

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

Planning Commission Work Session  
Wednesday, October 14, 2009, 7:00 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, Jim Chmiel, Janie Ridd, Barb Gibson, Hans Landefeld, Becky Hartle  
Absent: Chris Papakirk

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. Rezoning & General Plan, Lytle-Five Point Road, O-R, Office-Residential District to PUD-B, Planned Unit Development-Business

Background Information

This agenda item is based on a request filed by Skip Shafer, doing business as CS Five Point, LLC, for Rezoning and General Plan approval for an approximately 1.35-acre site located on Lytle-Five Points Road approximately 500 feet east of the intersection of Lytle-Five Points Road and North Main Street (SR 741).

This item was last discussed at the August 31, 2009 Planning Commission meeting as a non-action, work session-type discussion item. Prior to that, this item was discussed at the August 12th Planning Commission Work Session. Meeting minutes from both meetings have been provided in your packets.

As staff understands it, 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, with two "areas" with a list of permitted uses attached to each area. The applicant's "zoning statement," areas graphic and two lists of permitted uses for the two "areas" are included in your packet along with an e-mail correspondence/cover letter from the applicant to City staff.

The proposed site for the PUD-B is presently zoned O-R, Office-Residential District. 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. 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**

Comments regarding the proposed Rezoning and General Plan will be provided once the proposal has been more fully developed. Additional information is required to satisfy the minimum submission requirements for a General Plan.

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

Mr. Shafer reviewed the plans for the parcel. He referred to the general plan maps showing areas 1 and 2 and the attachments with attachment 3 showing the proposed permitted uses for area 1 and attachment 2 for area 2.

Mr. Shafer commented that the Planning Commission had asked to review the traffic patterns and the placement of the road into the site. He introduced Mr. Oaks as his traffic engineer to address these questions.

Mr. Oaks presented Planning Commission with a traffic study, reviewed the issues of the sight distances and explained the methodology in obtaining his statistics and findings.

Ms. Belpulsi asked Mr. Oaks to explain the peak hours.

Mr. Oaks explained that the peak hours are generally from 7-9 am and 4-6 pm.

Ms. Gibson commented that she felt that the inbound traffic during the AM peak hour should be 67% westbound left and 33% eastbound right.

Mr. Oaks agreed that he could adjust the calculations.

Ms. Ridd explained that Planning Commission's concern was the stacking that could occur westbound at the site and at Lytle Five Points Road and SR 741.

Mr. Oaks explained the concepts of pass thru traffic and his calculations for the traffic and the cycling of the light at Lytle Five Points Road and SR 741. He stated that he felt that there should be no problems with traffic through that light.

Mr. Chmiel asked Mr. Oaks' opinion about the best location for the ingress/egress from the site onto Lytle Five Points Road.

Mr. Oaks stated that it could be placed anywhere it fits in: he felt that there are no sight distance problems and enough turn storage.

Ms. Ridd asked about the number of children would be in the day care center.

Mr. Shafer answered that it would be licensed to 100-120.

Ms. Ridd asked about the inbound traffic numbers.

Ms. Gibson commented that those numbers were for the peak hour only.

Mr. Boron commented that this traffic study is for the Planning Commission's preliminary review; there are other issues to be taken in to account, this traffic study has not been reviewed by the City's traffic engineer and no input has been received from Mr. Sharma.

Ms. Belpulsi thanked Mr. Oaks for his thorough explanation. She asked that Planning Commission continue on to the issue of the rezoning.

Ms. Ridd asked why there were two areas and two sets of permitted uses. She stated that she would prefer one PUD zoning with one set of uses.

Mr. Chmiel stated that the last discussion was to come up with the B-2 uses that would be acceptable to the whole site.

Ms. Ridd added that areas one and two would need to be one site when it comes to total coverage and green space.

Mr. Chmiel commented that he was under the impression that the office zoning was acceptable with the exception that it did not include a school; the concern was the amount of traffic that would be generated near a residential space. He stated that having the zoning go from office to office and a school should not include all of the B-2 uses.

It was discussed whether attachment two or three would be a better list of the permitted uses and which uses should be permitted.

Mr. Shafer commented that attachment three shows the OR uses with the addition of schools and day care centers. He stated that he felt that these uses are not out of line with the study areas that the City has created, neighborhood/specialty retail, and that the uses would not generate additional traffic that would create a problem.

Mr. Chmiel commented that when it is put up against residential, it does create a problem.

Mr. Shafer commented that it could be addressed in site plan review, with setbacks and buffering.

Ms. Ridd commented that should retail be allowed, then it must be placed further from the residential; that is what Planning Commission must decide.

Mr. Shafer commented that the guidelines and setbacks are in the City's code.

Mr. Boron commented that within a PUD, it is part of this discussion.

Ms. Belpulsi added that that is what is attractive about the PUD zoning, the flexibility in building placement and things of that nature.

Ms. Hartle stated that she would like to see the land rezoned as one parcel.

Ms. Gibson agreed.

Ms. Belpulsi commented that with the original application, the need was to rezone the property to allow for a day care center that was not allowed under the OR zoning. She added that she was not in favor of retail in that area due to the traffic generation. She stated that she would like to see the O-R uses with the addition of the use of schools and day care centers.

Mr. Shafer commented that the parcel is being rezoned as one parcel due to the direction of Planning Commission. B-2 zoning would allow for small retail uses, so he has addressed the traffic issue. He added that the retail would be limited. His General Plan calls for 46,000 square feet. He commented that he would be asking for 12,000 square feet for retail out of the entire site.

Ms. Gibson commented that she felt that Ms. Belpulsi and Mr. Chmiel were trying to indicate that the site is currently zoned O-R, which would not allow retail at all. She stated that Mr. Shafer is asking for a change in the zoning, which they thought was because Mr. Shafer had a day care owner looking at the property. She felt that the Planning Commission was trying to help him accommodate that owner, but that the Planning Commission was not interested in taking this site to a B-2 standard.

Mr. Chmiel stated that if Mr. Shafer had asked to take this property to a B-2 standard, the Planning Commission would not have considered it.

Ms. Ridd stated that attachment three would be feasible with the addition of banks.

Mr. Shafer questioned which uses are limited in size, but may not be offensive. He stated that he is asking for specialty retail.

Mr. Chmiel commented that Mr. Shafer was asking for an exception for a day care center, but is now asking for all of the uses under B-2.

Mr. Shafer stated that Planning Commission had asked for the whole site to be rezoned and he is willing to do that. He asked that Planning Commission include some additional uses that they do not find offensive.

Ms. Ridd stated that the property was zoned O-R and should stay O-R.

Ms. Belpulsi commented that should Mr. Shafer wish to add the day care center, the whole property needs to be rezoned, but using the O-R uses in addition to day care centers and banks.

Mr. Shafer asked should a client wish to do a gift shop and it is crossed out, whether that would not be allowed under the PUD-B.

Ms. Belpulsi answered that yes, it would not be allowed.

Ms. Belpulsi explained that the Planning Commission has the authority and flexibility to name the kinds of uses in PUD-B zoning. That allows the developer to design his development in a way that is not strictly limited.

Mr. Shafer asked what uses the Planning Commission found offensive.

Mr. Boron commented that it appears that Planning Commission finds most of the B-2 uses would be problematic.

Ms. Gibson added that the site is an O-R site; Planning Commission never looked at the site as a B-2 site. If Planning Commission can add uses to make the site more economically feasible, that would apply. She stated that many of the B-2 uses have no relevance on this site because it is an O-R site.

Mr. Boron commented that PUD-B zoning with B-2 uses were offered because they had the least impact relative to the other business zonings. Applying the B-2 uses gives Planning Commission the vehicle to allow for the two or three uses the Mr. Shafer has requested.

Ms. Belpulsi commented that attachment three is in keeping with what the Planning Commission wants on the site. She agrees with a rezoning to PUD-B with the office uses in addition to the uses of day care centers and banks.

Mr. Chmiel commented that he would like to see a site plan that shows the road. He added that he understands how Area one works, but under a PUD, he does not see how the rest of the parcel would work.

Ms. Gibson commented that once the site is rezoned as one piece, he has his road and can place everything else wherever he wants it, with site plan review approval.

Mr. Shafer asked if a site plan was a separate approval process.

Mr. Boron explained that the Rezoning and the General Plan are separate but usually are completed concurrently as Phase One of the PUD approval process. The rezoning is accomplished through a Public Hearing and Ordinance through Council. The General Plan would

appear before Council as a Resolution. The Rezoning can move ahead due to its more critical schedule, if the Planning Commission does not object, and the General Plan has issues that can be worked out once the uses are determined. Staff has very specific issues about the lotting of the site.

Ms. Gibson asked about the percentages and quantity of square footage that Mr. Shafer would ask for and if it could be a problem for staff.

Mr. Boron explained that staff has not seen anything new; staff has included comments about the amount of square footage in relation to parking, the location and alignment of the road and the open space afforded next to the residential area. He added that these are relatively workable issues.

Mr. Shafer commented that the General Plan had been included in the July 31st submission and is the plan that was used in the traffic study with the square footage of office space shown.

Mr. Boron added that there also needs to be a design vocabulary established under the PUD regulations for the general look of the buildings. A vocabulary should also be established to tie the site together through lighting, landscaping and signage.

Mr. Shafer stated that he would follow the regulations for each item.

Mr. Landefeld commented that though it is early in the discussion, he felt that the number of uses for the site would require a monumental sign that would list the different destinations. He questioned where this sign would be placed and if it would be in conflict with sight distances.

Mr. Oaks asked how far the regulations required that the sign to be off of the public right-of-way.

Mr. Boron replied, eight feet.

Mr. Oaks commented that that should be no problem.

Ms. Belpulsi commented that Planning Commission seems to have reached a consensus about what they would recommend Mr. Shafer should do with this proposal. She suggested that Mr. Shafer meet with staff to prepare for a formal request for rezoning.

Mr. Boron asked Planning Commission whether they felt comfortable moving forward with the Rezoning. He stated that he felt that the General Plan was not ready to move ahead at the October 28<sup>th</sup> meeting. He stated that the Rezoning could proceed ahead to be set for Public Hearing and be made contingent upon approval of the General Plan at the November or December meetings.

Planning Commission agreed.

Mr. Landefeld thanked Mr. Oaks for the presentation of his traffic study and asked whether the traffic study would be reviewed and feedback given to staff by LJB. He wanted staff to feel comfortable that the information has been confirmed by the City's consultant. He asked that that information be included in staff comments for the next meeting.

Mr. Oaks commented that the amount of square footage that was designated in his traffic study for specialty retail should be included in the amount of square footage for office space. The amount of

square footage for bank and day care center would remain the same. He will also change the inbound westbound left and eastbound right calculations and adjust the traffic study.

Mr. Boron commented that he cannot guarantee a response to the traffic study from the City's traffic engineering consultant by the time packets are distributed on October 23<sup>rd</sup>, but that there should be a response by the meeting on the 28<sup>th</sup>.

Planning Commission discussed the percentages of traffic for the eastbound and westbound traffic.

Mr. Boron explained that City staff would probably drive the site with the City's traffic engineer and would take into consideration Planning Commission's comments.

It was summarized that the application would be for a request to rezone the property to PUD-B with the uses shown on attachment three with banks added. The Rezoning a recommendation by Planning Commission could be contingent upon approval of a General Plan and a review of the traffic study.

III. Guest Comments

There were no guest comments.

IV. Planning Commission and Staff Comments

Ms. Boytim asked that Planning Commission members RSVP for the December 4<sup>th</sup> Planning & Zoning workshop at Sinclair Community College to her by October 28<sup>th</sup>.

Mr. Boron reminded Planning Commission about the Going Places Phase II workshop at the Franklin Fire Department October 20<sup>th</sup>.

Mr. Dudas previewed for Planning Commission an item that will be on the October 28<sup>th</sup> Planning Commission agenda regarding Settlers Walk, The Cove, Sections 2 & 3.

V. Adjournment

Ms. Belpulsi adjourned the Wednesday, October 14, 2009 Work Session at 8:27 P.M.

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Marie Belpulsi, Planning Commission Chair

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Dan Boron, Planning Consultant

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Lois Boytim, Planning Commission Secretary