

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Meeting
Wednesday, January 18, 2023

I. Call to Order

Chair Becky Iverson called the Springboro Planning Commission Meeting to order at 6:00 p.m. at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio.

Present: Becky Iverson, Chair, Chris Pearson, Vice Chair, Robert Dimmitt, Mike Thompson, Steve Harding, Matt Leedy and John Sillies

Staff Present: Dan Boron, City Planner; Elmer Dudas, Development Director, Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary; September Bee, Planning Commission Secretary.

No motion to excuse was required; all members present.

II. Appointment of Officers, Board of Zoning Appeals Representative for 2023

A. Motion to appoint Chair for the Planning Commission

Ms. Harding made a motion to nominate Becky Iverson as Planning Commission Chair and Chris Pearson as Planning Commission Vice-Chair for 2023. Mr. Dimmitt seconded the motion.

Vote: Thompson, yes; Pearson, yes; Dimmitt, yes; Sillies, yes; Harding, yes; Leedy, yes; Iverson, yes (7-0)

B. Motion to appoint Vice-Chair for the Planning Commission

Ms. Iverson made a motion to nominate Chris Pearson as Planning Commission Vice-Chair for 2023. Mr. Harding seconded the motion.

Vote: Thompson, yes; Dimmitt, yes; Harding, yes; Sillies, yes; Leedy, yes; Iverson, yes; Pearson, yes (7-0)

C. Motion to appoint a representative to the Board of Zoning Appeals

Mr. Boron provided some background on the Board of Zoning Appeals and what the duties would include. He noted that these meetings are fairly infrequent, typically one or two meetings per year.

Mr. Thompson volunteered to fill the position.

Ms. Harding made a motion to appoint Mr. Thompson to the Board of Zoning Appeals. Mr. Dimmitt seconded the motion.

Vote: Pearson, yes; Dimmitt, yes; Harding, yes; Leedy, yes; Sillies, yes; Iverson, yes; Thompson, yes (7-0)

III. Approval of Minutes

A. November 16, 2022 Planning Commission Minutes

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

Mr. Pearson motioned to approve the November 16, 2022 Planning Commission minutes. . Mr. Dimmitt seconded the motion.

Vote: Dimmitt, yes; Harding, yes; Pearson, yes; Leedy, yes; Thompson, yes; Iverson, yes; Sillies, yes (7-0)

IV. Agenda Items

A. Final Approval

Record Plan, The Ascent, Section 3, western terminus of Pinnacle Point Drive, commercial plat

Background Information

This agenda item is a request for record plan approval for The Ascent, Section Three, record plan filed by Van Atta Engineering of Centerville. The property is located at the west end of Pinnacle Point Drive and is the future location of the Mayfield Brain & Spring medical office building that was approved at the September 12, 2022 Planning Commission meeting. The plan contains three lots, of which lot 11 is the site for phase one (the approved medical office building), lot 12 is for a future phase (proposed in concept only surgical center), and lot 13 is a remainder property. The record plan contains approximately 5.56 acres. Upon Planning Commission approval, it will proceed to City Council for final review and approval.

Staff Recommendation

Staff recommends approval of a recommendation to City Council to approve the record plan for The Ascent, Section Three, subject to compliance with the following comments;

1. Provide sidewalk easement to cover the sidewalk as shown on construction drawings adjacent to Pinnacle Point Drive. Also provide a 10-foot utility easement around cul-de-sac.
2. Provide Lot 8 information.
3. Submit to Montgomery County for their review, and make revisions accordingly, if any.
4. Easements to match construction drawings.

Discussion

Rusty Myers with JLL Real Estate was in attendance to discuss his application. He stated that he sees no problem meeting all the staff recommendations and looks forward to working with staff.

Mr. Boron asked Mr. Dudas if he had any issues or questions with the record plan.

Mr. Dudas noted that any issues have been discussed and sees no problem with the Planning Commission approving the record plan and forwarding to Council.

Mr. Boron stated it would be sent to City Council in February.

Ms. Iverson called for a motion to approve the record plan, The Ascent, Section 3, western terminus of Pinnacle Point Drive, commercial plat

Mr. Harding motioned to approve. Mr. Dimmett seconded the motion.

Vote: Dimmitt, yes; Sillies, yes; Pearson, yes; Iverson, Yes; Thompson, yes; Leedy, yes; Harding, yes (7-0)

B. Final Approval

Rezoning, Clearview Crossing at Stoneridge, southwest corner of East Central Avenue (SR 73) and Red Lion-Five Points Road, Clearview Crossing residential subdivision

C. Final Approval

General Plan, Clearview Crossing at Stoneridge, southwest corner of East Central Avenue (SR 73) and Red Lion-Five Points Road, residential subdivision

Background Information

These agenda items are based on a request filed by Maronda Homes, Dublin, Ohio, seeking rezoning and general plan approval for the Clearcreek Crossing at Stoneridge, a residential subdivision on an approximately 12.08-acre site located at the southwest corner of East Central Avenue (SR 73) and Red Lion-Five Points Road. The applicant is requesting rezoning and general plan approval under the City's Planned Unit Development (PUD) process from PUD-B, Planned Unit Development-Business, to PUD-R, Planned Unit Development-Residential.

This item was reviewed on a preliminary basis at the October 12th and November 16th Planning Commission meetings. At the latter meeting Planning Commission authorized these items to be placed on a future agenda for formal approval pending staff comments and changes discussed at that meeting. Since the November 16th meeting the applicant has provided sight distance information internal to the proposed development and home designs for the project. The general plan layout remains the same with 41 single-family detached residential lots proposed with two access points to the subdivision: an access point to the east to Red Lion-Five Points Road opposite intersection with Valley View Road, and a connection to the south on Waldwick Way (please note change in name from previous City staff comments, however this is the same physical street referred to) into The Enclave neighborhood. A total of 3.62 acres of open space is proposed, or 30% of the property, a slight increase from the November 16th general plan, for the subdivision. Residential PUDs require a minimum 25% open space.

The proposed rezoning/general plan appears as two separate items on the Planning Commission work session agenda. The first stage of the PUD process, rezoning and general plan review and approval, will involve two separate recommendations to City Council, and later two separate pieces of legislation considered by City Council.

Rezoning together with general plan review and approval are the first step in the three-step PUD review and approval process. Approval by both Planning Commission and City Council are required. Final development plan, similar to the City's site plan review process, review and approval by Planning Commission is the second stage in the process. Final development plan may be submitted in a number of sections in

conjunction with a site's incremental development. Record plan review and approval by both Planning Commission and City Council is the last step in the PUD approval process. This allows for the subdivision of lots and the dedication of right-of-way and open spaces. As with final development plans, record plans may be submitted in a number of sections as the development is completed.

The subject property is presently zoned PUD-B, Planned Unit Development-Business. The northern half of the property was zoned this category in August 2002 along with a general plan to develop a gas station, retail uses, and offices. The southern half of the property was rezoned to PUD-B in April 2007; at that time the general plan was revised, but continued to show a gas station, retail uses, and offices. Prior to that time this portion of the subject property was zoned to accommodate the third section of The Enclave subdivision. This is why two stub streets, Haverstraw Place and Waldwick Way, were built immediately to the south of the subject property.

Adjacent land uses in Springboro include the North Hills subdivision to the north on the north side of East Central Avenue, and The Enclave subdivision to the south. In Clearcreek Township, single-family residential in the Stoneridge subdivision to the east, and to the west single-family residential along the south side of East Central Road, and on the north side of East Central Road farmland.

Adjacent zoning in the Springboro portion of the vicinity is PUD-R for both North Hills and The Enclave. In Clearcreek Township the Stoneridge subdivision to the east is zoned R-1, Rural Residence, and lands to the west are zoned SR-1, Suburban Residence.

The *Springboro Master Plan*, adopted by City Council in February 2022, includes recommendations for the long-range development of the community. It is divided into 16 policy areas that make specific recommendations for smaller portions of the community and are grouped together because of proximity, land use patterns, date of development and other general characteristics. Policy Area 12, Southeast Neighborhoods, includes the subject area and land including North Hills, The Enclave, Creekside, Fieldstone, Richards Run, and Fairways subdivisions. The policy area recommends residential development that conforms to the existing character of adjoining neighborhoods. The plan also recommends connecting neighborhoods in the area, and improving pedestrian and bicycle access.

Courtesy notification letters were sent out to all property owners within 300 feet of the subject property prior to the October 12th meeting. As stated at that meeting no follow-up letters will be mailed while this project is under review by Planning Commission, however City staff has notified The Enclave Homeowners Association (HOA) of the proposal being on the agenda. Should this proposal move forward, the same property owners will be notified of a Public Hearing of City Council on the rezoning of the property.

Staff Recommendation—Rezoning

City staff recommends approval of a recommendation to City Council of the rezoning of the proposed Clearview Crossing at Stoneridge residential subdivision from PUD-B, Planned Unit Development-Business, to PUD-R, Planned Unit Development-Residential, subject to the following comments:

1. Revise sheet 3 of 4, Layout Plan, to clearly state uses in the R-3, Medium Density Residential District, to be included in proposed PUD-R zoning (e.g., includes single-family residential detached, and certain accessory uses, but not attached residential).
2. Rezoning subject to approval of general plan by Planning Commission and City Council.

Staff Recommendation—General Plan

City staff recommends approval of a recommendation to City Council of the general plan for the Clearview Crossing at Stoneridge residential subdivision subject to the following comments:

1. Indicate how the proposal is consistent with the recommendations of the Springboro Master Plan, Policy Area 12, Southeast Neighborhoods.
2. Plans to comply with Section 1264.06, Design Standards for Single-Family Detached Dwellings, of Planning and Zoning Code.
3. Verify proposed exterior building materials to exclude vinyl siding for homes proposed in the development.
4. Landscaping plan for the subdivision will need to be revised in light of comments #13 and #17 below and consistent with provisions of Chapter 1280 of Planning and Zoning Code. This may be revised, subject to approval of the rezoning and general plan, during the final development plan stage of the approval process.
5. Lighting planned for individual home sites to be provided at final development plan stage of development.
6. Proposed 10-foot walk subject to comment as plan moves forward through review process. City staff recommends curving the path around the northeast corner of the residential area, and extend proposed East Central Avenue path into subdivision.
7. Streets to be built to City specifications.
8. Provide minimum dwelling unit size in square feet.
9. An HOA shall be developed to maintain all common elements, including but not limited to, detention facility, sump drains, identification signage, central mailbox unit(s), and open space lots.
10. Dedicate the right of way along Red Lion-Five Points Road according to Clearcreek Township/Warren County standards, and make the necessary roadway improvements, including but not limited to, roadway widening (if needed), pavement markings and signage.
11. Engineering comments are reserved until such time when designed improvements are completed on construction drawings, including but not limited to, water, sanitary, storm sewer, and detention basin design.
12. Location of Central Mailbox Unit(s), to be reviewed and approved by the Post Master
13. Relocate the proposed landscaping along the north boundary to be a minimum 10 feet away from the existing water main, to the south side of the 10 foot trail.
14. Show the removal of the existing Waldwick Way stub street on the General Plan, as well as the associated realignment of the curb line. The construction of this work is to be completed with the initial phase of the development.
15. No accessory structures, fence, decks, pools, etc. shall be permitted to be constructed on the existing 30 feet sanitary sewer easement located along the west property line, including the lots 9 thru 14.
16. Add note on plans stating a 20 foot rear setback for lots 9 thru 14.
17. Relocate the proposed tree line on the west side of development outside of the existing 30 foot sanitary sewer easement.
18. No parking permitted along the north east side of the west end intersection with Haverstraw Place due to sight distance. Provide a site distance easement (details to be worked out with engineering) at this location to prevent obstructions. No street trees or other landscaping/obstructions are to be installed in this area. Relocate the two trees on the south east side outside of right of way for sight.
19. No parking permitted from first intersection to Red Lion Five Points Road, both sides of street. Relocate the proposed trees from right of way onto private property on the north side of road for sight distance in this area. Provide intersection sight distance at the west intersection with Haverstraw Place per ODOT standards. Adjust lots 15 and 23 accordingly (and setbacks) and provide sight distance easement.

20. 505.1, Address Identification. New and existing homes shall be provided with approved address identification. The address identification shall be legible and be placed in a position that is visible from the street or road fronting the property.
21. 505.2, Street or road signs. Street and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allow passage by vehicles, Signs shall be approved size, weather resistant and be maintained until replaced by permanent signs.
22. D103.1, Access roads with hydrant. Where a fire hydrant is located on a fire apparatus road the minimum road width shall be 26 feet.

Discussion

In attendance to discuss their application was Joanne Shelley with LSSE and Brian Hoesl with Maronda Homes.

Mr. Boron reviewed the background and staff comments for this application, noting that it was reviewed last in November and the property owners within 300 feet were notified prior to a review at the October 12th meeting. He explained how the rezoning will be forwarded to Council and a public hearing will be conducted. The general plan is also on the agenda for approval, noting that there are some staff comments that can be addressed later as the project progresses.

Ms. Shelly stated that most comments are clear, and feel that all requirements such as lighting and landscape can be worked through.

Ms. Shelly did want to clarify comment #3 regarding the exclusion of vinyl siding. She explained that she discussed this issue with their builders and believe that a high-end vinyl is not only easier to install, but also more durable than the Hardie Board. The Hardie Board requires a higher level of skill to install, however, this can be made available as an upgrade to customers.

Mr. Boron noted that the development would need to comply with the Master Plan, and it is staff's recommendation that the homes appear similar to adjoining developments which are primarily Hardie Board. He noted that Maronda had a similar development using Hardie Board, in the Monroe area that staff visited, and felt would be appropriate for this development.

Ms. Iverson agreed, and was not in favor of the vinyl siding.

Mr. Harding also agreed that the development should match the exterior appearance of the nearby developments.

Mr. Thomson asked if there was a price range established for these homes.

Mr. Hoesl stated the homes would be price from the low to mid \$400,000s.

Mr. Thompson also asked for clarification on the weight of the vinyl verses the Hardie Board, which states it is 300 pounds per square foot.

Mr. Hoesi noted that that could be an error, and he will double check that number.

Mr. Pearson noted that Hardie Board was actually the brand name and questioned if they should use another term for the material.

Mr. Hoesi stated that the material is fibrous cement board.

Ms. Iverson stated that she appreciates the economic challenges of the materials used, but the City need to consider the Master Plan and the appearance of the development.

Ms. Shelley also asked for clarification of comment #14 regarding Waldwick Way, the stub street. She understood that street was not actually part of the property for the development and was not sure how it would be facilitated.

Mr. Dudas noted that has been discussed at previous meetings and based on the layout of the development, the decision was made to have it removed in order to straighten the layout. This would be treated the same as improvements in the right of way, which often happen in a new development.

Mr. Hoesi asked if that would be done as part of the development stage, or the City would perform the work and later be reimbursed.

Mr. Dudas clarified that it would be done in the development stage.

Ms. Shelley stated that there may be some legal requirements on this issue, but they are willing to work with the City to make this happen.

Mr. Boron noted that these type of advisory comments can be resolved during the final development state of the review and approval process.

Mr. Pearson clarified that the removal of this stub street was recommended as a result of the traffic study.

Mr. Shelly noted that their internal traffic engineer recommended that the plan did not connect to that street because it is so close to Red Lion-Five Points Road.

Mr. Thomson noted that it appears the work on this stub street would affect two or three lots, and asked for clarification of how this is being resolved.

It was Ms. Shelly's understanding that the approval today was for the concept of the general plan, and issues such as property lines and what both parties would be giving up, will be resolved in more detail during the development phase.

Mr. Dudas clarified that the City is not agreeing to give anything up, but the street will be removed and that area will become right of way.

Mr. Boron stated that the general plan is a concept plan that cannot be used for development of the property and staff would require additional detail such as engineering, underground utilities and additional lot detail. He noted that the general plan has to move forward together with the zoning in order for that that to occur. Staff will be happy to work together to resolve issues in the next phase if they choose to move forward tonight.

Ms. Iverson asked what the overall vision is for this development and how it fits into the Master Plan.

Ms. Shelly explained that they see this development as part of policy area 12 as a transition area with both smaller and larger lots. The home styles will provide a variety of additions and upgrades for the buyers, consistent with the existing character and style of adjacent neighborhoods. Additionally, the team had made an effort to accomplish connectivity through sidewalks and landscaping.

Mr. Harding stated he was happy with the proposed sidewalks and just wanted to make sure the aesthetics of the homes match the area, specifically the Hardie Board.

Mr. Sillies asked if there has been any response from residents.

Mr. Boron explained they received nothing in writing from residents or the HOA president, however HOA representatives were in attendance.

Ms. Iverson clarified that there is agreement between the Planning Commission and the applicant to vote on the general plan.

Ms. Iverson asked if there were any guests who wanted to make comments at this time.

Ms. Lisa Randall, 5 Woodcliff Boulevard, Vice-President of The Enclave Homeowners Association, shared concerns about out of state buyers using the homes as rental properties. She asked if there were any limits set as to the percentage of the development that can be rentals.

Ms. Iverson explained that the City has no control over that and would be up to an HOA to designate those regulations.

Mr. Thompson noted that the developer maintains and operates the HOA until the development is completed, and then transfers to the resident operated HOA.

Ms. Lisa Allmond, 124 Haverstraw, Secretary for Enclave HOA, also expressed concerns about the rentals, which is around 20% for the Enclave. She also noted that Waldwick Way does have 2 homes that have Waldwick Way addresses.

Mr. Dave Weinberg, 176 Haverstraw, HOA President, agreed with the earlier comments that were expressed. He also asked about accessory structures for the development.

Mr. Dudas referred to staff comment #15 which does not allow accessory structures on the existing 30 feet sanitary sewer easement along the west property line, including lots 9 thru 14.

Ms. Iverson called for a motion to approve the rezoning, Clearview Crossing at Stoneridge subdivision, PUD-B, Planned Unit Development-Business, to PUD-R, Planned Unit Development-Residential, southwest corner East Central Avenue (SR 73) and Red Lion-Five Points Road, proposed residential subdivision, with staff conditions.

Mr. Harding motioned to approve. Mr. Dimmitt seconded the motion.

Vote: Sillies, yes; Pearson, yes; Iverson, Yes; Thompson, yes; Leedy, yes; Dimmitt, yes; Harding, yes (7-0)

Ms. Iverson called for a motion to approve the general plan, Clearview Crossing at Stoneridge subdivision, southwest corner East Central Avenue (SR 73) and Red Lion-Five Points Road, proposed residential subdivision, with staff conditions, and to exclude vinyl siding and allow fibrous cement board.

Mr. Thompson motioned to approve. Mr. Harding seconded the motion.

Vote: Sillies, yes; Pearson, yes; Iverson, Yes; Thompson, yes; Leedy, yes; Dimmitt, yes; Harding, yes (7-0)

- D. **Preliminary Review, Preliminary Subdivision Review, Wade-Wray property, Wadestone subdivision, 2515 Factory Road, residential subdivision.**
- E. **Preliminary Review. Revision to Approved General Plan, Swope-Hills property, Wadestone subdivision, 465 West Factory Road, residential subdivision.**

Background Information

These agenda items are based on requests for preliminary reviews submitted by Grand Communities, LLC, Erlanger, Kentucky, seeking approval to accommodate the development of two adjacent sites on West Factory Road as the Wadestone subdivision. While related, the two reviews will proceed through the City's development review processes separately owing the existing zoning of each site: the 19.6-acre Wade-Wray property located at 2515 West Factory Road that is zoned R-1, Estate-Type Residential District, and the 28.7-acre Swope-Hills property located at 465 West Factory Road that is zoned PUD-R, Planned Unit Development-Residential. Approval of both plans is required to provide secondary access to each development as required under the City's Planning and Zoning Code.

Adjacent uses include single-family residential to the north in the Royal Oaks and Spring Park subdivisions, to the east residential dwellings fronting West Factory Road and the Springboro Cemetery, the latter in Clearcreek Township, farmland and undeveloped land to the south also in Clearcreek Township, and to the west residential development fronting West Factory Road in Clearcreek Township. Zoning in the vicinity includes R-2, Low-Density Residential District to the north and east in the City of Springboro. In Clearcreek Township, R-1, Rural Resident District, to the east, SR-1, Suburban Residence District, to the south and southeast, and R-1 District to the west.

These items were reviewed on a preliminary basis at the October 12th Planning Commission meeting. At that time the applicant was advised to complete a traffic impact study to address concerns on impacts of the proposed developments on existing roadways in the area.

A traffic impact study was received by the City in December and reviewed by the City's traffic engineering consultant, Scott Knebel, PE, of Crawford, Murphy & Tilly, who agreed with the conclusion that there was no significant traffic impact on the surrounding road network and that no additional improvements, other than those included in City staff comments, were necessary.

Wade-Wray Property

This property is located at 2515 West Factory Road, southwest of the intersection of West Factory Road and West Market Street. The naming of this property is to help in the explanation of the review and approval process only; the name is derived from the current property owners. The site is currently used as a farm and includes one single-family residence on its southeast corner. The property is approximately 19.68 acres in area and is zoned R-1, Estate-Type Residential District, a zoning district that permits development at the rate of 2 units per acre. The R-1 District requirement a minimum lot size of 20,000 square feet. The R-1 District is a conventional zoning district; no open space is required as part of this property's development, however approximately 2.18 acres of open space, 11.08 percent of the site's acreage, is proposed in the plan. The preliminary plan show on sheet C-400 is largely unchanged with respect to the plan details.

The applicant is proposing the development of 27 single-family residential lots on the property. Access would be provided from West Factory Road, with required secondary access to the east to the adjoining Swope-Hills Property. Since the property bears conventional zoning the plan's layout is being reviewed by the Planning Commission under the City's subdivisions regulations as a preliminary plan, the second stage in the subdivision review process, first on a preliminary review basis and the formal review at a subsequent meeting at the discretion of Planning Commission. There is no City Council review of the preliminary subdivision plan. Following Planning Commission's review, the development may move forward through construction plan review with City staff, and eventually record plan review—the laying out of streets, lots, and common areas—through Planning Commission and City Council.

Staff Comments—Wade-Wray Property

City staff has the following comments for this agenda item:

1. Provide home plan examples for determining compliance with Section 1264.06, Design Standards for Single-Family Detached Dwellings, of Planning and Zoning Code. Provide this and other information as the review carries forward through the review and approval process.
2. Indicate plans for improvements to West Factory Road.
3. Provide landscaping plan for the subdivision consistent with provisions of Chapter 1280 of Planning and Zoning Code.
4. Lighting planned for individual home sites to be provided at a later stage of the development review process.
5. Streets to be built to city specifications, including 29 feet back to back of curb with 5 feet wide sidewalks and subdivision shall meet R-1 standards.
6. A 3" tee and plug (not 2" as noted on plans) shall be stubbed to each property for sump drains to tie into main line sump. Revise note accordingly.
7. Remove buildable home area footprint for lots 9 and 15 to be outside of the Floodway. Development is not permitted in the Floodway. Adjust the setbacks accordingly.
8. Dedicate the right of way along Factory Road, where applicable.

9. Engineering comments are reserved until such time when designed improvements are completed on construction drawings, including but not limited to, water, sanitary, storm sewer, and detention basin design. The existing sanitary sewer (through the center of the property) shall be removed and relocated to the proposed sanitary sewer, if possible.
10. Homes that cannot be gravity drained by sewer shall not be permitted to have basements. Hung sewers are not permitted.
11. Move location of Central Mailbox Unit(s) to the south to be away from the main entrance; to be reviewed and approved by the Post Master. Possible traffic conflicts in this area.
12. 505.1, Address Identification. New and existing homes shall be provided with approved address identification. The address identification shall be legible and be placed in a position that is visible from the street or road fronting the property.
13. 505.2, Street or road signs. Street and Roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.
14. D103.1, Access roads with a hydrant. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet.
15. 503.2.6, Bridges and elevated surfaces. Where a bridge or elevated surface is part of a fire apparatus road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17 as listed in rule 1301:7-7-80 of the Administrative Code. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges.

Swope-Hills Property

The Swope-Wade property is a 28.7-acre site located at 465 West Factory Road that has frontage on West Factory Road. The naming of this property is to help in the explanation of the review and approval process only; the name is derived from the former (Swope family) and current (Hills Development) property owners. The property is zoned PUD-R, Planned Unit Development-Residential. This zoning, dates to September 2003. A general plan was approved at that time, but was revised at the request of the property owner, Hills Development, in April 2006. Subsequently a final development plan was reviewed and approved by the Planning Commission, however that approval lapsed due to inactivity on the part of the development.

The 2006 revised plan allows for residential development of the property with up to 75 dwelling units and 40.4% open space. PUDs such as this parcel are required to include a minimum 25% open space. Fischer/Grand Communities is proposing a minor change to the approved general plan for the property to allow 67 dwellings, and maintain 9.2 acres, or 32% of the site, as open space. Access will be provided by a road extension including a bridge to West Factory Road south of the intersection with Catalpa Drive, and a second entrance to the Wade-Wray property to the west. A stub street is also proposed to the south into land located in Clearcreek Township.

The proposed changes to the Swope-Hills property constitute a minor change to the approved general plan; review and approval by Planning Commission only is required. Together with rezoning, general plan review and approval is the first step in the PUD approval process. The second stage, final development plan review and approval by Planning Commission, provides more detail on the subdivision's (or a portion of it if develops in sections) plans including street design, utilities, home designs, and more. The final stage, record plan review and approval by Planning Commission and City Council allows for the creation of lots, and the dedication of right-of-way and common space as was described for the Wade-Wray property.

The proposed general plan show on sheet C-400 is largely unchanged from the October 12th submittal with respect to the plan details.

Courtesy notification letters were sent out to all property owners within 300 feet of the subject properties the week prior to the October 12th Planning Commission meeting. As stated at the October 12th meeting, no follow-up letter were distributed.

As these agenda items remain under preliminary review, the Planning Commission will need to authorize placement of these items on a future agenda for formal approval.

Staff Comments—Swope-Hills Property

City staff has the following comments for this agenda item:

1. Provide home plan examples for determining compliance with Section 1264.06, Design Standards for Single-Family Detached Dwellings, of Planning and Zoning Code. Provide this and other information as the review carries forward through the review and approval process.
2. Indicate plans for improvements to West Factory Road.
3. Provide landscaping plan for the subdivision consistent with provisions of Chapter 1280 of Planning and Zoning Code.
4. Streets to be built to city specifications, including 29 feet back to back of curb with 5 feet wide sidewalks.
5. Provide minimum dwelling unit square footage for both house product types. Provide the product type details.
6. Lighting planned for individual home sites to be provided at final development plan stage of development.
7. A 3" tee and plug (not 2" as noted on plans) shall be stubbed to each property for sump drains to tie into main line sump. Revise note accordingly.
8. Homes that cannot be gravity drained by sewer shall not be permitted to have basements. Hung sewers and grinder pumps are not permitted. Remove buildable home area footprint for lot 103 to be outside of the Floodway. Development is not permitted in the Floodway. Adjust the setbacks accordingly. Adjust lot lines for lots 70 to 73 to make the rear yards for lot 72 & 73 standard 25 foot rear setback lots.
9. Dedicate the right of way along Factory Road, where applicable.
10. Engineering comments are reserved until such time when designed improvements are completed on construction drawings, including but not limited to, water, sanitary, storm sewer, detention basin, and bridge design.
11. Move location of Central Mailbox Unit to the southwest, adjacent to lot 51, to be outside of the floodway/floodplain, and to be farther way from the main entrance; needs approval of post master.
12. 505.1, Address Identification. New and existing homes shall be provided with approved address identification. The address identification shall be legible and be placed in a position that is visible from the street or road fronting the property.
13. 505.2, Street or road signs. Street and Roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.
14. D103.1, Access roads with a hydrant. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet.
15. 503.2.6, Bridges and elevated surfaces. Where a bridge or elevated surface is part of a fire apparatus road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17 as listed in

rule 1301:7-7-80 of the Administrative Code. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges.

Discussion:

The following representatives from Fischer Homes were present to discuss their application: Robert Hayes, Jennifer Gonzales, and Sam Reese. Also in attendance was Ed Roth with IBI.

Mr. Boron reviewed the background and staff comments for the project, explaining that the two reviews will proceed through the development process separately and approval of both plans is required to provide secondary access to each development, as required under the City's Planning and Zoning. He reviewed the history and zoning of both the Wade –Wray property and the Swope Property, which later was purchased by Hills Development.

Mr. Boron explained that these items will not involve any action by Council at this point in time. However, if approved, when platting occurs, it will require Council approval. He noted that this item is the preliminary review stage at this point in order to work with the development team and the traffic consultant to develop a traffic study.

Mr. Dixon reported that there is no significant impact on traffic of the surrounding road network, and the recommendation is that no improvements are necessary along Factory Road.

Mr. Hayes stated that staff has been very helpful, they have reviewed all comments and are prepared to address any issue or questions at this time.

Mr. Sillies asked what is the reason or justification for the drastic difference in density between the two parcels.

It was noted that this is similar to the various densities in Settlers Walk, and it avoids the need for additional rezoning.

Mr. Hayes that Fisher Homes likes to offer different products to allow a variety of homes and better create community. The current zoning does allow them to build different products on various sections of the parcel.

Ms. Gonzalez noted that there is that option to pursue a zoning change to allow a higher density, but this would take additional time as well as the willingness of the seller to delay the development.

Mr. Thompson asked if there is a chance they will address the rezoning.

Ms. Gonzalez did ask what the timeline would be on the rezoning.

Mr. Boron explained that if they started the process next month, it would also go to City Council, which is typically a 4-5 month process.

Ms. Iverson noted this is a preliminary review tonight, so there is time if the applicant wants to consider the rezoning issue.

Mr. Hayes noted that they did have product brochures to distribute and are ready to move forward to the February agenda for approval.

It was agreed they can submit the plan for approval in February.

F. Preliminary Review, Rezoning, R-2, Low-Density Residential District, to CBD, Central Business District, M-2, Heavy Manufacturing District, to CBD, R-2 District to M-2 District, and CBD to M-2 District, vicinity of east termini of East Market Street and East State Street

Background Information

This agenda item is based on a request filed on behalf of High Concrete Technology, LLC, (hereafter High Concrete) to rezone a number of properties located on or in the vicinity of the east termini of East Market Street and East State Street. The rezoning proposal, which is itemized below, is to accommodate the sale of property to Springboro Evangelical Church for use of a vacant office, located at 105 East State Street, and formerly used by High Concrete, and High Concrete's training and meeting space located at 145 East Market Street. The building/property at 145 East Mill Street were rezoned to B-3, Central Business District, in 2006 to accommodate the use of the building/property by High Concrete as a training center and meeting room. In 2015 that zoning was changed to CBD as part of the large scale text revision to the Planning and Zoning Code and Official Zoning Map.

The rezoning also allows for the rezoning of property on the bottom of the hillside that that separates the Historic District and East Street from High Concrete's main operation. That zoning is consistent with the current use of the site.

The proposed rezoning involves the following items as documented in the submitted materials:

- Rezone survey parcel A, 0.0836 acres in area, from R-2, Low-Density Residential District, to CBD, Central Business District. This property is vacant.
- Rezone survey parcel B, 0.333 acres in area, from R-2 District to M-2, Heavy Manufacturing District. The property was formerly the site of a home but is presently the site of a detention pond.
- Rezone survey parcel D, 0.1426 acres in area, from CBD to M-2 District. This property includes a portion of the detention pond.
- Rezone survey parcel G, 0.1248 acres in area, from CBD to M-2 District. This property is vacant.
- Rezone survey parcel H, 0.1813 acres in area, from M-2 District to CBD. This property includes a home that was converted into an office for High Concrete but is now vacant.

The building located at 145 East Market Street was originally constructed as an Orthodox Quaker meeting house, and was later used as a creamery, school, and more recently church, then training center and meeting room for High Concrete. While the building is historic it is not a protected property under the terms of the City of Springboro Historic Preservation Code. The historic district's east boundary ends at the alley that defines the property's west edge. A cemetery tied to the Orthodox Quaker congregation is located to the east of the building.

Adjacent land uses include residential to the north and west on properties fronting East Market Street and East Street. Lands to the east and south are used for manufacturing and are part of the main High Concrete facility. Adjacent zoning includes R-2 District to the west and north, and M-2 District to the east and south with the exception of a small parcel, zoned R-2 District, immediately to the east of 145 East Market Street.

The *Springboro Master Plan*, adopted by City Council in February 2022, includes recommendations for the long-range development of the community. It is divided into 16 policy areas that make specific

recommendations for smaller portions of the community and are grouped together because of proximity, land use patterns, date of development and other general characteristics.

Policy Area 13, Historic Code, includes the subject area. The policy area recommends a mix of uses to ensure a lively interactive district including residential, service, and retail.

This item is being reviewed on a preliminary basis at the January 18th Planning Commission meeting at which time the Planning Commission may authorize this item to be placed on a future Planning Commission regular meeting agenda for formal approval.

Courtesy notification letters were sent out to all property owners within 300 feet of the subject property earlier this week. Should this proposal move forward, the same property owners will be notified of a Public Hearing of City Council on the rezoning of the property.

Staff Comments

City staff has the following comments on this agenda item:

1. Indicate plans for the use of the properties to be rezoned to CBD. Also indicate plans for the existing buildings located at 105 East State Street and 145 East Market Street, as well as the Quaker cemetery located to the east of the building at 145 East Market Street.
2. Indicate plans for the use of the properties to be rezoned to M-2.

Discussion:

No applicants were in attendance to discuss this application.

Mr. Boron stated he was not comfortable discussing the rezoning requests without the applicant. He explained they staff did have questions for the applicant regarding the long-term use of the property, particularly the cemetery, the church and other various sections of the property. Mr. Boron will be contacting the applicant.

Mr. Thompson spoke on behalf of the Historical Society and expressed concerns about the cemetery, because you have to cross property belonging to High Concrete in order to access.

V. Planning Commission and Staff Comments

Ms. Iverson referred to the corrected meeting schedule.

VI. Adjournment

*Mr. Harding motioned to adjourn the January 18, 2023 Planning Commission Meeting at 7:12 pm
Mr. Dimmitt seconded the motion.*

Vote: Leedy, yes; Sillies, yes; Dimmitt, yes; Iverson, yes; Pearson, yes; Thompson, yes; Harding, yes. (7-0)


Becky Iverson, Planning Commission Chairperson


Dan Boron, Planning Consultant


Ann Burns, Planning Commission Secretary