

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

Planning Commission Work Session  
Wednesday, January 12, 2011, 6:00 p.m.

I. Call to Order

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

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

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

At this time, Ms. Belpulsi asked for a motion, at the request of the City Law Director, to enter into executive session to discuss pending and imminent litigation.

*At approximately 6:05 P.M., Ms. Ridd motioned to enter Executive Session, under R.C. 121.22(G) to discuss pending and imminent litigation whereby the City Law Director will be present and no votes will be taken. Mr. Vomacka seconded the motion.*

**Vote: Landefeld, yes; Hartle, yes; Papakirk, yes; Gibson, yes; Ridd, yes; Belpulsi, yes; Vomacka, yes. (7-0)**

With no objections, Planning Commission exited Executive Session at 6:25 P.M.; whereby, no votes were taken.

II. Agenda Items

**A. Rezoning, 10 Fairway Drive, O-R, Office-Residential Zoning District, to PUD-O, Planned Unit Development-Office**

**Background Information**

Enclosed in your packets please find an application, filed by Chris Cornyn, property owner, to rezone the 0.36-acre parcel located at 10 Fairway Drive on the northeast corner of Fairway Drive and West Central Avenue (SR 73) from O-R, Office-Residential District, to PUD-O, Planned Unit Development-Office. The City Attorney, Alan Schaeffer, will be in attendance to provide background information regarding this application and answer any questions of Planning Commission.

**Discussion**

Mr. Boron commented that the property owner was not in attendance and deferred to the City Attorney for a review of the application.

Mr. Schaeffer explained that the original application was for a day spa under the existing zoning. The Board of Zoning Approval was asked to make a decision on that application and turned it down as not meeting the definitions of the necessary uses for a day spa under O-R. The property by virtue of its size is limited in its possible uses. Any use that proposed will have to comply with the setback and parking requirements. By virtue of that fact, there are O-R uses that could not be done economically. This application is for a rezoning to PUD-O; the permitted uses will not change, one use will be added, the use of a day spa.

Ms. Belpulsi asked for any questions or comments of Planning Commission.

There were none.

### **Guest Comments**

James Boys, 20 Fairway Drive, commented that he is concerned with the zoning change. When he moved in the zoning was O-R and he had no issue with that usage. His concern is that the definition will continue to be broadened. He agreed that there is a limit to what can be done with the property. His concern is protection of property values.

In response to a question from the audience, Ms. Belpulsi asked Mr. Schaeffer to explain the definition of a PUD.

Mr. Schaeffer answered that the City is divided into zoning districts such as residential (R-1 and R-2), business (B-1 and B-2), industrial or commercial. Within those categories, applicants apply to the Planning Commission for their projects and after approval, may proceed. A PUD is an overlay of the existing zoning and in nonresidential areas is a common tool that the City uses to maintain control over how the parcels are developed. That control continues forward so that the parcel cannot be changed without changing the PUD even though the changed use might conform with the underlying zoning.

Ms. Belpulsi added that PUD stands for Planned Unit Development.

Mr. Vomacka asked what the PUD-O would carry with it in the way of setbacks and constraints.

Mr. Boron answered that they would be the same as the O-R. Side yard setbacks would be 10'.

## **B. Site Plan Review, 20 Eleanor Drive, Multi-Purpose Building for Minds in Motion, building exterior design and landscaping plan**

### **Background Information**

This agenda item is a request for approval of the building exterior design and landscaping plan, based on an application filed by CESO, Inc., agent for the property owner and business owner, Minds in Motion DBA 741 Church, LTD, for building exterior design and landscaping. Minds In Motion intended to construction a 7,200-square foot multi-purpose building adjacent on their property located at 20 Eleanor Drive and the northeast corner of Eleanor Drive and North Main Street (SR 741).

This item was discussed at the October 13th Planning Commission Work Session where the proposed building exterior was originally presented. The site plan for the building/site was approved at the November 10th Planning Commission meeting with the condition, among others, that the landscaping plan and building exterior design be presented to Planning Commission for approval at a later date.

### **Staff Comments**

1. The proposed building exterior design complies with the provisions of Section 1271.03, Exterior Façade Design Standards, of the Planning and Zoning Code in terms of tripartite design solution, articulation to avoid uninterrupted wall design, materials selection, number of materials used and color.

### **Discussion**

David Oaks of CESO representing Minds in Motion was in attendance to answer questions of Planning Commission.

Mr. Oaks presented colors and materials for Planning Commission's approval. He commented that they are matching the colors on the existing Minds in Motion building because the architecture is similar.

Ms. Gibson commented that they were matching the existing Minds in Motion original building not the church that it would be sitting closer to.

Mr. Oaks answered that that is correct.

Ms. Belpulsi asked for any further question from Planning Commission regarding the exterior design.

There were none.

Mr. Boron commented that this item would be on the January 26<sup>th</sup> Planning Commission meeting agenda.

Mr. Oaks reviewed the landscaping plan. He commented that it is the same plan but they have indicated the names of the trees and shrubbery that will be planted.

Ms. Belpulsi asked for questions from Planning Commission.

Mr. Vomacka thanked them for planting Sycamore trees.

Ms. Gibson noted that there is an increase in the plantings near the residences. She has concerns that in the fall and winter that the deciduous trees will not provide a buffer along SR 741. She does not want to add additional cost to the landscaping but asked that they move some evergreens to the street scape.

Mr. Oaks agreed to work with City staff to make the changes.

### **Guest Comments**

There were no guest comments.

### **C. Revision to the Approved General Plan, The Springs PUD, Planned Unit Development**

#### **Background Information**

This agenda item is based on an application filed by Fischer Development Company, seeking a revision to the approved General Plan for The Springs PUD, Planned Unit Development. As indicated in the submittal, the applicants are proposing to revise the General Plan for a portion of The Springs PUD, as indicated in the “property boundary” on the large-size map submitted by the applicant.

The property boundary includes an area where 19 single-family homes have been completed near the southeast corner of the property along with approximately 2,000 feet of the Springs Boulevard roadway, portions of five other local streets as well as infrastructure and development amenities. A partially complete clubhouse for the subdivision is also located in this area along with a partially constructed single-family home.

The property boundary excludes The Falls area of the PUD and its 145 apartment units located on the northwest corner of the property and the “continuing care area” that is proposed to be the site of St. Mary’s Catholic Church.

This agenda item was discussed at length at the November 10th and December 15th Planning Commission Work Sessions.

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 through Springboro Resolution R-05-48. A General Plan Revision approved earlier this year by Planning Commission and City Council will change the “continuing care area” at the northwest corner of Springs Boulevard and Yankee Road to a church use.

Under the provisions of the City of Springboro Planned Unit Development Ordinance, Chapter 1272 of the Codified Ordinance, the proposed church constitutes a major change to the approved General Plan for the PUD. As such the proposed revision would require the approval of the Planning Commission and City Council.

#### **Staff Comments**

1. Applicant to include update drawing date information for all plans submitted as this review process proceeds.
2. It is recommended that the applicant indicate the currently approved—2005 General Plan Revision—lot and bulk information alongside “Proposed Density, December 2010.” Also refrain from using “density” unless densities in terms of lots per acre are expressed.
3. Use of the term “Exiting Area 4” should be revised to “Developed” or “Platted.”
4. Staff concurs that the access point’s construction be triggered by the construction of the 100th dwelling within the Area 1.

5. The proposed phasing of the development needs to be clarified so that internal and external connections are made in a timely manner in consideration of the needs of connectivity and emergency access needs.
6. Also from the introduction, page 6, the table does not contain open space details, and the comparisons are not consistent while referring to both 2001 and 2005 general plans.
7. Show the location of the existing sanitary sewer along Model Court on the plan, as these lots may not be buildable due to its location, as well as lots 1 and 2 in Area 4.
8. Revise the overall water main plan and sanitary sewer plan due to the revised street layout.
9. In Area 3, reduce the cul-de-sac length, as it is in excess of the maximum of 600'. The maximum block length of 1000' is also exceeded (1120' is shown on the plan).
10. Increase parking at the recreational facility due to the number of units in the development.
11. Add a public cul-de-sac at the end point of Waterside Drive. The vacation of right of way is not acceptable at this location.
12. In Tab 4, prior to or at the December 15th Planning Commission Work Session please clearly delineate where dedicated open space is proposed to be located in the project area. Some of the areas appear to be green space—front yards, side yards between building, etc.—and not dedicated open space for the use of all residents and others.
13. Please indicate the building materials for the community facility in percentage terms.
14. Restore the 20' buffer along the west boundary of the property abutting Settlers Walk.
15. For the "call out" map please indicate the corresponding "high profile" condo design relative to the submitted plans.
16. For the "call out" map please indicate the corresponding "similar to existing product" relative to the submitted home plans. Likewise which corresponding plans match the proposed "ranch plans?"
17. If vinyl siding is proposed please state it as vinyl siding.
18. Do exterior material calculations reflect all elevations or just front elevations? If only the front elevation provide that information for all elevations.
19. Are the home designs proposed for Areas 1-4 examples or the only model homes to be used within the areas?
20. Public streets to be built to city standards, which includes intersections being built radial or at 90 degree angles.
21. The vacation of right of way details east of the recreational facility to be worked out with city staff, and is not approved as shown.
22. Verify that lots 4 & 5 in Area 4 are buildable. Otherwise adjust lots accordingly.
23. Rotate lots 1 & 2 (90 degrees) on Model Court to be in line with lots 3, 4, and 5.
24. Construction drawings to be designed per the phasing of the development and to match the record plan.
25. The street name of "Winding Creek Drive" will need to be changed to "Sycamore Springs Drive", west of the knuckle, due to the revised layout of the street. Addresses will also be changed accordingly. This will affect three existing homes on Winding Creek Drive.
26. Provide side and rear building elevations. Are the side and rear elevations constructed of vinyl siding?
27. The General Plan for 2005 and 2010 show a difference in property boundary acreage. Why don't they match? Otherwise, remove the 2005 Property Boundary information.
28. Replace the street lighting for Springs Boulevard.
29. Provide a Public Access Easement to the city, over the private streets in the Area 1 Condo Development.
30. All construction traffic to be off of Yankee Road and not through the neighboring subdivisions.
31. Add a 25' width open space across lots 6, 7, and 8 in Area 4, off of the extension of Sycamore Springs Drive to prevent double frontage lots, which are not permitted.
32. The Clearcreek Fire District has no comments at this time.

## Discussion

Todd Huss, Jeff Hayes and Giles Patterson of Fischer Development Company were in attendance to answer questions of Planning Commission.

Mr. Huss reviewed the modifications that were taken to the original plans that addressed the staff comments from the previous meeting. Changes include modifications to the street alignments, the eyebrows were eliminated and secondary connections were adjusted. He stated that they are agreeable to many of the current staff comments and will work with staff on any other issues. Regarding architectural details and exterior materials, area #4 will be very similar to the existing homes. There will be a transition of materials by area that will provide a product and price point diversity that needs to be part of this community. He will work with staff on a specific proposal.

Mr. Huss commented that the current package commits to all masonry on the first floor on certain indicated lots.

Ms. Ridd commented that she will be adamant about area #4 being the same design standards and guidelines that were approved for The Springs in the first place. This includes the materials, scale, setbacks and lot sizes. She has no problem with transitioning.

Mr. Huss commented that they are struggling with the details of the transitioning.

Mr. Boron commented that there is a clear area #4 and what is being asked for by Planning Commission and the neighbors is a match in terms of material, scale and character.

Ms. Ridd commented that it should be for all of area #4.

Mr. Vomacka commented that he has no issues with area #2. In area #3, the lots that back up to the properties on Stanton Drive are 55' lots, where the lots on Stanton Drive are 80' lots. He would like to see the same size lots between the two parts. Taking two or three lots out along that street would reduce the density; they would also be backing up the same size lots.

Mr. Huss agreed that they could take a look at it; he commented that the lots were a minimum of 60' lots which were the same as on the previous plan.

Mr. Vomacka commented that they are concerned about the residents in The Springs but also need to be concerned about the residents on Stanton Drive and the transition between the two areas.

Ms. Ridd commented that she has a problem with the additional density. She was part of the Planning Commission during the discussions about the overall density of Settlers Walk of which at the time this was in the same area. She commented that the 20' buffer needs to be put back.

Mr. Hayes commented that the original plan has the lots at 65' lots, their plan calls for them to be a minimum 60' lot.

Ms. Ridd commented that the density makes all of the lots smaller. She suggested putting in larger lots or increasing the green space.

Mr. Huss stated that they understand the density equation but added that they are dealing with a distressed community. Other things need to be interjected to make the community viable which includes additional density. They have eliminated 30-35 lots from a previous plan but there is a limit to the density equation.

Ms. Ridd suggested changing the product as well. Planning Commission is agreeing to transition the area which is a huge concession that could make this work. Planning Commission realizes that if they don't do anything it will remain the same and they do not want that either. It may not have been viable the way it was.

Mr. Patterson commented that they had taken out the buffer for HOA maintenance purposes.

Mr. Boron suggested a conservation easement. He commented that he has received letters from the residents in The Manor section of Settlers Walk that state that they do not object to the development but want what was promised to them in terms of that buffer.

Mr. Huss commented that they could easily do that; they would have to look at rear yard drainage and added that there is a swale along that property line. They would do everything not to disturb that swale and the trees in the area.

The submittal deadlines for the next Planning Commission meetings. It was agreed that there should be another work session discussion prior to applying for approval at a regular meeting.

Ms. Belpulsi stated that she appreciates the applicants work but added that they want to get the very best community that they can. They must make sure that they protect the residents.

Ms. Ridd asked about area #5.

Mr. Huss explained that the area would be the second phase of area #4 and developed with the same guidelines.

Mr. Vomacka asked about the phasing and the connections.

It was explained that the secondary access would be built upon completion of the 100<sup>th</sup> dwelling unit. The phasing and sequences were discussed. It was asked that something be put in the record.

Mr. Boron asked about the rate of construction.

Mr. Huss commented that construction would begin in 2011 or 2012. Anticipating 30 to 50 units to be built a year of the 495 units would make this a 10 year project.

Mr. Patterson commented that this could be a 40 to 50 unit per year community.

The procedures and deadlines for submission were discussed. Mr. Boron explained that because this is a public meeting any submission would need to be provided to the public. The applicants will meet with staff for prepare any submission.

Ms. Belpulsi asked for Planning Commission comments for area #2.

Mr. Huss commented that he will extend the conservation easement to those lots also.

Ms. Belpulsi asked for comments regarding area #1.

Mr. Landefeld commented that he is satisfied because they have the schedule for putting in the second access point.

Ms. Belpulsi commented that she would like to see some enhancements as far as materials on the condos.

Ms. Belpulsi commented on the eventual need for a traffic light into Yankee Road. A traffic study was done when Planning Commission reviewed the plan for St Mary's Church. She asked whether the applicant was aware that they would be responsible for sharing the responsibility of putting a light in.

Mr. Boron agreed that the applicant would be partially responsible to installing the light. The added that there is no trigger for the timing when that would occur.

Ms. Belpulsi asked what the trigger would be.

Mr. Dudas answered that he does not have a number but that it would be long term.

Ms. Thompson commented that Scott Knebel, the City Traffic Engineering consultant, did not suggest a trigger but estimated that it could be 5 to 15 years out.

Ms. Belpulsi asked that a certain trigger be designated.

### III. Guest Comments

Ms. Belpulsi informed the guests that Planning Commission had received their letters and e-mails and appreciated their input. She asked that one representative speak for any groups.

Robert Reichman, 515 Sycamore Springs Drive, commented that he is concerned about the buffer and the streets. He commented that a drainage system was installed after some flooding problems. He does not want anything to affect it. He commented that the buffer was meant to be a natural area that would not need any maintenance. He is also concerned that the streets not become a shortcut between Yankee and Lytle. While he understands the need to make this a viable development, he does not want to see a development that decreases the values of the neighboring properties.

Myron Rheame, 148 Winding Creek Drive, commented that he was encouraged with the discussion about materials and leaving area #4 as it was. He did not hear them discuss the realigning of Sycamore Springs Drive and the three or four houses that would be viewed from the back on the street. He also asked about the 40' buffer that was not addressed.

David Petroni, 25 Drew Court, stated that he is on the Board of Settlers Walk Homeowners Association. He added that he is not officially speaking on their behalf but would like to offer insight into problems in their community as a resident. He is also the chairman of Educate Springboro which deals with issues related to the schools. Density is a concern. He asked what the target population was for the original development.

Ms. Ridd answered that there was not target population, only the density and the number of lots.

Mr. Petroni commented on his concern that the clubhouse has enough parking spaces. He stated that one of the issues in his community has been drainage. The Board has had to spend money to try to correct drainage issues. He suggested that this be addressed as part of the design criteria. Educate Springboro is concerned about any density changes. These 415 units have been part of the planning process for some time. They could drive demographics that could increase the amount of school age children in the district. This could create potential planning problems.

Ron Woeste, 178 Winding Creek Drive, presented photographs of homes in The Springs and commented on their architecture, lot size and demographics. He commented that he and Mr. Rheaume have met with the president of Fischer Homes and expressed what they would like to see out of the development. He reviewed their issues and some of the suggestions that were made to Fischer. The issues include the lot sizes, buffer zones, having the fronts of homes face each other, the number of parking spaces at the clubhouse, the traffic patterns and the exterior materials.

Mr. Woeste presented a picture of a vinyl sided home in the Shaker Run community of Fischer Development with damage to the siding as an example of why they do not want vinyl siding. He also commented on other reasons that they do not want vinyl siding and presented examples of other communities that have excluded vinyl siding.

Mr. Woeste asked that the plans be presented showing all exterior elevations.

Mr. Woeste then read an e-mail from Bob Hawksley, President of Fischer Homes that he received following their meeting. Following that he stated that he does not feel that Fischer Homes is looking out for the best interest of the Springboro community.

Kelly Kohls, 4151 Belle Terrace Lane, Clearcreek Township, stated that she is a member of Springboro School Board but was present on her own behalf. She commented that the original approved plan was likely included in the forecast of enrollment for the school district. Her concern was that should they increase the density and lower the price point then there would be more students than they had predicted. The school district will have to adjust their budgeting and forecasts and needs as much information as they can get in order to forecast for the community. She asked that Fischer Homes be asked for a school fiscal planning and impact report that would reflect the change from the original plan that would show what taxes would be generated.

Greg DeBusk, 70 Clearsprings Drive, commented on his concern about traffic flow. He added that he understood that the traffic would go through but was concerned about people cutting through the development.

Mr. Patterson of Fischer Development commented in response to the guest comments that the lot sizes in Shaker Run range from 53' to 88' and there are multiple pods. Commenting on the picture of the home with the vinyl issue he stated that it is multiple years old, they recognized that there was an issue and made a change in the level of vinyl that is used in construction. In regards to the standard product, it can be built on all of the lots in The Springs.

#### IV. Planning Commission and Staff Comments

Ms. Hartle and Mr. Vomacka informed Planning Commission that they would be unable to be in attendance for the January 26, 2011 Planning Commission meeting.

V. Adjournment

Ms. Belpulsi adjourned the Wednesday, January 12, 2011 Planning Commission Work Session at 7:45 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