

**City of Springboro**  
**320 West Central Avenue, Springboro, OH 45066**

**Planning Commission Regular Meeting**  
**Wednesday, October 28, 2009, 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; Jim Chmiel; Hans Landefeld; Chris Papakirk; Barb Gibson; Janie Ridd; Becky Hartle

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

II. Approval of Minutes

A. September 30, 2009 Planning Commission Meeting

Ms. Belpulsi asked Planning Commission for corrections or additions to the minutes. There were none.

*Ms. Ridd motioned to approve the September 30, 2009 Meeting minutes as submitted. Mr. Chmiel seconded the motion.*

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

B. October 14, 2009 Planning Commission Work Session

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

Ms. Gibson asked that the third from the last paragraph on page 5 be amended to read, "Ms. Gibson commented that once the site is rezoned as one piece, he has his road and can place everything else wherever he wants it, with site plan review approval".

*Ms. Ridd motioned to approve the October 14, 2009 Work Session minutes as amended. Ms. Gibson seconded the motion.*

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

### III. Agenda Items

- A. Revision to Approved Record Plan, Settlers Walk PUD, Planned Unit Development, The Cove, Section Two
- B. Revision to Approved Record Plan, Settlers Walk PUD, Planned Unit Development, The Cove, Section Three

#### **Background Information**

The Cove Sections Two and Three are located in the Settlers Walk PUD, Planned Unit Development at the northeast corner of Settlers Walk Boulevard and Lytle-Five Points Road. Section Two contains 13 buildable lots and section three contains 14 buildable lots.

Please see the attached letter from Kleingers & Associates explaining the need for the replat. In short, the replat will reduce the side yard and rear yard drainage easements, matching Section One, in order to build the same building footprints located in Section One.

While the proposed revisions to the two Record Plans are similar separate motions on each section are required.

#### **Staff Comments – Section Two**

- 1. Add “unless noted otherwise” at the end of the note \*\* on sheet 3.
- 2. Increase the line weight of the existing easements to make them more readable.

#### **Staff Comments – Section Three**

- 1. Add “unless noted otherwise” at the end of the note \* on sheet 3.

Troy Messer of Kleingers & Associates was in attendance to answer questions of Planning Commission.

Mr. Messer reviewed the reason for the revision for the Planning Commission. He explained that there was an oversight in the side walk and rear yard drainage easement plans for Sections Two and Three. This revision will correct that oversight.

Ms. Belpulsi asked whether the Planning Commission or staff had any questions.

There were none.

*Ms. Ridd motioned to approve the Revision to the Record Plan for Settlers Walk PUD, Planned Unit Development, The Cove, Section Two with the condition that staff comments are met. Ms. Gibson seconded the motion.*

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

*Ms. Ridd motioned to approve the Revision to the Record Plan for Settlers Walk PUD, Planned Unit Development, The Cove, Section Three with the condition that staff comments are met. Ms. Gibson seconded the motion.*

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

- C. Rezoning, Lytle-Five Points Road, O-R, Office-Residential District to PUD-B, Planned Unit Development-Business

### **Background Information**

This agenda item is based on a request filed by Skip Shafer, doing business as CS Five Point, LLC, for Rezoning and General Plan approval for an approximately 6.29-acre site located on Lytle-Five Points Road approximately 500 feet east of the intersection of Lytle-Five Points Road and North Main Street (SR 741).

This item was last discussed at the October 14th Work Session. Minutes for that meeting are included in your packets. This agenda item was also discussed at the August 31, 2009 Planning Commission meeting as a non-action, work session-type discussion item.

The applicant proposes to rezone the entire 6.29-acre site from the current O-R, Office-Residential District, to PUD-B, Planned Unit Development using the B-2, Local Business District as a basis. References to two distinct "areas," as discussed at the October 14th meeting have been removed. The applicant's "zoning statement," graphic indicates uses across the site encompassed in the graphic exhibit. In all seven (7) B-2 District uses are proposed—(1) business and professional offices; (2) banks and financial institutions, with or without drive through facilities; (5) greenhouses, garden centers and farm markets, with or without outdoor storage; (6) medical care facilities occupying not more than 15,000 square feet of floor area; (7) animal hospitals and veterinarians occupying not more than 3,000 square feet of floor area; (17) public schools, private schools and day care centers; and (29) other similar uses as determined by the Zoning Inspector or Board of Zoning Appeals.

The proposed site for the PUD-B is presently zoned O-R, Office-Residential District. The O-R District allows single-family residences, home occupations, studios, offices, churches, schools, playgrounds, parks and community centers, greenhouses, agricultural uses, civic clubs and organizations and animal hospitals and veterinary clinics. The B-2 District, according to its purpose statement, is "...to reserve land for business uses which are smaller in scale and serve repeat customers from the local community. In some instances, these uses may enjoy significant pedestrian business from nearby neighborhoods. Typically, they do not generate large amounts of vehicular traffic and are not critically dependent on having a high traffic, high visibility location for marketing purposes."

Rezoning together with General Plan review and approval are the first stage in the three-stage PUD review and approval process. Approval by both Planning Commission and City Council is required. As discussed at the October 14th Work Session, the General Plan discussion will be deferred to a later date.

Final Development Plan review and approval by Planning Commission is the second stage in the process followed by Record Plan review and approval by both Planning Commission and City Council.

The site is presently vacant.

Adjacent land uses include single-family residential within the Woodland Greens subdivision both in Clearcreek Township and Springboro; undeveloped land to the south and east; and to the north common space (detention area) within the Settlers Walk PUD to the north of Lytle-Five Points Road.

Adjacent zoning includes (T)R-1, Clearcreek Township Rural Residence District to the east (both in the Springboro and Clearcreek Township portions of the Woodland Greens subdivision); O-R District to the south; B-1, Highway Business District to the west; and PUD to the north for the Settlers Walk PUD.

The *Springboro Land Use Plan*, adopted in April 2009, through Policy Area #3 that encompasses the 6.29-acre site, also entitled the "North SR 741 Corridor Policy Area," recommends convenience retail; personal service; retail (less than 75,000 square feet); restaurants; office; residential; public park and open space; all uses and services to be conducted in a building and structure; drive-through/in facilities shall be in a location approved by the Planning Commission; public and semi-public uses. Policy Area #3 extends well beyond the 6.29-acre site and includes the non-residential areas of the Settlers Walk PUD; the Village Park PUD-MU; the Easton Farm, the 80+-acre site on the west side of North Main Street; and land to the southeast of the corner of North Main Street and Lytle-Five Points Road.

### **Staff Comments**

1. Comments on the applicant's traffic analysis by the City of Springboro's traffic engineering consultant will be furnished under separate cover.

Skip Shafer of CS Five Point, LLC was in attendance to answer questions of Planning Commission.

Ms. Belpulsi asked Mr. Boron to update Planning Commission on the issue of the requested traffic study.

Mr. Boron explained that typically a Planned Unit Development involves two recommendations from Planning Commission to Council; one to set a Public Hearing for the Rezoning which is a lengthy process, this recommendation is being requested as discussed at the last Work Session. The other is a General Plan which is being deferred to another date to work out some of the issues that were discussed.

Mr. Boron explained that the preliminary traffic study that was received from the applicant and discussed at the October 14<sup>th</sup> work session has been forwarded to the City's traffic engineer, Scott Knebel. The applicant's traffic engineer and Mr. Knebel have been in discussions, but there is no traffic study available for the Planning Commission's review at this time.

Mr. Boron explained that currently there are two issues with the traffic study. The sight distance is to be determined and is a workable item. The other item, traffic generation, has been greatly reduced because of the changes in the uses of banks and appears to not be significant.

Mr. Boron asked that the General Plan and traffic study not be considered tonight, staff is asking that the issue be resolved at the November 18<sup>th</sup> meeting.

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

There were none.

Ms. Belpulsi asked Mr. Shafer whether he had any questions.

Mr. Shafer did not have any questions at this time.

Mr. Papakirk stated for the record that he would be abstaining from any vote on this issue.

*Ms. Ridd motioned to recommend to Council that a public hearing be set for the rezoning of 6.2 acres on Lytle-Five Points Road from O-R, Office Residential to PUD-B, Planned Unit Development-Business. Mr. Gibson seconded the motion.*

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

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Ms. Boytim confirmed that Mr. Papakirk would be the Planning Commission attendee at the Planning & Zoning Workshop at Sinclair Community College, December 4, 2009.

Mr. Boron reviewed dates for the November and December 2009 Planning Commission meetings. The November meetings will be November 18<sup>th</sup> with the work session beginning at 6:30 pm and the regular meeting beginning at 7:00 pm. The December meetings will be December 16<sup>th</sup> with the work session beginning at 6:30 pm and the regular meeting beginning at 7:00 pm.

Mr. Landefeld reminded Planning Commission that the Bicycle and Pedestrian Advisory Committee will have its initial meeting Monday November 2<sup>nd</sup> at 6:00 pm.

Ms. Belpulsi asked that the Planning Commission receive copies of the advisory committee's minutes, that a meeting be scheduled with them to explain the committee's parameters within the Land Use Master Plan and that a meeting be scheduled between the Planning Commission and the advisory committee after the first of the year to have the two groups get acquainted.

VI. Adjournment

*Mr. Landefeld motioned to adjourn the October 28, 2009 meeting. Ms. Hartle seconded the motion.*

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

Ms. Belpulsi adjourned the meeting at 7:16 P.M.

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Marie Belpulsi, Planning Commission Chairperson

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Dan Boron, Planning Consultant

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Lois Boytim, Planning Commission Secretary