. The vote passed 3-0.

Ms. Cox adjourned the meeting at 7:35 p.m.

Chairperson