

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

Planning Commission Work Session
Wednesday, December 16, 2009, 6:30 p.m.

I. Call to Order

Chairperson Marie Belpulsi called the December 16, 2009 Work Session to order.

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

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

II. Agenda Items

A. General Plan, 6.29-acre site on Lytle-Five Point Road, O-R, Office-Residential District to PUD-B, Planned Unit Development-Business

Background

This agenda item is based on a request filed by Skip Shafer, doing business as CS Five Point, LLC, for General Plan approval for an approximately 6.29-acre site located on the south side of Lytle-Five Points Road approximately 500 feet east of the intersection of Lytle-Five Points Road and North Main Street (SR 741). The property bears Sidwell No. 04081010060.

This item was last discussed at the October 14th Work Session along with the proposed Rezoning of the site. At that time Planning Commission directed the applicant to work with staff in preparing a traffic study based on the proposal. Subsequently Planning Commission recommended the Rezoning of the site to City Council at its October 28th meeting. The Public Hearing and First Reading of the Ordinance is scheduled to take place at the Thursday, December 17th City Council meeting.

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. 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. Please see enclosed December 10, 2009 memorandum from City of Springboro traffic engineering consultant's review of the applicant's traffic impact study for the development of the 6.29-acre site.
2. Revise General Plan graphic to include in tabular form the proposed design criteria (setbacks, building heights, etc.) for the proposed PUD. Please contact Elmer Dudas, Assistant City Engineer, (937) 748-4365, or Dan Boron, Planning Consultant, at (937) 748-6183, for examples.
3. Revise General Plan to include latest revision date as appropriate.
4. The submitted General Plan graphic is difficult to use for the purposes of review and compliance with the City of Springboro Planning and Zoning Code. For example "take off" dimensions cannot be ascertained with the graphic. Please provide a clearer and larger version of the graphic.
5. Please clarify the intent of the "General Architectural Design Requirements." Are all building intended to be the same or is the statement suggesting a design vocabulary to provide flexibility for use by individual property owners, end-users and tenants?
6. Under present zoning EIFS in not an acceptable building material below 8-10' above grade.
7. Roof-mounted mechanical equipment also to be screened from adjacent residential areas; likewise suggest that all mechanical equipment (e.g., including ground-mounted) be screened from adjacent residential areas.
8. Are no unifying landscaping, signage or lighting standards intended for the proposed PUD, for example, pole lighting pole design,
9. Recommend moving the "Lot 1" parking area to the south/rear side of the building.
10. Remove jug at north end of the private access road.
11. What buffering is proposed between proposed PUD and residential area to the east and Lytle-Five Points Road?
12. The design criteria sheet lists the open/green space to be 2.72 acres, while the general plan only shows 0.43 acres of common area. Clearly show the location of all the open space/common area and state the method on how it will be maintained. Also, chapter 1272.16 (d)(1)B states "open space and commons areas", and not "green space" as shown on the general plan and design criteria sheet.

13. The water main and sanitary sewer shall be public utilities. Provide easements accordingly.
14. Dedicate additional right-of-way along Lytle Five Points Road.
15. Relocate existing catch basin at the intersection of the private road with Lytle-Five Points Road.
16. Provide a public access easement over the proposed private drive.
17. Provide erosion and sedimentation control plan for during and after construction.
18. Clearly show building setbacks from property lines

Skip Shafer of CS Five Point LLC and Richard Oaks of Oaks Engineering were in attendance to answer questions of Planning Commission.

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

Mr. Shafer answered that he had spoken to Mr. Boron briefly about the comments and did have some comments.

Mr. Shafer commented that comments #2 through #4 were fine, he will work with staff to revise the plans. He added that in regard to comment #5; the design criteria are a design vocabulary to allow flexibility in the building designs, with overall guidelines. He added that he would work with staff to be more specific in regard to the vocabulary for the materials and the development standards.

Ms. Belpulsi asked that Planning Commission take each staff comment one at a time for clarity of discussion. She asked that they start with staff comment #5.

Ms. Gibson stated that she was concerned that even though the building design calls for three parts, the base, the body and the cap, that there are certain distinguishing characteristics in the cap and the standards ask that the base and the cap be distinguishable from the body, the way the standards are written, someone could come in with a building that is all EIFS just by changing the color.

Mr. Shafer answered that he is willing to put it into covenants and restrictions that any building would fall under a certain standard, but commented that the City's code and plan review would automatically eliminate that possibility. He added that the City's code states that EIFS can't be used below eight feet.

Ms. Gibson confirmed that EIFS cannot be used below eight to ten feet and suggested that Mr. Shafer take EIFS out of the permitted uses for the base. She also suggested that he add Hardiplank as a permitted material.

There were no comments or questions about staff comments #6 and #7.

Regarding staff comment #8, Mr. Shafer stated he submitted a separate sheet for design criteria that proposes that he will pick up the supplementary district regulations in O-R as his design standards.

Ms. Ridd asked that Mr. Shafer keep in mind that there needs to be a little more green space in a PUD zoning than in an O-R zoning.

Ms. Gibson added that there are also buffering guidelines that need to be followed.

Mr. Boron added that the discussion was that the signage and lighting standards were engineering related and not design comments. He asked if the intent would be addressed to create a unifying standard.

Mr. Shafer agreed that he could add a statement that would clarify that the signage and lighting would be unified for the entire project.

Ms. Hartle commented that staff comment #12 also addresses the green space.

Mr. Shafer presented a drawing for the whole project that showed the building footprints and impervious blacktop surface.

Mr. Boron commented that the question from Mr. Dudas in his comment may have been whether the space was green space or dedicated common space which is different. He asked whether there would be dedicated areas for detention/retention or other dedicated space. He explained that these details need to be clarified for the General Plan as part of the recommendation to Council.

Mr. Shafer explained that what he is showing is open green space.

Mr. Boron explained that he must dedicate an open, common area that would serve as the utility or retention area that would serve the entire development. He stated that it needs to be indicated on the plans and interpreted as a percentage.

Mr. Dudas stated that how it is shown on the plans is as green space. The intent is to have common area or open space. The green space he felt Mr. Shafer was speaking of was impervious versus pervious space. He explained that the City's codes talk about common area or open space that is dedicated for that purpose. He added that Mr. Shafer needs to indicate who maintains it and how it will be maintained. Should Mr. Shafer designate a detention pond area and that is the only common space, this needs to be indicated for the Planning Commission.

Mr. Shafer commented that the detention area is indicated on the plans and can be dedicated as green space for the entire park.

Mr. Chmiel asked whether the buffering area counted as green space.

Mr. Boron and Ms. Ridd indicated that they thought that it did.

Ms. Ridd indicated that she thought that detention did not count as green space and that Planning Commission was trying to get away from using the entire percentage in a detention area.

Mr. Boron explained that where green space and open space overlap is in residential zoning areas. He added that as a Planning Commission they may ask for more space for specific purposes such as screening to the east.

Mr. Shafer stated that the area designated for the detention pond would certainly be an open or green space.

Ms. Gibson asked about the calculations for the amount of parking.

Mr. Boron answered that it is within the minimums and maximums for the site assuming that it is not subdivided into parcels.

Mr. Chmiel stated for clarification purposes that the green space should be twenty five percent of the development area by the PUD requirements.

Mr. Dudas stated that it is up to the discretion of Planning Commission.

Ms. Gibson stated that she would like to see the parking kept to a minimum rather than the maximum. She stated that she prefer to reduce the size of the buildings in order to keep more green space and reduce parking.

Mr. Shafer stated that the plan shows the 2.72 acres of open space that may or may not meet the qualifications of common area.

Ms. Ridd asked whether there would be an association or whether each tenant would be responsible for maintenance.

Mr. Shafer stated that it is his intent to have an association.

Mr. Shafer confirmed that the parking does meet the City codes for medical office which is more intensive, should there be fewer medical offices then the parking could be reduced.

Ms. Gibson stated that they need to plan for the future; the park may start out as doctor's offices, but could switch back and vice versa.

Mr. Shafer agreed and stated that once he returns for approval of each individual building, should it not be medical, then part of the parking can be put in but the rest shown on the plan be reserved for the future as long as there is space for it.

Regarding staff comment #9, Mr. Shafer stated that the staff comment is a problem for him looking at the development. He stated that he would be opposed to moving the building forward and putting the two buildings side by side due to sight limitations. Concerns are the limited frontage and trying to bring a road into the property. By moving both buildings to the front of the property, he felt the he would lose the character of the development.

Ms. Gibson asked how a parking lot creates character.

Mr. Shafer explained that he means versus two buildings close together. He understands that a parking lot may not be visually nice to look at but there is a lot of green space there that can be handled with landscaping.

Ms. Hartle commented that the landscaping would have to be low to not cause sight problems.

Ms. Gibson stated that should the parking lot remain where it is she will be asking for a lot of landscaping. It will not block the parking lot but it will soften it.

Ms. Gibson asked about the flow in the parking lot for the day care. She suggested that should he move the parking lot back away from the road he could create a circular flow to help people come and go. She stated that she did not want him to get too far ahead with the plans and then find out that this was not going to work.

Mr. Shafer answered that the user he has in mind for the property has no problem with the design. He stated that he will address any problems in the site plan review process.

Ms. Gibson commented that should the building be moved toward the back of the property then the user could get his circular flow on his parking lot. She suggested that Mr. Shafer check with his user to see if he would prefer the new design.

Mr. Shafer stated that the design was from the user and is an issue that still needs to be approved.

Ms. Gibson commented that in leaving the parking lot there she would be asking for a lot of landscaping in the area to soften it.

Ms. Hartle commented that the user was probably trying to keep the children away from the main road.

Ms. Gibson commented that at the Kids R Kids location, they ended up with the playground at the back of the property along two roads, an access road as well as a main road and it works fine for them. When they came to Planning Commission, it wasn't necessarily something that he was looking for but it turned out fine.

Regarding staff comment #10, Mr. Shafer commented that there are two reasons for the jug in the road: to create more character on the property and also because there is a telephone pole that would need to be relocated. It was decided that this was the best place to put the road on the property.

Ms. Ridd asked whether the entrance could be flipped to move it away from the other access (the entrance to the banks and CVS Pharmacy).

Mr. Oaks stated that it would be of concern if there was to be an access on the north side of Lytle Five Points Road, the left turns would compete with each other. He does not expect any development on the north side because of the topography. The left turns are all going the same direction. The model shows that there is no need for any additional turn capacity under the existing access on the south side.

Mr. Shafer added that idea was to set the day care center back with the parking lot in the front and offset the drive to it. If the drive was offset to the other side, the building would have to be set back also.

Regarding staff comment #11, Mr. Shafer stated that the buffering would be addressed and he would be more specific. The landscaping would follow the City code. He stated that the O-R code for landscaping is very specific about the buffering between 10-20 feet and that if the distance is less than 10 feet there needs to be a solid four feet high evergreen hedge or fence. He stated that when he comes to Planning Commission for a particular building, that setback and screening would be looked at on an individual basis along that property line.

Mr. Boron explained that the PUD zoning offers the opportunity for the Planning Commission and the developer to arrive at a plan which could provide for up to five end users the opportunity to set forth and resolve these issues such as pole design, landscaping design or architecture now so that each case does not have to go through a potentially tedious process of review based on code. The code can be referred to but this is an opportunity to have this resolved now with a revision to the General Plan. He agreed that Mr. Shafer has resolved some issues such as replatting already but

staff saw the opportunity since he is going through the PUD process anyway to have these issues resolved.

Mr. Boron referred to Village Park office complex which since it has gone through the General Plan review process, when a site plan comes to Planning Commission that refers and cross references to the lighting standards in that PUD, then an approval can be completed in a month by complying with the standards and submitting the basic engineering drawings. There could be five separate site plans.

Mr. Shafer stated that he would work with Mr. Boron to provide specifics of that buffering area.

Mr. Boron commented that there are two cases, one along the east side bordering the residential development and now that a building is to be retained with the parking in the front, an enhanced buffer area along the right-of-way. There may be others. This would be up to Planning Commission.

Mr. Shafer commented that he is willing to address those specifically and is fine doing at that now instead of going back and looking at the code. He will provide something tangible showing the specific footage around the side yards and how it is landscaped around the parking lots.

Mr. Boron added that that information would need to be provided to address staff comments #2, 3 and 4 anyways for clarity.

Mr. Boron presented Mr. Shafer with a residential PUD to use as an example which could provide some guidance on how to articulate some of the things that were mentioned in the staff comments.

Ms. Belpulsi commented that it would speed up to process for Mr. Shafer and the Planning Commission. She added that the landscaping should be a process for the entire development, not just piece by piece. This helps the Planning Commission understand the plan and for the developer to know what the Planning Commission wants.

Mr. Boron commented that for example the signs, he should refer to the sign code; the City building has a sign vocabulary that is articulated in the building plans and can be carried out and makes sense throughout the development. That is what needs to be depicted on the plans.

Mr. Shafer agreed to present specific plans for the signage, lighting and landscaping.

Regarding staff comments #12 through #18, Mr. Shafer stated that these items can be worked out with staff.

Ms. Belpulsi asked Mr. Shafer whether he had an understanding about what the Planning Commission needs based on staff comments.

Mr. Shafer asked about the time frame to amend the plan and resubmit.

Mr. Boron asked Planning Commission whether they were clear about staff comment #1. He added that it cross references a four page traffic study. Mr. Boron explained that a traffic study was received from Richard Oaks in early December and sent to Scott Knebel of LJB, Inc. He developed a report that was forwarded to Mr. Shafer and Mr. Oaks and included in the Planning Commission packet.

Mr. Boron referred to the conclusions and recommendations of Mr. Knebel's report. The first recommendation is the dedication of a forty foot right-of-way to accommodate the widening of Lytle Five Points Road. The second is the installation of a loop detection system to accommodate the future addition of a westbound left turn phase lane. This is westbound at Lytle Five Points Road turning south onto SR 741. Because of the amount of traffic that is projected to be added by the development of the site, it will result in two additional cars through each cycle.

Mr. Boron explained that the amount of development that has occurred in the vicinity has resulted in the need for a change in the intersection, a change in the phasing to accommodate the added capacity coming off of this site.

Mr. Dudas reviewed and explained loop detention.

Mr. Boron commented that the report also refers to a northbound right turn lane to be added at the intersection of Lytle Five Points Road and SR 741. The addition of the turn lane is not in response to this development only but also other potential developments in the area.

Ms. Thompson explained that there has been an acquisition of land to accommodate these additions which are projected to be completed in 2020.

Mr. Oaks asked whether this means adding the five section left turn phase and loop detector at this time.

Mr. Dudas answered that the report does not say when it will be added, just that it would be set up to accommodate these improvements.

Planning Commission agreed that it is not needed right now, but will be needed in the future.

Ms. Thompson explained that it is not an issue for this development; the right turn lane is a 2020 issue. Ms. Thompson added that she is not asking Mr. Shafer to put the right turn lane in. Mr. Shafer's development alone does not cause the need for the right hand turn lane but along with other developments is contributing to that need. The City is not asking Mr. Shafer to put the right turn lane in but to accommodate the loop detection so that the City can get that part in place.

Mr. Oaks asked if Mr. Dudas knew how many phases the controller had now.

Mr. Dudas did not know at this time.

Mr. Oaks explained that the whole controller may need to be changed out.

Ms. Thompson commented that in that case, the City will work with Mr. Shafer on the cost.

Ms. Belpulsi concluded by asking Planning Commission whether they would like to amend the regular meeting agenda for tonight and approve the General Plan to be recommended to Council. She added that there is time; the General Plan could be approved by Council along the rezoning.

Ms. Ridd commented that there is more information that needs to be provided and would prefer to wait.

Ms. Gibson agreed; it is not slowing the process down.

Mr. Shafer asked whether he need to come to another work session.

Mr. Boron answered that Planning Commission can ask for another work session or it can go to the regular meeting, January 27th. The third reading of the rezoning can be delayed until the first meeting of February to allow Planning Commission time to approve the recommendation of the General Plan. It does not delay the first and second reading of the ordinance in the rezoning approval process.

Mr. Boron added that the user of Phase One can meet with Planning Commission in work session in January since many elements of the General Plan have been fleshed out. Formal approval cannot be made until the General Plan is approved.

III. Guest Comments

There were no guest comments.

IV. Planning Commission and Staff Comments

There were no Planning Commission and Staff Comments.

V. Adjournment

Ms. Belpulsi adjourned the Wednesday, December 16, 2009 Work Session at 7:25 P.M.

Marie Belpulsi, Planning Commission Chair

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary