

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Meeting
Wednesday, April 13, 2022

I. Call to Order

Vice-Chair Pearson 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: Chris Pearson, Vice Chair, Mark Davis, Robert Dimmitt, Mike Thompson and John Sillies. Absent were Becky Iverson, Chair, and Steve Harding.

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

Mr. Davis motioned to excuse Mr. Harding and Ms. Iverson. Mr. Dimmitt seconded the motion.

Vote: Thompson, yes; Dimmitt, yes; Sillies, yes; Pearson, yes; Davis, Yes (5-0)

II. Approval of Minutes

A. March 9, 2022 Planning Commission Minutes

Mr. Pearson asked for corrections or additions to the minutes. There were none

Mr. Thompson motioned to approve the March 9, 2022 Planning Commission minutes. Mr. Dimmitt seconded the motion.

Vote: Thompson, yes; Dimmitt, yes; Sillies, yes; Pearson, yes; Davis, Yes (5-0)

III. Agenda Items

A. Final Approval, Record Plan, 5-15 West Mill Street, Springboro United Church of Christ, lot consolidation and dedication of right-of-way

Background Information

The enclosed record plan is for the Springboro United Church of Christ located at the southwest corner of South Main Street (SR 73) and West Mill Street, address listed as 5-15 West Mill Street. The plan consolidates two lots into one and dedicates the right-of-way along South Main Street. It contains approximately 1.26 acres, of which 0.1 acres are in the right of way. Upon Planning Commission approval, it will proceed to City Council for final review and approval.

Staff Recommendation

Staff recommends approval of the record plan for 5-15 West Mill Street subject to compliance with the following comments:

1. Revise the Title Block with the word "Record Plan" on the first line, and then "Springboro United Church of Christ" below it on the second line.
2. Submit to Warren County for their review and comments. Revise accordingly

Discussion:

Mr. Doug Gabriel was in attendance to discuss his request for a lot split and record plan.

Mr. Dudas referred to the comments, explaining how the plan consolidates two lots into one and dedicates the right-of-way along South Main Street, noting that this was a condition of construction of the new addition back in 2019. Upon approval by the Planning Commission, it will be forwarded to Council.

Mr. Pearson asked for clarification on the address, which stated 5-15 West Mill Street, and the address listed with Warren County is 615 South Main Street for one of the lots.

Mr. Dudas explained this had no bearing, and it can be adjusted later.

Mr. Gabriel also asked if the formal address will be 615 South Main Street or 5 West Mill Street, which is the most used church address.

Mr. Dudas stated the record plan was not affected by this, and can be looked into further, but has no problem using the 5 West Mill Street address.

Mr. Pearson called for a motion to approve the Record Plan for 5-5 W. Mill Street, Springboro United Church of Christ, dedication of right-of-way.

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

Vote: Thompson, yes; Dimmitt, yes; Sillies, yes; Pearson, yes; Davis, Yes (5-0)

B. Final Approval, Revision to Final Development Plan, 765 West Central Avenue (SR 73), PUD, Planned Unit Development, LaComedia Dinner Theater, construction of accessory structure

C. Final Approval, Record Plan, 765 West Central Avenue (SR 73), PUD, Planned Unit Development, LaComedia Dinner Theater, dedication of right-of-way

Background Information—Revision to Final Development Plan

This agenda item was filed by App Architecture, Englewood, on behalf of LaComedia Dinner Theater, property and business owner, located at 765 West Central Avenue (SR 73). The final development plan in its current form appeared on the February 9th meeting agenda as a preliminary review item. The applicants are proposing a 32,150-square foot, two-story accessory building on the southeast corner of the site. The building will be used to house costumes in a climate controlled environment and provide for other theater storage. An earlier version of the accessory structure proposed a 16,200-square foot building on the site.

The dinner theater has been in operation since 1975. There is no record of the theater's original approval; that predated the City's incorporation in 1987 and our present Building Department (plans were reviewed by Warren County prior to that date). The property was rezoned to PUD, Planned Unit Development, in September 1997 to provide flexibility to the property owner to develop the property in light of setbacks and other development standards. No record of the setback has been found by City staff. In 1999 the Planning

Commission approved plans for the expansion of the theater building, and later that year the construction of a dormitory.

The proposed accessory building will be located in the vicinity of two accessory buildings that will be removed. The proposed building will be as close as 6 feet from the east property line and 16 feet from the south property line. These figures are similar to other buildings on the site including the main theater building relative to the east property line (less than 5 feet), and the dormitory relative to the south property line (15 feet).

Adjacent land uses include the recently redeveloped McDonald's at 775 West Central Avenue to the northwest; on the north side of West Central Avenue the two shopping centers owned by the now-closed Edwards Furniture on either side of Tahlequah Trail, the shopping center at 625-725 West Central Avenue that includes the former and newly renovated Kroger; and to the south, fronting and with access from Pleasant Valley Drive, a number of commercial and light industrial buildings including VST (650 Pleasant Valley Drive).

Staff Recommendation—Revision to Final Development Plan

City staff recommends approval of the revised final development plan for 765 West Central Avenue (SR 73) subject to compliance with the following comments:

1. New lighting fixtures proposed as a result of the building and site work to be consistent with Chapter 1273 (Exterior Lighting) of Planning & Zoning Code.
2. Provide water and sewer lateral information. Water to be minimum 1" K copper with remote reader inside of building and sanitary sewer lateral to be min 6" SDR 35 or SCH 40 material at 2% slope minimum.
3. Provide the pervious/impervious change on the site due to the new building and associated construction. Storm water on the additional impervious areas to be detained.
4. Name sheet C4 "Stormwater Pollution Prevention Plan".
5. Verify that the proposed storm sewer outlet will not create ponding due to elevations. Provide proposed contours at this location and throughout the site.
6. Fire Department connections for all sprinkled buildings shall be with-in 75 feet of a fire hydrant on the public water system. All fire department connections must have a 5" Stortz connection with a 30 degree downturn and includes a cap attached by a cable or chain. Fire Department connections must be visible and unobstructed at all times.
7. We will require the purchase and installation of a Knox Box at the main entrance of the facility before the completion of the building.
8. All monitored fire alarm systems shall have a remote annunciator panel at the main entrance to the building for fire district use.
9. A fire extinguisher plan must be submitted to the fire district. Placement and installation must be completed prior to final building inspection.
10. A scaled floor is required at or before the time of final building inspection on all buildings showing the location of all exits, electrical and all gas shut off. Fire department connections and other applicable information as may be useful in conducting pre incident preparation by the fire district. The acceptable size for this plan 8.5 inches by 11 inches.
11. All test of all systems shall be schedule through the Springboro Building Department at (937) 748-9791 48 hours prior to testing. The building department will contact the fire district and advise of date and time of testing. The Fire Marshal or district representative will witness all testing.

Background Information—Record Plan

The enclosed record plan is for the La Comedia site and contains approximately 5 acres, of which approximately 0.4 acres are in the right-of-way of West Central Avenue (SR 73). It also includes a sanitary sewer easement for the existing sewer main located in the rear and side yard. Upon Planning Commission approval, it will proceed to City Council for final review and approval.

The record plan involves the dedication of right-of-way along West Central Avenue (SR 73).

Staff Recommendation—Record Plan

Staff recommends approval of the record plan for 765 West Central Avenue (SR 73) subject to compliance with the following staff comments:

1. Revise the Title Block with the word "Record Plan" on the first line, and then "La Comedia" below it on the second line.
2. Provide standard signature block for city signatures.
3. Submit to Warren County for their review and comments. Revise accordingly.

Discussion:

Mr. Tim Bement, App Architecture, and Mr. Dave Gabert, M & M Construction, were present to discuss their application for an accessory structure at LaComedia Theatre.

Mr. Boron referred to the comments and background explaining that this plan is similar to the one reviewed at the February 9th meeting, the size of the proposed structure is 32,150 square feet. Staff has been working with the applicant, and providing all of the staff recommendations are met, they recommend approval of the structure.

Mr. Thompson clarified the max occupancy was 107.

Mr. Bement explained that since the primary use of the structure will be storage, that maximum occupancy was more than sufficient and could even be reduced. He also noted that they have no problems complying with all the comments, and comment #6 was resolved with the fire department.

Mr. Pearson called for a motion to approve the Final Development Plan, 765 West Central Avenue, PUD, LaComedia Dinner Theatre, construction of an accessory structure.

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

Vote: Thompson, yes; Dimmitt, yes; Sillies, yes; Pearson, yes; Davis, Yes (5-0)

Mr. Pearson called for a motion to approve the Record Plan 765 West Central Avenue, PUD, LaComedia Dinner Theatre, dedication of right-of-way.

Mr. Dimmit motioned to approve. Mr. Davis seconded the motion.

Vote: Sillies, yes; Dimmitt, yes; Thompson, yes; Pearson, yes; Davis, Yes (5-0)

D. Final Approval, Minor Revision to Approved General Plan, The Springs PUD, Planned Unit Development, revision to apartment component

Background Information

This agenda item is a request for formal approval of a minor revision to an approved general plan for a portion of the apartment component of The Springs PUD, Planned Unit Development. The application was submitted by PLK Communities, Cincinnati. The property is owned by The Siebenthaler Company. This item was reviewed on a preliminary basis at the March 9th Planning Commission meeting at which time the Planning Commission authorized the general plan revision to be placed on a future agenda item for formal review and approval.

As indicated in the submitted materials, the applicant is proposing to construct 168 apartment units on a 16.05-acre site located on the northeast portion of The Springs PUD. The site is situated between The Falls apartment complex on the east, and the Waterside condominiums to the west. Both The Falls and Waterside condominiums are also in The Springs PUD. The property has frontage on Springs Boulevard; access is also proposed from the east through The Falls apartments to Yankee Road as well as to the west through the Waterside condominiums. The northern property line for the site coincides with the Warren-Montgomery county border. Lands to the north are within Washington Township.

The 16.05-acre site was approved for apartment development as part of the general plan for what is now The Springs PUD in early 2002. A total of 305 apartments were approved at that time consisting of 30 10-unit buildings and a 5-unit building including the management office, clubhouse and pool. Later, two phases of apartment development were approved by the Planning Commission, one each in 2002 and 2003, based on an application filed by the developer, Coffman Development, both as The Falls apartments. The northern tier of the apartments were reviewed and approved first, consisting of 15 apartment buildings and the clubhouse, with 15 additional buildings on the southern tier. The phases were oriented east to west, with both phases crossing the utility lines that bisect the 16.05-acre site and access across a set of underground utility lines. Coffman Development developed just the eastern portion of each phase along the Yankee Road side of the property beginning in 2005. Development of this portion of the site continued until 2010/2011 when the current 135 apartment units—13 ten-unit buildings and one 5-unit building with clubhouse—configuration was arrived at. The Siebenthaler property was later split from the built portion of The Falls apartments. The 2002/2003 Planning Commission approval to construct 170 apartment units on the site remains in effect. A copy of the plans for the apartment component of The Springs PUD as proposed is included in the meeting materials.

PLK Communities is proposing to construct 168 apartment units on the site. The proposal includes 10 16-unit apartment buildings, an 8-unit apartment building, a clubhouse facility, and a number of stand-alone garages and dumpster enclosures. Access will be provided with a driveway connecting to Springs Boulevard. The revised plans indicate five additional potential access points: two to The Falls and in turn Yankee Road, and three to Waterside.

The City's PUD ordinance defines three types of revisions to approved general plans: major, minor, and administrative. Major revisions include proposals that change the list of permitted uses within a PUD or any increase of 15% or greater in the number of residential units for a site, and require the approval of the Planning Commission and City Council. Minor revisions involve no change in permitted uses within a PUD and involve density increases between 5 and 15%, and require the approval of Planning Commission. Administrative revisions include revisions involving 5% increases in development density or less, and are approvable by City staff. The PLK Communities proposal represents a minor revision to the approved general plan for the apartment component.

Following Planning Commission's approval of the requested general plan revision review and approval of a final development plan by Planning Commission may commence, first in preliminary format, then final approval at a subsequent meeting. PLK Communities has indicated their intention to develop the 16.05-acre site in one section.

Existing zoning in the vicinity of the site is PUD to the east, south, and west, all part of The Springs PUD. Zoning to the north is zoned PD-T, Planned Development Transition District, under the Washington Township Zoning Resolution, a district whose purpose is "...to allow for orderly growth and development Washington Township and abutting municipalities." Existing land uses in the vicinity of the site include The Falls apartments to the east, St. Mary's church to the southeast, the single-family residential component of The Springs to the south, to the west the Waterside condominiums component of The Springs, and to the north in Washington Township, Montgomery County, and the Yankee Terrace single-family residential subdivision.

Staff Recommendation

City staff recommends approval of the revision to the general plan subject to compliance with the following comments:

1. Revise plans to indicate this stage of the approval process as general plan approval. The second stage of the approval process is final development plan, not site plan review.
2. Provide architectural details for a typical residential building on the site including materials, color, and scale, to be included in the general plan revision record.
3. Landscaping Plan not required until second stage of approval process, final development plan. Plans to comply with Chapter 1280. The following general comments are made to the landscaping plans indicated on sheets L100-L200 of the general plan:
 - a. Buffer to north requires trees at rate of 1 tree/20 feet or 19 trees. Staff recommends additional landscaping in this area in lieu of 30-foot landscape buffer requirement (see also comment 4f below).
 - b. West buffer standard appears to meet code requirements however detailed review would occur concurrent to final development plan. East buffer exemption request is acceptable from City staff however approval by Planning Commission required.
 - c. Street frontage landscaping proposed appears to be correct; detailed review would occur during final development plan process.
 - d. For final development plan stage review of landscaping for parking lots, provide landscaping island calculations as indicated under Section 1280.04(e).
 - e. Dumpster and mechanical equipment screening to be reviewed under final development plan stage of review process, however notations on L200 appear to be correct.
 - f. Site development landscaping is required at the rate of 1 tree/3,000 square feet for developed portions of the site, and does not include required parking lot landscaping, buffers to adjacent uses, and landscaping along road frontages. Lands above the utility transmission lines is exempt from this requirement. In addition to landscaping proposed for the amenity areas, City staff recommends the site landscaping may be used along the north and edges of the development site.
4. Lighting plan consistent with Chapter 1273 of Planning and Zoning Code to be developed, including a foot-candle analysis, that meets color-temperature, intensity, and cut-off lighting requirements for review during final development plan stage of approval process. Manufacturer information for the Lithonia RSX1 lighting is consistent with Chapter 1273 excluding non-horizontal installation included in materials. Note that architectural lighting, signage lighting, etc., if proposed, also to be reviewed concurrent to final development plan review process.

5. Applicant to develop signage plan for review by City staff outside of the PUD review and approval process. Plans have been forwarded to the Zoning Inspector for preliminary review.
6. Plans to be signed by the owner/developed at the final approval stage of the general plan review process.
7. Provide complete site design and development standards for building placement and ancillary facilities.
8. Provide all aspects of infrastructure design with the final development plan submittal following approval of the general plan.
9. At least two access connections shall be provided for the site. Provide approved access connections on the final development plan with documentation (e.g., a signed agreement).
10. Show the access to Springs Boulevard through to the street.
11. Provide central mailbox unit, which is to be reviewed and approved by the Springboro Post Office.
12. Fire Department connections for all sprinkled buildings shall be with-in 75 feet of a fire hydrant on the public water system. All fire department connections must have a 5" Stortz connection with a 30 degree downturn and includes a cap attached by a cable or chain. Fire Department connections must be visible and unobstructed at all times.
13. We will require the purchase and installation of a Knox Box at the main entrance of the facility before the completion of the building.
14. A scaled floor plan is required at or before the time of final building inspection on all buildings showing the location of all exits, electrical and gas shut offs, fire department connections and other applicable information as may be useful in conducting pre incident preparation by the fire district. The acceptable size for this plan is 8.5 inches by 11 inches.
15. One additional fire apparatus access road is required by the fire district due to the density and the potential for impairment of a single road into this complex.
16. All test of all systems shall be scheduled through the Springboro Building Department at (937) 748-9791 48 hours prior to testing. The building department will contact the fire district and advise us of date and time of testing. The Fire Marshal or district representative will witness all testing.

Discussion:

In attendance to discuss their application were Nick Lingenfelter, PLK Communities, and Tyler Amicon, Viox & Viox.

Mr. Boron referred to the background and staff comments explaining that this item was discussed at length at the March meeting where the revisions from the 2002/2003 general plan, Springs PUD, were presented. He noted it was staff's recommendation to move forward with the development of the apartment buildings, subject to the list of staff comments.

Mr. Ligenfelter stated they are confident they can work with staff to resolve all staff recommendations and they are currently working on the two access points.

Mr. Pearson asked if they were losing some garages with the latest revisions to the buffer zone.

Mr. Lingenfelter noted they did modify they layout and shrunk one building, but maintained the same number of units.

Mr. Pearson called for a motion to approve the revision to Approved General Plan, the Springs PUD, revision to approved apartment component.

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

Vote: Dimmitt, yes; Sillies, yes; Thompson, yes; Pearson, yes; Davis, Yes (5-0)

VI. Planning Commission and Staff Comments

Mr. Boron reported that the next meeting is scheduled for May 11, with a submittal deadline of April 22.

VII. Adjournment

Mr. Thompson motioned to adjourn the April 13, 2022 Planning Commission Meeting at 6:17 pm

Mr. Sillies seconded the motion.

Vote: Thompson, yes; Dimmitt, yes; Sillies, yes; Pearson, yes; Davis, Yes (5-0)



Becky Iverson, Planning Commission Chairperson



Dan Boron, Planning Consultant



Ann Burns, Planning Commission Secretary