

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

Planning Commission Regular Meeting
Wednesday, June 24, 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 temporary Springboro Municipal Building, Council Chambers, 425 South Pioneer Boulevard, 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 (Ms. Hartle arrived at 7:15 pm)

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

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

Ms. Ridd motioned to excuse Ms. Hartle. Mr. Chmiel seconded the motion.

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

Ms. Belpulsi asked Planning Commission for a motion to amend to agenda to correct agenda item # 3 to read "Rezoning, 479 North Main Street, O-R, Office-Residential District to PUD-Business".

Ms. Ridd motioned to amend the agenda to correct agenda item # 3 to read "Rezoning, 479 North Main Street, O-R, Office-Residential District to PUD-Business". Mr. Chmiel seconded the motion.

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

II. Approval of Minutes

A. April 29, 2009 Planning Commission Meeting

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

Ms. Gibson motioned to approve the April 29, 2009 Work Session minutes as submitted. Mr. Landefeld seconded the motion.

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

B. May 13, 2009 Planning Commission Work Session

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

Mr. Chmiel motioned to approve the May 13, 2009 Meeting minutes as submitted. Ms. Ridd seconded the motion.

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

C. June 10, 2009 Planning Commission Work Session

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

Ms. Ridd motioned to approve the June 10, 2009 Meeting minutes as submitted. Ms. Gibson seconded the motion.

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

III. Agenda Items

A. Proposed Farm Market, Midway Business Plaza, West Central Avenue

Background Information

This agenda item is in request filed by Dennis Osterfeld, Goodwill Resource Solutions of Dayton, to conduct a farmer's market at Midway Plaza on West Central Avenue from June 26th to September 7th of this year. The proposed location of the farmer's market, as indicated in the enclosed information packet, is a vacant portion of the plaza near the traffic signal adjacent to Applebee's restaurant.

This item is on the agenda consistent with past policy of having temporary uses similar to the proposed—a farm market operated at Tractor Supply, Inc., on West Central Avenue from 2002 to 2004—reviewed and approved by Planning Commission.

This item was discussed at the June 10th Planning Commission Work Session; based on that review a number of conditions are recommended as part of the approval of the proposed farm market:

1. Applicant to obtain any necessary approvals from the Springboro Building and Zoning Departments.
2. Applicant to obtain and necessary approvals from the Warren County Health Department.
3. Signs subject to review and approval by Dan Fitzpatrick, Zoning Inspector.
4. Approval to expire on December 31, 2009 and renewable on an annual basis by Planning Commission.

Dennis Osterfeld of Goodwill Resource Solutions and Jeff Probst of Blooms & Berries Farm Market were in attendance to answer questions of Planning Commission.

Ms. Belpulsi asked Mr. Osterfeld if he had any questions about the staff recommendations.

Mr. Boron explained that the staff recommendations were advisory; dealing with coordination with the building and zoning department on any approvals that would be required (this appears to have

been done), sign code approvals and whatever requirements of the health department (this also has been addressed). The other recommendation is that the approval expires on December 31, 2009.

Mr. Osterfeld stated that he did not have any questions.

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

Ms. Ridd asked why the application was extended to December 31st and if it could be limited with everything being removed from the premises by a certain date.

Mr. Osterfeld stated that that would be no problem. The business's last day would be September 7th, with time to allow for cleanup the business should be complete by the end of September.

Mr. Probst added that the lease end on September 9th so nothing should be left after that time.

Ms. Gibson asked about the position of the storage area and expressed her concern about its visibility from SR 73 and asked if it could be moved to the south side of the property.

Mr. Probst explained that the storage would be within a 10'x 20' canopy surrounded by a 6' chain link fence. All items stored within would be on pallets. He explained the traffic flow within the sales tent and the reason for the positioning of the storage area in relation to the sales and restocking areas that are available for employees only.

Ms. Belpulsi asked about the merchandise that would be sold at the market.

Mr. Probst explained that it would be produce only with the potential of selling plants.

Ms. Belpulsi asked if there were any further questions.

There were no further questions.

Ms. Ridd motioned to approve the farm market plan for Midway Business Plaza, West Central Avenue with the conditions that staff recommendations are followed and everything be removed by September 15, 2009. Mr. Landefeld seconded the motion.

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

B. Rezoning, 479 North Main Street, O-R, Office-Residential District to PUD-Business

Background Information

This agenda item is a rezoning request, filed by Panna Chordia, business owner, to rezone a two-acre parcel located at 479 North Main Street—the former site of L&L Plumbing and situated southwest of the intersection of North Main Street (SR 741) and Tamarack Drive - from O-R, Office-Residential District, to PUD-B, Planned Unit Development-Business, using uses in the B-2, Local Business District, as a basis. The proposed use of the property which includes a 12,300 square foot building is for a floor and counter top store, showroom and warehouse. This use is not permitted under the present O-R District.

This item was discussed at the June 10th Planning Commission Work Session. At that time a rezoning request to B-1, Highway Business District was proposed; the replacement application is based on the discussion at the June 10th Work Session.

Adjacent land uses include a small retail strip center to the north; two-family condominiums to the north and west; and retail to the south and east (on the east side of North Main Street).

Adjacent zoning includes B-2, Local Business District to the north; PUD, Planned Unit Development to the north and west, a land area associated with the Pheasant Run Drive condominiums; O-R, Office-Residential District to the south; and R-2, Low-Density Residential District and O-R, Office-Residential District to the east.

The newly adopted *Springboro Land Use Plan* indicates, through Policy Area #8, recommends convenience retail, personal service and retail uses for the site, among other uses. A comparison of existing zoning (O-R District), preferred Land Use Plan uses and B-2 District and B-1 District uses is included herein as an exhibit.

Staff Comments

1. No staff comments at this time.

Panna Chordia of Global Natural Stones and Mike Spoltman of Spoltman Construction were in attendance to answer questions of Planning Commission.

Ms. Belpulsi asked Mr. Chordia whether he had any questions about the staff comments.

Mr. Chordia answered that he did not have any questions.

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

Ms. Gibson asked for clarification that with the change of the agenda to PUD-B, it would be with the addendum that the uses would be limited to those of a B-2 district.

Mr. Boron answered that that was correct.

Mr. Chmiel asked whether it would require a public hearing.

Ms. Belpulsi answered that yes, it would require a public hearing.

Ms. Belpulsi commented that she has a problem with the extended list of permitted uses of the B-2 zoning and would like the Planning Commission to discuss the potential uses.

Ms. Ridd commented that the only use that concerned her was #28, shopping centers; she felt the other uses were on a smaller scale, except for the medical care facility. She stated that she felt that she could approve a medical center easier than a shopping center.

Ms. Belpulsi stated that she was concerned about most of the uses, except the office use.

Mr. Boron explained that the approach in the past has always been is to identify the permitted uses and narrow them down from there. The B-2 zoning imposes more restrictions than the B-1 district since it is a local business district.

Mr. Spoltman asked whether it was consistent with the current land use plan.

Mr. Boron stated that it was consistent with the Land Use Master Plan. He added that using the PUD-B District zoning bridges the gap between the new Land Use Master Plan and the current zoning codes which are to be updated.

Mr. Chordia commented that striking out all of the uses limits future buyers of the property.

Mr. Boron answered that he is only responding to the suggesting striking of two uses mentioned by a member of the commission, # 6 and #28, medical care facilities and shopping centers.

Ms. Ridd responded that she only suggested that use #28 be excluded; she feels that the other uses fit in with the properties on either side of this property.

Mr. Chmiel asked about the small shopping center to the north of this property. Its square footage was determined to be about 10,000 square feet.

Ms. Belpulsi stated that she has no problem with the current proposal; she is just looking toward the future. She stated that she felt the other uses except for the shopping center may work.

Ms. Belpulsi stated that her other concern is the outdoor storage.

Mr. Chordia commented that the outdoor storage is necessary for his business. He added that this outdoor storage will be walkable and usable for his customers. He explained that it is an outdoor showroom more than storage.

Mr. Papakirk asked about the screening requirements.

Mr. Boron answered that the screening between this property and adjacent residential properties is 40 feet which can be reduced to 20' with a screening fence or hedge. He clarified that the screening could consist of a masonry or solid fence between four and eight feet in height free of advertising or can be landscaping and/or wall or fence consisting of a strip of land not less than twenty feet planted with an evergreen hedge or dense planting of evergreen shrubbery not less than four feet in height.

Mr. Chordia added that the area would be fenced and that he would have no issues with screening the property.

Ms. Belpulsi commented that these issues would be worked out in site plan review; she wanted to make sure there were no surprises down the road with the uses and screening.

Mr. Boron added that whether through Planning Commission review as a PUD as a final development plan or through the site plan review process; the Planning Commission would review the plans at that time.

Ms. Gibson commented that the screening and landscaping that Planning Commission would require would consist of materials and density that Mr. Chordia wouldn't mind putting to put in front of and behind his property.

Ms. Gibson added that she is also concerned about controlling the hours of operation of any machinery at the site. She added that that may be requested.

Mr. Chordia commented that that would be no problem.

Mr. Papakirk asked about Mr. Chordia's plans that were discussed at work session for covering the entire site.

Mr. Chordia answered that that plan has been canceled; any further expansion would be more appropriate in an industrial area.

There were no further questions.

Ms. Ridd motioned to recommend to City Council the rezoning of 479 North Main Street from O-R, Office-Residential District to PUD-Business with the conditions that the uses be limited to those of a B-2 District with the exclusion of use #28. Mr. Landefeld seconded the motion.

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

Mr. Boron commented that this recommendation would be taken to City Council; they will set a Public Hearing, most likely for mid August. There is a thirty-day notification period and all property owners within three hundred feet will also be notified. Mr. Boron will notify Mr. Chordia of any scheduled meetings.

C. Record Plan, West Factory Road Improvements, dedication of right-of-way

Background Information

This agenda item is a dedication of approximately 0.29 acres of right-of-way for a portion of West Factory Road located between Catalpa Drive and Woods Road. This dedication is needed for future roadway improvements.

Staff Comments

There are no staff comments regarding the record plan.

Elmer Dudas, Assistant City Engineer was in attendance to answer questions of Planning Commission. Mr. Dudas presented a map of the location and explained reasons for the dedication.

Mr. Boron added that this recommendation is a necessity to forward the dedication on to City Council.

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

Mr. Chmiel asked if this was part of other right-of-way dedications in the area.

Mr. Dudas answered yes and reviewed the plans for West Factory Road.

Mr. Chmiel motioned to approve the record plan for West Factory Improvements, dedication of right-of-way. Mr. Papakirk seconded the motion.

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

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Mr. Boron reminded Planning Commission members that the next Planning Commission meeting would be a work session Wednesday, July 8, 2009.

Ms. Ridd and Ms. Gibson informed the Planning Commission that they would be unable to attend the July 8th meeting.

VI. Adjournment

Mr. Landefeld motioned to adjourn the June 24, 2009 meeting. Ms. Hartle seconded the motion.

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

Ms. Belpulsi adjourned the meeting at 7:40 P.M.

Marie Belpulsi, Planning Commission Chairperson

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary