

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

Planning Commission Work Session  
Wednesday, June 9, 2010, 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, Janie Ridd, Chris Papakirk, Barb Gibson, Hans Landefeld,  
Becky Hartle  
Absent: David Vomacka

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, The Fairways PUD-R, Planned Unit Development-Residential, modification to approved dwelling design and materials**

**Background Information**

This agenda item is based on an application filed by Chuck Dickerson, DBA Lifetime Development, LLC., seeking approval on a revision to the approved General Plan for The Fairways PUD-R, Planned Unit Development-Residential. The Fairways PUD-R was approved by the City of Springboro between 2002 and 2004: the Rezoning by Ordinance O-02-15 in March 2002 to the present PUD-R designation; the current General Plan by Resolution R-04-2 in January 2004. Together Rezoning and General Plan approval are the first stage in the three-stage PUD approval process.

For the purposes of background, The Fairways PUD-R, originally approved as the It's A Wonderful Life subdivision in 2000, was approved for 51 buildable single-family lots. To date 10 single-family homes have been constructed in the subdivision, most of them abutting the City of Springboro's Heatherwoode Golf Course and none of them employing the use of vinyl, aside from gutters, downspouts and windows and other trims, as a significant exterior building material. The General Plan for the subdivision was approved with a set of five home designs from Drees Homes. A copy of the 2004 General Plan will be provided at the June 9th Work Session.

As stated in the application for a Revision to the approved General Plan, the applicant is seeking approval for the use of vinyl siding within the subdivision. In addition the applicant has submitted 17 home plans from Christo Homes that are to replace the Drees Homes for use in the subdivision. Under the provisions of the City of Springboro Planned Unit Development Ordinance, Chapter 1272 of the Codified Ordinance, the proposed revisions constitute a major change to the approved

General Plan for the PUD-R. As such the proposed revision requires the approval of the Planning Commission and City Council.

Following consideration by Springboro Planning Commission, approval by City Council is required for this and any other major modification to an approved General Plan under the provisions of the Planning & Zoning Code.

### **Staff Comments**

1. Please provide any updates to The Fairways PUD-R covenants & restrictions to the City of Springboro Engineering Department. Please contact Elmer Dudas, Assistant City Engineer, at [elmer@cityofspringboro.com](mailto:elmer@cityofspringboro.com) or (937) 748-4365 for more information.
2. Please indicate if the proposed General Plan changes apply to the adjacent White Oaks Estates PUD-R that was approved as a companion to The Fairways PUD-R.
3. Please indicate proposed exterior building materials for the proposed Cristo Homes design schematics/floor plans for each elevation.
4. Do the proposed Cristo Homes conflict with the terms of the approved General Plan in terms of minimum floor area, setbacks, etc.?

Joe Cristo, President of Cristo Homes, Jeff Bailey and Chuck Dickerson of Lifetime Development were in attendance to answer questions of Planning Commission.

Mr. Boron explained that The Fairways PUD was approved in 2000 and revised to a PUD-R in 2002. He presented a copy of the General Plan for The Fairways along with the companion General Plan for the White Oak Estates.

Mr. Dickerson explained that he is asking Planning Commission for approval for the use of vinyl siding should a customer wish and to replace Drees Builders with Cristo Homes both in name and in designs for the development.

Mr. Dickerson explained that he has met twice with the homeowners in the subdivision and presented a resolution from the April 23rd meeting where one hundred percent of the homeowners present agreed with the vinyl siding stipulation and the change in builder to Cristo Homes. He explained that there are ten homes in the subdivision with one of the homes being a model.

Ms. Belpulsi asked for questions from Planning Commission

Mr. Landefeld asked the applicants why they were requesting vinyl siding.

Mr. Cristo explained that the request was coming from Cristo Homes; in order to give this community the best chance for success. In this market, he looks at property values and what the market is willing to pay. He explained that they are requesting the change to vinyl in order to offer a price that is reasonable in this market. They will be giving the customer the ability to upgrade the siding. He reviewed the other subdivisions adjacent to The Fairways in comparison.

Mr. Landefeld commented that he understands that Mr. Cristo is trying to get to a different price point and asked about the cost difference between natural materials and vinyl siding.

Mr. Cristo answered that the difference would be between \$2,500 and \$3,000.

Mr. Landefeld asked what the price point for the homes would be.

Mr. Cristo answered that they are still putting together the costs for this community; the starting price should be under \$200,000.

Mr. Landefeld commented that it would be fair to say that the cost difference between natural and vinyl would be one to one and a half percent of the sales price.

Mr. Cristo answered that there have been cost increases in multiple building materials that are making his product less viable in this competitive market.

Mr. Dickerson commented that he and Mr. Bailey have not closed on a residential lot since March of 2007. There are new homes being built in this community but not in his subdivision. Mr. Cristo's company has stepped up and agreed to build homes. He is not asking for any changes in White Oak Estates at this time. He is not saying that every home have vinyl siding, just that people have the choice. He commented that vinyl is an acceptable product by the buying public. He feels that he needs to be competitive with his neighbors.

Ms. Ridd asked whether the customer wants the vinyl siding option or whether they are more interested in the \$3,000 savings.

Mr. Dickerson suggested that it might be both; the vinyl is lower maintenance, some people are more interested in the price.

Ms. Gibson asked about staff comment #4; whether the Cristo homes conflict with the approved General Plan in terms of minimum floor plans, etc.

Mr. Dickerson answered that the minimum floor plan would be 1,400 square feet and the setbacks would not change.

Mr. Cristo explained that there was an error in his office; floor plans were included in the packet that are less than 1,400 square feet and would not be considered.

Ms. Gibson asked about the number of people that approved the resolution on April 23rd; the minutes only say that one hundred percent of those attending approved the resolution.

Mr. Dickerson answered that five out of the nine occupied home approved the resolution; more homeowners were at the April 5th meeting and chose not to return.

Ms. Gibson asked whether all of the homeowners had seen the floor plans.

Mr. Dickerson answered that if they did not attend the April 5th meeting then they were mailed a set of the plans before the April 23rd meeting.

Ms. Belpulsi asked for the number of available lots.

Mr. Dickerson answered that there were 38 lots available. Cristo Homes would be purchasing 25 lots; they are all the interior lots away from the golf course.

Ms. Ridd asked whether the request for the vinyl would apply to the lots that Cristo is not buying.

Mr. Dickerson answered that he is not differentiating.

Ms. Ridd suggested differentiating for the golf course lots so that they are like the other homes that are already there.

Mr. Papakirk commented that he likes the facades of the homes presented; he likes the variation in materials and colors.

Mr. Cristo explained Cristo Homes' investment in updating and redoing their elevations in order to differentiate themselves from the other production builders and from the foreclosures that he is competing with.

Mr. Papakirk suggested eliminating any home designs that are not within the development's guidelines.

Mr. Cristo answered that he would meet the requirements, but there are plans that are listed as below the minimum with options that would extend the square footage to within the minimums.

Ms. Thompson asked whether the back and sides of the homes would be all vinyl.

Mr. Cristo answered that yes the backs of the homes would be vinyl; the front of the homes would be brick or an assorted material.

Ms. Belpulsi commented that she is not a big fan of vinyl. She had questions about the products durability. She was concerned about the lots that front on Heatherwoode. She understood that the applicants were trying to provide a product at a lower cost, but the difference would only be a couple of thousand dollars.

Mr. Dickerson commented that the vinyl industry has made tremendous strides in quality; they produce a high end product.

Ms Belpulsi asked whether they would be using the high end product.

Mr. Cristo answered that he would be using a similar vinyl to Drees or Ryan Homes; he would not put up a product that would have a warranty issue

Ms. Belpulsi commented that her concern is the long term for the City; the look of the subdivision as it ages. She feels that vinyl does not age well.

Ms. Ridd commented that they have to weigh that with homes that people do not take care of. She has vinyl and loves it. It is not the cost, it is the upkeep.

Mr. Papakirk commented that at one time there were many homes with Hardiplank that really needed to be painted. Vinyl holds up better and does not need to be painted.

Mr. Dickerson suggested that Mr. Cristo submit samples of the products that he would like to use.

Ms. Belpulsi stated that she would like to see the samples.

Mr. Boron asked Ms. Ridd whether she was willing to differentiate between the properties that have frontage along the golf course.

Ms. Ridd stated that she thinks that the revision should only apply to Mr. Cristo's 25 properties; not those along the golf course.

Mr. Papakirk asked that those lots be stipulated.

Mr. Dickerson stated that the PUD-R calls for Drees as the builders for those homes along the golf course, so that must be changed in order for another builder to build on those lots.

Mr. Boron commented that it is staff's opinion that all of the homes are visible from the golf course and should not be differentiated.

Mr. Boron commented that a staff comment asks for the elevations for the sides and rears of the buildings. He also asked that the applicant to meet with the building department to discuss setback issues.

Mr. Boron asked Planning Commission whether they would be ready to approve the revisions at the June 30th meeting or whether they would like to continue with a work session discussion.

Ms. Belpulsi stated that she was not in favor of the revision and asked Planning Commission how they would like to proceed.

Ms. Ridd stated that she would be ready to vote on the revision.

Mr. Landefeld stated that he is not in favor of the revision.

Ms. Belpulsi asked that the item be placed on the agenda for the June 30th meeting and that the applicant provide samples of the siding material.

Ms. Gibson asked the applicant whether he had any homes in the area that they could see.

Mr. Cristo stated that he would provide staff with some addresses.

Mr. Boron asked if there was vinyl siding in the Heatherwoode subdivision.

The answer was no.

**B. Revision to Approved Final Development Plan, Marketplace at Settlers Walk PUD, Planned Unit Development, Phase 2 Building, exterior displays**

**Background Information**

This item was previously reviewed at the February 10th Planning Commission Work Session and is based on a request for a revision to an approved Final Development Plan, submitted by Melissa DeHart, representative for The Marketplace at Settlers Walk, for outdoor displays associated with the Ace Hardware store located in the Phase 2 building of The Marketplace at Settlers Walk. The hardware store suspended operations earlier this year.

The proposed use is not subject to Planning Commission's review; the proposed retail use is consistent with the approved General Plan for The Marketplace at Settlers Walk PUD; what is subject to review is the proposed display area and the manner in which these areas are screened.

The Phase 2 building for The Marketplace at Settlers Walk was approved by the Planning Commission on July 26, 2006. At that time a reference to a "display area" was included in the site plans for the development along the sidewalk immediately in front of the building that now houses the Ace Hardware store, veterinary clinic and other tenants. The applicants were directed, based on staff comments, to delete references to the display and present to Planning Commission details on the appearance of the displays would do and be managed. To date no additional information has been provided on this issue.

### **Staff Comments**

1. Applicant to obtain a Certificate of Zoning Compliance from Dan Fitzpatrick, Zoning Inspector, prior to change of the new tenant occupying the space. Mr. Fitzpatrick is reachable at (937) 748-6845 or [danf@cityofspringboro.com](mailto:danf@cityofspringboro.com).
2. Provide details of the proposed display areas adjacent to the building. Are materials and equipment to be displayed on a permanent platform, behind a screening wall or other installation.
3. Per the 2006 discussion of the outdoor display areas when the Phase 2 building was approved by Planning Commission, please provide a design for any temporary signage (e.g., "sandwich board" signs) to be used in the area.
4. Signage not subject to review by Planning Commission, however signage on the side (south) elevation is not permitted as it does not have frontage onto a right-of-way and existing signage on the building already meets the maximum allotted per code. Please coordinate with Dan Fitzpatrick, Zoning Inspector, for more information regarding the City of Springboro Sign Code.
5. Please indicate if sales event are is to be housed in a tent.
6. As directed by members of the Planning Commission at its February 10th review, remove references to the proposed outdoor display of machinery on North Main Street and Lytle-Five Points Road.

John Roll of Roll & Associates, Melissa DeHart, property manager for The Marketplace at Settlers Walk, and Dale Magie of West Chester Lawn & Garden, potential tenant at the Ace Hardware location, were in attendance to answer questions of Planning Commission.

Mr. Roll presented photos of Mr. Magie's business in West Chester. The Springboro location would be an Ace Hardware store in addition to a lawn and garden supply store. He commented that on the plans, the display of items on the street would be removed and the special events area would take up 14 parking stops.

Mr. Magie reviewed the types of special events that his store would have. He stated that he would create a mini expo through vendors and The Ohio State University, Butler County extension service. There could be children's events, safety events, demonstrations and displays.

Mr. Roll commented that these events would most likely occur between March and October.

Mr. Magie commented that there could also be a Christmas event.

Ms. Gibson asked whether there would be more than one event per month.

Mr. Magie agreed that there may be more than two per month, he tries to make them unique and special. He anticipates eight to ten events over the course of the time.

Mr. Roll presented plans showing how items would be displayed outside the store. The items would be seasonal.

Ms. Belpulsi asked for questions from Planning Commission.

Mr. Landefeld commented that he is a no to the displays on the street. He has a concern about the display space in the lot; that what is decided by Planning Commission will be applied to the other tenants. He would tend to approve the request if it was limited to this tenant.

Ms. DeHart commented that all of the tenants are required to get approval before they do any outside display or event.

Ms. Gibson questioned how to control multiple tenants who may each want to also hold events.

Ms. Belpulsi stated that there needs to be limits that are applicable to all of the businesses.

Ms. Ridd commented that they need to be limited to a number of events per year and coordinated with the other tenants.

Ms. DeHart stated that if there was all of that going on at one time, it would not be special.

Ms. Ridd commented that she would not be willing to have an event every weekend.

Mr. Landefeld commented that they have to look at a range of different owners and tenants over time.

Mr. Magie commented that he would be bringing any items in at night every night including the tent. He commented that this is an opportunity for community involvement.

Ms. Ridd agreed and added that it would be an additional draw for the other tenants. Her concern is other tenants wanting to have their own events and having an event every weekend. She suggested limiting the number of events for the center.

Ms. DeHart asked what constitutes an event.

Mr. Landefeld answered that it is when you are expanding the square footage of your business.

Ms. DeHart asked whether this includes sidewalk sales.

Ms. Belpulsi asked Mr. Magie whether his business was a standalone business; whether it is in a commercial area.

Mr. Magie answered that there is a Kroger Marketplace next to him but that he has his own building; it is a retail area with a medical facility nearby.

Ms. Hartle asked whether it is possible for the center to have a certain number of events per year for the whole center.

Ms. Ridd asked about the central management office for the center.

Ms. DeHart answered that she runs the central office. Tenants must complete forms telling what they are going to do, where and who. This is used to limit them bringing any competitors in.

Ms Belpulsi stated that it would have to be defined what an event means.

Mr. Landefeld commented that the event needs to be defined by square footage.

The size and/or number of spaces used for an event were discussed.

Ms. Gibson agreed that any event needs to be cleared out at night.

Mr. Magie asked about a truck or trailer.

Ms. Gibson answered that any item that would normally be in the parking lot would be fine.

Ms. Belpulsi commented that the hours and length of the event needs to be defined.

Mr. Roll commented that they would put together a proposal with more detail.

Planning Commission reviewed the plans for the sidewalk displays.

Ms. Gibson stated that she is okay with the display on the side of the building; larger equipment could go there.

Ms. Ridd stated that she is concerned with the number of items in the front. Every merchant would want to do that.

Ms. DeHart asked whether being the anchor of the building would determine the number of items he could have.

Ways to regulate and control the displays in the front of the businesses were discussed such as limiting the outdoor space to the anchor tenants with a maximum square footage to be used

Ms. Belpulsi asked about Mr. Magie's stock inside his store.

Mr. Magie explained that he has a large amount of outdoor power equipment; he will also provide the stock from the Ace Hardware.

Ms. Gibson expressed her concern about the safety of pedestrian traffic.

Ms. Ridd expressed her concern about controlling the size of the pallets in front of the store.

It was discussed that there would be maximums set for the sizes of the pallets.

Ms. DeHart asked for Planning Commission guidance about controlling the temporary signage/sandwich boards.

It was discussed that the size and material of the sign should be regulated; the tenants would design the signs. All signs would be taken in at night. A uniform design, size and color was suggested.

Mr. Roll discussed changes to the ground signs and signage package with the Planning Commission.

It was discussed whether to place the item on the agenda for the Planning Commission June 30th meeting and whether it would be an action item. The applicant will work with staff to prepare the item.

## **C. Discussion, Review of Planned Unit Development, Chapter 1272 of Planning & Zoning Code**

### **Background Information**

This agenda item was introduced at the May 26th Planning Commission Meeting.

Staff is recommending that Planning Commission use this meeting to initiate a review of the Planned Unit Development (PUD) Ordinance, Chapter 1272 of the Planning & Zoning Code, discuss a number of issues and problems with the implementation of the present ordinance and to outline a schedule for meetings this summer in order to formulate a recommendation to City Council on text amendments.

Ms. Gibson asked to start the discussion with the issues that staff may have with the ordinance.

Mr. Boron commented that one area is the manner in which the PUD and General Plans move together. Another is what material is submitted at what time.

Mr. Landefeld commented that Planning Commission spends less time than staff in reviewing the different elements of the PUD process and asked if there was any way to make the approval process more efficient for staff; looking at what is submitted at what phase.

Mr. Boron answered that one step has already happened; the new Comprehensive Master Plan. The second step is providing policy for the staff to work on, which is the ordinance. He commented that for every agenda item that Planning Commission sees, staff sees six to eight items.

Mr. Boron commented that he is looking for policy recommendations for Planning Commission to implement.

Mr. Landefeld suggested that applicants have a list of items that must be submitted; if it is in the legislation, it is more black and white.

It was discussed that not every application needs the same items and that there should be some flexibility.

Ms. Gibson commented that no rezoning recommendation should move forward without a General Plan.

Mr. Papakirk suggested a preapplication form, a checklist for the developer.

Mr. Boron answered that in the application there are very specific requirements for what is needed at each phase.

Mr. Boron commented another question is how the City defines what is required and how it is presented.

Mr. Dudas commented that there is a design table showing minimum lot size and square footage.

Mr. Papakirk commented that he would like to see detail in a PUD or rezoning. The tradeoff is good design.

Ms. Gibson stated that they may have gotten away from that because Planning Commission wanted properties to go to PUD and they wanted to make that changeover easier for the applicant. The General Plan was intended to be a concept of what the applicant wanted to do. The details would come in the Site Plan and Final Development Plan.

Planning Commission discussed that some details that need to be included are the street layout, lot sizes, access points, curb cuts and density.

"Bubble concepts" and at what point specific details of plans such as pattern books would be required depending upon the size of the PUD's or the number of buildings were discussed.

Mr. Boron asked Planning Commission to review the definition of major or minor changes to PUDs.

Mr. Boron also suggested an examination of incomplete PUDs.

Mr. Landefeld suggested that the ordinance reference the Bike and Pedestrian Ordinance.

#### **D. Discussion, Review of Township Zoning within Corporate Boundary**

##### **Background Information**

This item was introduced at the May 26th Planning Commission meeting.

Staff is also recommending that Planning Commission devote time during the June 9th meeting to continue the discussion on resolving the issue of township zoning within the corporate boundaries. As many of you know historically the City of Springboro annexed property but did not initiate rezoning to manage that property's use or development under the terms of the City of Springboro Planning & Zoning Code. For the past few years City Staff has been directing property owners at the time Planning Commission action—on a Site Plan Review, lot split or similar regulatory action—to initiate rezoning in order to help reduce the volume of township-zoned property within the City.

Due to time constraints, this discussion was deferred to another meeting.

#### **III. Guest Comments**

There were no guest comments.

IV. Planning Commission and Staff Comments

There were no Planning Commission or Staff comments.

V. Adjournment

Ms. Belpulsi adjourned the Wednesday, June 9, 2010 Work Session at 9:10 P.M.

---

Marie Belpulsi, Planning Commission Chair

---

Dan Boron, Planning Consultant

---

Lois Boytim, Planning Commission Secretary