

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

Planning Commission Work Session
Wednesday, April 14, 2010, 7:00 p.m.

I. Call to Order

Acting Chairperson Hans Landefeld called the Springboro Planning Commission Work Session to order at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio.

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

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

II. Agenda Items

A. Landscape Plan, 620-626 North Main Street, Wade Insurance office building

Background Information

This agenda item is based on a request filed on behalf of Ralph Wade Insurance Co., business owner, for the approval of a landscape plan for the now-constructed office building that in-part houses Ralph Wade Insurance agency at 620-626 North Main Street (SR 741). The Site Plan for the then-proposed office building was approved by the Planning Commission at its September 30, 2009 meeting along with a number of conditions; among them was seeking approval, at a later date, on a landscaping plan for the site/building.

Staff Comments

1. Please complete Site Plan Review application for this agenda item.
2. Have all other conditions associated with the September 30, 2010 Planning Commission approval of the site plan been complied with?

Roy Smith, representing Wade Insurance, was in attendance to answer questions of Planning Commission.

Mr. Landefeld asked for comments from Planning Commission.

Ms. Gibson asked where the monument sign would be.

Mr. Smith indicated the location on the plan.

Mr. Boron commented that the sign would be where the temporary sign is currently located.

Ms. Ridd asked about the tree that is shown on the plan in the parking lot.

Mr. Smith answered that the tree is existing and had to be taken out.

Mr. Smith indicated that there was a possibility that the parking lot could be connected to the property to the north.

Ms. Ridd asked whether it was possible to put any landscaping along the south side of the building and commented that with the view from SR 741 it is very stark along there.

The plans were reviewed to check for a sidewalk on that side of the building.

Mr. Smith indicated that there was a pad for the emergency electric and generators.

Ms. Gibson commented that that was all the more reason to have more landscaping.

Ms. Ridd agreed that that side needs to be screened; it is very stark. She asked for more landscaping; at least back to the overhang.

Mr. Smith agreed that they could do something before the concrete pad. He indicated that they had thought about a planter in the corner. There is a maple tree in the corner.

Ms. Ridd asked that they soften the corner with something evergreen.

Mr. Landefeld suggested continuing the landscaping from the front along the side.

Ms. Gibson and Ms. Ridd suggested something taller.

Ms. Gibson asked about the landscaping around the monument sign.

Mr. Smith answered that there would be mounding around the sign and flowers within the mound.

Ms. Gibson asked that that be shown on the plans.

Mr. Boron asked Planning Commission whether they would like evergreens out there.

Ms. Gibson indicated that she would like evergreens there rather than just annuals or perennials.

Mr. Smith asked for suggestions for landscaping along the south side of the building.

Ms. Gibson suggested arborvitae; it has a different texture than the taxus.

Mr. Vomacka asked whether there would be any ground cover in the area between the parking lot and SR 741.

Mr. Smith answered that it would be grass.

Mr. Landefeld asked for any further questions. There were none.

Mr. Boron asked whether Planning Commission was comfortable with this plan being presented at the formal meeting April 28th for approval.

The Planning Commission members agreed.

Mr. Smith reviewed that the issues to be clarified were; the grass along SR 741, the landscaping at the monument sign and additional landscaping on the south side of the building and around the generator.

Mr. Landefeld asked Mr. Boron to comment on what would be required to join the Wade building parking lot with the one to the north.

Mr. Boron answered that it needed to be brought to staff; it was a relatively minor item and could be brought back as an advisory item.

B. Site Plan Review, 850 West Central Avenue, Taco Bell exterior renovations

Background Information

This agenda item is based on a request filed by Ryan Oyster, GPD Group, representing the business owners, Yum Brands, for exterior renovations to the existing Taco Bell located at 850 West Central Avenue (SR 73). As indicated in the submitted application and support materials, Taco Bell intends to remodel the exterior of the existing restaurant as well as a portion of the interior. Other improvements include the repavement of the existing parking lot, the installation of new signage and sidewalk improvements to comply with ADA requirements.

As it applies to this agenda item, the exterior renovations alone are subject to Planning Commission review and approval through the Site Plan Review process: as provided in the Planning and Zoning Code, all exterior renovations where more than 30% of any one elevation is subject to the standards and requirements provided for in Section 1271.03, Exterior Façade Design Standards, adopted in August 2005. In this case that minimum standard is exceeded.

Staff Comments

1. Applicant to coordinate with Dan Fitzpatrick, Zoning Inspector, at danf@cityofspringboro.com or (937) 748-6845, for compliance of proposed signage changes with the City of Springboro Sign Code.
2. For final review, revise drawings to indicate north or south elevation, not left or right.
3. Existing EIFS is grandfathered from review under the provisions of Section 1271.03 of the Planning & Zoning Code although use of new EIFS is suggested below 6-8' which is not permitted per code.

Todd Huntingdon of GPD Associates was in attendance to answer questions of Planning Commission.

Mr. Huntingdon explained that the remodel would include upgrades to the dining room and restrooms. The exterior of the building including the sidewalk and parking spaces would be brought up to ADA compliance. The parking lot would be repaved.

Mr. Huntingdon explained that on the exterior of the building, the front tower and main entrance tower would be removed and replaced with new towers. Wainscot stone would be added on the towers. On the front elevation there are two pilaster towers on the corners of the building; there is

another pilaster added on the main side. He explained that they are replacing the pink colored soffit with Taco Bell's new standard prototype, the colored band. There are no pilasters on the drive thru side.

Ms. Gibson asked what the material currently is.

Mr. Huntingdon answered that it is EIFS. He explained that the drive thru side is built up from what is currently there. The front and the main towers are being completely removed and rebuilt from the bottom up. There is wainscot stacked stone up to six feet. The stone goes up to three foot four inches on the pilasters.

Ms. Ridd asked whether Planning Commission could approve the EIFS or whether it could go to BZA because it was against the code.

Mr. Boron explained that they would have to prove hardship; Planning Commission cannot approve it this way.

Mr. Boron explained that he had spoken to the applicant, Ryan Oyster, and explained that any existing material is grandfathered in and could stay. He added that the code does have this provision for safety of the building to avoid any long term damage because of pedestrian traffic.

Mr. Huntingdon asked for clarification that the issue is that the EIFS must be above six feet.

Ms. Ridd answered that it does not meet the code and there is nothing that the Planning Commission can do.

The drive thru side of the building is just being painted and does not present a problem. The towers are being rebuilt and must meet current code.

Mr. Vomacka asked Mr. Boron what the process would be if Planning Commission had to vote it down because of the EIFS.

Mr. Boron answered that Planning Commission could approve the plan with the condition that it be appealed to BZA, and then Planning Commission would not see the plan again.

Ms. Gibson asked Mr. Huntingdon whether there was another material he could use.

Mr. Huntingdon answered that any other material that would be permitted would be a brick or stone and would look awkward. It is an architectural feature that the stone is lower on the corners. The wainscot could be raised to six feet.

Ms. Gibson commented that it wouldn't look as attractive if the stone was equal to the stone on the front of the building. She suggested a beige brick from the stone to the element across the top.

Mr. Huntingdon asked if there was a list of approved materials.

Mr. Boron answered that he had e-mailed that information to Mr. Oyster.

Mr. Vomacka asked whether the stone on the entrance columns could be taken to a higher level so the stone of the columns at the ends could be brought up and still have the balance of the two different heights.

Mr. Huntingdon answered that that is something that he can discuss with his client.

Mr. Huntingdon asked whether they thought that this was something that they thought that BZA would approve.

Ms. Ridd answered that she didn't know how they would prove a hardship.

It was concluded that the alternatives were to raise the heights of the stone or to choose another material.

Ms. Ridd asked whether the landscaping would change.

Mr. Huntingdon answered that it would be untouched.

Mr. Landefeld asked whether there was sidewalk along the frontage.

Mr. Huntington commented that there is a sidewalk along the frontage.

C. Final Development Plan, 477-485 North Main Street, reuse of existing building/site

Background Information

This agenda item is based on an application filed on behalf of Panna Chordia, property and business owner, for Final Development Plan approval for the property located at 477-485 North Main Street (SR 741). The property formerly housed L&L Plumbing and a number of subordinate businesses, most recently a vehicle repair facility. The subject property was rezoned, effective October 17, 2009, to PUD-B, Planned Unit Development-Business (Ordinance No. O-09-24). That classification allows most uses permitted in the B-2, Local Business District. A General Plan for the 1.8-acre (approximate) property was approved by City Council on September 17, 2009 (Resolution No. R-09-52). Final Development Plan is the second stage in the three-stage Planned Unit Development approval process.

The effect of the proposed Final Development Plan is somewhat limited as the owner intends to largely reuse the existing building and property, however a number of changes to the site—outdoor storage, parking lot striping, any new paved areas—proposed by the applicant are subject to Planning Commission review. Final Development Plan approval is required before the Building Department may grant an occupancy permit.

Staff Comments

1. The parking lot stall markings are not acceptable as shown. Remove the three parking stalls south of the gate and one just north of the gate. Also, remove the nearest parking stall adjacent to the south curb cut.
2. Please indicate proposed brick material/provide a brick sample for the proposed display/storage area. Please also clarify proposed fencing materials for the display/storage and covered storage area.
3. Please provide some detail on the manner in which the proposed covered storage area will be covered.

4. Please clarify location of proposed new pavement area; per code this may be placed no closer than 9' from any property line.
5. As provided for in Section 1270.42 of the Planning and Zoning Code, since the property abuts residential uses to the north, northwest and west, any proposed use of that portion of the property shall be no closer than 40' from any property line. A reduction to 20' is permitted with property screening or buffering.
6. Any proposed lighting shall be subject to review through Section 1271.01, Exterior Lighting, of the Planning and Zoning Code. Please coordinate with Dan Boron, Planning Consultant, at danb@cityofspringboro.com or (937) 748-6183.
7. Is not landscaping or other screening proposed as part of this reuse of the property/building? Please coordinate with Dan Fitzpatrick, Zoning Inspector, at danf@cityofspringboro.com or (937) 748-6845, for any proposed signage for the property and building.

Panna Chordia of Global Natural Stone was in attendance to answer questions of Planning Commission.

Mr. Chordia explained that he is reusing the existing building. A portion of the building and some of area in the back of the building will be used for storage and display area.

Mr. Chordia commented that most of the staff comments are acceptable and reasonable. The indicated parking space will be moved. The brick and material types will be provided.

Mr. Chordia explained that he will be building a wall to protect his product and also for safety. The front of the gate will be a decorative front. As far as the fence detail, on the side he plans on using chain link fencing. He reviewed the plans for the fencing.

Mr. Chordia explained that he does not want any walls only a shelter in the back, a steel frame building.

Ms. Gibson asked whether there would be just supports and a roof.

Mr. Chordia answered yes.

Ms. Ridd commented that that would look huge.

Mr. Chordia added that it would be behind the building.

Ms. Gibson stated that there is residential behind the building.

Mr. Landefeld asked about the amount of area that Mr. Chordia would be covering.

Ms. Ridd answered that the area is 120' by 190'.

Mr. Chordia commented that it was discussed at the end of the General Plan discussion. He stated that it doesn't have to be covered.

Ms. Ridd commented that at least if it isn't covered, just fenced then it doesn't seem so massive.

Mr. Vomacka asked what kinds of things he would be storing there.

Mr. Chordia answered that there would be granite and marble slabs.

Ms. Gibson commented that Mr. Chordia would be walking customers out in that area in addition to it being storage. It needs to be covered in case of rain or snow.

Mr. Chordia commented that he would ideally like to put a building there.

Ms. Gibson asked Mr. Chordia whether he had any drawings to show the heights of the roof.

Mr. Chordia answered that the roof would be a minimum twenty feet. Some of the slabs are seven feet in height and if he needs to take one slab over another slab then he needs at least eighteen-nineteen feet of clearance.

Mr. Vomacka asked if he would take the slabs around each other.

Mr. Chordia answered that he could but that would take away thirty to forty percent of the storage space.

Ms. Ridd stated that she would be against a twenty foot high roof.

Mr. Chordia asked whether he could have an enclosed building there.

Ms. Ridd stated that Planning Commission had expressed concern about that in previous meetings and Mr. Chordia had said not to worry about that now. She stated that it would probably still be a no.

Ms. Gibson stated that though Planning Commission has said that they would love to have his business in Springboro they had expressed that this may not be the location for that type of facility. It might do better in an industrial park.

Mr. Landefeld stated that he was also inclined to say no.

Mr. Boron asked what the time frame would be for the use of that space.

Mr. Chordia stated that it would be at least two years later. It would remain open storage for now.

Mr. Chordia asked whether he could get approval for a shelter of fourteen or fifteen feet, the same height as the current building.

Ms. Gibson stated that she wouldn't have as much trouble if it was a continuation of the same height as the building.

Mr. Vomacka asked since he is not doing anything for a couple of years at least whether the covered shelter could be taken off of the plans and he could worry about that at some future date. Storage area is fine, but not a covered storage.

Ms. Gibson suggested that he label the area as display and storage area; take out the word covered.

Ms. Ridd asked how Mr. Chordia could use the area should the roof be lowered to fourteen feet.

Mr. Chordia answered that he would not use the overhead cranes.

Mr. Boron commented that the setback of the use needs to be twenty feet with screening in a combination that has been approved by Planning Commission. He asked whether Planning Commission was satisfied with the method of enclosing the area with a chain link fence. In the past chain link has been used to screen enclosed areas in more industrial areas.

Ms. Gibson asked Mr. Chordia whether he was planning to use chain link with slats.

Mr. Chordia commented that he was planning on decorating the front and doing chain link with what is called an I-beam.

It was explained to Mr. Chordia what is meant by chain link with slats.

Mr. Boron asked if that has been applied where there is residential abutting commercial; this property is commercial, not industrial. He commented that this has not been attempted on this scale. He commented that the twenty foot, or forty foot area without landscaping, needs to be treated differently in this application.

It was agreed that the ten foot setback needs to be changed to at least twenty feet on two sides.

Ms. Ridd asked whether according to code for that zoning against a residential abutment, whether they are required to do a fence or screening but not both.

Mr. Boron answered that it is up to Planning Commission. He reviewed the code for the Planning Commission.

Springboro Codified Ordinance #1270.42 Nonresidential buildings or uses shall not be located or conducted closer than forty feet from any lot line of a Residential District, except that the minimum yard requirement may be reduced to fifty percent of the requirement if acceptable landscaping or screening approved by the Building and Zoning Inspector is provided. Such screening shall be a masonry or solid fence between four and eight feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty feet in width planted with an evergreen hedge or dense planting of evergreen shrubbery not less than four feet in height at the time of planting. Either type of screening shall not obscure traffic visibility within twenty feet of an intersection.

Mr. Chordia asked whether that applies to the commercial side.

It was answered that it only applies to the north and west sides of the property. The setback is already forty feet on the west side.

Ms. Ridd agreed that screening is needed on the north side.

It was decided that in addition to the fencing along the north side some landscaping is needed.

Mr. Vomacka suggested fencing that is not chain link, a six foot high wooden fence.

Ms. Gibson reminded him that the setback would need to be moved to twenty feet.

Mr. Landefeld commented that the landscaping needs to be evergreen.

Ms. Ridd commented that if he decides on a decorative fence she would like to see it taken around to the west side.

Mr. Landefeld asked what Planning Commission members would like to see on the south side.

Ms. Ridd answered that it butts up to commercial so the fence would be fine there.

Mr. Chordia provided samples of the landscaping stones that he may use and were requested in staff comment #2. At this point the sample is just to show the colors that would be used.

Regarding staff comment #3, Mr. Chordia will remove the word covered in the plans.

Regarding staff comment #4, Mr. Chordia explained that the only new pavement would be once he uses the storage area. He asked for clarification about what else the comment referred to.

Mr. Chordia explained that the existing area has some pavement and some gravel.

Mr. Boron explained that it has to be paved with a hard surface.

Mr. Chordia explained that he plans to pave the entire section.

Mr. Boron commented that the pavement needs to be nine feet from the property line.

Ms. Gibson asked if he has to put grass on the nine foot strip.

Mr. Boron answered yes.

The current pavement and proposed pavement were reviewed.

Mr. Boron commented that any area to be used as outdoor storage would need to be paved.

The other staff comments were reviewed and Mr. Chordia has no problem with them.

Mr. Chordia commented that he would be reusing the current signage.

Mr. Landefeld asked Mr. Chordia whether he had any additional questions.

Mr. Chordia did not.

Mr. Boron asked for a detail or sample of the fencing for the front side of the property.

Mr. Chordia answered that he does not, only that it will be a decorative fence with a gate.

Mr. Boron asked that it be provided for the next meeting.

Mr. Chordia explained that he will not be doing the fence before he starts the business, he will be starting his business without the exterior storage areas, only using the interior.

Ms. Gibson asked whether he would start his business with only signage and minimal building changes; no front gates and fencing

Mr. Chordia answered yes; the exterior will be completed in phases. He explained that there is a lot of investment to the existing building.

Ms. Ridd asked whether he could have approval with the condition that the fence and the gate have not been approved and come back later for the approval.

Mr. Boron explained that the occupancy permit is being held until approval by the Planning Commission. There is nothing to tie down the buildings use until the Final Development Plan is approved.

Mr. Chordia asked why he needs Final Development Plan approval for future improvements to use an existing building.

Ms. Ridd answered that it is because of the zoning.

Ms. Gibson commented that maybe the plan is showing too much detail if he is going to leave everything as it is and only use the building.

Mr. Boron explained that a Final Development Plan must be approved by the Planning Commission before a building permit can be issued.

Mr. Boron explained that he sees the final issue as the fence; Planning Commission needs to see what it would look like.

Mr. Chordia stated that that is not an issue.

Ms. Gibson stated that he is not planning on putting the fence in and does not know what it would look like.

Mr. Chordia answered that he is not putting the fence in to start his business. He understands that he is here today to get the Planning Commission approval that is required to start his business and expand in the future so that he doesn't have to explain it again.

Mr. Chordia stated that he will get details from a fencing company to present to Planning Commission. If there would be any variations in the future, he will return to Planning Commission for that approval.

Mr. Boron commented that the changes on the site plan are minor details and the fencing detail can be provided to staff by April 21st.

III. Guest Comments

There were no guest comments.

IV. Planning Commission and Staff Comments

There were no Planning Commission or Staff comments.

V. Adjournment

Mr. Landefeld asked for a motion to enter into executive session to discuss imminent litigation.

Mr. Vomacka motioned to enter into executive session. Ms. Gibson seconded the motion.

Vote: Landefeld, Hartle, Ridd, Vomacka, Gibson; all yes

At 8:09 PM, Planning Commission entered executive session.

Mr. Vomacka motioned to exit from executive session and adjourn the Planning Commission work session. Ms. Gibson seconded the motion.

Vote: Landefeld, Hartle, Ridd, Vomacka, Gibson; all yes

Mr. Landefeld adjourned the Wednesday, April 14, 2010 Work Session at 9:23 P.M.

Hans Landefeld, Acting Planning Commission Chair

Dan Boron, Planning Consultant

Lois Boytim, Planning Commission Secretary