

CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OH

CITY COUNCIL WORK SESSION

THURSDAY, JANUARY 20, 2022

6:00 PM

CITY COUNCIL

John Agenbroad, Mayor
Becky Iverson, Deputy Mayor/At Large
Stephen Harding, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
Jack Hanson, Ward 3
Jim Chmiel, Ward 4

CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Gerald McDonald, Law Director
Lori Martin, Clerk of Council

ITEM 1. CALL TO ORDER. Mayor Agenbroad called the Springboro, Ohio City Council Work Session to order on Thursday, January 20, 2022 at 6:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

ITEM 2. ATTENDANCE. Council: Ms. Iverson was absent. **Staff:** Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruithoff and City Planner Dan Boron were also present.

Mayor Agenbroad noted that a motion would be in order at tonight's Regular Meeting to excuse Ms. Iverson.

ITEM 3. LEGISLATIVE AGENDA. – Review legislative items slated for January 20.

Mayor Agenbroad stated that a motion would be in order at tonight's Regular Meeting to amend the Legislative Agenda to add Item 5, a Resolution.

There were no objections of Council to amending the agenda.

Mayor Agenbroad also stated that two Public Hearings would be held at the beginning of the tonight's Regular Meeting concerning a recommendation to rezone 110 East Mill Street from M-2 to CBD and 1360 S. Main Street from PUD-R to R-1.

1) ORDINANCE: SECOND READING. AN ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE TAX AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE.

No discussion.

2) ORDINANCE: FIRST READING. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 0.575 ACRES OF

LAND LOCATED AT 110 EAST MILL STREET FROM M-2, HEAVY MANUFACTURING DISTRICT, TO CBD, CENTRAL BUSINESS DISTRICT.

No discussion.

- 3) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 2.353 ACRES OF LAND LOCATED AT 1360 SOUTH MAIN STREET (SR 741), FROM PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL, TO R-1, ESTATE-TYPE RESIDENTIAL DISTRICT.

No discussion.

- 4) **RESOLUTION:** A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN LAND BEING A 0.1371 ACRE PARCEL LOCATED ON EYLER DRIVE, SPRINGBORO, OHIO, LEGALLY DESCRIBED AS RESERVE "C" OF THE FAIRWAYS SECTION ONE BEING PARCEL ID # 0407379020.

Mr. Pozzuto commented that this resolution seeks to appropriate property located on Eyer Drive to provide emergency access to Heatherwoode Golf Course.

Mr. McDonald explained that the City is proceeding with the appropriation process while the LLC (property owner) and the Homeowners Association try to work through some legal issues concerning conveyance of the property, which are anticipated to be resolved.

AMENDMENT:

- 5) **RESOLUTION R-22-2:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A REAL ESTATE TRANSFER AGREEMENT WITH THE BOARD OF TRUSTEES OF THE FRANKLIN PUBLIC LIBRARY.

At this time, Mr. Boron provided a brief overview of the rezoning recommendations to be heard at tonight's Regular Meeting.

Rezoning of 110 East Mill Street: The property is the site of Charlton Taxidermy, a 0.747-acre lot. Planning Commission approved this rezoning application on November 10, 2021. The property is currently in two different zoning districts; two-thirds of the parcel is zoned M-2 (Heavy Manufacturing District) and is where most of the Charlton Taxidermy building sits, and less than two-tenths of an acre is zoned CBD (Central Business District). The property owner is requesting to rezone the entire parcel to CBD (Central Business District), which is the same zoning district along S. Main Street. Consolidating the split zoning makes it easier to redevelop the property by clarifying the zoning code for the site and eliminating nonconformity. This property is currently separated from the remainder of the M-2 district by Richards Run. The recommendation is to rezone the portion of the property currently zoned M-2 to CBD. This property was annexed in 1980 creating the split zoning issue; however, the property was legally developed. This zoning recommendation is not consistent with the City's land use plan; however, it is being recommended that the plan's district boundary be adjusted to incorporate the entire property into the policy area that covers the historic district.

Mr. Brunner asked if zoning changes should be made while in the process of approving the new land use plan.

Mr. Pozzuto replied yes, this rezoning is not an issue.

Ms. Ridd pointed out that the property has always had the CBD use.

Mr. Harding commented that the area of the property in the M-2 district from the creek over is unusable regardless.

There was no further discussion regarding this rezoning.

Rezoning of 1360 S. Main Street: This property, a 2.353-acre site, is known as Streamside and is surrounded by Heather Glen Court and Dunnington Court, and largely the Heatherwoode Subdivision. This property was for sale in 2017 and rezoned to PUD-R to develop it into multiple lots; however, the general plan for the property expired in 2020. The property owner sold the property as R-1 believing that the PUD-R zoning was no longer in effect. The property is actually still PUD-R and the new owner is requesting that the property be rezoned to the former R-1 designation, which dates back to 1992. The R-1 zoning permits two units per acre, i.e., the owner could possibly build two lots on the property with a lot-split. However, the owner does not intend to split the lot and has constructed a barn on the property. The current property is consistent with the 2009 land use plan.

Planning Commission approved this rezoning application on November 10, 2021. The City notified adjacent property owners as required and contacted the HOA, and has received no opposing comments to date. The City received one letter supporting the rezoning from an adjacent property owner.

There was no further discussion regarding this rezoning.

At this time, Mr. Pozzuto presented the following items:

Library Agreement: At a previous Work Session, Mr. Pozzuto informed Council that the Library wishes to expand its building. However, under the current agreement between the City and the Library, the City owns 50% of the parcel, which means the Library cannot proceed with the expansion project or obtain financing without the City's agreement. Under the circumstances, the City would have to deed its interest in the parcel to the Library. During the previous discussion with Council, it was determined that if the City donates its interest in the property, the City would like some value for that interest in the future in case the City ever purchases the property. This stipulation has been included in the proposed agreement presented for Council's approval tonight under Legislative Item 5, and the Library has agreed to this stipulation at its most recent board meeting. With this issue resolved, staff recommends approving the deed transfer agreement tonight.

In addition, the City spends \$25,000-\$35,000 per year in maintenance costs for the Library building. Under the new agreement, the City will no longer be responsible for those costs, thereby saving that money. Again, under the new agreement, if the Library decides to sell the property, the City has the first right of refusal and will have the current land value of \$122,000 applied to any future purchase of that property.

Mayor Agenbroad asked if the Library would continue to be called the Springboro-Franklin Library.

Mr. Pozzuto replied yes.

Ms. Ridd asked why the current value of the land was used rather than the value at the time of purchase, which could be significantly different.

Mr. Pozzuto explained that the City is donating its portion of the parcel now and that is the current value of the land. They preferred an actual value to a nebulous number.

Future Fire Station & Coterminous Agreement with Clearcreek Township: Clearcreek Township Fire District serves all of the City of Springboro and Clearcreek Township. Through their strategic planning process over the past couple of years, the Fire District has identified a

need for a new fire station in the northwestern portion of the City to serve current and future residents. The Fire District has requested assistance with locating and purchasing a strategic location for a new fire station within the City. Since the Fire District identified the northwestern area of the City and needs approximately 3.5-4 acres to develop the new fire station, staff considered multiple scenarios for locations for this fire station. Areas that were considered include Pennyroyal, Village Park, Clearcreek-Franklin and N. Main Street down to the former Main Street Deli site. After discussing these scenarios with the Fire District, it was determined that the Village Park area would be the most strategic and best location for the new fire station. The area that has been identified is located in front of Gardner Park just north of Goddard School and south of Wade Insurance. The area consists of three different parcels, which combined is approximately 4.02 acres. This area has good access to Gardner Road and two other potential accesses for the fire trucks as well as access to three signalized intersections (Anna Dr, Village Park Dr and Pennyroyal Rd) offering five different ingress/egress points for this property. The City has also been trying to identify a location for a salt bin in the northern portion of the City. The existing salt bin on Mill Street serves the eastern and southern portions of the City well, but not as much the northern portion of the City. The City also intends to partner with the Fire District to put a salt bin somewhere on this location.

As part of the partnership on this new fire station, the City and Township have agreed to renegotiate the Coterminous Agreement that dictates the payment of the City's inside millage back to the City for Park & Leisure activities for non-City residents. As part of the renegotiated agreement, the Township has agreed to extend the City's inside millage payments to the City for an additional 20 years. The existing agreement was supposed to expire in 2025/26, but would be extended an additional 20 years to approximately 2041 guaranteeing that the City will receive the inside millage for a very long time. Property valuations continue to increase, which will create more inside millage and higher payments returned to the City.

It is estimated that the new Fire Station, including the land, will cost approximately \$5,000,000. The City has agreed to pay \$1.5 million for the 4-acre property and the Township will finance \$3.5 million to construct the fire station. As part of the agreement, any overruns on building costs would be absorbed by the Township, as they are financing the project.

It cannot be overemphasized that this is a Clearcreek Township project. They will be designing, constructing and operating the new fire station. The City is simply partnering with the Fire District to facilitate the purchase of the property, as this fire station will primarily serve City residents. To reiterate, the purpose of this partnership is to help the Fire District participate and facilitate the best project location for this fire station, as it will be serving City residents.

Mr. Brunner asked if there were any issues concerning that acreage and price.

Mr. Pozzuto replied that the City has a firm price and the property owner has signed a purchase agreement. Mr. Pozzuto commented that legislation regarding the coterminous agreement and purchase agreement would be presented to Council for consideration at the February 3 Council Meeting.

Mr. Brunner asked if the Township has a timeline to begin construction of the fire station.

Mr. Pozzuto commented that it is the City's understanding that the Township plans to begin the project as soon as the coterminous agreement is signed.

Mr. Harding asked what the City averages per year through the coterminous agreement.

Mr. Pozzuto replied approximately \$350,000, but the City anticipates that the amount could grow to \$500,000-600,000 over the extended 20-year period.

Mr. Harding pointed out in general terms that the inside millage would offset the cost of the land.

Mr. Ridd confirmed that the City would always own the land.

Mr. Pozzuto replied yes.

Mayor Agenbroad commented that the Township initially wanted to extend the agreement 10 years, but the City felt it was important to capture that money over a 20-year period in the interest of posterity.

Mr. Chmiel asked how the City plans to finance the purchase of the property.

Mr. Pozzuto explained that the City would either pay cash for the property or roll it into some other financing. The Finance Director is exploring the possibility of refinancing some of the City's other outstanding debt to pay it off early and may incorporate the property purchase into the refinance.

Discussion followed concerning the current market and delays in the supply chain, and how these issues might inflate constructions costs and delay or even kill the project.

Mr. Pozzuto stated that the Township is planning to move forward with the project as soon as possible, but should the fire station not be built, the City will own very valuable land to market for other uses. The approximate price per acre is \$368,000; however, the property owner has been getting \$500,000 for the land.

Mr. Pozzuto reiterated that the legislation for these agreements would appear on the February 3 Council Agenda for consideration. Mr. Pozzuto also reiterated that this is a Clearcreek Township project and all calls concerning the new fire station would be handled by the Fire District.

There was no further discussion regarding these items.

ITEM 4. CITY MANAGER. – Issues/Reports.

Mr. Pozzuto commented on the following items:

Snow Removal: *Mr. Pozzuto praised the Public Works Department road crew for their street clearing efforts during the recent snow event. Springboro's roads were in much better condition than the roads were in some surrounding communities.*

Citywide Fiber Network Project: *The City's portion of the fiber project will be complete tomorrow following final testing and splicing of fiber and conduit. Once the work is certified, both Point Broadband and Cincinnati Bell have 30 days to conduct their inspections before the City transfers ownership to them. Once the City is paid in full by both companies, the City will pay the Warren County TID and have the project paid for before it is even completed.*

Point Broadband continues to install fiber in the City's neighborhoods and already has 70-80 customers with good reviews so far. Cincinnati Bell has accelerated their build timeline in Springboro and will begin building their fiber to home system in the third quarter of this year.

Mr. Harding confirmed that Cincinnati Bell has not begun work yet and Point Broadband is still working. Mr. Harding commented that some people have asked why the contractor is re-digging in the same areas.

Mr. Pozzuto commented that the City plans to improve its communication regarding the private internet service providers (ISPs) because people think that the Point Broadband part of the project is the City's project, but it is not; it is a private project. The City will make sure that point is more clearly communicated to the public when Cincinnati Bell begins their work. The City's

portion of the fiber project, which runs along the main thoroughfares, has allowed private ISPs to connect to the main fiber system and run fiber into the individual neighborhoods.

Mr. Brunner inquired regarding how property would be restored once the work is complete.

Mr. Pozzuto commented that Point Broadband has done a very good job with their restoration efforts; however, some areas cannot be restored until spring due to the weather conditions.

Mr. Brunner recommended adding the restoration information in the City's communication efforts.

Ms. Ridd recommended also including the contractor's contact information for residents who want to report property damage or any issues concerning fiber installation.

Mr. Pozzuto commented that he would add these points to the City's communications regarding the private fiber projects.

There was no further discussion regarding these items.

ITEM 5. CLERK OF COUNCIL. – Issues/Reports.

Calendar/Events: The Council Finance Committee meeting has been rescheduled to February 3 at 5:30 PM in Council Chambers.

Warren County Drug Task Force Annual Report: Ms. Martin commented that Council is in receipt of the Warren County Drug Task Force Annual Report. Task Force Commander Steve Arrasmith wishes to pass on his thanks to the City, City Council and the Police Department for all of their support each year. Commander Arrasmith would be happy to attend an upcoming meeting should Council have any question concerning the report.

ITEM 6. CITY COUNCIL. – Issues/Reports.

At this time, Mayor Agenbroad presented the Park Board's recommendation to fill the open board seat for a two-year term. The Park Board interviewed candidates on January 5 and recommend Kerry Leedy to fill the open seat.

Mr. Chmiel commented that the board interviewed two very good applicants and it was a tough decision, but the board unanimously agreed to recommend Kerry Leedy.

Mayor Agenbroad noted that a motion would be order at tonight's Regular Meeting to appoint Kerry Leedy to the Park Board for a two-year term ending December 31, 2023.

Mr. Brunner – No reports.

Mr. Harding – Mr. Harding will present a Planning Commission report at tonight's Regular Meeting under Reports.

Mr. Hanson – No reports.

Mr. Chmiel – No reports.

Ms. Ridd – No reports.

Ms. Ridd inquired regarding the status of the LIME (Local Income Tax Made Easy) on-line tax filing system, and asked if it would be available for taxpayers to use this year.

Mr. Pozzuto explained that they are still resolving some issues with the program before entering the testing phase. The number of users will be limited this year; however, the City anticipates launching the program citywide in 2023.

Ms. Ridd asked if there is any other on-line tax portal for taxpayers to use.

Mr. Pozzuto explained that there is an on-line tool that will calculate and input tax data, but the user still has to file a paper copy.

Mayor Agenbroad – *Mayor Agenbroad commented that he and Chief Kruithoff attended the Martin Luther King, Jr. celebration event sponsored by the Springboro Pastors Association Center on Monday at the Performing Arts.*

ITEM 7. ADJOURNMENT. *With no further discussion, Mayor Agenbroad adjourned the Thursday, January 20, 2022 City Council Work Session at approximately 6:40 PM.*

CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OH

CITY COUNCIL REGULAR MEETING

THURSDAY, JANUARY 6, 2022
(Rescheduled to January 20)

7:00 PM

CITY COUNCIL

John Agenbroad, Mayor
Becky Iverson, Deputy Mayor/At Large
Stephen Harding, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
Jack Hanson, Ward 3
Jim Chmiel, Ward 4

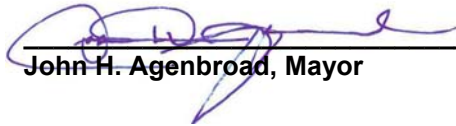
CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Gerald McDonald, Law Director
Lori Martin, Clerk of Council

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council (*rescheduled*) Regular Meeting of Thursday, January 6, 2022 to order at 7:00 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.
- ITEM 2. PLEDGE OF ALLEGIANCE.** Mayor Agenbroad led the Pledge of Allegiance.
- Invocation by Pastor Roger Hendricks, Southwest Church.
- ITEM 3. ROLL CALL.** Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Absent; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Jeff Kruthoff and City Planner Dan Boron were also present.
- Mayor Agenbroad called for a motion to excuse Council Member Iverson.**
- Mr. Harding motioned. Mr. Hanson seconded the motion.**
- No discussion.
- VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes. [6-0]**
- ITEM 4. APPROVAL OF MINUTES:** No Minutes were submitted for approval.
- ITEM 5. PRESENTATIONS:** No Presentations.
- ITEM 6. LEGISLATION:** No Legislation was submitted for January 6.

- ITEM 7. **REPORTS:** **Mayor's Report.** No Reports.
City Manager's Report.
Committee Reports.
- ITEM 8. **OTHER BUSINESS.** No Other Business.
- ITEM 9. **FINAL COUNCIL AND MANAGER COMMENTS.** No Final Council or Manager Comments.
- ITEM 10. **GUEST COMMENTS.** No Guest Comments.
- ITEM 11. **EXECUTIVE SESSION.** No Executive Session.
- ITEM 12. **ADJOURNMENT.** With no further business, Mayor Agenbroad adjourned the *(rescheduled)* Thursday, January 6, 2022 Springboro City Council Regular Meeting at approximately 7:02 PM.

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council

CITY OF SPRINGBORO
320 W. CENTRAL AVENUE, SPRINGBORO, OH

CITY COUNCIL REGULAR MEETING

THURSDAY, JANUARY 20, 2022

7:00 PM

(Immediately following the rescheduled January 20 Regular Meeting)

CITY COUNCIL

John Agenbroad, Mayor
Becky Iverson, Deputy Mayor/At Large
Stephen Harding, At Large
Janie Ridd, Ward 1
Dale Brunner, Ward 2
Jack Hanson, Ward 3
Jim Chmiel, Ward 4

CITY STAFF

Chris Pozzuto, City Manager
Greg Shackelford, Assistant City Manager
Gerald McDonald, Law Director
Lori Martin, Clerk of Council

- ITEM 1. CALL TO ORDER.** Mayor Agenbroad called the Springboro, Ohio City Council Regular Meeting of Thursday, January 20, 2022 to order at 7:05 PM in Council Chambers at the Springboro Municipal Building, 320 W. Central Avenue, Springboro, Ohio.

PUBLIC HEARING

A PUBLIC HEARING WAS HELD BEFORE THE CITY COUNCIL OF THE CITY OF SPRINGBORO, OHIO AT 7:00 P.M. ON THURSDAY, JANUARY 20, 2022 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, OHIO. THE PUBLIC HEARING TOOK PLACE IN COUNCIL CHAMBERS AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE (SR 73) IN SPRINGBORO.

PUBLIC HEARING: THIS PUBLIC HEARING WAS IN REGARDS TO A RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AND REZONE APPROXIMATELY 0.575 ACRES OF LAND LOCATED AT 110 EAST MILL STREET FROM M-2, HEAVY MANUFACTURING DISTRICT, TO CBD, CENTRAL BUSINESS DISTRICT.

THIS PUBLIC HEARING WAS HELD IN ACCORDANCE WITH CHAPTER 1287, AMENDMENTS, OF THE CITY'S PLANNING AND ZONING CODE. THE PUBLIC HEARING WILL BE LIMITED TO 30 MINUTES; 15 MINUTES RESERVED FOR THE OPPONENTS, AND 15 MINUTES RESERVED FOR THE PROPONENTS.

A COPY OF THE APPLICATION FOR THE PROPOSED REZONING WAS AVAILABLE FOR REVIEW AT THE RECEPTION DESK AT THE SPRINGBORO MUNICIPAL BUILDING, 320 WEST CENTRAL AVENUE, SPRINGBORO, OHIO 45066 BETWEEN THE HOURS OF 8:00 A.M. AND 4:30 P.M., MONDAY THROUGH FRIDAY, LEGAL HOLIDAYS EXCLUDED. INFORMATION MAY ALSO BE FOUND ON THE CITY'S WEBSITE AT WWW.CI.SPRINGBORO.OH.US.

MAYOR AGENBROAD STATED THAT IN KEEPING WITH PROTOCOL, COUNCIL WOULD BEGIN BY HEARING PROPONENTS FOLLOWED BY OPPONENTS. PROPONENTS/OPPONENTS SHOULD PLEASE STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

CITY PLANNER DAN BORON PRESENTED BACKGROUND INFORMATION REGARDING THE RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AS FOLLOWS: (A COPY OF THE PRESENTATION IS ATTACHED FOR THE RECORD.)

THE SUBJECT OF THE PUBLIC HEARING IS 110 EAST MILL STREET, WHICH IS THE SITE OF CHARLTON TAXIDERM, A 0.747-ACRE LOT. THE WEST PORTION OF THE PROPERTY, WHICH IS ABOUT TWO-TENTHS OF AN ACRE IS ZONED CBD (CENTRAL BUSINESS DISTRICT), WHICH IS THE ZONING DISTRICT THAT EXTENDS ON MILL STREET TO SOUTH MAIN STREET AND COVERS MOST OF THE HISTORIC DISTRICT. THE EAST PORTION OF THE PROPERTY, APPROX. 0.575 ACRES IS ZONED M-2 (HEAVY MANUFACTURING DISTRICT), WHICH IS THE ZONING DISTRICT FOUND PRIMARILY TO THE EAST OF THIS PROPERTY INCLUDING MOUND STEEL AND HIGH CONCRETE. THE 0.575-ACRE PORTION OF THE PROPERTY IS THE SUBJECT OF THE PUBLIC HEARING TONIGHT AND IS PHYSICALLY SEPARATED FROM THE REST OF THE M-2 DISTRICT BY RICHARDS RUN, WHICH SUBDIVIDES THE PROPERTY IN A DIAGONAL MANNER. TO REITERATE, THE TOTAL PARCEL FALLS IN TWO DIFFERENT ZONING DISTRICTS. THE REQUEST IS TO REZONE THE 0.575-ACRE PARCEL FROM M-2 TO CBD. THE SPLIT ZONING CAME TO LIGHT WHEN THE FORMER PROPERTY OWNER HAD A POTENTIAL BUYER AND CONTACTED THE ZONING DEPARTMENT TO ASK ABOUT PERMITTED USES. THE ZONING DEPARTMENT NOTIFIED THE PROPERTY OWNER THAT MANUFACTURING USES WERE PERMITTED, AND THAT WAS NOT THE PROPERTY OWNER'S INTENT. THIS SPLIT ZONING WAS NOT ANY FAULT OF THE PROPERTY OWNERS; THEY HAVE A LEGALLY BUILT PROPERTY. DURING THE COURSE OF DISCUSSION AMONGST STAFF AND WITH THE PROPERTY OWNER, THEY ARRIVED AT THE CONCLUSION TO REZONE THE PROPERTY TO CBD, WHICH IS CONSISTENT WITH ITS CURRENT USE. THE CURRENT USE IS NOT EXACTLY CONSISTENT WITH THE CITY'S LAND USE PLAN OF 2009, BUT WITH THE CAVEAT THAT AS PART OF THE 2022 LAND USE PLAN THERE WAS A CHANGE IN THE POLICY AREA BOUNDARIES TO INCLUDE THIS PARCEL IN THE POLICY AREA THAT IS CONSISTENT WITH THE HISTORIC DISTRICT TO THE WEST. IN THAT CASE, IT IS CONSISTENT WITH THAT MIXED USE DISTRICT. IT IS PHYSICALLY SEPARATED FROM THE REST OF POLICY AREA 14, WHICH IS TO THE WEST AND IS PRIMARILY INDUSTRIAL, AND INCLUDES THE CITY'S SERVICE CENTER AS WELL AS OTHER PROPERTY ALONG SOUTH RICHARDS RUN. THIS PROPOSAL WAS REVIEWED BY THE PLANNING COMMISSION ON NOVEMBER 10, 2022 AND WAS UNANIMOUSLY APPROVED AS A RECOMMENDATION TO CITY COUNCIL. NOTABLY, THE MAP SHOWS THE PARCEL SURROUNDED BY A BLUE LINE, WITH THE WEST PORTION OF THE PROPERTY ZONED CBD AND THE EAST PORTION ZONED M-2, WHICH IS CONSISTENT WITH THE ZONING OF THE MOUND STEEL PROPERTY IMMEDIATELY TO THE EAST. THE GRAPHIC ON THE RIGHT SHOWS THE ZONING PATTERN. THIS ZONING SPLIT CAME ABOUT BECAUSE THE CITY CORPORATE BOUNDARY IN 1976 OR 1980 WAS RIGHT ON THE ZONING BOUNDARY (DOTTED LINE) AND EVERYTHING TO THE EAST, WHEN IT WAS ANNEXED, WAS ZONED M-2 TO ACCOMMODATE WHAT IS NOW MOUND STEEL AND ALL OF THE INDUSTRIAL DEVELOPMENT IN THAT AREA. THIS REZONING IS, IN EFFECT, CORRECTING AN ERROR THAT WAS NO FAULT OF THE PROPERTY OWNER AND IS SUPPORTED BY CITY STAFF AND APPROVED BY THE PLANNING COMMISSION. MR. BORON OFFERED TO ANSWER ANY QUESTIONS.

MAYOR AGENBROAD PRESENTED THE ITEM FOR QUESTIONS/COMMENTS OF COUNCIL.

THERE WERE NO QUESTIONS/COMMENTS OF COUNCIL.

MAYOR AGENBROAD THANKED MR. BORON FOR HIS COMMENTS REGARDING THIS RECOMMENDATION.

MAYOR AGENBROAD INVITED ANY PROPONENTS, AND SUBSEQUENTLY ANY OPPONENTS, TO APPROACH THE PODIUM, STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

PROPONENTS: NO PROPONENTS.

OPPONENTS: NO OPPONENTS.

MAYOR AGENBROAD CLOSED THE FIRST PUBLIC HEARING AT APPROXIMATELY 7:10 PM.

PUBLIC HEARING

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CITY PLANNER DAN BORON PRESENTED BACKGROUND INFORMATION REGARDING THE RECOMMENDATION FROM THE SPRINGBORO PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO AS FOLLOWS: (A COPY OF THE PRESENTATION IS ATTACHED FOR THE RECORD.)

THE SUBJECT OF THE PUBLIC HEARING IS 1360 SOUTH MAIN STREET, A 2.353-ACRE SITE. THE PLANNING COMMISSION APPROVED THE RECOMMENDATION TO REZONE THIS PROPERTY ON NOVEMBER 10, 2022. THE PROPERTY IS OCCUPIED BY A SINGLE-FAMILY HOME AND THE NEW OWNERS PURCHASED THE PROPERTY IN OCTOBER 2021. THE OWNER CONTACTED THE BUILDING DEPARTMENT TO DETERMINE THE PERMITTED USES FOR THE PROPERTY AND IT CAME TO LIGHT THAT THE PREVIOUS OWNER ASSUMED THE PROPERTY TO BE ZONED R-1. THE PROPERTY WAS ACTUALLY REZONED IN 2017 TO PUD-R FOLLOWING SEVERAL MEETINGS WHERE A DEVELOPMENT CALLED STREAMSIDE WAS PROPOSED BY THE PREVIOUS

PROPERTY OWNER WITH A PLAN TO BUILD SEVEN LOTS ON THE SITE UNDER A GENERAL PLAN. SINCE THAT TIME, THE GENERAL PLAN EXPIRED IN 2020 THROUGH INACTION BY THE PREVIOUS OWNER. THIS LEAD TO THE MISUNDERSTANDING BY THE PREVIOUS OWNER THAT THE ZONING ALSO REVERTED TO THE R-1 ZONING, WHICH IS NOT THE CASE. THE R-1 ZONING HAS TO BE INITIATED THROUGH A REZONING PROCESS. THE NEW PROPERTY DISCUSSED THE CURRENT ZONING OF PUD-R WITH STAFF AND ARRIVED AT THE CONCLUSION THAT THEY DID NOT WANT TO GO THROUGH THE PUD-R PROCESS. THEY DID NOT WANT TO HAVE SEVEN LOTS; THEY ONLY WANTED THE EXISTING HOME WITH SOME IMPROVEMENTS. THEREFORE, THE SOLUTION WAS TO REZONE THE PROPERTY TO R-1. R-1 ZONING EXISTED ON THIS SITE FROM 2015-2017, WHEN THE PLANNING AND ZONING CODE WAS AMENDED AND REVISED. PREVIOUS TO THAT TIME, THE PROPERTY WAS ZONED TR-1, CLEARCREEK TOWNSHIP RURAL RESIDENCE DISTRICT, TO AT LEAST 1992. BOTH OF THOSE ZONING DISTRICTS ALLOW TWO UNITS PER ACRE AND A MINIMUM LOT SIZE OF 20,000SF. THIS REZONING REQUEST IS CONSISTENT WITH THE CITY'S 2009 LAND USE PLAN, WHICH ACTUALLY ALLOWS MUCH HIGHER DENSITIES; THIS DENSITY IS SIGNIFICANTLY BELOW THAT ALLOWANCE. THE PROPERTY COULD BE SUBDIVIDED INTO AN ADDITIONAL PROPERTY, WHICH THE NEW OWNER HAS NO INTENTION OF DOING, AND WOULD PROBABLY REQUIRE A VARIANCE FROM OUR SUBDIVISION REGULATIONS. A SECOND LOT COULD PROBABLY FIT ON THE PROPERTY, BUT BECAUSE OF THE NARROW SHAPE OF THE PROPERTY, IT COULD NOT BE SPLIT IN A FRONT/BACK FASHION. EFFECTIVELY, IT IS A ONE-HOUSE PROPERTY AND NO MORE THAN ONE LOT COULD BE DEVELOPED ON THIS PROPERTY WITHOUT SOME MAJOR HURDLES TO OVERCOME INCLUDING DEVELOPING WITH A PRIVATE DRIVE AND OTHER CHANGES. AGAIN, THIS REZONING IS CONSISTENT WITH THE LAND USE PLAN OF 2009 AND THIS RECOMMENDATION CAME TO CITY COUNCIL FROM THE PLANNING COMMISSION ON NOVEMBER 10, 2022. MR. BORON OFFERED TO ANSWER ANY QUESTIONS.

MAYOR AGENBROAD PRESENTED THE ITEM FOR QUESTIONS/COMMENTS OF COUNCIL.

THERE WERE NO QUESTIONS/COMMENTS OF COUNCIL.

MAYOR AGENBROAD THANKED MR. BORON FOR HIS COMMENTS REGARDING THIS RECOMMENDATION.

MAYOR AGENBROAD INVITED ANY PROPONENTS, AND SUBSEQUENTLY ANY OPPONENTS, TO APPROACH THE PODIUM, STATE THEIR NAME AND ADDRESS FOR THE RECORD AND MAKE THEIR COMMENTS ACCORDINGLY.

PROPONENTS: NO PROPONENTS.

OPPONENTS: NO OPPONENTS.

MAYOR AGENBROAD CLOSED THE PUBLIC HEARING AT APPROXIMATELY 7:15 PM.

ITEM 2. PLEDGE OF ALLEGIANCE. Mayor Agenbroad led the Pledge of Allegiance.

ITEM 3. ROLL CALL. Agenbroad, Present; Brunner, Present; Chmiel, Present; Hanson, Present; Harding, Present; Iverson, Absent; Ridd, Present. Staff: Mr. Pozzuto, Mr. Shackelford, Mr. McDonald and Ms. Martin were present. Police Chief Kruihoff and City Planner Dan Boron were also present.

Mayor Agenbroad called for a motion to excuse Council Member Iverson.

Ms. Ridd motioned. Mr. Harding seconded the motion.

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [6-0]

ITEM 4. APPROVAL OF MINUTES: THE MINUTES OF THE CITY COUNCIL WORK SESSION AND REGULAR MEETING OF DECEMBER 16, 2021.

Mayor Agenbroad presented the minutes for additions/corrections. No additions/corrections.

Mayor Agenbroad called for a motion to approve the Minutes.

Mr. Harding motioned. Ms. Ridd seconded the motion.

No discussion.

VOTE: Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes. [6-0]

ITEM 5. PRESENTATIONS: SPECIAL RECOGNITION OF JAMES CRABTREE FOR VOLUNTEER SERVICE AS A CITY BOARD MEMBER.

Council Member Jim Chmiel (Council's Representative to the Park Board) presented James Crabtree with a service award plaque in recognition of 16 years (2006-2021) of dedicated service to the City of Springboro Park Board. On behalf of the Mayor, City Council, City Staff and the Park Board, Mr. Chmiel thanked Mr. Crabtree for his time and valuable contributions as a community leader and his commitment to the progress of our community. Mr. Chmiel thanked Mr. Crabtree for all of his years of service and wished him the best.

Mr. Crabtree thanked City Council and staff for this recognition and commented that he has enjoyed serving on the Park Board over the years. Mr. Crabtree shared some stories and experiences he has had during his service on the Park Board and while enjoying time in the City's various parks. Mr. Crabtree further commented that his dream is to see all of the City's parks connected by a path or walking trail sometime in the future. Mr. Crabtree also shared some quotes from Abraham Lincoln, who he has played at many events, festivals and programs in the community. Mr. Crabtree finally commented that he appreciated the opportunity to serve on the Park Board and to use the parks.

Mayor Agenbroad thanked Mr. Crabtree for all of his efforts serving on the Park Board and for his long history of playing Abraham Lincoln in Springboro.

ITEM 6. LEGISLATION: City Council held a Work Session at 6:00 PM tonight for approximately 40 minutes to discuss the following legislative items as well as other City business.

At this time, Mayor Agenbroad called for a motion to amend the Agenda to add Legislative Item 5, a Resolution.

Ms. Ridd motioned. Ms. Hanson seconded the motion.

No discussion.

VOTE: Harding, Yes; Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes. [6-0]

- 1) **ORDINANCE: SECOND READING.** AN ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE TAX AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the second reading of an ordinance levying a \$5.00 Motor Vehicle License Tax as authorized by Section 4504.173 of the Ohio Revised Code. The Ohio Revised Code allows for 11 separate \$5.00 motor vehicle license taxes to be enacted by local communities such as Springboro. However, at any one time, the City is only allowed to charge six of those 11 motor vehicle license taxes. Currently, Springboro charges five of the separate \$5.00 license taxes. Springboro has elected to charge this additional tax because, under the law, an overlapping jurisdiction can charge this \$5.00 tax taking those tax dollars away from what Springboro residents would be paying and give it to other jurisdictions. The City wants to keep that \$5.00 tax in Springboro to pay for City services and infrastructure. If this license tax is approved, the additional \$5.00 that is charged will go directly into the City's street fund to use to pave additional streets. By levying this tax, the City is ensuring that this money is not collected and spent by another jurisdiction and those tax dollars are spent in Springboro. Again, the revenue generated from this tax will go directly into the City's street fund and can only be used to pave streets. If passed, this tax would be added to the licensing fees residents are charged when they register their vehicles each year and would be in effect for registrations beginning January 1, 2023.

No discussion.

No action required at this time.

- 2) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 0.575 ACRES OF LAND LOCATED AT 110 EAST MILL STREET FROM M-2, HEAVY MANUFACTURING DISTRICT, TO CBD, CENTRAL BUSINESS DISTRICT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance to rezone 110 East Mill Street from M-2 (Heavy Manufacturing District) to CBD (Central Business District). For reference, this ordinance was the subject of a Public Hearing at the beginning of tonight's meeting.

No discussion.

No action required at this time.

- 3) **ORDINANCE: FIRST READING.** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGBORO, REZONING APPROXIMATELY 2.353 ACRES OF LAND LOCATED AT 1360 SOUTH MAIN STREET (SR 741), FROM PUD-R, PLANNED UNIT DEVELOPMENT-RESIDENTIAL, TO R-1, ESTATE-TYPE RESIDENTIAL DISTRICT, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This is the first reading of an ordinance to rezone 1360 South Main Street from PUD-R (Planning Unit Development-Residential) to R-1 (Estate-Type Residential District). For reference, this ordinance was the subject of a Public Hearing at the beginning of tonight's meeting.

No discussion.

No action required at this time.

- 4) **RESOLUTION R-22-1:** A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN LAND BEING A 0.1371 ACRE PARCEL LOCATED ON EYLER DRIVE, SPRINGBORO, OHIO, LEGALLY DESCRIBED AS RESERVE "C" OF THE FAIRWAYS SECTION ONE BEING PARCEL ID # 0407379020, was read by the Clerk of Council. Mr. McDonald's comments are summarized as follows:

This resolution declares the intent to appropriate certain land being a 0.1371-acre parcel located on Eyler Drive legally described as Reserve "C" of The Fairways Section One. This property is an easement, which currently provides for utilities, but does not provide for access. The easement is needed for emergency access to the Heatherwoode Golf Course. The City is working with the property owner to acquire the easement, but there are some legal issues regarding ownership. The City is using the legal appropriation process to acquire the property while the legal issues are being resolved. This is not an adversarial land appropriation; the property owners are working with the City.

Mayor Agenbroad thanked the Law Director and staff for their efforts concerning this legislation.

Mayor Agenbroad called for a motion to adopt Resolution R-22-1.

Ms. Ridd motioned. Mr. Harding seconded the motion.

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [6-0]

AMENDMENT:

- 5) **RESOLUTION R-22-2:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A REAL ESTATE TRANSFER AGREEMENT WITH THE BOARD OF TRUSTEES OF THE FRANKLIN PUBLIC LIBRARY, was read by the Clerk of Council. Mr. Pozzuto's comments are summarized as follows:

This resolution authorizes a real estate transfer agreement with the Board of Trustees of the Franklin Public Library. The Library is undertaking an expansion project on their existing site at 125 Park Lane. When the Springboro Library was originally built, the City had a 50% interest in the property. In order to finance the expansion project, the Library must have a clear title and 100% ownership. The Library asked the City to donate its 50% interest to them in order to expand the Library and provide more services to residents. Essentially, under the proposed agreement, the City will transfer its 50% interest to the Library and receive a permanent parking easement on the portion of the property the City is donating to them as well as renegotiating some provisions in the original agreement when the Library was built. For example, the City spends \$30,000-\$35,000 in maintenance costs on the Library building; however, since the time of the original agreement the Library has passed a levy enabling them to pay for their own maintenance now. Under the terms of the new agreement, the City agreed to donate its 50% interest and the Library agreed to take over the maintenance saving the City the associated costs. In addition, as part of the new agreement, if the Library were ever to sell the property, the City would have the right of first refusal to purchase that property. The City is very happy with the Library as a neighbor; they provide a great service and have always allowed the City to use their meeting room, etc.; it has always been a very good mutually beneficial relationship. Again, this resolution represents the transfer of the City's 50% interest in the Library property to allow the Library to move forward with their expansion project.

Mayor Agenbroad thanked the City Manager for his efforts to iron out any issues and concerns expressed by Council.

Mayor Agenbroad presented the item for questions/comments of Council.

Ms. Ridd added that, under the terms of the new agreement, if the Library ever were to decide to sell the property the City would not have to buy back the 50% interest it is donating to the Library, the established value of the land would be credited toward the purchase.

Mayor Agenbroad called for a motion to adopt Resolution R-22-2.

Mr. Chmiel motioned. Mr. Harding seconded the motion.

No discussion.

VOTE: Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes. [6-0]

ITEM 7. REPORTS: Mayor's Report – The next City Council Work Session will be held on Thursday, February 3, 2022 beginning at 6:00 PM followed by the Regular Meeting at 7:00 PM in Council Chambers. The Finance Committee will meet on February 3 at 5:30 PM in Council Chambers. In addition, the Mayor's State of the City Address will be presented at the February 3 Council Meeting.

City Manager's Report – Mr. Pozzuto reported on the following items:

Snow Removal: Mr. Pozzuto commended the City's road crews for their efforts to keep the roads clear during the recent snow event. Mr. Pozzuto commented that Springboro's roads were in much better condition than the roads in some surrounding communities. Mr. Pozzuto added that the road crews are often plowing throughout the night and they do a phenomenal job.

Committee Reports –

Mr. Brunner – No reports.

Ms. Ridd – No reports.

Mr. Harding – Planning Commission – The Planning Commission met on January 19 to review the following items: Preliminary Review – Final Development Plan, Advanced Drive PUD (Planned Unit Development), commercial building #4 and a Recommendation for Adoption – Springboro Master Plan. The Master Plan will be presented to Council for review and approval on February 17. The next Planning Commission meeting will be held on February 9 at 6:00 PM in Council Chambers.

Mr. Hanson – No reports.

Mr. Chmiel – No reports.

ITEM 8. OTHER BUSINESS. Mayor Agenbroad called for a motion to appoint Kerry Leedy to the Park Board for a two-year term ending December 31, 2023.

Mr. Chmiel thanked the applicants who applied for the open seat. The Park Board interviewed the applicants on January 5 and Kerry Leedy was selected to recommend to Council to fill the open seat.

Ms. Ridd motioned. Mr. Chmiel seconded the motion.

No discussion.

VOTE: Hanson, Yes; Harding, Yes; Brunner, Yes; Ridd, Yes; Agenbroad, Yes; Chmiel, Yes. (6-0)

ITEM 9. FINAL COUNCIL AND MANAGER COMMENTS. No Final Council or Manager Comments.

ITEM 10. GUEST COMMENTS. 1) John Sherer, 42 Tamarack Trail – Mr. Sherer shared his concerns regarding how Mr. Boro's and especially the Queen of Hearts game is affecting and changing his neighborhood. Mr. Sherer described large crowds of 500-1,000 people converging on Mr. Boro's during the Queen of Hearts drawing and issues such as the lack of adequate parking and restroom facilities at the establishment. These conditions have resulted in people urinating and worse in outdoor areas and adjacent properties as well as parking and traffic safety issues, including parking overflow at businesses along SR741 and on private drives, speeding and frequently using private drives as turnarounds, and cars parked on both sides of the road. Mr. Sherer commented that Tamarack Trail needs to be made safer for heavy traffic use and potential future increases in traffic flow. Mr. Sherer acknowledged the increased police presence during the Queen of Hearts game at Mr. Boro's and realizes that the City Police Department is aware of the situation. Mr. Sherer suggested restricting parking to one side of the street and/or restricting parking to certain hours and suggested that Mr. Boro's providing outdoor portable restrooms to accommodate the crowds. Mr. Sherer also commented that he hopes Mr. Boro's and its owners continue to be successful and prosper for many years to come, but he feels something should be done such as enacting laws to make the street and neighborhood safer. Mr. Scherer thanked Council for their time.

Mayor Agenbroad and Council Members thanked Mr. Sherer for his comments and bringing his concerns to their attention.

Mayor Agenbroad invited any other guests that wished to be heard to approach the podium, state their name and address for the record, and make their comments accordingly.

No other guests came forward.

ITEM 11. EXECUTIVE SESSION. No Executive Session.

ITEM 12. ADJOURNMENT. Mayor Agenbroad thanked the MVCC for tonight's telecast and scheduled rebroadcasts of this Springboro City Council Meeting.

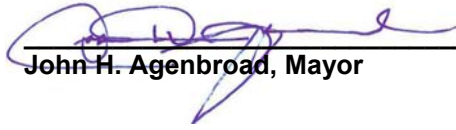
Mayor Agenbroad called for a motion to adjourn the Thursday, January 20, 2022 Springboro City Council Regular Meeting at approximately 7:45 PM.

Mr. Harding motioned. Mr. Brunner seconded the motion.

No discussion.

VOTE: Ridd, Yes; Agenbroad, Yes; Chmiel, Yes; Hanson, Yes; Harding, Yes; Brunner, Yes. [6-0]

—MEETING ADJOURNED—



John H. Agenbroad, Mayor

John H. Agenbroad

Presiding Officer



Lori A. Martin, Clerk of Council

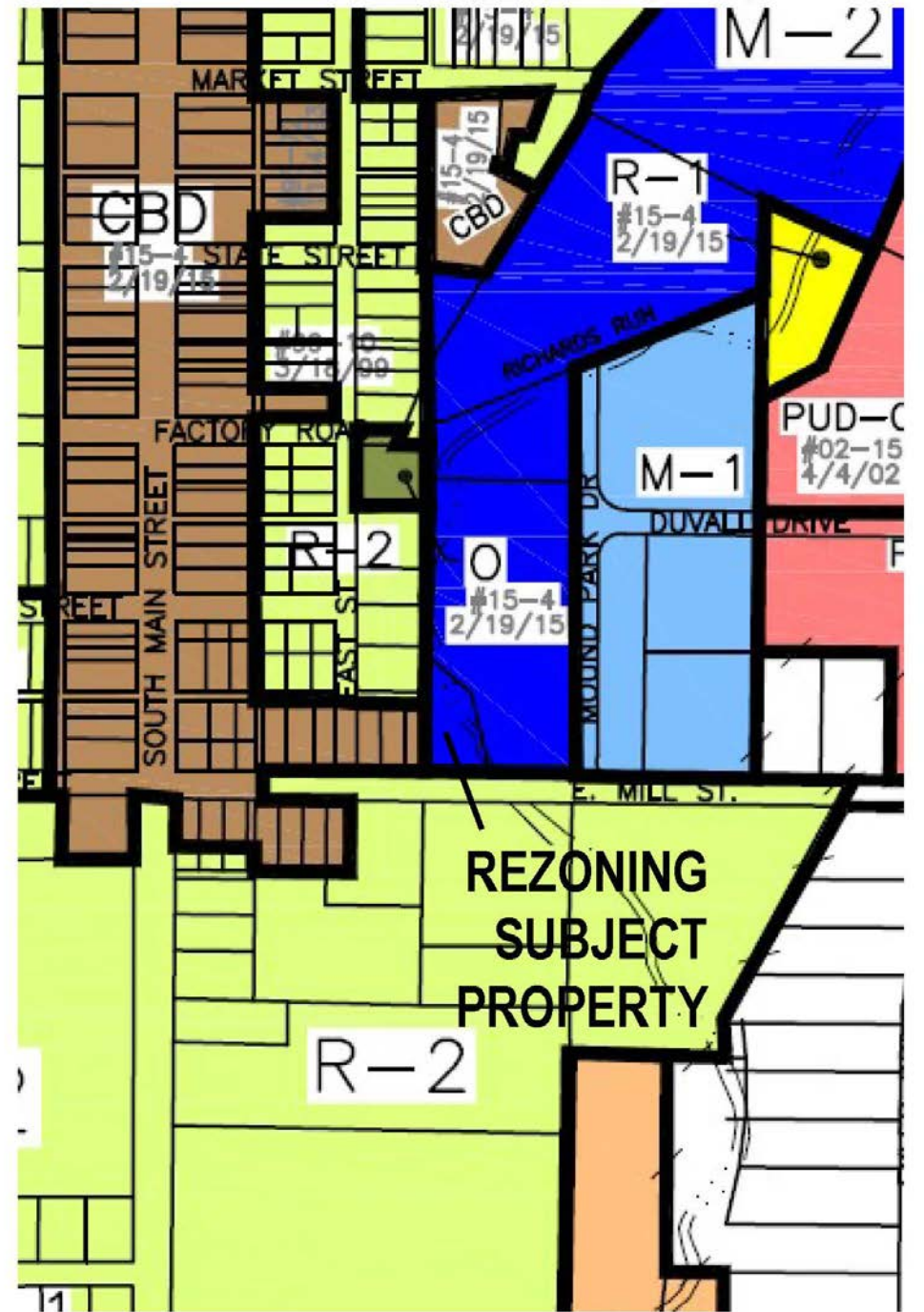


Springboro City Council Public Hearings

Thursday, January 20, 2022

Rezoning of 110 East Mill Street

- Site of Charlton Taxidermy; 0.747 acre lot
- West portion 0.172 acres zoned CBD, Central Business District.
- East 0.575 acres zoned M-2, Heavy Manufacturing District.
 - Separated from remainder of M-2 District by Richards Run.
 - Request is to rezone this portion from M-2 District to CBD.
- Split zoning came to light when potential buyer contacted Zoning Department
- Consolidating to one zoning district allows for easier interpretation of zoning code for site, eliminates nonconformity.
- Planning Commission approved recommendation to rezone at November 10, 2021 meeting.



Rezoning of 1360 South Main Street

- 2.353-acre site.
- Occupied by single-family home; new owners purchased in October 2021.
- Contacted Zoning Department on permitted use of property.
- Current zoning is PUD-R, Planned Unit Development-Residential
 - Permits up to 7 dwelling units served by private access drive.
 - General Plan expired in 2020 due to inaction by previous owner.
- R-1 zoning existed on site from 2015 to 2017; previous zoning was (T)R-1, Clearcreek Township Rural Residence District to at least 1992.
 - Both permit 2-units per acre, minimum 20,000 SF lots.
- Request is consistent with 2009 Land Use Plan Policy Area #16
- Planning Commission approved recommendation to rezone at November 10, 2021 meeting.

