

Background and Rezoning Process Summary

110 East Mill Street

Proposed Rezoning from M-2, Heavy Manufacturing District, to CBD, Central Business District

On Thursday, January 20, 2022 Springboro City Council will conduct a Public Hearing regarding an application to rezone approximately 0.575 acres of land located at 110 East Mill Street from M-2, Heavy Manufacturing District, to CBD, Central Business District. The rezoning is being requested by Rodney & Jennie Charlton, property owners. The subject property is located on the north side of East Mill Street east of the intersection of East Street.

The Public Hearing will take place at 7:00 p.m. EST in Council Chambers in the Springboro City Building located at 320 West Central Avenue (SR 73), Springboro.

This summary document describes the nature of the rezoning request, the rezoning process, and contact information for questions you may have regarding the Public Hearing.

Background

The property at 110 East Mill Street is 0.747 acres in area. The west portion of the property, 0.172 acres in area, is zoned CBD, Central Business District and is part of the Springboro Original Plan. The east portion of the property, 0.575 acres in area, is zoned M-2, Heavy Manufacturing District. The property is located on the north side of East Mill Street between East Street and Mound Park Drive (see Figure 1). The Springboro Historic District lies to the north and west along East Street and East Mill Street. The property is currently occupied by a commercial building housing Charlton Taxidermy. The building's placement straddles the CBD/M-2 boundary.

Adjacent land uses include an apartment building to west. Beyond that single-family residential uses can be found to the northwest in the Springboro Historic District. To the east and northeast is the Mound Steel operation on the east side of Richards Run as well as High Concrete. To the south on the south side of East Mill Street is a single-family residence in the Historic District, a Duke Energy transformer station, and Springboro Baptist Church.

The *Springboro Land Use Plan*, adopted by City Council in April 2009, includes recommendations for the long-range development of the community. It includes recommendations within 16 policy areas that are based on proximity, development characteristics including land use and the age of construction or development. In this case the CBD/M-2 boundary also coincides with the boundary of Policy Area #13, Historic Core to west, and Policy Area #14, South Richards Run Corridor to the east. Policy Area #13 recommends development that is consistent with the requested rezoning, however Policy Area #14 does not. It can be reasonably argued that the requested zoning change is a logical extension of the existing retail-residential-office-community use development pattern of South Main Street and East Mill Street within Policy Area #13, and not that of Policy Area #14. City staff has recommended that the Policy Area #13/#14 boundary be modified upon the update of the plan later this year to include all of 110 East Mill Street in Policy Area #13.

CBD zoning would allow for the use of the property largely in its present form. The CBD allows for residential uses as well as retail, offices, churches, and schools. It overlays the Springboro Historic District on South Main Street as well as East Mill Street. The M-2 district allows for heavy industrial operations as may be found to the east and north with Mound Steel and High Concrete. The CBD/M-2 boundary bisecting the site dates to the annexation of the M-2 portion of the property, as well as others to the east and north, sometime before 1992.

The fact that the property lies within two zoning districts came to light this summer. The applicants had placed the property on the market for sale, and both the seller and potential buyers inquired about existing zoning and permitted uses for the site. The north-south division line between CBD and M-2 was the Springboro corporation line according to the 1962 zoning map. County records indicate that the existing building on the site was built in 1976. The zoning of the 0.575-acre eastern portion of the property created an orphan zoning designation that did not reflect the existence of a body of water, Richards Run. Given M-2 development standards, this portion of the property cannot be developed legally under this designation. While having two zoning designation on a property is not prohibited, it

presents problems for potential buyers with respect to the underwriting of loans since the M-2 district does not permit retail uses and has large setbacks. In the event of a catastrophic loss, a new owner may not be able to rebuild.

Where Things Are Presently

In response to the application filed by Jennie & Rodney Charlton, the Springboro Planning Commission reviewed the application for rezoning at its November 10, 2021 meeting. Following a discussion between the Planning Commission, applicants, and City staff, the Planning Commission approved a motion to recommend that City Council approve the application for rezoning.

The Planning Commission's recommendation is only that: *a recommendation*. Only the Springboro City Council can formally legislate by Ordinance a change in zoning such as the one requested. As part of that process, and to solicit input from the public, City Council has set a Public Hearing for Thursday, January 20, 2022 to hear comments from all parties interested in the rezoning. All property owners within 300 feet of the property line for the subject property were notified by mail of the rezoning request and Public Hearing as has the property owner of the subject property. All property owners within 300 feet were also notified of Planning Commission's review at the November 10th meeting.

Following the Public Hearing, and as is typical for proposed City rezoning Ordinances, the rezoning Ordinance will be read at three City Council meetings prior to adoption. Following adoption, Ordinances become effective thirty (30) days following the final reading by City Council. At that point the City Clerk will direct the City Engineering Department to revise the Official Zoning Map based on City Council's action.

Unlike the PUD process used by the previous property owners for the proposed Streamside development, no further approvals by Planning Commission or City Council will be required following rezoning. The applicant would be responsible for filing zoning and building approvals for changes to the existing home and other buildings as is normal for any other property in the City.

If You Cannot Attend the Public Hearing

If you cannot attend the Public Hearing on January 20th, you may still forward your comments in writing to City Council so that it may be read into the record. The letter must be signed and include your name and address. Letters may be sent to the attention of Ms. Lori Martin, Clerk of Council, City of Springboro, 320 West Central Avenue, Springboro, Ohio 45066. Letters may be faxed to the attention of the Clerk of Council at (937) 748-0815 or by e-mail at lori@cityofspringboro.com and they need to include your name and address.

All information regarding this rezoning request application and other information is available for public inspection at the Planning Department in the Springboro City Building, 320 West Central Avenue (SR 73), during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, legal holidays excluded (please note the City Building will be closed Monday, January 17th in observance of the Dr. Martin Luther King, Jr. Holiday). Please call (937) 748-4343 for more information.



Figure 1. The aerial photograph above shows the location of the proposed rezoning subject property in light blue. The Springboro Historic District boundary shows as purple. Image courtesy of the Warren County GIS Department (August 2014) and Springboro Planning Department. North is at the top of the image. The image is not to scale.

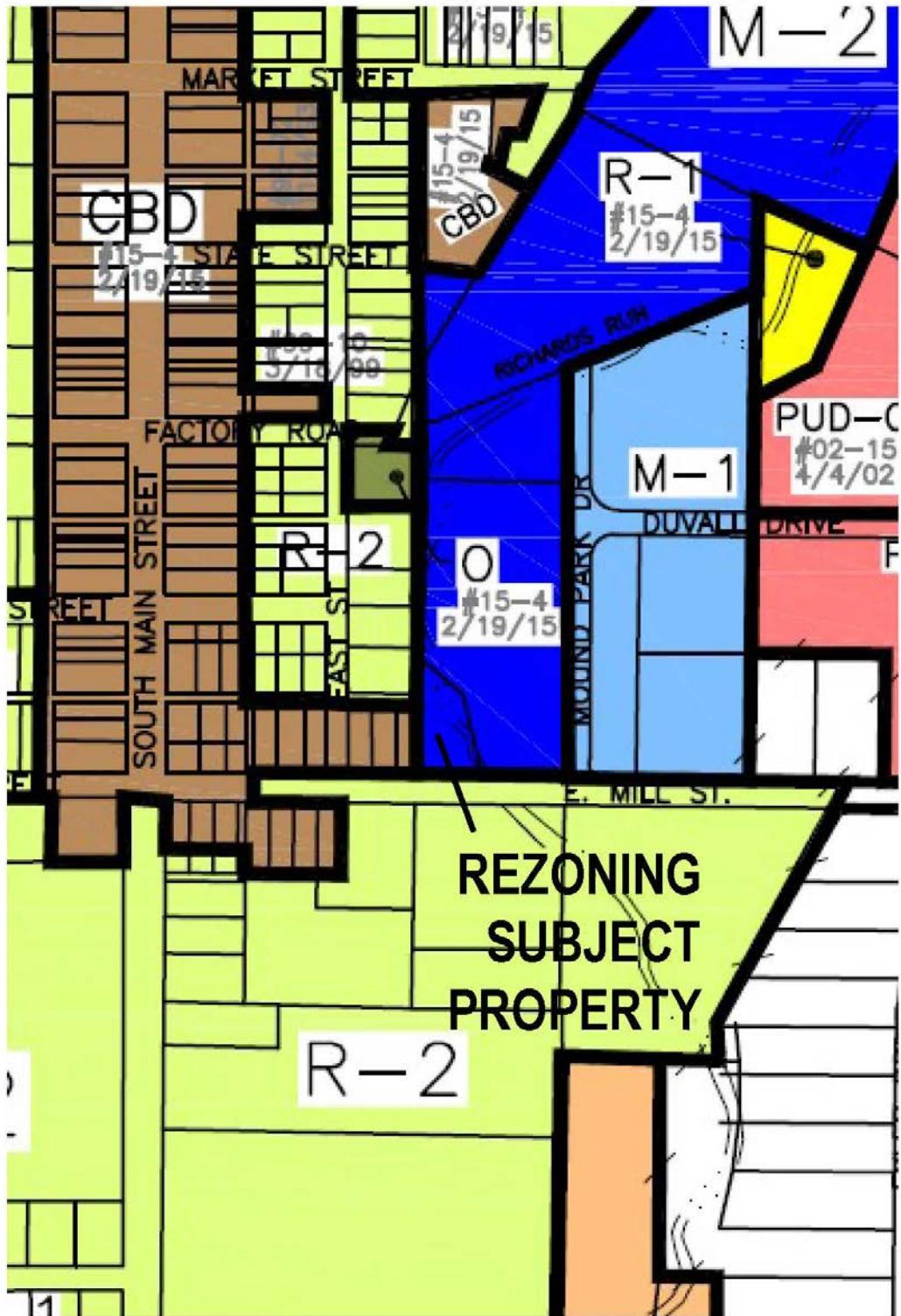


Figure 2. The exhibit above indicates the location of the subject property and adjacent zoning districts. Areas in brown are CBD, Central Business District, dark blue M-2, Heavy Manufacturing District, light blue M-1, Light Manufacturing District, light green R-2, Low-Density Residential District. Image courtesy of the City of Springboro Engineering Department. North is at the top of the image. Image not to scale.