

**City of Springboro**  
**320 W. Central Ave., Springboro, OH 45066**

**Planning Commission Regular Meeting**  
**Wednesday, January 31, 2007, 7:00 p.m.**

I. Call to Order and Roll Call

Chairperson Marie Belpulsi called the Springboro Planning Commission Regular Meeting to order at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio. Ms. Belpulsi asked the Secretary to call the roll.

Present: Marie Belpulsi, Chairperson, Hans Landefeld, Jim Chmiel, Janie Ridd, Barbara Gibson, Chris Papakirk, Becky Hartle

Staff Present: Chris Thompson, City Manager; Dan Boron, Planning Consultant; Raj Sharma, City Engineer; Elmer Dudas, Assistant City Engineer; Lois Boytim, Planning Commission Secretary

Mr. Boron commented that beginning with this meeting staff will begin to prepare the minutes in summary form, not verbatim minutes, for approval alongside the recording of the tape of the meeting. Staff has discussed this with legal counsel and asked Planning Commission members and others that will be speaking to identify themselves so they can be recognized on the recording.

Ms. Belpulsi asked for a motion to amend the agenda to include an item for the election of the Chair and Vice Chair for Planning Commission Chairperson and Vice Chairperson for 2007.

*Ms. Ridd motioned to amend to agenda to include the election of the Planning Commission Chairperson and Vice Chairperson. Mr. Chmiel seconded the motion.*

**Vote: Landefeld, Papakirk, Gibson, Ridd, Belpulsi, Hartle, Chmiel; all yes**

II. Election of Planning Commission Officers

A. Planning Commission Chair

Ms. Belpulsi asked for nominations for Chairperson.

*Ms. Gibson nominated Ms. Belpulsi to be Planning Commission Chairperson. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson, Ridd; all yes**

B. Planning Commission Vice Chair

Ms. Belpulsi asked for nominations for Vice Chairperson.

*Ms. Gibson nominated Mr. Landefeld to be Planning Commission Vice Chairperson. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson, Ridd; all yes**

III. Approval of Minutes

A. December 12, 2006 Planning Commission Work Session

*Mr. Landefeld motioned to approve the December 12, 2006 work session minutes. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Chmiel, Landefeld, Gibson, Ridd; all yes, Hartle, Papakirk; abstain**

B. December 12, 2006 Planning Commission Meeting

*Mr. Chmiel motioned to approve the December 12, 2006 meeting minutes. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Chmiel, Landefeld, Gibson, Ridd; all yes, Hartle, Papakirk; abstain**

C. January 10, 2007 Planning Commission Work Session

*Ms. Ridd motioned to approve the January 10, 2007 work session minutes. Mr. Landefeld seconded the motion.*

**Vote: Papakirk, Gibson, Ridd, Belpulsi, Chmiel, Landefeld; all yes, Hartle; abstain**

IV. Agenda Items

A. Site Plan Review, West End of Commercial Way, proposed Woodhull office building

Background

This agenda item is a request submitted by Brian Filburn, Construction Managers of Ohio, Inc., agent, seeking approval on a proposal to construct an office building at the west end of Commercial Way.

As indicated in the submitted drawings and application, the applicant proposes development of an 11,500-square foot office building on a 5.0-acre parcel at the west end of Commercial Way adjacent to the I-75 corridor. Presently Commercial Way ends immediately northeast of the site. The construction of a cul-de-sac adjacent to the site along with the dedication of appropriate right-of-way is required.

The property is zoned ED, Employment Center District, a zoning designation that permits the proposed use.

This item was reviewed at the December 12, 2006 Planning Commission Work Session.

As indicated in the plans submitted by the applicant, the site has significant natural and man-made constraints that preclude its full development of the entire site under the provisions of the ED District. Included among the constraints are a large gas utility easement that generally follows the I-75 right-of-way, an overhead electrical power easement, steep terrain and an intermittent stream.

Staff Review Comments:

1. Please coordinate with Dan Boron, Planning Consultant, [danb@cityofspringboro.com](mailto:danb@cityofspringboro.com), regarding compliance of the proposed lighting plan with the exterior lighting ordinance of the City of Springboro.
2. Please indicate on site plan, if that is the intention of the applicant, that existing vegetation on the site is to remain per the proposed landscape plan.
3. A mix of ornamentals, shade trees and evergreens is recommended for the parking lot landscape mounding.
4. Coordinate with Ron Gibboney, (937) 748-9791, on any proposed signage for the site and building.
5. Site plan to be signed by owner of land or duly authorized officer.
6. Include the legal description of the land on the site plan or boundary dimensions based upon a field survey.
7. Show on the site plan the name, address and telephone numbers of the owner, developer and designer.
8. Show natural features such as woodlots, streams, etc with indication as to which are to be retained/removed/altered.
9. Identify adjacent properties and their uses.
10. Show vicinity sketch showing location of site in relation to surrounding street system.
11. Provide profile for Commercial Way extension including water, storm sewer and sanitary sewer.
12. Provide typical section of parking lot and driveway.
13. Provide backflow prevention devices as per City ordinance #O-90-36.
14. Provide one additional handicap parking space.
15. Provide ODOT Type 6 curb along the south side of the parking lot, located on the west side of the building.
16. Show the material for the various storm sewer pipes.
17. The storm sewer is too close to the N.E. corner of the building.
18. Check the invert for the 12" storm sewer in the S.W corner of the parking lot located on the west side of the building.
19. Provide headwall and paved concrete gutter details.
20. An "As Built" drawing showing as built location and elevations of all improvements shall be submitted prior to the issuance of an occupancy permit.
21. Proposed relocated fire hydrant shall be placed south of the driveway at the end of the cul-de-sac.

Brian Filburn, Construction Managers of Ohio, Inc. was in attendance to answer any questions of the Planning Commission.

Ms. Belpulsi asked Mr. Filburn if he had reviewed the staff comments and if he had any questions concerning the staff comments.

Mr. Filburn answered that no, he had no questions at this time.

Mr. Boron commented that the staff comments were resolvable between the City engineering department and the developer.

Ms. Belpulsi asked for questions or comments from Planning Commission.

Members of the Planning Commission asked Mr. Filburn about the landscaping plan. Mr. Filburn commented that Woodhull would be designing the landscaping but that the plans have not been prepared. Mr. Chmiel asked that the site plan review be approved conditional upon approval of a landscaping plan. Mr. Papakirk asked Mr. Filburn to consult a professional design firm for presentation.

Ms. Belpulsi asked for any guest comments. There were none.

*Ms. Ridd motioned to approve the Site Plan for the proposed Woodhull office building at the west end of Commercial Way with the condition that staff comments are met and a landscaping plan be presented to Planning Commission for review and approval. Mr. Papakirk seconded the motion.*

**Vote: Gibson, Ridd, Belpulsi, Hartle, Chmiel, Landefeld, Papakirk; all yes**

- B. Record Plan, Springboro Commercial Park, Section 4, dedication of right-of-way at the west end of Commercial Way

#### Background

The Springboro Commercial Park Record Plan, Section Four, is an extension of Commercial Way and includes the Woodhull site as well as the remaining property owned by the City of Springboro. The plan contains 13.7 acres of which 0.2 acres are in the right-of-way, and 13.5 acres are in lots.

#### Staff Review Comments:

1. Provide recording information for the existing lots, such as owner, acreage, and book and page numbers.
2. Construction and record plan drawings are to match one another.
3. Provide the acreages on the plan for the lots and remove the Sq. Ft. callouts.
4. Remove General Note #5.
5. Show the existing and proposed monumentation.
6. Show the proposed easements, and also add a 10' utility easement line along the Commercial Way right-of-way line.
7. Provide the acreage for lot 14.
8. Check the side lot line length of 87.37' between lots 13 & 14.
9. Add a table for the proposed lots and new sidwell numbers to be assigned.
10. Revise the approval block of the City of Springboro by having the Clerk of Council attest and not the City Engineer.
11. Check the existing lot numbers and number the new lots accordingly.
12. Revise the title block to read Clearcreek Township instead of Franklin Township.
13. Revise the word "plat" to read "record plan".

14. Dedicate 25' right-of-way along Sharts Road. Also show the City of Springboro corporation limits.
15. In the dedication statement, add "Christine Thompson, City Manager" under the signature line for the City of Springboro. Also revise the term "public easements" to read "easements".
16. Add a general note stating that lot 15 is not a separately conveyable building lot, and will be deemed to be appurtenant to and part of lot 14.
17. No comments from the Clearcreek Fire District at this time.

Mr. Dudas explained that staff comments have been reviewed and were in compliance.

Ms. Belpulsi asked for questions or comments from Planning Commission. There were none.

Ms. Belpulsi asked for any guest comments. There were none.

*Mr. Landefeld motioned to approve the Record Plan for Springboro Commercial Park, Section 4, west end of Commercial Way, dedication of right-of-way and commercial subdivision. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson, Ridd; all yes**

- C. Revision to Approved General Plan, The Enclave Planned Unit Development-Residential, southeast corner of East Central Avenue (SR 73) and Red Lion-Five Points Road, reduction in size of proposed residential subdivision
- D. Revision to Approved Final Development Plan, The Enclave Planned Unit Development-Residential, reduction in size of proposed residential subdivision
- E. Vacation of Approved Record Plan, The Enclave Planned Unit Development-Residential, Section 3
- F. Rezoning, The Enclave Planned Unit Development-Business, expansion of business zoning
- G. Revision to Approved General Plan, the Enclave Planned Unit Development-Business, expansion of business zoning

#### Background

Agenda items C-G are collectively related to a request by John Chico, P.E., McDougal, Marsh and Chico, representing Bob Abernathy, developer, for approval on an application for rezoning and revision to an approved General Plan for The Enclave Planned Unit Development-Business (PUD-B). The Enclave PUD-B, along with the adjoining The Enclave Planned Unit Development-Residential (PUD-R), are located on the southwest corner of East Central Avenue (SR 73) and Red Lion-Five Points Road.

The Enclave PUD-B was approved by City Council in 2002 for a 8.87-acre retail business development using B-2, Local Business District uses as a basis and with restrictions on the maximum size of individual buildings (6,000 square feet with 10,000 square feet with Planning Commission approval). The Enclave PUD-R was approved by City Council in 2001. Since that time three (3) individual sections or phases have been proposed. Sections 1 and 2, located on

the south side of the PUD-R area, have been platted and are largely built-out. Together these two sections are approximately 13.34 acres in area. The requested change will not have an effect on these two areas.

Section 3, while approved in terms of General Plan, Final Development Plan and Record Plan, has not been developed. As approved, Section 3's 4.69 acres included 18 single-family residential lots, right-of-way dedication and open space dedication.

As indicated in the submitted plans, the applicants are proposing to expand the PUD-B by 4.69 acres by moving Section 3 from the PUD-R to the PUD-B area. The addition of 4.69 acres to the PUD-B would allow for two (2) additional retail lots to be platted totaling 2.1133 acres in area along with a landscape buffer between the expanded PUD-B and the remainder of the PUD-R.

The requested change would require the list of Planning Commission, City Council and administrative actions—five in all—based on the existence of two separate PUDs and the multi-step review and approval process associated with PUDs as was discussed when this item was reviewed at the January 10th Planning Commission Work Session.

Staff Review Comments:

1. Revise the turnaround to be a dedicated public right-of-way with a cul-de-sac built per City specifications.
2. The curb cuts along the proposed public street are not approved as shown. The curb cuts will be determined at the final development stage.
3. More information is needed concerning the emergency access and emergency vehicle turn around. Specifically, more information is needed on the construction materials and capacities of the access and turnaround, and re-location of the fire hydrant in the middle of the access. The value of the emergency access and turn around, as proposed, has limited value to the fire department. Fire Hydrant location in the proposed PUD-B is critical and shall be approved by the fire department.

Bob Abernathy, developer, and John Chico, P.E., McDougal, Marsh and Chico were in attendance to answer questions of Planning Commission.

Mr. Boron reviewed and explained the actions required in the process for Planning Commission to approve the changes in the Enclave PUD.

Mr. Abernathy spoke to Planning Commission and explained the reasons for the requested changes to the development. He has reviewed the changes in meetings with the residents.

Ms. Belpulsi asked Mr. Abernathy and Mr. Chico if there were any questions regarding the staff comments.

Mr. Chico answered that no, there were no questions. The emergency turn around that was a concern of the residents will be designed to the specifications of the staff and the Clearcreek Fire District. He agreed to make the mound and tree line continuous at the end of the cul-de-sac.

*Ms. Ridd motioned that the Planning Commission recommend to City Council approval of a Revision to Approved General Plan, The Enclave Planned Unit Development-Residential, southeast corner of East Central Avenue (SR 73) and Red Lion-Five Points Road, reduction in size of proposed residential subdivision. Mr. Chmiel seconded the motion.*

Ms. Belpulsi asked for questions or comments from the Planning Commission or guests.

Julie Shannon of 172 Haverstraw Place expressed her concern about traffic safety as a result of the commercial section of the development. Mr. Sharma explained that city staff had discussed the concern and would hire a consulting engineer to assess the need for a traffic signal. Ms. Thompson added that the city is not responsible for that intersection, but would sponsor a warrant study to assess the need, forward the information to the county and support the residents in the process of providing a traffic signal for the intersection.

**Vote: Landefeld, Papakirk, Gibson, Ridd, Belpulsi, Hartle, Chmiel; all yes**

*Ms. Ridd motioned that the Planning Commission approve a Revision to Approved Final Development Plan, The Enclave Planned Unit Development-Residential, reduction in size of proposed residential subdivision provided that all staff comments are met. Ms. Gibson seconded the motion.*

Ms. Belpulsi asked for questions or comments from the Planning Commission or guests. There were no comments.

**Vote: Ridd, Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson; all yes**

*Ms. Ridd motioned that the Planning Commission recommend to City Council the approval of a Vacation of Approved Record Plan, The Enclave Planned Unit Development-Residential, Section 3. Ms. Gibson seconded the motion.*

Ms. Belpulsi asked for questions or comments from the Planning Commission or guests. There were no comments.

**Vote: Ridd, Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson; all yes**

*Ms. Gibson motioned that the Planning Commission recommend to City Council the approval of the Rezoning, The Enclave Planned Unit Development-Business, expansion of business zoning. Ms. Ridd seconded the motion.*

**Vote: Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson, Ridd; all yes**

*Ms. Ridd motioned that the Planning Commission recommend to City Council the approval of a Revision to Approved General Plan, the Enclave Planned Unit Development-Business, expansion of business zoning subject to the condition that the cul-de-sac and adjacent mound be approved by city staff. Mr. Chmiel seconded the motion.*

Ms. Belpulsi asked for questions or comments from the Planning Commission or guests.

Dave Weinberg of 176 Haverstraw Place reiterated his concern that the mound be continuous between the two zones. He asked about the need for a cul-de-sac. City staff explained that the road must be in compliance to the city staff and Clearcreek Fire District.

**Vote: Landefeld, Papakirk, Gibson, Ridd, Belpulsi, Hartle, Chmiel; all yes**

Mr. Boron commented that the three items recommended to Council would be placed on a future Council agenda and a public hearing would be scheduled for the rezoning. Mr. Boron said he would inform Mr. Weinberg on meeting dates.

- G. Final Development Plan, The Springs Planned Unit Development, approval of exterior elevations and lighting plans for The Villas condominiums

#### Background

This agenda item is a follow-up review on the lighting plans and exterior building elevations proposed for The Villages condominiums proposed for The Springs Planned Unit Development (PUD). The Final Development Plan for The Villas condominiums was approved at the December 12, 2006 Planning Commission meeting with the condition of providing Planning Commission, at the developer's earliest opportunity, with color renditions of the proposed building elevations and lighting plans.

This item was discussed at the January 10th Planning Commission Work Session agenda, at which point the Planning Commission authorized this item to be placed on the January 31st meeting agenda for formal approval.

#### Staff Review Comments:

1. The Clearcreek Fire District offered a reminder to the developer about posting the access streets no parking to ensure emergency vehicle access.

Mr. Boron explained that the applicant could not attend the meeting. The item was approved with conditions at the December 12th Planning Commission meeting and reviewed at the January 10th Work Session. There are no additional staff comments at this time.

Ms. Belpulsi asked for questions or comments from the Planning Commission or guests. There were no comments.

*Ms. Gibson motioned to approve the Final Development Plan for The Springs Planned Unit Development, approval of exterior elevations and lighting plan with the condition that all staff comments be met. Ms. Ridd seconded the motion.*

Mr. Papakirk asked for clarification about the color schemes. Planning Commission was told by the applicant that the colors and variety would be the same as the color palette in The Springs.

**Vote: Belpulsi, Hartle, Chmiel, Landefeld, Papakirk, Gibson, Ridd; all yes**

- V. Guest Comments

There were no guest comments.

VI. Planning Commission and Staff Comments

Ms. Gibson asked that staff meet with Mr. Filburn to review the landscaping design requirements for the Woodhull office building.

Ms. Thompson expressed her appreciation to Mr. Abernathy for his work on the Enclave project and cooperation and concern for the residents of the area.

Ms. Belpulsi welcomed the newest Planning Commission member, Becky Hartle.

Mr. Chmiel asked to be excused from the February 28th Planning Commission meeting.

VII. Adjournment

*Mr. Landefeld motioned to adjourn the January 31, 2007 meeting. Mr. Chmiel seconded the motion.*

**Vote: Landefeld, Papakirk, Gibson, Ridd, Belpulsi, Hartle, Chmiel; all yes**

Ms. Belpulsi adjourned the meeting at 7:44 P.M.

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Marie Belpulsi, Planning Commission Chair

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Dan Boron, Planning Consultant

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Lois Boytim, Planning Commission Secretary