

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Meeting
Wednesday, April 12, 2023

I. Call to Order

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

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

Staff Present: Dan Boron, City Planner; Chad Dixon, City Engineer; and September Bee, Planning Commission Secretary.

Mr. Sillies motioned to excuse Mr. Harding. Mr. Thompson seconded the motion.

Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Leedy, yes; Sillies, yes; Thompson, yes (6-0)

II. Approval of Minutes

A. March 08, 2023 Planning Commission Minutes

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

Mr. Thompson motioned to approve the March 08, 2023 Planning Commission minutes. Mr. Sillies seconded the motion.

Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Leedy, yes; Sillies, yes; Thompson, yes (6-0)

III. Agenda Items

A. Final Approval

Site Plan Review, 25 West Central Avenue (SR 73), River Valley Credit Union, ATM/ITM for new branch office

Background

This agenda item is a request for formal approval of a site plan, based on an application submitted by Berardi+Partners, Columbus, Ohio on behalf of the property owners, River Valley Credit Union, to allow the construction of a ATM/ITM, or automatic teller machine/interactive teller machine, building at 25 West Central Avenue (SR 73). The site is currently occupied by a River Valley Credit Union branch office that includes an attached drive through. This proposal was discussed at the March 8th Planning Commission meeting at which time the Planning Commission authorized this item to be placed on a future agenda item for formal approval. To recap that discussion, River Valley Credit Union proposes to (1) construct of a new stand-alone drive-through ATM/ITM building to maintain operation on the property during redevelopment, (2)

demolish the existing branch building, and (3) construct a new 2,490-square foot branch location as indicated in the submitted materials. Representatives for River Valley Credit Union, Berardi+Partners, have indicated they intend to seek approval on the new branch office building, and associated site plan for the entire site's redeveloped, at a future meeting.

The subject property is located at the southwest corner of West Central Avenue (SR 73) and Florence Drive. Access is provided to the site from both streets in the existing and proposed plans, however the number of curb cuts on the Florence Drive frontage has been significantly revised in the proposed site plan.

The subject property is zoned UVD, Urban Village District. While the applicant has been advised that the proposed use is permitted, the redevelopment of the site and any other in the UVD will need to comply with the design and development standards of the UVD in addition to the standard site plan review requirements.

Existing land uses include to the east include a vacant City-owned parcel at the southwest corner of South Main Street (SR 741) and West Central Avenue (SR 73), and a multi-tenant building located at 20 South Main Street. To the south is the former site of Jonathan Wright Elementary School, to the west is Republic Mortgage at 55 West Central Avenue, and to the north on the north side of West Central Avenue (SR 73) is the developing Wright Station mixed-use area.

Existing zoning in the vicinity of the subject property is UVD to the east, west, and north, and R-2, Low-Density Residential District, on the former site of Jonathan Wright Elementary School.

Staff Recommendations

City staff recommends approval of the site plan for the proposed ATM/ITM for River Valley Credit Union, 25 West Central Avenue, with the following comments:

1. Approval is conditioned on the redevelopment of the remainder of the site for a new branch office as soon as practicable through the City of Springboro's site plan review process.
2. Verify material match between proposed ATM/ITM building and new branch location (to be reviewed separately).
3. Extend curb and gutter to south property line, with storm sewer and add public concrete sidewalk the entire length. Create a concrete apron section for the curb cuts to include sidewalk. Dedicate additional right-of-way to include the curb and gutter section and sidewalk.
4. Provide proposed water lateral and sewer lateral details.
5. Other engineering comments reserved until the submission of engineered design drawings.
6. Provide pre- and post-impervious area to verify the need for storm water detention.
7. Tie down location of ATM/ITM. Move the structure at least 10 feet away from existing storm sewer.
8. Add directional arrow pavement marking for drive thru aisles.
9. Please see comments from March 8th Planning Commission regarding the overall site plan for the new branch office.

Discussion:

Mr. Josh Howell of Berardi+Partners was present to discuss River Valley Credit Union's application for a new ATM/ITM.

Ms. Iverson deferred to Mr. Boron to make any summation needed before staff comments are addressed.

Mr. Boron said this item was reviewed on a preliminary basis at the March 8, 2023 Planning Commission meeting. The applicant wanted to bring the ATM/ITM portion of the plan to this meeting to move forward with

this portion of the project. More time is needed to develop the entire site plan, to be considered at a future meeting. One condition of approval is the demolition of the existing building and the installation of a new facility, otherwise this would be considered an accessory use which is not permitted without a primary principal use, the credit union.

Ms. Iverson asked Mr. Howell if he had any additional comments.

Mr. Howell stated that the applicant is planning to come back to the Planning Commission next month with the remainder of the site plans. He had no questions about the staff comments.

Ms. Iverson asked if Planning Commission members had any questions or comments.

Mr. Leedy asked if the new ATM/ITM will be in the same location as the existing structure.

Mr. Boron replied that where the ATM/ITM is located will enable River Valley Credit Union to continue to serve its customers while the existing branch office is demolished and reconstructed. The ATM/ITM is to the south of the branch office.

Mr. Sillies asked if the Planning Commission will be voting on just the ATM/ITM or the entire demolition plan.

Mr. Boron said that the vote would be just for the ATM/ITM. Demolition plans have not been included up to this point.

Ms. Iverson asked for any further questions or comments.

There were no questions or comments.

Ms. Iverson called for guest comments for this item. There were none.

Ms. Iverson called for a motion Final Approval, Site Plan Review, 25 West Central Avenue (SR 73), River Valley Credit Union, ATM/ITM for new branch office.

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

Ms. Iverson called for discussion.

Ms. Iverson called for roll call.

Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Leedy, yes; Sillies, yes, Thompson, yes (6-0)

Ms. Iverson said that the motion is approved unanimously.

B. Preliminary Review

Rezoning, 7878 & 7914 Sharts Road, Franklin Township I-1, Light Industrial District, to City of Springboro R-2, Low-Density Residential District

Background Information

This agenda item is based on a request filed by Associate Construction of Carlisle, Ohio, property owner, requesting the rezoning of approximately 42.08 acres of land located at 7878 and 7914 Sharts Road from Franklin Township I-1, Light Industrial District, to City of Springboro R-2, Low Density Residential District. The property is currently vacant.

The subject property is currently located in Franklin Township. Franklin Township and the City of Springboro entered into an annexation agreement in October 2022 regarding this property. A petition to annex the property into the City was filed by the property owners with the Warren County Commissioners earlier this year. Annexation is expected to be completed later this year. Concurrent to the annexation process, the property owner is seeking rezoning so that future development may be reviewed under City zoning regulations.

The R-2 District allows for the development of moderate density residential areas in the community. Examples of R-2 District areas in Springboro include the Royal Oaks, Fieldstone, and Creekside subdivisions. Permitted uses include single-family detached residential dwellings as well as places of worship, schools, public recreation areas, cultural/municipal/public uses, essential services and utilities, bed and breakfasts, golf courses, farmer's markets/roadside stands, home occupations, and accessory uses and buildings to permitted uses listed above. Residential development up to four (4) dwelling units per acre may occur on lots no smaller than 9,000 square feet in the R-2 District. Commercial and industrial development would be prohibited under the proposed rezoning.

While the applicant at this time is only seeking rezoning approval concurrent to the completion of the annexation process, they have completed preliminary work on a plan for the site proposed to be the 76-lot Cedar Creek Reserve subdivision. As is pertains to Planning Commission, the subdivision will be reviewed by City staff and the Planning Commission under the City's Subdivision Regulations as have other conventionally-zoned subdivisions in the past few years: Sawgrass Pointe on West Factory Road, Clearcreek Reserve West on Red Lion-Five Points Road, and the Wade-Wray portion of the Wadestone subdivision on West Factory Road approved earlier this year. That will occur after the rezoning process is complete. Unlike with PUD, Planned Unit Development, subdivisions, lots in R-2 District and other conventional subdivisions are regulated by the design and development standards (lot sizes, setbacks, and building heights) of the zoning district.

Lands to the north, south, and east are generally within the City of Springboro, while lands to the west are generally in Franklin Township. To the north, on the west side Sharts Road is a residential dwelling being developed in Franklin Township, in Springboro Quick Tech on the north side of the Advanced Drive and Sharts Road intersection, to the east in the Stolz Industrial Park are Matrix 5 at 105 Advanced Drive, Hanover Clocks at 125 Advanced Drive, Armstrong Trailer at 175 Advanced Drive, Honest Abe Roofing at 235 Advanced Drive, and Corvexxe at 245 Advanced Drive, to the south the City of Springboro's Clearcreek Park, and a large residential lot to the southwest. To the west in Franklin Township are residential lots and a church, Franklin Faith Tabernacle, all on Sharts Road.

In the City of Springboro, adjacent zoning includes ED, Employment Center District, to the north, PUD, Planned Unit Development, to the east associated with the Stolz Industrial Park on Advanced Drive, and to the south R-2 District overlaying Clearcreek Park and residential uses to the west. To the west in Franklin

Township, can be found R2, Two-Family Residential District, regulated in the Warren County Rural Zoning Code.

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. As this property was not within the City boundaries at the time of the plan's adoption, there are no recommendations as it pertains to this rezoning request.

Following preliminary review of the rezoning request, the Planning Commission may permit this item to be placed on a future agenda for formal approval. That would be in the form of a recommendation to City Council to rezone the property.

Courtesy notification letters were sent out to all property owners within 300 feet of the subject property the week of April 3rd. 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

No comments at this time.

Discussion:

Mr. Rodney Morris, Associate Construction, was present to discuss Associate Construction's application for rezoning.

Ms. Iverson said that this review is for the Rezoning, Preliminary Review, 7878 & 7914 Sharts Road, Franklin Township I-1, Light Industrial District, to City of Springboro R-2, Low-Density Residential District.

Ms. Iverson asked Mr. Boron for a summation of the application from Associate Construction.

Mr. Boron showed an aerial photograph of the applicant's site. He stated that a letter had been sent out to all property owners within 300 feet of the site, notifying them of the proceedings at the meeting tonight. There are two parcels involved, which are currently not within the City of Springboro but are subject to an annexation agreement with Franklin Township. He summarized the property boundaries both within Franklin Township and the City of Springboro, which is approximately 42.08 acres.

Mr. Boron said that City Council entered into an agreement with Franklin Township in October, 2022. It is now going through the process of annexation. The earliest it may become City property is mid-July. This rezoning review cannot be finalized until the annexation is concluded.

Mr. Pearson asked about what would happen if the rezoning is approved but the annexation does not occur.

Mr. Boron stated that Planning Commission is meeting to decide if final approval would be in order but it cannot be voted on for final approval until the annexation is complete. Final approval can occur after or concurrent with the annexation being finalized. Planning Commission can make a recommendation for final approval of the rezoning but City Council has to approve that recommendation.

Mr. Thompson asked what prompted the annexation of this property.

Mr. Morris replied that it started because they were going to have to have septic systems and wells for the development if it stayed in Franklin Township. He approached City Manager about annexing the property so that they would have access to the Springboro Water and Sewer System. The pre-annexation work with Warren County and Franklin Township has all been approved and they are now waiting for the annexation. This plan has been in the works for about two years.

Ms. Iverson noted that there were no staff comments and that was because it is for preliminary review only. No vote will be taken at this evening's meeting.

Mr. Boron said that Associate Construction's request for rezoning is consistent with many properties throughout the City of Springboro. This project is different in that it is not a PUD (Planned Unit Development). Planning Commission is considering tonight if the zoning is consistent with the site and appropriate for the long-range development of the community as a whole. The drawing submitted by the applicant is indicative of what can possibly happen on this site but can change in the future as development occurs. This includes the dedication of right-of-way and a proposal regarding the purchase of land at the rear by the City which is approximately 8.5 acres.

Planning Commission discussed the current land use in the immediate surrounding areas.

Mr. Morris stated that at one point the property was zoned residential but it changed sometime in the 1980s to its current zoning. Warren County was in charge of the rezoning at that time.

Mr. Boron and Planning Commission members discussed the history of the development of the properties on Advanced Drive.

Ms. Iverson stated that Planning Commission could be potentially voting on their approval at the next meeting in May.

Mr. Sillies asked if there were plans for a bike path or trail to connect the property to the park.

Mr. Boron stated that there are no definitive plans for that at this point but it has been discussed as a possible option.

Mr. Pearson asked if a traffic study was needed.

Mr. Dixon stated that unless there are 100 units or more planned, no traffic study is required.

Mr. Morris said that there will be two access points to the development. One will be on Advanced Drive and the other will be along Sharts Road.

Mr. Boron reviewed the process going forward for the applicant and Planning Commission once Council has approved the annexation of the property.

Ms. Iverson called for guest comments.

Mr. Ken Wiginton, 7806 Sharts Road, introduced himself. He is concerned about the condition of the soil on the property. He stated that the area used to be a junkyard and the soil is full of used motor oil and other contaminants. He does not think that the contractor will follow through with permits and testing. He is also concerned about the creeks and springs that flow through the property and the fact that this property is in a flood plain. He would like to see the property to be designated as a park.

Ms. Iverson asked City staff if they could address some of Mr. Wiginton's concerns.

Mr. Dixon stated that he had received an updated flood plain map and none of the property in question is in a flood plain. The map was updated March 31, 2023. The creeks in the area are not designated as navigable waters. Associate Construction will be required to have all studies and permits completed before construction can begin.

Mr. Wiginton asked if Associate Construction could cover up the artesian wells on the property.

Mr. Dixon said that he would have to research that issue.

Mr. Boron stated that storm water detention ponds are not just for quantity of water but also the quality of the water running off to the south of the property. He offered to meet with Mr. Wiginton when the time comes to discuss the management of all of the natural resources associated with this site. The earliest this will happen would be mid-July. He said that Mr. Dixon has offered to examine some of the issues and questions Mr. Wiginton has brought forward.

Mr. Boron said that a Phase I environmental study which would most likely be required for this site from a lender.

Mr. Mike Alford, 3883 West Lower Springboro Road, introduced himself. His property is located on the southwest side of the proposed site. He is concerned about how the creek will be managed. He would prefer if this property was not developed.

Mr. Morris responded to Mr. Wiginton's and Mr. Alford's concerns regarding the creek area which floods will be part of the land that will become part of the park in Springboro. No homes will be built in those areas. A pond is proposed for the runoff.

Mr. Boron noted that there is a link to the information being presented tonight on the City of Springboro's website. All the meeting materials from tonight's meeting are available, which includes the area which will ultimately be purchased by the City of Springboro for park land.

Mr. Sillies asked if the developer can divert waterways.

Mr. Dixon said that he does not think the creeks are mapped as waterways. He would have to do further research for a definitive answer.

Mr. Thompson asked where the junkyard had been located.

Mr. Boron said the junkyard was located at the north end of the property. The vehicles were removed roughly ten years ago.

Ms. Bobbi Quillen, 7820 Sharts Road, introduced herself. She grew up next to the junkyard and is concerned about the quality of the soil on this site. She has contacted the EPA regarding her concerns. She

also thinks the existing buildings on the property contain asbestos materials. She is concerned that her well will become contaminated if the soil is disturbed. She wants to know if the property can be rezoned for residential use before the soil has been tested.

Mr. Boron said the environmental review is completely separate. The state of Ohio is not responsible for zoning a property within the City of Springboro or Franklin Township.

Ms. Quillen voiced her concern that she is worried the contractor will not follow the permit process as required. What will prevent them from developing the property without the proper permits?

Mr. Boron replied that the City of Springboro's laws and regulations would be enforced to prevent that from happening. The City has a review process that will be followed. A zoning inspector and the Engineering Department inspector will guide the review process.

Mr. Boron stated that with regards to clearing the property of trees, credit is given towards keeping trees as part of the landscaping requirements of the development, especially the buffer zones between the residential properties to the east and the industrial park to the west. Clearing of the site can happen anywhere in the city with the caveat that the owner is responsible for sedimentation and erosion control protection. A provisional plan for this would have to be submitted to the Engineering Department for approval before site clearing can begin.

He also said that when it comes to the subdivision review process, he has advised Mr. Morris to identify the trees which they are planning to keep on the site. The larger the tree, the more credit that is given toward landscaping requirements. There are more than enough trees on the property and the owner would be well-served to protect them.

Ms. Quillen asked if once the annexation is approved could the owner move forward with clearing the property without permits.

Mr. Boron replied that the answer is no. The Engineering Department will review the sedimentation and erosion control and what protections are in place on the edges of the property. The City is not aware of any notification of soil contamination. It is unknown if there has been a Phase I environmental review completed.

Mr. Leedy said that there are many steps ahead before anything can move forward with this development and there are many safeguards in place to ensure the site will be developed within the confines of the City of Springboro's rules and regulations regarding building a subdivision.

Ms. Iverson told Ms. Quillen that the Planning Commission meets the second Wednesday of every month and the City Council meets the first and third Thursdays of the month. Anyone can attend the meetings and the agendas and meeting materials are posted online at the City's website.

Ms. Quillen asked where she could get a copy of the annexation agreement between Franklin Township and the City of Springboro.

Mr. Boron told Ms. Quillen yes and to contact him or Franklin Township.

Ms. Quillen asked why the children who go to school will be going to Franklin Schools.

Ms. Iverson stated that the school district zoning is already in place and will not change. Generally property west of Clearcreek-Franklin Road is in the Franklin City Schools. School district boundaries are rarely changed once put in place. Everything presented this evening will be available to the public online.

Ms. Quillen asked Mr. Morris if there is a development nearby that would be similar to what they are proposing for this site.

Mr. Morris directed her to the Sawgrass Pointe subdivision and the back section of Beck Ridge. These are developments that they have worked on in the past. There will only be less than two units per acre even though the zoning will allow for four homes per acre due to the fact that some of the land will not support housing development.

Ms. Quillen asked about the second entrance on Advanced Drive. She is concerned traffic will back up there because both entrances will drop out onto Sharts Road, not far apart from each other.

Ms. Iverson stated that by law there has to be two entrances into a subdivision for emergency access if required.

Mr. David Kincaid, 7782 Sharts Road, introduced himself. He is concerned about the amount of extra vehicles which will be introduced into the neighborhood once the property is developed. He would prefer that the land not be developed.

Ms. Iverson called for any other guest comments.

Mr. Wiginton re-approached the podium. He wanted to know who to contact if the owner does not comply with the rules and regulations regarding development of the property.

Mr. Boron said that the City of Springboro has worked with the Morris family and Associate Construction in the past. He said that he believes the owner will comply with all processes imposed by the City. They have complied with all requests on previous projects. The City of Springboro Police Department can be contacted if Mr. Wiginton feels the owner is not in compliance. He can also contact Mr. Boron or the Engineering Department if he has concerns or comments.

Ms. Iverson asked Planning Commission if they had any questions or comments.

Ms. Iverson asked if there were any further comments or questions.

Mr. Morris said that all of his questions had been answered.

It was agreed by Planning Commission members that they can move forward with this review and expect to hear more details at the next planning meeting.

There were no further comments or questions.

IV. Guest Comments

There were no additional guest comments.

V. Planning Commission and Staff Comments

Ms. Iverson asked for any final Staff Comments before they adjourn.

Mr. Boron said the next Planning Commission meeting will be held Wednesday, May 10th at 6:00 p.m. For those in the audience he stated there will be no notification by letter, the information will be available on the City's website the week before the meeting. Planning Commission will be asked to make a recommendation to City Council regarding the rezoning of the property.

Mr. Boron has been approached by a resident of Springboro requesting that the time frame for allowing recreational vehicles and boats to be parked on a driveway from four months to six months. Currently the time frame is designated as May 15th through September 15th. He asked Planning Commission members for their thoughts.

Following a discussion between Planning Commission and City staff it was agreed that the time frame will not change.

Ms. Iverson asked for further questions. There were none.

V. Adjournment

Ms. Iverson called for a motion to adjourn.

*Mr. Thompson motioned to adjourn the April 12, 2023 Planning Commission Meeting at 7:25 pm
Mr. Sillies seconded the motion.*

Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Leedy, yes; Sillies, yes; Thompson, yes (6-0)



Becky Iverson, Planning Commission Chairperson



Dan Boron, Planning Consultant



September Bee, Planning Commission Secretary