

City of Springboro
320 West Central Avenue, Springboro, Ohio

Planning Commission Regular Meeting
Wednesday, September 29, 2010, 6:00 p.m.

I. Call to Order and Roll Call

Chairperson Marie Belpulsi called the Springboro Planning Commission Meeting to order at the Springboro Municipal Building, 320 West Central Avenue, Springboro, Ohio.

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

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

II. Approval of Minutes

A. July 28, 2010 Planning Commission Meeting

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

Ms. Gibson motioned to approve the July 28, 2010 Planning Commission meeting minutes as submitted. Mr. Landefeld seconded the motion.

Vote: Hartle, yes; Vomacka, yes; Papakirk, yes; Gibson, yes; Ridd, abstain; Belpulsi, yes; Landefeld, yes. (6-0-1)

B. September 8, 2010 Planning Commission Work Session

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

Mr. Landefeld motioned to approve the September 8, 2010 Planning Commission work session minutes as submitted. Ms. Hartle seconded the motion.

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

III. Action Agenda Items

A. Identification Signs, Brookside, Brookside Drive at Lytle-Five Points Road

Background Information

The Homeowner's Association representing a portion of the Brookside subdivision is proposing a change in their identification signage for the subdivision entrance off Lytle Five Points Road at Brookside Drive. Identification signage such the ones proposed require approval by Planning Commission per Chapter 826 (Signs) of the City of Springboro Codified Ordinances. Please see the attached regarding details of the landscaping and signage.

Staff Comments

1. Indicate the distance from the back of curb to the signs and landscaping beds. The signs, boulders, and landscaping shall not interfere with the sight distance at Lytle Five Points Road. Also, all landscaping to be outside of the Lytle Five Points Road right-of-way.
2. The lighting indicates LED fixtures. All lighting shall be high pressure sodium.
3. Applicant to complete appropriate application for this agenda item; also a Sign Permit is required for this item. Regarding both items, please coordinate with Dan Boron, Planning Consultant, at danb@cityofspringboro.com or (937) 748-6183.

Ben Bayer of The Site Group was in attendance to answer questions of Planning Commission.

Ms. Belpulsi asked whether Mr. Bayer had any questions.

Mr. Bayer asked about LED fixtures could be incorporated or whether high pressure sodium would need to be used.

Mr. Boron answered that the fixtures had to be high pressure sodium.

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

There were none.

Mr. Vomacka motioned to approve the identification signs for Brookside subdivision, Brookside Drive at Lytle-Five Points Road provided staff comments are met. Ms. Ridd seconded the motion.

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

B. Extension of Approval on Final Development Plan, Twin Creek PUD-R, Planned Unit Development-Residential, West Factory Drive, conservation-type residential subdivision

Background Information

This agenda item is a request for review of a six-month extension on Planning Commission's approval of the Final Development Plan for the Twin Creek Planned Unit Development-Residential (PUD-R) located at 465 West Factory Road. The property was formerly known as the Swope Property PUD-R. The 28.77-acre property was rezoned to PUD-R in 2003 along with a General Plan. The General Plan was subsequently revised and approval by the Planning Commission at its April 26, 2006 meeting and the Final Development Plan was approved at the July 26, 2006 Planning Commission meeting. A similar extension was requested and approved by the Planning Commission at its February 24, 2010 meeting.

Mr. Boron explained that he would be speaking on behalf of the applicant. This is an administrative extension of the Planning Commission's approval of the Final Development Plan.

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

Ms. Belpulsi asked whether they would keep extending it as requested or whether there was a minimum or maximum time for the extensions.

Mr. Boron answered that it is at Planning Commission's discretion. This item came back to the engineering department due to a major design issue, now the economy is delaying the project.

Ms. Ridd asked if there was no time limit set when it would come back to Planning Commission.

Mr. Boron answered that it would be six months.

Ms. Ridd motioned to approve the extension of approval of the Final Development Plan for Twin Creek PUD-R. Ms. Gibson seconded the motion.

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

IV. Non-Action Agenda Items

A. Preliminary Discussion, General Plan Revision, The Springs PUD, Planned Unit Development, Major Change to the Approved General Plan

This agenda item is based on an application filed by St. Mary's Parish, Franklin, 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 relocate St. Mary's Catholic Church from its location in Franklin to Springboro at the northwest corner of Springs Boulevard and Yankee Road in The Springs PUD.

This agenda item was discussed at the September 8th Work Session. At that time the applicant was offered the opportunity to use the September 29th meeting to continue the discussion initiated at the Work Session and possibly take action on the issues of interest to St. Mary's, (1) the change of use from continuing care to church and (2) the proposed curb cut on Yankee Road. To date the City of Springboro has not received and updated from the applicant and City staff does not recommend action at this time on the revision to the approved General Plan in general or these two issues in particular. As stated in the September 8th City staff comments, no formal action on this item is anticipated until the October 27th Planning Commission meeting. Given the nature of the submittal at this point in time it is impractical for City staff to comment on the specifics of the proposed church and ancillary development in light of the minimum requirements of Chapter 1272, Planned Unit Developments, of the Springboro Planning and Zoning Code. City staff reserves the opportunity to comment when the General Plan Revision application is complete.

The remainder of the comments are adapted from the September 8th Work Session.

The proposal includes a Phase 1 consisting of a 45,000 square foot building including offices, sanctuary and narthex; Phase 2 consists of a 20,000 square foot parish center. Ancillary uses include a 390-car off-street parking area, athletic fields and future parking along Springs Boulevard

for 127 spaces. The three ponds located immediately adjacent to the intersection of Yankee Road and Springs Boulevard would remain, as proposed by the applicants, on the church property.

Access to the site would be provided by a curb cut on Yankee Road and a secondary access point on Springs Boulevard. In anticipation of questions regarding the curb cut locations and impact of the proposed church facilities on surrounding transportation infrastructure, City staff collaborated with the applicants and Scott Knebel, P.E., of LJB, Inc., City of Springboro Traffic Engineering Consultant, to examine traffic impacts of the development at this point in the time. The results of that study are included in your packets. The enclosed applicant-provided "Concept Site Plan" complies generally with the study results, one exception being the proposed athletic fields. Knowledge of the fields, their impact and the nature of their use and hours of operation were not considered at the time the traffic study was completed.

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 copy of the 2005 General Plan Revision is included in your packets; a larger version of that General Plan will be provided at the meeting.

The area proposed for the church in the 2005 General Plan was proposed to be a Continuing Care facility; Coffman Development did not present specific plans for that use in the form of a Final Development Plan, stage two in the three-stage PUD approval process.

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 requires the approval of the Planning Commission and City Council.

Following consideration by Springboro Planning Commission and City Council on the General Plan Revision, a Final Development Plan, stage two of the PUD approval process, for this portion of the PUD would need to be submitted to the City and approved by the Planning Commission.

Staff Comments

No staff comments at this time. City staff reserves the opportunity to comment on this proposed General Plan Revision at a later date.

Steve Bermick of St. Mary's Church and Mike Ruetschle of Ruetschle Architects were in attendance to answer questions of Planning Commission.

Mr. Bermick and Mr. Ruetschle presented an amended concept site plan and footprint, proposed building heights, a statement from the church regarding the proposed use for the site and a computer presentation of the new building.

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

Ms. Gibson commented that her request was to not that she wished that the church be moved closer to Yankee Road, but the parish center be moved and that the church and its stained glass windows be exposed to Yankee Road and they have done a fine job of that.

Mr. Vomacka commented that he had initially raised a concern about the amount of parking spaces. He suggested that the parking spaces in Phase II be taken off of the plans for now and reapplied for at a future date. His issue with the parking was the landscaping. He would be interested in seeing the parking lot buffered and shielded with mounds and evergreens to soften the view.

Mr. Vomacka asked; in the initial submission there was a Phase I, the sanctuary at 45,000 square feet and Phase II would be the parish center at 20,000 square feet, was this still the plan?

Mr. Bermick answered yes. They are getting soil tests and boring done. This would determine whether they could build up or down to get that space. At this point, they don't know that

Ms. Belpulsi asked for further comments from Planning Commission.

There were none.

Mr. Boron explained that the next step would be to return to work session on October 13th which has a deadline for submission date of October 1st. He commented that much of what was presented tonight would be appropriate for that submission; this is a step in the right direction in addressing those concerns relative to the requirements for a General Plan revision.

Mr. Bermick asked what would be needed for approval in order to meet their closing date of November 30th. According to their purchase agreement, they need assurances of the curb cuts on Yankee Road and approval of the change in the land use. He was concerned about the amount of detail that Mr. Boron has indicated that would be required and whether it could be completed in time. The parish is looking for something from the Planning Commission to take to the attorneys for the purchase contract to assure them that the two things that they need have been approved.

Mr. Bermick stated that they intend to meet all of the stipulations that Planning Commission has for the parcel but does not anticipate being able to have all of those things in place before the November 30th date. For his contract purposes, they only need the two things, assurance of access to Yankee and approval of the land use designation. He asked whether they could get those two things to take to closing.

Mr. Boron asked whether the closing necessitates Council approval or Planning Commission approval,

Mr. Bermick answered that it does not stipulate.

Mr. Boron answered that there are two opportunities for approval, at the October 27th meeting and the November 10th meeting. There is a Council meeting the following Thursday, November 18th.

Mr. Boron commented that he has not spoken with the engineering department, but they have gone a long way in addressing the General Plan requirements of which the use and curb cut are part and parcel. He added that staff must go through the due process and allow residents and adjacent property owners to express their concern about what is proposed.

Mr. Boron commented that while staff or Planning Commission could issue something expressing their willingness for approval, they still must engage the public on this.

Ms. Belpulsi commented that Planning Commission must go through the process that they are required to. She stated that the next formal meeting would be October 27th and at that point they could be in the position to make a formal recommendation to Council. That recommendation could go to Council for the November 4th meeting. No public hearing and three readings are not required. Council, the final authority, could have their answer on November 4th.

Ms Thompson commented that she has had conversations with staff and the City law director about this issue because of the timing. While it is out of the normal pattern, there are ways to place conditions on the approval if they need to go to the November 4th Council meeting. If they are asking Planning Commission to approve the curb cut and use, Planning Commission can ask for other conditions such as the issue of the detention ponds.

Mr. Vomacka commented that Planning Commission has many opportunities even if there is a conditional approval to see that everything is complied with.

Ms. Thompson commented that according to the law director, even though it is not the norm, staff can do that to accommodate their closing date. Planning Commission can recommend to Council approval of the use and curb cut. By October 27th, they can have a recommendation either way from this body on the use and the curb cut. He may receive that so that he can close but it will state conditions that are normal General Plan approval conditions but in a textural form so that the City gets what they need. She does not see why there cannot be some form of a recommendation of October 27th.

Ms. Ridd asked whether their contract has an extension clause.

Mr. Bermick answered that there is one; there are some conditions on that extension clause.

Ms. Belpulsi concluded by stating that Planning Commission could take action, make a recommendation, on October 27th, with the item being on the Council agenda on November 4th. They would have the final say.

Mr. Bermick stated that they would continue to work on the list of items for staff.

V. Guest Comments

There were no Guest comments.

VI. Planning Commission and Staff Comments

Mr. Boron reminded Planning Commission that the annual Planning & Zoning Workshop at Sinclair Community College will be held December 3, 2010. Reservations will be taken in October.

Mr. Boron informed Planning Commission that the Planning Commission meetings in November would be a combined meeting held Wednesday, November 10th with the work session beginning at 6 pm and the regular meeting beginning after the work session.

VII. Adjournment

Ms. Ridd motioned to adjourn the September 29, 2010 Planning Commission Regular Meeting at 6:41 P.M. Ms. Gibson seconded the motion.

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

Marie Belpulsi, Planning Commission Chairperson

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary

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