

**City of Springboro
320 West Central Avenue, Springboro, Ohio**

**Planning Commission Regular Meeting
Wednesday, October 26, 2011, 6:00 p.m.**

I. Call to Order and Roll Call

Chairperson Marie Belpulsi called the Springboro Planning Commission Meeting to order at the Springboro Municipal Building, 320 West Central Avenue, Springboro, Ohio.

Present: Marie Belpulsi, Chairperson, Hans Landefeld, David Vomacka, Chris Papakirk, Barb Gibson, Janie Ridd
Absent: Becky Hartle

Staff: Chris Thompson, City Manager; Dan Boron, Planning Consultant; Elmer Dudas, City Engineer; Raj Sharma, City Engineer; Lois Boytim, Planning Commission Secretary (Mr. Dudas and Mr. Sharma arrived at 6:18 P.M.)

Ms. Belpulsi asked Planning Commission for a motion to excuse Ms. Hartle.

Ms. Gibson motioned to excuse Ms. Hartle. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (6-0)

Ms. Belpulsi asked Planning Commission for a motion to amend the agenda to change Agenda Item D by deleting "Discussion;" this item will be acted on, not discussed.

Ms. Ridd motioned to amend the agenda. Mr. Landefeld seconded the motion.

Vote: Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes; Belpulsi, yes; Landefeld, yes. (6-0)

II. Approval of Minutes

A. September 28, 2011 Planning Commission Meeting

Ms. Belpulsi asked for corrections or additions to the minutes.

There were none.

Mr. Landefeld motioned to approve the September 28, 2011 Planning Commission meeting minutes as submitted. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (6-0)

B. October 12, 2011 Planning Commission Work Session.

Ms. Belpulsi asked for corrections or additions to the minutes.

There were none.

Ms. Gibson motioned to approve the October 12, 2011 Planning Commission work session minutes as submitted. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, abstain; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (5-0-1)

III. Agenda Items

A. Revision to Approved General Plan, Village Park PUD-MU, Planned Unit Development-Mixed Use, major change to allow development of daycare facility

Background Information

This agenda item is a request filed by Dan Fishbaugh of Village Park Office Commons, LLC, to revise the approved General Plan for the Village Park PUD-MU, Planned Unit Development-Mixed Use, to allow the development of a daycare center on the northwest corner of Anna Drive and Gardner Road. The General Plan for the Village Park PUD-MU was approved in September 2004 by Springboro City Council following review and approval by Planning Commission. The General Plan identifies four main land use areas within the development: (1) a 15-acre retail component primarily fronting North Main Street (SR 741); (2) a 16-acre park site located on the southwest corner of the property; (3) a 9-acre residential component on the northwest corner of the property; (4) and a 31-acre office component occupying the central and northeastern corner of the property. A copy of the General Plan text and concept map is included in your meeting materials (this information is dated September 1, 2004).

The subject two-acre site proposed for the development of the daycare center is located in the office component of the Village Park PUD-MU's General Plan. Pages 19-20 of the enclosed General Plan identify specific land uses permitted in the office component which are derived from the O-2, Office Park District of the Planning and Zoning Code. The proposed daycare use is not listed among the uses shown on pages 19-20. This agenda item was discussed at the October 12th Planning Commission Work Session. At that meeting the Planning Commission directed the applicant to pursue the text change option, that is revising the list of permitted uses in the office component of the Village Park PUD-MU General Plan, by adding daycares to the list of permitted uses in that component.

The proposed revision to the Village Park PUD-MU, Planned Unit Development-Mixed Use, General Plan constitutes a major change; as such approval by both Planning Commission and City Council of the revision is required. Following Planning Commission and City Council action the applicant will need to submit a Final Development Plan for Planning Commission review and approval.

Discussion

Dan Fishbaugh of Village Park Commons was in attendance to answer questions of Planning Commission. He asked for a change to the General Plan to allow for a day care facility to be built at the south end of the office component of the development.

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

Mr. Landefeld asked whether all of the lots in Village Park would be able to have day care centers.

Ms. Gibson answered that the discussion was that daycare centers would be allowed in any of the lots in the office portion of this PUD. She asked Mr. Landefeld whether he had any further comments.

Mr. Landefeld answered not until the Site Plan Review; he was okay with the revision.

Ms. Gibson motioned to recommend to City Council approval of the revision to the approved General Plan, Village Park PUD-MU, Planned Unit Development-Mixed Use, major change to allow development of daycare facility. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (6-0)

B. Extension of Approval for Revised General Plan, The Springs PUD, Planned Unit Development, major change to allow development of church

Background Information

This agenda item is a request for a twelve- (12) month extension on the City of Springboro's approval of the Final Development Plan for The Springs PUD, Planned Unit Development, filed by St. Mary's Parish, Franklin. The applicants are proposing to relocate St. Mary's Catholic Church from its location in Franklin to Springboro at the northwest corner of Springs Boulevard and Yankee Road in The Springs PUD.

For the purposes of background, The Springs PUD was originally established in January 2000 by Coffman Development as The Glennon Farm PUD through Springboro Ordinance O-00-10. The General Plan was approved in 2002 and revised in major fashion in 2005 and 2011 for other portions of the PUD.

The area proposed for the church in the 2005 General Plan was proposed to be a Continuing Care facility; Coffman Development did not present specific plans for that use in the form of a Final Development Plan, stage two in the three-stage PUD approval process.

On October 27, 2010 Planning Commission approved a recommendation to City Council to approve a revision to the approved General Plan that would accommodate the relocation of the church to this location. A copy of the October 27, 2010 meeting minutes and St. Mary's submittal are included in your meeting materials. Later Springboro City Council approved the General Plan Revision; that approval included a number of conditions including one that required the applicant to comply with all other City approval processes by November 4, 2011. As indicated in the applicant's letter of October 3, 2011, circumstances beyond the control of the parish have precluded them from closing on the property and fulfilling the November 4, 2011 deadline requirements. They are requesting a twelve-month extension to allow them adequate time to complete the purchase and terms of the City of Springboro General Plan approval.

This item was discussed at the October 12th Planning Commission Work Session at which time the Planning Commission authorized this item to be placed on the October 26th Planning Commission Meeting agenda for formal action. Following Planning Commission review, approval of the extension by City Council would be required.

Discussion

Steve Bermick of St. Mary's Parish was in attendance to answer questions of Planning Commission.

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

Mr. Vomacka asked whether it has Mr. Bermick's expectation that everything was continuing as planned; that they were just working out an issue with the bank.

Mr. Bermick answered that the last communication that he had with the consultant who is working with Fifth Third Bank is that the Corps of Engineers and the Ohio EPA have agreed in principle with his proposal. He has submitted documents to those two agencies and expects approval in a number of weeks.

Mr. Vomacka motioned to recommend to City Council approval of the Extension of the Approval for the Revised General Plan, The Springs PUD, Planned Unit Development, major change to allow development of church. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (6-0)

C. Site Plan Review, 945 West Central Avenue, gasoline service station/convenience store

Background Information

This agenda item is based on an application filed by GDP Group, agent for the property owner, for Site Plan Review approval for a Thornton's gasoline service station and convenience store at 945 West Central Avenue. The property is located on the southwest corner of West Central Avenue (SR 73) and Sharts Road. The 2.43-acre site was formerly occupied by Northern's Sunoco but is presently vacant. The property has direct frontage and access to both West Central Avenue and Sharts Road. The property also directly abuts the on- and off-ramps located on the southeast corner of the I-75/SR 73 interchange.

The subject property was subject to a recommendation from Planning Commission to City Council to approve the zoning of the property from ED, Employment Center District, to B-1, Highway Business District on February 23rd. The rezoning became effective June 19th.

Adjacent land uses include retail commercial development to the east (Arby's and Bob Evans on the east side of Sharts Road), south (Comfort Inn) and north (Chipolte, Smyth Automotive on the north side of West Central Avenue). To the west is I-75 and on- and off-ramps associated with the I-75/SR 73 interchange that is currently under construction.

Adjacent zoning includes B-4, Destination Business District, to east; ED District to the south; B-1 District to the west, north and northeast.

This item was last discussed at the September 14th Planning Commission Work Sessions. A copy of the September 14th Work Session meeting minutes are included in your meeting materials.

Staff Comments

1. Signage not subject to Site Plan Review process. Please coordinate with Dan Fitzpatrick, Zoning Inspector, at (937) 748-6845 or danf@cityofspringboro.com on compliance with provisions of Sign Code, Chapter 826 of the Codified Ordinances.
2. Provide elevations or other details of the proposed fueling pump islands and canopy; sheet A2 "perspective" provides a partial indication of what is proposed for the canopy.
3. Relative to Section 1271.02, Exterior Lighting, of the Planning and Zoning Code. The following comments apply:
 - a. Consolidate maximum/minimum and average/minimum information from subarea information presently provided.
 - b. The City of Springboro is currently is considering legislation to replace the current high-pressure sodium lighting requirement with a more flexible standard. Please coordinate with Dan Boron, Planning Consultant, at (937) 748-6183 or danb@cityofspringboro.com for more information.
 - c. Uplighting indicated on building elevations; this lighting type not permitted.
4. Black/white and color renditions of building elevations do not match in terms of proposed materials. Some materials indicated on black/white rendition (for the main building and dumpster enclosure) are not acceptable per the Planning and Zoning Code.
5. Is the 2.43-acre property going to be the subject of a future lot split? The proposed site plan does not include the entire 2.43-acre site subject to ED to B-1 District rezoning.
6. The decorative fence proposed for the northeast corner of the site may be no higher than three feet (3') per code.
7. Please label elevations as north, south, etc.
8. The following comments refer to the General Notes page:
 - a. All references to concrete shall be noted as "Class C" concrete. Revise all concrete notes throughout the plans accordingly.
 - b. Site plan note 13 – revise construction joints for curb to be every 5' O.C.
 - c. Water note 1 – water service lateral may also be plastic with tracer wire due to length of service line. The depth of service lateral shall be 54" minimum, and not 42" as shown.
 - d. Water note 2 – The contractor shall tap main, furnish and install curb stop and box, and water meter; and not the Water Company as noted.
9. Provide documentation in regards to approvals in order to begin construction within the existing Channel Easement, and the driveway construction on the property to the south. Also provide documents vacating and relocating the existing 30' ingress & egress easement to the hotel property to the south prior to construction of the building.
10. Provide record plan for the site dedicating the additional right of way and all necessary easements including the 35' public access easement fronting SR 73, and the east to west access easement along the south portion of the lot. Also provide an easement for the storm sewer that runs along the southern portion of the lot.
11. Revise the Parking Spaces table on sheet C-111 to reflect the correct size of the building and the spaces needed.
12. Provide benchmark information on sheet C-111, as well as on all other appropriate sheets.
13. ODOT is also to review and approve the curb cut along SR 73.
14. Add a general note to sheet C-001 stating that the grinder pump operation and maintenance is the responsibility of the property owner.
15. Provide separate construction drawings for the improvements to SR 73 and Sharts Road.

16. Provide storm sewer and detention calculations.
17. Replace the existing curb at the northeast corner along SR 73 and Sharts Road with ODOT Type 2 curb and gutter.
18. Future canopy/pump expansion not approved as shown. It interferes with the drive aisle along the south portion of the lot.
19. Provide 50' right-of-way radius at the northeast corner of site along SR 73 and Sharts Road.
20. Additional right-of-way needed to accommodate future improvements to SR 73. Please contact Elmer Dudas, City Engineer, for more information at (513) 748-4365 or elmer@cityofspringboro.com.
21. Add a storm catch basin just east of the curb cut along SR 73 and just north of the curb cut along Sharts Road.
22. Increase the pavement taper on Sharts Road beginning at the north side of the curb cut to the south property line, and also adjust the southern curb cut radius to be similar to the north radius along Sharts Road to keep the traffic away from the sidewalk.
23. The plans require a signature of the Owner or duly authorized officer.
24. Provide the existing water service lateral size.
25. An "AS BUILT" drawing showing as built location and elevations of all improvement shall be submitted prior to the issuance of an occupancy permit.
26. Relocate the storage gas tanks to the rear of the property, outside of the 35' public access easement.
27. How will future water and sanitary services be handled for the western portion of the property?
28. Provide a legend for the Easement Plan sheet C-112.
29. On sheet C-131, silt fence is not shown correctly. The fencing is to be placed along the same contour line, and not across them as shown on the plan. Also, the silt fence is to be placed outside of the grading limits to the west. Please revise accordingly.
30. The storm sewers in the parking lot are too deep. A cover of 2' is sufficient. Revise accordingly. Also, add in the appropriate numbers throughout the plan when referred to as "xxxx".
31. Revise the outlet of the storm sewer southwest of the site due to the steep slope of the pipe.
32. Initial traffic draft review and general site plan comments from City of Springboro traffic engineering consultants, LJB:
 - a. AM peak period traffic was not included in the draft traffic study. The PM peak period traffic was included which is sufficient for the study. However, ODOT may require the AM peak period traffic for their review which is forthcoming.
 - b. The percent distributions of traffic are reasonable for use with the traffic study. Recommend the use of a 1% growth rate for existing volumes to estimate 2032 volumes. The resulting volumes are consistent with the volumes shown on the traffic plates used for the SR 73/I-75 IMS.
 - c. General site plan comments include moving Access #2 (Sharts Road) to the south property line and rounding the proposed ROW on the SW quad of Sharts/SR 73 intersection.
33. Clearcreek Fire District: no comments at this time.

Discussion

Mike Rubino of GDP Group and Eric Zoph of Thornton's were in attendance to answer questions of Planning Commission.

Mr. Rubino commented that since the last work session they have incorporated a lot of the staff comments. They are agreeable to just about everything on the list. They will need to speak with Mr. Dudas about the right of way dedication and how it impacts the site plan. The traffic study was submitted to staff today. He didn't see anything on the staff comments that couldn't be worked out on the staff level.

Mr. Rubino presented material samples to Planning Commission.

Mr. Rubino commented that they worked closely with their lighting consultant and they are using an amber illuminated fixture that meets the 3500 degree Kelvin maximum temperature limit that will be enacted by the City sometime after the first of the year. It is their wish to move forward with LED lighting on this project.

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

Ms. Gibson asked whether they provided a cross section view from SR 73.

Mr. Rubino answered that they did not provide a cross section from SR 73 because it was pretty clear what the grading is and the elevation of the building and the elevation of SR 73 was about the same. The landscaping will help to screen the pumps.

Mr. Papakirk had questions about the rear elevation. He asked what the prefinished corrugated screening for the HVAC screening would look like.

Mr. Zoph answered that it is a corrugated metal painted the appropriate color so it will last a long time.

Mr. Papakirk stated that because of the way it is situated the rear elevation is really important; it is the gateway as you come into Springboro. He was not sure about that material; he is not clear about what it looks like. He is sure that it is something that can be worked out later but he has seen some screening that is pretty ugly and some that is really nice.

Mr. Papakirk commented that the other concern that he has is that the gutters and downspouts on the rear elevation be painted the same colors as the materials on the building.

Mr. Zoph answered that that is their intention that the gutters, downspouts, wall pack lighting and corrugated metal be the same color.

Mr. Papakirk asked that it be put into the motion for approval.

Ms. Thompson commented that it also could be put into the motion as a condition that the materials be submitted to staff for Planning Commission approval.

Ms. Gibson commented that she had asked that the ladder be moved from the rear elevation to the south elevation. The black and white indicates that.

Mr. Rubino answered that it was their intention. The black and white is the most up to date not the color rendering.

Mr. Zoph commented that on the rendering above the stone base the limestone sill is depicted as a dark color; it will be a natural limestone color.

Mr. Vomacka commented that he wanted to highlight a couple of things that are part of the lighting ordinance. There appears to be uplighting on the building; this is not permitted. He is assuming that the fixtures are all fully shielded. The range of foot candles at the ground are between 0.4 and 6 foot candles. The lighting under the canopy is flush with the bottom of the ceiling. These things

may be here but he is just pointing out what is in the ordinance to be certain that there are no surprises.

Mr. Zoph commented that there is no uplighting on this building.

Mr. Rubino commented that he understands that the lighting proposal may be difficult to read at this size but that the specs on the second page explain exactly what is being proposed.

Mr. Boron commented that they will work with staff. They are very close to the letter of the current ordinance and the spirit of the proposed standard when it comes to degrees Kelvin.

Mr. Rubino asked the City Engineers to be more specific about the right of way takes need to be on Sharts Road and SR 73.

Mr. Dudas commented that he can get that for Mr. Rubino. By the graph; he may need nine (9) more feet.

Mr. Rubino commented that they will work with staff; it significantly impacts their site plan.

Mr. Boron asked Mr. Dudas whether there were other issues in his mind.

Mr. Dudas answered that the tanks may be in the thirty five foot easement. He didn't know whether moving them was an issue.

Mr. Zoph answered that they can put them on the south end of the canopy if that is their preference.

Mr. Boron commented that there are a couple of references to that in the traffic study including the ODOT approval to the curb cut on SR 73.

Ms. Gibson asked for staff's feelings about the electrical submission. Would they like Planning Commission to hold off on it because they are working on the text amendment?

Mr. Boron commented that it meets the standard right now.

Ms. Thompson commented that it could be a condition of approval.

Mr. Boron commented that it was his understanding that construction would not be initiated until the new year. The new ordinance will be initiated the first of December.

Mr. Boron commented that there are two sets of elevations; the color that they have seen before and the black and white including an update that was provided. The color ones have materials that are consistent with the external materials ordinance. The black and whites aren't. He asked whether they were synthetic or natural stone.

Mr. Rubino answered that it was natural stone and clay brick.

Mr. Boron commented that the only other issue was an elevation of the pumps themselves and the canopy.

Mr. Rubino answered that page 87.0 has an exhibit on it; it was part of the supplemental. He reviewed the elevation with Mr. Boron. The pumps are intended to be the same materials as the building. There was not an elevation of the canopy.

Mr. Vomacka asked about a proposed storm check chamber on the plans and what that was.

Mr. Rubino explained that is an underground storm water product and the reasons for its usage.

Ms. Ridd motioned to approve the Site Plan for 945 West Central Avenue, gasoline service station/convenience store with the conditions that staff comments are met, that the gutters, downspouts and sconces on the rear elevation are painted the same and that the rear materials are submitted to staff for review. Ms. Gibson seconded the motion.

Vote: Ridd, yes; Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes. (6-0)

D. Planning & Zoning Code Text Amendment, Section 1271.02, Exterior Lighting

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

There were none.

Ms. Ridd motioned to recommend to City Council approval of the Planning & Zoning Code Text Amendment. Mr. Papakirk seconded the motion.

Vote: Gibson, yes; Ridd, yes; Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes. (6-0)

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Mr. Vomacka complimented the Planning and Zoning Workshop and the quality of the presentations and materials.

Mr. Landefeld agreed and commented on the diversity of the topics.

Ms. Thompson added that the City Law Director gave one of the presentations. It was about creating and establishing a record of the Planning Commission proceedings so that they can be defended in a court of law. He has been asked to give the presentation to Springboro Planning Commission.

Ms. Thompson reported that the clubhouse at The Springs had been demolished by Fischer Development. She is meeting with Fischer Development representatives and the City Law Director next week to review the procedure for building permits.

VI. Adjournment

Mr. Vomacka motioned to adjourn the October 26, 2011 Planning Commission Regular Meeting at 6:40 P.M. Ms. Ridd seconded the motion.

Vote: Belpulsi, yes; Landefeld, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, yes. (6-0)

Marie Belpulsi, Planning Commission Chairperson

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066

Planning Commission Work Session
Wednesday, January 11, 2012, 6:00 p.m.

I. Call to Order

Acting Chairperson Hans Landefeld called the Springboro Planning Commission Work Session to order at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio

Present: Hans Landefeld, Acting Chairperson, David Vomacka, Janie Ridd, Chris Papakirk,
Barb Gibson, Sheila Lairson, Becky Hartle

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

Mr. Landefeld welcomed Ms. Lairson to the Planning Commission.

II. Agenda Items

A. Revision of Approved General Plan, The Fairways PUD-R, Planned Unit Development-Residential, modification to approved dwelling design and materials

Background Information

This agenda item is based on an application filed by Joseph Cristo, President, Cristo Homes, seeking approval on a revision to the approved General Plan for The Fairways PUD-R, Planned Unit Development-Residential. The applicant is requesting that a new home design, the "Waterbury" be approved for use in the subdivision. Presently 17 homes designs are approved for use in the subdivision based on a 2010 Revision to the Approved General Plan; while similar to the home designs approved in the 2010 Revision, review and approval by Planning Commission is required.

For the purposes of background The Fairways PUD-R was approved by the City of Springboro between 2002 and 2004: the Rezoning by Ordinance O-02-15 in March 2002 to the present PUD-R designation; the current General Plan by Resolution R-04-2 in January 2004. Together Rezoning and General Plan approval are the first stage in the three-stage PUD approval process. The Fairways PUD-R was approved for 51 buildable single-family residential lots. To date 22 single-family homes have been constructed (or are under construction) in the subdivision; that includes 12 dwelling units constructed or started since the 2010 Revision to the Approved General Plan was approved.

Following consideration by Springboro Planning Commission, approval by City Council is required for this and any other major modification to an approved General Plan under the provisions of the Planning & Zoning Code.

Staff Comments

No staff comments at this time.

Discussion

Adam Cristo, representing Cristo Homes, was in attendance to answer questions of Planning Commission.

Mr. Cristo reviewed the plans for the Waterbury.

Mr. Landefeld asked how the plan differs from the other plans that were approved.

Mr. Cristo answered that it is pretty consistent. The elevations have been upgraded. New elements have been added and the design has been updated.

Mr. Boron commented that it is similar in design to the current floor plans and elevations but was a departure significant enough as determined by staff to bring the change before the Planning Commission.

Ms. Ridd asked whether the exterior materials would be the same.

Mr. Boron answered yes; the same as Planning Commission's recommendation.

Ms. Gibson asked whether the two story homes would be in the back with the single story homes along the golf course.

Mr. Cristo answered that this home was for Lot One which does not back up to the golf course.

Mr. Landefeld asked how many lots have been sold; how many are left.

Mr. Boron answered there are about twenty built or under construction; fifty one were approved. Cristo Homes may not be in control of all of them.

Ms. Thompson asked for the price point of this design.

Mr. Cristo answered that it was approximately \$200,000 plus.

Mr. Landefeld asked Planning Commission whether there were any objections to this request being on the agenda for a recommendation at the January 25th Meeting.

There was none.

Mr. Boron commented that the item would be on the agenda at the January 25th meeting for their recommendation and then would be forwarded to City Council for their approval.

Mr. Boron asked Planning Commission whether they saw the need for Mr. Cristo to attend the meeting for further questions.

The Planning Commission members did not.

B. Extension of Approval of Final Development Plan, Twin Creek, PUD-R, Planned Unit Development-Residential, West Factory Road, conservation-type residential subdivision

Background Information

This agenda item is a request for a six-month extension on Planning Commission's approval of the Final Development Plan for the Twin Creek Planned Unit Development-Residential (PUD-R) located at 465 West Factory Road. The property was formerly known as the Swope Property PUD-R. The 28.77-acre property was rezoned to PUD-R in 2003 along with a General Plan. The General Plan was subsequently revised and approval by the Planning Commission at its April 26, 2006 meeting and the Final Development Plan was approved at the July 26, 2006 Planning Commission meeting. A similar extension was approved by the Planning Commission at the June 29, 2011 meeting. Formal action is requested at the January 25, 2012 meeting.

Staff Comments

No staff comments at this time.

Discussion

Mr. Boron reviewed the extension request and the history of the project.

Mr. Vomacka asked how many times this has been extended.

Mr. Boron answered three.

Mr. Vomacka commented that he favors of the plan and the extension and asked why the extension is only for six months.

Mr. Boron answered that there is a provision in the PUD ordinance that the extension must be for six months. There will be a discussion following the regular agenda to address this issue.

C. Discussion, Bicycle & Pedestrian Advisory Committee

Background Information

City Staff and Hans Landefeld, member of the Springboro Bicycle & Pedestrian Advisory Committee (BPAC), will introduce a discussion regarding modifications to the organization of BPAC that would reduce the size of this ad-hoc committee from 7 to 5 members. Action in the form of a recommendation to City Council is requested at the January 25, 2012 meeting. A copy of the organizational outline for BPAC, originally established in September 2009, is included for your reference.

Mr. Boron explained the history and issues of the BPAC and the reasons for the change in the number of members.

Mr. Landefeld explained that they have some real interested people in the group but not all of the members have been able to attend meetings regularly and it has been difficult to get a quorum. The group is at five members at this time; new members have not been reappointed.

Mr. Boron commented that they have a core group that is very engaged; members of the bike community and industry who build bikes and use the trails. Council appoints the members.

Mr. Vomacka asked whether a quorum was needed because the committee was not an officially chartered committee.

Mr. Boron answered that a majority is needed. This is a public committee appointed by Council and all meetings take place in the public forum in the public interest. They want to make sure that they are following the same rules as Council.

Mr. Vomacka asked if it becomes a smaller group will it help the group to become more aggressive and get more done.

Mr. Landefeld answered yes.

Ms. Thompson agreed with Mr. Landefeld.

Mr. Boron commented that Planning Commission will be asked at the next meeting to support this recommendation to Council. What will happen is that the current members of the board will remain.

III. Guest Comments

Andy Scott introduced himself as a new employee of Henkle Schueler and stated that he has been meeting with staff and is looking forward to working with Planning Commission in the future.

IV. Planning Commission and Staff Comments

Following up on a discussion from earlier in the meeting, Mr. Boron explained that staff is examining the issue of unfinished or “zombie” developments; properties where the City has granted approval in the form of rezoning, site plan approval and Planned Unit Development approvals, and the properties are in varying states of inactivity. One example is property that has been rezoned for a specific purpose to accommodate a development that Planning Commission has seen a proposal for and that has been sitting inactive for over four years. There are developments without the benefit of the General Plan when rezoning took place. There are Site Plans that were approved by Planning Commission that go back six or seven years and were approved under the current zoning code that may change in the future. At issue is what will happen at a future date when the general provisions change such as the changes in the lighting codes. There are developments approved with the old standards.

Mr. Boron commented that this issue will be brought before Planning Commission and Council once staff has an accounting of the variety of inactive developments in the City.

Ms. Gibson commented that she thought that there was a provision in the PUD ordinance that indicated that if the PUD was undeveloped that after two years it would be gone.

Mr. Boron commented that there are developments without a General Plan in which case the clock never started.

Mr. Boron suggested that after consultation with the City Attorney that timelines be placed on approvals for conventional zoning as a matter of course while the Planning Commission is in the process of

revising the Planning and Zoning Code. Developments with current approvals would be provided a timeline to adopt or execute their plan in the meantime.

Planning Commission members received the 2012 Planning Commission work session and meeting schedule.

V. Adjournment

Mr. Landefeld adjourned the Wednesday, January 11, 2012 Planning Commission Work Session at 6:35 P.M.

Hans Landefeld, Planning Commission Vice-Chairperson

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary