

Memo

To: Members, Springboro Planning Commission; Christopher Pozzuto, City Manager; Elmer Dudas, Development Director; Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary

From: Dan Boron, Planning Consultant

Date: May 22, 2020

Re: Instructions for May 27, 2020 Planning Commission work session

The Wednesday, May 27, 2020 Planning Commission meeting will be conducted remotely by teleconference using Zoom. The meeting will begin at 6:00 p.m., however the meeting room will be available beginning at 5:45 p.m. This memo is largely the same as the ones sent out proceeding the April 29th and May 13th meetings.

Meeting materials (agenda, minutes for approval, staff comments, and applications) will be sent by email attachment. In order to make the meeting proceed as smoothly as possible, I ask for any corrections or comments to the material to be made before the meeting by emailing me at danb@cityofspringboro.com before noon on Wednesday.

Although we sent you information on how to join the meeting separately with links, the text box below is provided as a refresher. If you did not receive that message, please let me know as soon as possible.

Here is how things will work on Wednesday:

- 1) Beginning at 5:45 p.m. log on to www.zoom.us. You do this by going to www.zoom.us. (If you have Chrome as an internet browser choice, use that as it seems to work best.)
- 2) Once you are on the Zoom website, click "Join a Meeting" at the top right hand corner, which will bring you to the "Meeting ID" prompt. Enter Meeting ID and click button provided below.
- 3) At this point, it may prompt you to download the Zoom app (if you haven't used Zoom on that laptop / computer before). Download the app and click the .exe file in the bottom left hand corner once it is downloaded.
- 4) Then it may say "Open Zoom". Click "Open Zoom."
- 5) Then it should ask you for a meeting password. Enter meeting password and click Join Meeting.
- 6) Make sure at some point you click the "Join with Video" button. The meeting host will then accept you into the meeting. This may take a few seconds, so don't worry if you aren't joined right away.
- 7) Once you see other members who have joined, click the "Join Audio" on bottom left hand corner of screen and then click "Computer Audio".
- 8) You should be ready to go!

Meeting deliberations will begin at 6:00 p.m. If you are encountering technical difficulties, please let me know by texting me at 937-952-9035, however we will proceed with the meeting with the members present at the regular time.

The meeting will be recorded for both sound and video.

The City of Springboro is inviting you to a scheduled Zoom meeting.

Topic: Springboro Planning Commission Meeting

Time: May 27, 2020 05:45 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86075957285?pwd=L3pFMk9NK2o3S3RPVkxlcVpLU1IWQT09>

Meeting ID: **860 7595 7285**

Password: **480831**

One tap mobile

+13126266799,,86075957285#,1#,480831# US (Chicago)

+16465588656,,86075957285#,1#,480831# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: **860 7595 7285**

Password: **480831**

Find your local number: <https://us02web.zoom.us/u/k0HRgZN1z>

If you have any questions regarding the meeting free to reach out to me at (937) 748-6183 or danb@cityofspringboro.com. After 4:30 p.m. on May 13th the best way to reach me will be by text or phone at 937-952-9035.

Meeting Agenda
City of Springboro Planning Commission Meeting
Wednesday, May 27, 2020, 6:00 p.m.

PUBLIC NOTICE:

Per Ohio House Bill 197, passed in March 2020 in response to the COVID-19 state of emergency, Section 12(A), the Springboro Planning Commission will conduct its Wednesday, May 27, 2020 Meeting via video conference at 6:00 p.m. EDT. Visit the City of Springboro website at <https://www.cityofspringboro.com/CivicAlerts.aspx?CID=6,1> for a link to connect to the meeting.

- I. Call to Order
- II. Approval of Minutes
 - A. April 29, 2020, 2020 Planning Commission Meeting
 - B. May 13, 2020 Planning Commission Work Session Minutes
- III. Agenda Items
 - A. Planning & Zoning Code Text Amendment, amendment to food truck provisions
 - B. Discussion, Planning & Zoning Code Text Amendment, amendment for combined work session/meetings
 - C. Discussion, Bicycle & Pedestrian Plan
- IV. Guest Comments
- V. Planning Commission and Staff Comments
- VI. Adjournment

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Meeting
Wednesday, April 29, 2020

I. Call to Order

Chairperson Becky Iverson called the Springboro Planning Commission Meeting to order at 6:00 p.m. by video conference.

Present: Mark Davis, Chris Pearson, Robert Dimmitt, John Sillies, Steven Harding, Becky Iverson and Becky Hartle.

Staff: Dan Boron, City Planner; Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary.

II. Approval of Minutes

A. February 26, 2020 Planning Commission Minutes

Ms. Iverson asked for corrections or additions to the minutes.

There were none.

Mr. Harding motioned to approve the January 29, 2020 Planning Commission minutes as submitted. Mr. Pearson seconded the motion.

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

III. Agenda Items

A. 125 Commercial Way, Warehouse addition to Woodhull

This agenda item is based on a request filed by John Roll, Roll & Associates Architects, representing Woodhull USA LLC, property owner, seeking approval for the construction of a 12,000-square foot stand-alone office/warehouse adjacent to the existing Woodhull office/warehouse located at 125 Commercial Way. As indicated in the submitted plans, the applicant proposes to construct the office/warehouse on the south side of the property.

The proposed addition was reviewed on a preliminary basis at the February 12, 2020 Planning Commission work session, however, the addition was originally 18,000-square feet in area. Sheet 1 in the submitted plans shows the proposed 18,000-square foot build out as a hatched line to the left/west of the current. At that February 12th meeting the Planning Commission authorized the addition to be placed on a future meeting agenda for formal action.

The existing Woodhull office and warehouse building was approved by the Planning Commission in 2007 as an 11,620-square foot building. A 4,189-square foot addition was approved by the Planning Commission in 2016.

The subject property is zoned ED, Employment Center District. The ED allows the existing use as well as a large number of community, civic and institutional, commercial and service, and light industrial uses. ED zoning is also located to the east (Haas Factory Outlet), to the north on the north side of Commercial Way (the former site of the dialysis center) and south (undeveloped property owned by the City of Springboro). To the west is I-75 and the City of Springboro corporate boundary.

Staff Recommendation

1. Staff Recommends allowing applicant to use existing vegetation on property in lieu of additional landscaping required as part of this site plan pending commitment to maintain trees 4 inches dbh or greater, with emphasis on preserving vegetation on the west side of property.
2. Proposed wall pack lighting is not consistent with maximum 3500° Kelvin color-temperature. Also, provide photometric analysis for area proximate to proposed lighting consistent with Chapter 1273 (Exterior Lighting) of Planning & Zoning Code.
3. Please provide signature of the Owner or duly authorized officer, or a letter of authorization from the property for third parties to present plans to the City.
4. Development standards for the side including setbacks, building heights and off-street parking calculations including parking required and proposed is needed. Also indicate information on proposed building placement relative to existing and proposed property lines.
5. Location and size of all existing and proposed public and private utilities, sanitary services and waste disposal facilities with indications as to which shall be detained/removed.
6. Erosion and sediment control measures – provide a storm water pollution prevention plan.
7. An "AS BUILD" drawing showing as build location and elevations of all improvements shall be submitted prior to the issuance of an occupancy permit.
8. Sewer lateral to be 6" minimum with 2% minimum slope. Material to be SDR35/SCH40. Connection to be made to 8" sewer main and not to the existing 6" lateral.
9. Provide water lateral size and material and curb box at proposed tap.
10. Add note stating water lateral to have minimum 4.5 feet of cover.
11. Provide 10" separation between water and sewer laterals.
12. Provide storm water design details (outside structure, CB type, materials, etc.).
13. Concrete channels not needed in detention basin, please remove.
14. Provide details for pavement and typical sections for sidewalk and curb.
15. Applicant to provide updated plan set incorporating changes identified in these comments.
16. Clearcreek Fire District comments have been forwarded to the applicant.

Discussion

Mr. Roll stated that they have reviewed the staff comments and will work with City staff on the comments.

Ms. Iverson asked for a motion to approve this site plan review for Woodhull.

Ms. Hartle motioned to approve. Mr. Dimmitt seconded the motion.

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

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Mr. Boron noted that the next meeting will be May 13th if necessary.

Adjournment

Mr. Harding motioned to adjourn the April 29, 202 Planning Commission Regular Meeting at 6:10 p.m. Ms. Hartle seconded the motion.

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

Becky Iverson, Planning Commission Chairperson

Dan Boron, Planning Consultant

Ann Burns, Planning Commission Secretary

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Work Session
Wednesday, May 13, 2020, 6:00 p.m.

I. Call to Order

Chairperson Becky Iverson called the Springboro Planning Commission Work Session to order at 6:00 p.m. by video conference.

Present: Chris Pearson, Robert Dimmitt, John Sillies, Steven Harding, Becky Iverson and Becky Hartle.

Absent: Mark Davis

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

II. Agenda Items

A. Planning & Zoning Code Text Amendment, amendment for combined work session/meetings.

Mr. Boron noted that this topic was previously discussed at the February 26th Planning Commission meeting at which time the Planning Commission expressed its support for one meeting per month. He explained that the current Planning and Zoning Code includes a number of references to work sessions as a preliminary step to the review of site plans that would need to be amended to accommodate the change.

Mr. Boron referred to pages 3 and 4 of this memorandum and reviewed the changes being proposed to Section 1284.04, Submission of a Site Plan, Section 1284.05, Site Plan Contents, and Section 1284.08, Site Plan Review Criteria.

Ms. Iverson clarified this would be voted on at the next meeting.

Mr. Boron replied yes.

Mr. Harding asked if this is something we have the authority to do, or is there any kind of public notice requirement.

Mr. Boron stated he was quite certain they had the authority, but would confirm.

Mr. Harding asked if the order of the meeting has been determined, whether to do the reviews first or the final approvals.

Mr. Boron noted that a simple item such as a record plan could possibly go straight to the regular meeting. He stated that the text changes were fairly straight forward and he would review them with the Clerk of Council and the City Attorney.

B. Planning & Zoning Code Text Amendment, amendment to food truck provisions.

Mr. Boron stated that staff is requesting amendments to the Planning & Zoning Code to revise the manner in which food trucks are regulated. He explained that staff is proposing to modify the definitions by adding a statement regarding freshly prepared and for immediate consumption. This will exclude sales out of refrigerated trucks that appeared in 2019.

Mr. Boron reviewed the changes proposed to Section 1264.41, Food Trucks, and Section 1290.02, Definitions, noting that the changes are indicated by bold and underline for new text, and strike-through for deleted text. He also noted an additional request to section (d) to allow food trucks on property owned by an HOA, such as a pool area, without setback restrictions.

Mr. Harding asked if there is a list that an HOA can reference to confirm the truck is approved, and who will regulate it.

Mr. Boron said he would look at that issue with the City Manager.

Mr. Pearson suggested that a person can request to see their permits and license. Mr. Boron will note this addition.

Mr. Boron noted that staff did check with other jurisdictions and this amendment is very similar to most others.

Ms. Iverson noted the food trucks are a definite trend that will likely continue to grow, so these are much needed amendments.

II. Guest Comments

There were no guest comments.

IV. Planning Commission and Staff Comments

Mr. Boron noted that the next meeting will be May 27, 2020.

V. Adjournment

Ms. Iverson adjourned the Wednesday, May 13, 2020 Planning Commission Work Session at 6:30 p.m.

Becky Iverson, Planning Commission Chairperson

Dan Boron, Planning Consultant

Ann Burns, Planning Commission Secretary

Background Information & Staff Recommendations
City of Springboro Planning Commission Work Session
Wednesday, May 27, 2020, 6:00 p.m.

PUBLIC NOTICE:

Per Ohio House Bill 197, passed in March 2020 in response to the COVID-19 state of emergency, Section 12(A), the Springboro Planning Commission will conduct its Wednesday, May 27, 2020 work session via video conference at 6:00 p.m. EDT. Visit the City of Springboro website at <https://www.cityofspringboro.com/CivicAlerts.aspx?CID=6,1> for a link to connect to the meeting.

III. Agenda Items

A. Planning & Zoning Text Amendment
Amendments for Food Truck Provisions

Please see the May 22, 2020 memorandum from City staff. A recommendation of approval is requested by City staff at the May 27th meeting.

B. Discussion, Planning & Zoning Text Amendment
Amendments for Combined Work Sessions and Meetings

Please see the May 22, 2020 memorandum from City staff. No recommendation is requested at this time.

C. Discussion, Planning & Zoning Text Amendment
Amendments for Combined Work Sessions and Meetings

The City of Springboro's Bicycle & Pedestrian Advisory Committee (BPAC) has been at work with City staff and the consulting team from The Greenway Collaborative on an update to the City's 2013 Bicycle & Pedestrian Plan. BPAC made a recommendation of adoption of the plan at its May 18, 2020 meeting.

City staff would like to introduce the plan document at the May 27th meeting with the goal of a fuller discussion at the June 10th work session and a recommendation of adoption at the June 24th meeting. Paper copies of the plan will be made available to Planning Commission members next week. The plan can be found at <https://walkbike.info/springboro/plan/>.

The information contained in this report is based on material provided to the City of Springboro as of Thursday, May 22, 2020 at 12:00 p.m.

Memo

To: Members, Springboro Planning Commission; Christopher Pozzuto, City Manager; Jerry McDonald, Law Director; Elmer Dudas, Development Director; Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary

From: Dan Boron, Planning Consultant

Date: May 22, 2020

Re: Planning & Zoning Code Text Amendments on May 27, 2020 Agenda

This memorandum provides an update to the Planning & Zoning Code text amendments that were discussed at the May 13th Planning Commission work session. Mark-ups of the text amendments follows this memorandum.

Food Trucks

City staff is requesting a recommendation of approval of amendments to the City's food truck regulations at the May 27th meeting. A number of changes to the May 13th draft were made based on the work session discussion and input from the City's law director. The accompanying mark-up of the regulations are included after this memorandum and are shown as follows: new text appears in **underline and bold font** and text to be deleted in ~~strikeout~~ font. Text deleted or added since the May 13th work session shows in **red**.

This is a summary of the changes made since May 13th:

- City staff has included a reference to Section 1263.04, Permitted Uses by District. This lists out all zoning districts that currently allow food trucks as a permitted use, all four business districts, plus all the districts where the use is being added. This will provide guidance to the City's codifier following adoption of the text amendments by City Council.
- Section 1264.41(b) is being modified to prevent obstructions of right-of-way.
- An amendment to Section 1264.41(c) to prohibit parking on grass.
- (2) was added under (d) to allow, with restrictions, placement on HOA lands. (1) was separated from the title (d) provision.
- Restrictions in (e) limit placement relative to restaurants, and (f) addresses restrictions on placement upon sidewalks, entranceways, doorways, or driveways.
- (g) was revised to include a correct cross-reference to Chapter 1281, the City's sign code.
- (j) was added to cross-reference health department licenses.
- Section 1290.02(31) was expanded to cross-reference state law included in Section 3717.01 of the Ohio Revised Code.

Combined Work Session/Meetings of Planning Commission

City staff is requesting no action be taken on the combined work session/meeting proposal at this time. We anticipate that this proposal will be on the agenda for consideration at the June 10th Planning Commission work session.

If you have any questions regarding these amendments, please feel free to reach out to me at (937) 748-6183 or danb@cityofspringboro.com.

Planning & Zoning Code Amendment

All Changes To Existing Planning & Zoning Code Shown in Bold & Underline and Strikeout

Text Added Since May 13, 2020 Work Session Shown in Red

Section 1263.04, Permitted Uses by District (Table 6, Permitted Uses by District)

Food trucks are currently permitted in the following zoning districts:

LBD, Local Business District

HBD, Highway Business District

CBD, Central Business District

UVD, Urban Village District

Food trucks will be permitted in all zoning districts by including it as a permitted use the following districts:

R-1, Estate-Type Residential District

R-2, Low-Density Residential District

R-3, Medium Density Residential District

O-R, Office-Residential District

O, Office District

ED, Employment Center District

M-1, Light Manufacturing District

M-2, Heavy Manufacturing District

ADD-1, Austin Development District-1

Section 1264.41, Food Trucks

Food trucks, **as defined in Chapter 1290, Definitions**, shall be permitted as a temporary use, subject to the following:

- (a) **Location on Site.** **See Chapter 1263, Permitted Uses by District, for a list of zoning districts where food trucks are permitted.** Where a permitted use, food trucks may be located anywhere on a site so long as they **(1)** do not block access or visibility at driveways or intersections, **and (2)** do not block access to hydrants, utility boxes, building entrances, **and or** access ways. The site where a food truck is operated must be actively used and not a vacant or unimproved lot. With the exception of the CBD, **Central Business District, and UVD, Urban Village District,** no food truck shall be located within 150 feet of a permitted residential use **dwelling.**
- (b) **Location on Street.** Where a permitted use, food trucks may be located in the right of way where on-street parking is permitted. The sales door and entrance shall be located on the curbside. **With the exception of the CBD food trucks shall not be permitted on a residential street.** **Food Trucks shall not obstruct the pedestrian or bicycle access, the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley or sidewalk**
- (c) **Location in Parks.** Food trucks are permitted in parks with the permission of the City of Springboro. A minimum of one parking space shall be provided outside of the road right-of-way for each 100 square feet of area dedicated to the market or stand. **Food trucks shall not park on grass.**

(d) **Location in Residential Districts.** Food trucks shall be permitted in residential districts as follows:

(1) **As part of an approved street closure permit application. In such cases the food truck shall comply with sections (a), (b), (e), (f), and (g) herein. In addition, food trucks (1) shall be operated on an individual property no more than 2 times in a calendar year, (2) and no food truck may be located within 50 feet of a permitted residential dwelling.**

(2) **On common property owned and operated by a homeowner's association. In such cases the placement will be without spacing and restrictions. The site where a food truck is operated must be actively used and not a vacant or unimproved lot.**

(e) **Proximity to restaurants. Food Trucks operating on private property or street shall be required to maintain a minimum separation of 200 feet from the primary entrance to, or outdoor eating area of, a restaurant,**

(f) **General Restriction. Food Trucks shall not locate upon a public sidewalk within the extended boundaries of a crosswalk or within ten feet of the extension of any building entranceway, doorway or driveway.**

(g) **Signs.** All signs used in connection with the use shall be temporary, and shall be removed when the food truck is not operating. All signs shall comply with the requirements of ~~Error! Reference source not found.~~ **Chapter 1281.**

(h) **Portable, Removal.** Food trucks shall be portable, self-contained, ~~and motorized~~. They shall be removed from their location when not in use **and open for business.** The operator will be responsible for removing all refuse and other wastes from the site.

(i) **Permit Required.** A permit from the City of Springboro is required to operate a food truck. **The permit is good for one calendar year.**

(j) **Food Truck operations must at all times while conducting business in the City have a license from the department of health pursuant to Ohio Revised Code 3717.43**

Section 1290.02, Definitions (Definitions for Title 6)

(31) Food Truck. "Food Truck" means a licensed, motorized vehicle or mobile food unit ~~which~~ that is temporarily stored on a privately-owned lot, publicly-owned ~~lot~~ or public street where food items, **freshly prepared and sold for immediate consumption,** are sold to the general public.

Food Truck means a readily movable, motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare, or serve, and sell food to the public when such food is intended to be served in individual portions in a form that is edible without washing, cooking or additional preparation. Food Truck does not include: food delivery operations and vending machines, as defined in Ohio R.C. 3717.01(L); a non-incorporated business that is commonly operated by a child or children to sell lemonade or other beverages and snack foods; or ice cream trucks