

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

Planning Commission Work Session
Wednesday, January 14, 2009, 7:00 p.m.

I. Call to Order

Chairperson Marie Belpulsi called the January 14, 2009 Work Session to order at the temporary City building at 425 South Pioneer Boulevard, Springboro, Ohio.

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

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

II. Agenda Items

- A. Revision to Approved General Plan, Village Park Planned Unit Development-Mixed Use, office component
- B. Revision to Approved Final Development Plan, Village Park Planned Unit Development-Mixed Use, office component, Phase 1
- C. Record Plan, Village Park Planned Unit Development-Mixed Use, office component, Phase 1

Background

This general background information is applicable to agenda items A-C.

These three agenda items are collectively related to a request submitted by Greg Martin of Village Park Office Commons, LLC, property owners and developers, for approval on a revision to an approved General Plan for The Village Park Planned Unit Development-Mixed Use (PUD-MU) office component, Phase One. The Village Park PUD-MU is located on the southwest corner of North Main Street (SR 741) and Pennyroyal Road; the phase 1 portion of the office component is located on the southwest corner of the proposed Village Park Drive and Gardner Road.

The General Plan and the Final Development Plan (Phase One) for the office component were approved by the Planning Commission on January 30, 2008. The approved General Plan has a total of 280,000 square foot of office space for a total of 15 office buildings ranging in size from 8,000 to 22,000 to 32,000 square feet. A total of 134,000 square feet of office in five (5) buildings is located on the north side of Village Park Boulevard; 146,000 square feet of office in ten (10) buildings is located on the south side of Village Park Boulevard.

The purpose of these three agenda items is administrative in nature: the developer has indicated that they intend to subdivide the office component in a different manner than previously approved.

The locations and sizes of the approved office buildings will remain the same, however, the buildings will be a part of an overall office condominium development. This change has revised Phase One of the office general plan from being one 5.72-acre lot, into five (5) separate lots ranging from 0.97 acres to 1.41 acres. The five (5) buildings in phase one total 49,000 square feet of office space. This General Plan amendment is considered a minor change; as such no City Council action is required. These lot changes have been reflected in the Phase One (A) General Plan, (B) Final Development Plan, and (C) Record Plan.

While no action will take place at the January 14th Planning Commission Work Session, action at the January 28th Planning Commission meeting is requested. At that time three (3) separate motions will be required corresponding to the three agenda items listed herein.

Staff Comments—Record Plan Only (Agenda Item C)

1. Remove the signature blocks as shown for the City Manager, Planning Commission, City Council, and City Engineer, and replace with the following:

City Approvals

Approved by Council and the Municipality of Springboro this ___ day of _____, 2009.

Mayor

Attest – Clerk of Council

City Engineer

2. Public roads to be dedicated prior to final approval of this plan by city council. Provide plat book and page number.
3. Provide association documents for review and approval. These documents are to be recorded prior to final approval by city council.
4. Add note stating that all lots shown herein are included in the association as recorded in OR ___, PG___.
5. Add a note stating the maintenance responsibility of the ingress/egress easement area as well as all of the landscaped areas.
6. Final occupancy permit will not be provided for any lot until its recorded condo record plan is submitted.
7. Add the correct city notes to the title sheet, to be provided by the engineer's office.
8. Add the following note to the title sheet:
9. Obligations
Village Park Offices Phase 1 situated in Section 15, Town 2, Range 5 City of Springboro, Warren County, Ohio is subject to that certain DECLARATION OF COVENANTS, CONDITIONS & RESTRICTONS & RESERVATION OF EASEMENTS FOR VILLAGE PARK recorded at BOOK 4084 PAGE 608 of the Recorders Records of Warren County, Ohio, including, without limitation, the duties and obligations of the property owners for the care, maintenance, landscaping and upkeep of certain boulevard islands as set forth in said DECLARATION.

Greg Martin and Dan Fishbaugh of Village Park Office Commons, LLC were in attendance to answer questions of Planning Commission.

Mr. Martin reviewed the plans for Phase I and explained to Planning Commission the reasons for the revision to the General Plan and Final Development Plan and delay in returning to the commission for Record Plan approval.

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

Mr. Landefeld asked whether these were the plans that were withdrawn in December.

Mr. Boron answered that yes, these plans were presented and then withdrawn from the December work session meeting.

Mr. Chmiel asked whether the condo associations would be organized by parcel or by phase.

Mr. Martin explained that there would be one condo association, with the parcels divided into condos.

Mr. Fishbaugh explained that there would be one condo association, but that it would be developed and addressed in phases.

Mr. Boron explained that the code provides for approval of the three agenda items concurrently. He added that the General Plan revision does not need to be approved by Council. The Final Development Plan is a Planning Commission action and the Record Plan, following Planning commission approval will be forwarded to Council for approval. There will three separate action items for the January 28th Planning Commission meeting.

B.D. Rezoning, 2748 Pennyroyal Road, Clearcreek Township (T)R-1, Rural Residence District, to Springboro R-1, Estate-Type Residential District

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Background Information

This agenda item is a request submitted by the South Centerville Congregation of Jehovah's Witnesses, Inc., property owner, to rezone the parcel of land at 2748 Pennyroyal Road from the current Clearcreek Township (T)R-1, Rural Residence District, to City of Springboro R-1, Estate-Type Residential District. The property—approximately 3 acres in area—is located on the north side of Pennyroyal Road west of the intersection of Pennyroyal Road and Evergreen Drive. Frontage and access to the site is from Pennyroyal Road. The proposed rezoning request would allow for the reuse of the existing building as a church/religious institution.

As indicated in the application, the proposed rezoning based on a request of the City of Springboro and is consistent with the policy of removing township zoning categories within the municipal corporation boundaries. This matter was discussed when the congregation proposed construction of their new church; the site plan for the church was approved at the January 30, 2008 Planning Commission meeting.

Adjacent land uses include Clearcreek Chapel to the north; the access drive to Clearcreek Chapel to the east along with large-lot single-family residential; large-lot single-family residential to the west; and single-family residential to the south (Royal Springs subdivision).

Adjacent zoning includes Clearcreek Township (T)R-1 to the north, east and west; and (T)R-1 and R-2, Low Density Residential District to the south.

The *Springboro Comprehensive Land Use Plan* does not address this property.

Following Planning Commission consideration on this agenda item in Work Session, a formal recommendation to City Council is requested by the applicant at the January 28th Planning Commission meeting.

Staff Comments

No staff comments at this time.

G-E. Rezoning, 2738 Pennyroyal Road, Clearcreek Township (T)R-1, Rural Residence District, to Springboro R-1, Estate-Type Residential District

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Background Information

This agenda item is a request submitted by the Clearcreek Chapel, property owner, to rezone two parcels of land at 2738 Pennyroyal Road from the current Clearcreek Township (T)R-1, Rural Residence District, to City of Springboro R-1, Estate-Type Residential District. The property proposed to be rezoned (see enclosed exhibit) includes a 11.08-acre parcel with frontage onto Pennyroyal Road, and an adjoining 2.001-acre parcel. The frontage to the 11.08-acre parcel is located on the north side of Pennyroyal Road west of the intersection of Pennyroyal Road and Evergreen Drive. The proposed rezoning request would allow for the reuse of the existing building as a church/religious institution.

As indicated in the application, the proposed rezoning based on a request of the City of Springboro and is consistent with the policy of removing township zoning categories within the municipal corporation boundaries. This matter was discussed when the congregation proposed the construction of an addition to the structure; the site plan for the church was approved at the July 30, 2008 Planning Commission meeting.

Adjacent land uses include large-lot residential to the east and south within the City of Springboro corporate limits; I-75 to the west within Clearcreek Township; and undeveloped land to the north within the City of Springboro.

Adjacent zoning includes (T)R-1, Clearcreek Township Rural Residence District to the east and south; and ADD-1, Austin Development District 1 to the north. Land to the west, encompassing the I-75 right-of-way, is zoned Clearcreek Township SR-1, Suburban Residence Zone

The *Springboro Comprehensive Land Use Plan* does not address this property.

Following Planning Commission consideration on this agenda item in Work Session, a formal recommendation to City Council is requested by the applicant at the January 28th Planning Commission meeting.

Staff Comments

No staff comments at this time.

- F. Rezoning, 8300 Country Club Lane, Clearcreek Township (T)R-1, Rural Residence District, to PUD-MU, Planned Unit Development-Mixed Use.

Background Information

This agenda item is a request submitted by David Pike and Bob Grant, Pike Legal Group PLLC, Louisville, Kentucky, agents for the property owners, Sycamore Creek Country Club, to rezone two parcels of land at 8300 Country Club Lane from the current Clearcreek Township (T)R-1, Rural Residence District, to PUD-MU, Planned Unit Development-Mixed Use. The property proposed to be rezoned (see enclosed exhibit) includes a 14.296-acre parcel (Sidwell No. 04084700020) and a 0.442-acre (Sidwell No. 04084700030). These two parcels represent the only portion of Sycamore Creek Country Club within the Springboro municipal corporate boundaries.

The proposed rezoning based on a request of the City of Springboro and is consistent with the policy of removing township zoning categories within the municipal corporation boundaries.

The only proposed use under the terms of the proposed PUD-MU rezoning is outdoor recreation, a land use consistent with the use of surrounding property owned by the country club. At present the two parcels are heavily wooded with generally uneven terrain and crossed by Richards Run. A portion of one hole on the golf course (three tee boxes) are located on the site. Access to the site is through the main entrance to the country club from Lytle-Five Points Road and Country Club Lane to the northeast.

Adjacent land uses include large-lot residential and portions of the golf course to the east, both within Clearcreek Township; common space within the Richards Run subdivision in the City of Springboro to the south; the Sycamore Heights (Sycamore Creek Drive) development in the City and portions of the golf course in the township to the west; and the gold course, tennis course and clubhouse, all in Clearcreek Township, to the north.

Adjacent zoning includes (T)R-1, Clearcreek Township Rural Residence District to the east and north; PUD to the south (Richards Run subdivision); and (T)R-1 and R-1 to the west.

The *Springboro Comprehensive Land Use Plan* references City ownership of the property that has not been the case since 2003. Zoning Initiative NE-7 states "*Landlocked 14 acre parcel of land owned by the City. If not use for supplemental sanitary sewer facilities could be a passive park connected by a Greenway Corridor.*"

Following Planning Commission consideration on this agenda item in Work Session, a formal recommendation to City Council is requested by the applicant at the January 28th Planning Commission meeting.

Staff Comments

No staff comments at this time.

Mr. Boron explained that the three rezoning items were administrative items for Planning Commission and the applicants were advised that there was no need for their attendance.

Mr. Boron commented that the first item was a rezoning from Clearcreek Township (T)R-1 to City of Springboro R-1 of the property at 248 Pennyroyal Road. The property is owned by the

Jehovah's Witnesses and is approximately three acres. This rezoning is consistent with the new Land Use Master Plan.

Mr. Boron added that the second item was a rezoning of the Clearcreek Chapel property on Pennyroyal Road. He commented that the application would be amended to reflect that the property is 20 acres instead of the 11 acres shown of the application. This rezoning is also consistent with the Land Use Master Plan.

Mr. Boron explained that adjacent property owners would be notified of the rezoning request. A public hearing would then be set.

Mr. Landefeld asked how many adjacent properties were zoned TR-1.

Mr. Boron answered about 6-7. He added that these properties would be addressed following the approval of the Land Use Master Plan.

Mr. Boron commented that the third item was two parcels adjacent to the Sycamore Creek Country Club. These properties are being rezoned to PUD-MU, which would allow for outdoor recreational uses.

Ms. Belpulsi asked about the uses that would be allowed under the outdoor recreational uses.

Mr. Boron answered that the golf course facility would be allowed. He added that should the property be developed, a General Plan would need to be provided to Planning Commission and at that time, line item uses can be excluded.

Mr. Boron added that these three rezonings, following Planning Commission recommendation approval, would be forwarded to Council for public hearings and approval.

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

Mr. Landefeld asked whether the golf course owned the property.

Mr. Boron stated that the golf course does own the property; the land is not currently in use.

III. Guest Comments

There were no guest comments.

IV. Planning Commission and Staff Comments

The Planning Commission discussed the potential Kroger project at SR 73 and SR 48.

Mr. Boron reminded Planning Commission members of the Land Use Master Plan Open House scheduled Tuesday, January 27th at Heatherwoode. Invitations to the Planning Commission members were mailed today.

Ms. Belpulsi congratulated current Planning Commission members on their reappoint to the commission by City Council at the January 8th Council meeting. She added her congratulations to Mr. Chmiel upon his election to Deputy Mayor. She reminded the members that Planning Commission officers would need to be appointed at the January 28th meeting.

V. Adjournment

Ms. Belpulsi adjourned the Wednesday, January 14, 2009 Work Session at 7:35 P.M.

Marie Belpulsi, Planning Commission Chair

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary