

# Memo

To: Members of Springboro Planning Commission, Elmer Dudas, Development Director, Chad Dixon, City Engineer, Ann Burns, Planning Commission Secretary

From: Dan Boron, Staff Liaison

Date: October 9, 2020

Re: Instructions for Wednesday, October 14, 2020 Planning Commission Work Session

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The Wednesday, October 14, 2020 Planning Commission work session will be conducted remotely by teleconference using Zoom. The meeting will begin at 6:00 p.m., however the virtual meeting room will be available for you to join beginning at 5:45 p.m. Wednesday night.

Meeting materials are included in this packet following these instructions. You may read at your leisure and let me know if you have any questions or comments.

Here is how things will work on Wednesday night:

- 1) Beginning at 5:45 p.m. log on to [www.zoom.us](http://www.zoom.us). You do this by going to [www.zoom.us](http://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!

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

Topic: Springboro Planning Commission Meeting

Time: Oct 14, 2020 05:45 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83085599672?pwd=ZlVUeWgvRnpHMlI2Um50d0lxUTVhZz09>

Meeting ID: **830 8559 9672**

Passcode: **347722**

One tap mobile

+13126266799,,83085599672#,,,,,0#,,347722# US (Chicago)

+16465588656,,83085599672#,,,,,0#,,347722# 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: **830 8559 9672**

Passcode: **347722**

Find your local number: <https://us02web.zoom.us/j/83085599672?pwd=ZlVUeWgvRnpHMlI2Um50d0lxUTVhZz09>

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.

If you have any questions regarding the meeting free to reach out to me at 937-748-6183 or [danb@cityofspringboro.com](mailto:danb@cityofspringboro.com). After 5:00 p.m. on meeting night 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, October 14, 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, October 14, 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. September 30, 2020 Planning Commission Meeting
- III. Agenda Items
  - A. Final Approval, Site Plan Review, 245 South Pioneer Boulevard, Buckeye Fabricating, verification of setbacks on approved site plan (as built)
- 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, September 30, 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: Becky Hartle, Chris Pearson, Robert Dimmitt, Steve Harding, John Sillies, and Becky Iverson. Absent: Mark Davis.

Staff: Dan Boron, City Planner; Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary. Also present representing Kroger were Anne McBride, Lynne Horowitz, Kristin Campbell, Bob Triekamp and Lisa Ammons.

*Mr. Pearson motioned to excuse Mr. Davis. Mr. Harding seconded the motion.*

**Vote: Iverson, yes; Pearson, yes; Sillies, yes; Hartle, yes; Harding, yes; Dimmitt, yes (6-0)**

**II. Approval of Minutes**

**A. July 29, 2020 Planning Commission Minutes**

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

There were none.

*Mr. Harding motioned to approve the July 29, 2020 Planning Commission minutes as submitted. Mr. Sillies seconded the motion.*

**Vote: Pearson, yes; Sillies, yes. Dimmitt, yes; Iverson, yes; Harding, yes; Hartle, Abstain. (5-0-1)**

**B. August 12, 2020 Planning Commission Work Session Minutes**

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

Mr. Dimmitt noted he was listed in attendance, but was absent.

*Mr. Harding motioned to approve the August 12, 2020 Work Session minutes as corrected. Mr. Pearson seconded the motion.*

**Vote: Dimmitt, yes; Iverson, yes; Harding, yes; Pearson, yes; Hartle, Abstain, Sillies, Abstain (4-0-2)**

### III. Agenda Items

#### A. Site Plan Review

##### 625 West Central Avenue (SR 73), Springboro Plaza Shopping Center

##### Background Information

This agenda item is an application for site plan review approval for the reuse of the former Kmart retail store, located at 625 West Central Avenue, as a new Kroger grocery store and the construction of a Kroger fueling station on the northwest corner of the site in the Springboro Plaza Shopping Center. Kroger, which purchased the shopping center in 2019, proposes to reuse the former 90,298-square foot Kmart space as a new grocery store. The store will include a Kroger pharmacy and a Starbucks. The Kmart garden center on the east/South Pioneer Boulevard frontage would be removed and replaced with a drive-through window for the pharmacy and queuing for Kroger PickUp (formerly Clicklist). Circulation in this area would be one-way northbound. The front elevation of the proposed Kroger will be modified under the proposal with the installation of a vestibule. Details of the internal use of the new Kroger space are not available at this time.

Plans for the remaining retail spaces in the shopping center, including the existing 56,065-square foot grocery store located at 725 West Central Avenue, are incomplete at this time. Kroger has indicated that construction on the new grocery store would begin in early 2021 with the new store opening projected for November 2021.

A 14-pump Kroger fueling center is proposed for the northwest corner of the site. To access the fueling center the westernmost driveway, a right-in, right-out accessing West Central Avenue, will be modified, currently access is only permitted at the front of the store and to the service area at the rear/south side of the shopping center. The five other existing access points are proposed to remain under the proposed plan.

The subject property has frontage and vehicle access on West Central Avenue and South Pioneer Boulevard. A truck delivery drive also accesses Pleasant Valley Drive to the south. Adjacent uses include LaComedia dinner theater to the west. To the north, from west to east, Tire Discounters, O'Reilly Auto Parts, the Appleton Square shopping center (Subway, Spring/T-Mobile, Pizza Hut), the TrueNorth convenience store, car wash, and Shell gas station, and Skyline Chili. To the east, on the east side of South Pioneer Boulevard, are located a Speedway gas station/convenience store, a vacant building that formerly housed a drive through, Big Al's muffler shop, and the Springboro post office. Within the Springboro Plaza shopping center is Burger King. To the southeast is VST, and to the southwest is multi-tenant business center. Both uses to the south have frontage and access from Pleasant Valley Drive.

The subject property is zoned HBD, Highway Business District, a zoning category that permits the proposed uses. Adjacent lands to the west, north, and east are also zoned HBD. Lands to the south are zoned ED, Employment Center District.

This agenda item was reviewed on a preliminary basis at the August 14th work session at which time the Planning Commission authorized this item to be placed on the September 30th meeting agenda for formal adoption. No City Council action is required on this agenda item.

## Staff Recommendation

*City staff recommends APPROVAL of the site plan for the proposed Kroger at 625 West Central Avenue subject to the following conditions:*

1. Verify no new CMU is proposed on elevations for proposed Kroger.
2. Provide information on proposed storage containers and cabinets for sales accessory to the proposed fueling area.
3. Revise landscaping plan to address the following comments for compliance with Chapter 1280 of Planning & Zoning Code:
  - a. Relocate landscaping proposed for water main on West Central Avenue frontage. Relocation to right-of-way is acceptable.
  - b. All landscaping to not interfere with sight distance requirements at driveway entrances.
  - c. For proposed parking lot landscaping, indicate where proposed 9,803 square foot landscaped areas indicated on sheet L-2 (and associated landscape material take-offs) are proposed. Chapter 1280 requires 4,650 square feet for the east side of the parking lot, but only 1,290 square feet is provided by City staff calculation. To remedy the deficiency provide landscaped areas at parking aisle endings.
4. Revise lighting plan to comply with Exterior Lighting Code, Chapter 1273 of Planning & Zoning Code as follows:
  - a. Verify that all proposed fixtures are 3500° Kelvin color-temperature or less. Canopy lighting indicates non-availability for less than 4000° Kelvin color-temperature.
  - b. Proposed floodlighting is not permitted; all lighting needs to be horizontally mounted (85° or less) per code.
  - c. Proposed wall-mounted lighting not permitted as up lighting. Please verify installation plans.
  - d. Indicate if photometric analysis includes architectural lighting, and if it does indicate compliance with Chapter 1273.
  - e. Lighting levels exceed foot-candle levels under canopy (10 foot-candles maximum) and in immediate vicinity (6 foot-candles). Revise plan to comply with code.
5. Sanitary sewer lateral to be SDR 35 with clean-outs at bends and every 100 feet. Water lateral to be "K" copper. Also provide water lateral size (minimum of 1") and curb stop within 5 feet of tap to water main. Remote reader to be located within building.
6. Clearly delineate the new pavement areas and provide typical section. Provide typical for new drive aprons, with minimum of 8" concrete. Also provide concrete thickness at truck ramp.
7. Provide proposed curb type with design details and radius.
8. Replace existing drive apron and sidewalk in both west and central driveway curb cuts due to widening of the drive.
9. Provide proposed pavement marking in rear of building, along widened access drive, if any.
10. Show the pavement island removal at west side access drive as well as trees to be removed due to new curb cut into parking lot.
11. Remove proposed landscaping from water main easement area.
12. Provide limits of pavement resurfacing in parking lot area.
13. Recording of the SR 73 Right of Way dedication to occur prior to final occupancy permit.
14. Final approved site plan shall be submitted and to include signature of the owner or duly authorized officer and revisions from staff comments and planning commission.

15. An "As Built" drawing showing as built location and elevations of all improvements shall be submitted prior to the issuance of an occupancy permit.
16. Clearcreek Fire District has no comments at this time.

#### **Discussion:**

Ms. Iverson welcomed all the participants, and asked for the applicant to provide details on the proposed site plan.

Ms. McBride stated that she spoke with Mr. Dudas and Mr. Boron earlier in the day and they were able to resolve several of the issues and questions that have come up. She did explain one issue that still needed discussion was the use of CMU on proposed rear elevation. Ms. McBride noted that currently, there are CMU existing on the building, and Kroger will not be adding any to the front of the building. However, they will be removing a section of the former K-Mart store in the rear, southwest corner and adding loading docks, which will require the use of CMU, and they will match existing paint colors in that area.

Mr. Boron stated that since this was in the rear of the building and not really visible in the front, staff was agreeable to this.

Ms. McBride addressed a number of other staff recommendations and shared plans to modify and correct these concerns. There was a discussion regarding the landscape plans.

Mr. Pearson asked if the outdoor containers and coolers at the fuel center would be similar to the Austin Landing Kroger.

Ms. McBride explained that it would, and shared details of the landscape plans throughout the lot as well as along SR73 that would help screen parts of the fuel center.

Mr. Harding asked how much parking will be lost with the proposed plan.

Bob Triekamp stated they will lose approximately 80 spaces for the fuel center.

Mr. Harding asked about the process of transferring over when the new store is complete, and getting the old space on the market for a new tenant.

Ms. McBride explained Kroger will not be looking for a commitment from a new tenant until the space is ready.

Ms. Horowitz added that process typically takes 30-60 days, but could be somewhat longer with the current pandemic.

Ms. McBride addressed the staff comments regarding the lighting, specifically at the fuel center. She explained that there have been revisions to the fixtures on the canopy which she believes will resolve any issues.

Mr. Boron reviewed lighting requirements and shared parts of the existing Exterior Lighting Code, explaining that the Kroger light intensity maximums do not meet our code.

Mr. Pearson suggesting there could be some negotiating and perhaps reach an agreement somewhere in the middle.

Ms. Horowitz agreed this can be reviewed and perhaps visit other options and alternate types of lighting.

Ms. Iverson noted this is not a residential area, and she would not wish to see this delay the start of the project.

Mr. Boron stated that staff can continue to work with Kroger to resolve any outstanding issues, therefore, we can accept the plan today with staff recommendations.

Ms. Iverson asked for a motion to approve the site plan for Kroger, with staff recommendations

*Ms. Hartle motioned to approve. Mr. Harding seconded the motion.*

**Vote: Pearson, yes; Sillies, yes. Dimmitt, yes; Iverson, yes; Hartle, yes Harding; yes, (6-0)**

#### **B. Record Plan**

**625-725 West Central Avenue (SR 73), Springboro Plaza Shopping Center**

##### **Background Information**

City staff requested the dedication of right-of-way along the West Central Avenue (SR 73) frontage of the Springboro Plaza Shopping Center concurrent to the redevelopment of the former Kmart store's located at 625 West Central Avenue reuse as a Kroger store. This agenda item would result in the dedication of approximately 1.167 acres of land to the City as right-of-way for West Central Avenue/SR 73. Following action by the Planning Commission, approval by City Council would be required.

##### **Staff Recommendation**

*City staff recommends APPROVAL of the record plan for the right-of-way dedication for Springboro Plaza Shopping Center located at 625-725 West Central Avenue subject to the following conditions:*

1. Recording of the SR 73 Right of Way dedication to occur prior to final occupancy permit
2. Submit to Warren County for review and make any necessary changes.
3. Add West Central Avenue in the title block.

##### **Discussion:**

Mr. Dudas stated this was a straightforward right-of-way dedication in front of the Springboro Plaza Shopping Center necessary for the redevelopment of Kroger. This will be forwarded to City Council for approval.



Ms. Iverson asked for a motion to approve the Record Plan for Kroger, with staff recommendations

*Ms. Hartle motioned to approve. Mr. Harding seconded the motion.*

**Vote:** Pearson, yes; Sillies, yes. Dimmitt, yes; Iverson, yes; Hartle, yes Harding; yes, (6-0)

**C. Record Plan  
Greenleaf Village Section One-A**

**Background Information**

This agenda item is an application for record plan approval for the replat of lots # 31, 32, and 33 in the Greenleaf subdivision, Section One. The lots are located on Irish Hills, and the proposal is to split lot 32 into equal parts and combine each half into the adjacent lot, being lots 31 and 33. Lot 32 is a buildable lot that currently does not have an existing home. No right-of-way is being dedicated on the record plan. The record plan will proceed to Council for final approval.

**Staff Recommendation**

Staff recommends APPROVAL of the record plan, contingent on meeting the following comments:

1. Revise title block to read Record Plan, Greenleaf Village Section One-A.
2. Add all appropriate language for title block, Dedication statement, and Notes as provided by the City.
3. Submit to Warren County for review and make any necessary changes.

**Discussion:**

Mr. Dudas explained that there are 3 lots on Irish Hills Court, and the middle lot has never been built on, and there are no plans to do so. One of the property owners has agreed to split the lot between himself and the adjacent property owner.

Ms. Iverson asked for a motion to approve the Record Plan for Greenleaf Village, Section One-A, staff recommendations

*Mr. Sillies motioned to approve. Mr. Harding seconded the motion.*

**Vote:** Pearson, yes; Sillies, yes. Dimmitt, yes; Iverson, yes; Hartle, yes Harding; yes, (6-0)

**IV. Guest Comments**

There were no guest comments.

**V. Planning Commission and Staff Comments**

Mr. Boron stated that they anticipate an application being forthcoming that will require review at the October 14th meeting. This will be the first meeting under the new meeting format.

Mr. Boron also commented that the City is initiating work on a new master plan. This will update the plan adopted by City Council in 2009 and the City is working with a consulting team from MKSK based in Columbus. The project will be completed in a ten month process, and Ms. Iverson and Mr. Harding were both serving on the steering committee for the plan. The committee is meeting for the first time on October 5th and there will be a public meeting at Heatherwoode on November 18th. City staff will send an invite to Planning Commission when further details are available.

## **Adjournment**

*Mr. Harding motioned to adjourn the September 30, 2020 Planning Commission Regular Meeting at 7:05 p.m. Mr. Sillies seconded the motion.*

**Vote: Pearson, yes; Davis, yes; Sillies, yes. Dimmitt, yes; Iverson, yes; Harding; yes. (6-0)**

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Becky Iverson, Planning Commission Chairperson

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Dan Boron, Planning Consultant

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Ann Burns, Planning Commission Secretary

**Background Information & Staff Recommendations**  
**City of Springboro Planning Commission Meeting—Conducted by Conference Call (Zoom)**  
**Wednesday, October 14, 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, October 14, 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. Final Approval**

**Site Plan Review, 245 South Pioneer Drive, Buckeye Fabricating, verification of setbacks and development details for approved site plan**

**Background Information**

This agenda item is an application for site plan review approval, submitted by Richard McCauley, McCauley Realty Company, current business and property owner, seeking the approval and verification of setbacks and other development details for the property located at 245 South Pioneer Drive. The property has been the location of Buckeye Fabricating since 1990/1991.

The site plan for Buckeye Fabricating was approved by the Planning Commission at their August 1, 1990 meeting and following that action the business has operated lawfully under the Planning & Zoning Code, as amended from time to time, of the City. In June 2020 City staff received an initial inquiry from a company providing due diligence services to facilitate the sale of the property and business. A review of the Planning Commission files for the August 1990 meeting revealed no site plan on file. A site plan from the same timeframe was later furnished to representatives of the seller, but that record could not be verified as the approved site plan (it was pulled from the files of the City Engineer at the time, Raj Sharma). Further, it was determined by the representative of the seller and buyer that there was a discrepancy between the plans pulled from the Engineering Department files and the current site, specifically the setback from the south end of the principal structure to the south property line: 68 feet was shown in the Engineering Department files, while the existing condition is 64.5 feet.

Unlike other conventional zoning district in the Planning & Zoning Code, setbacks in the ED, Employment Center District, are established at the time the site plan is reviewed by the Planning Commission. The manner in which setbacks are established has not changed through the amendments to the Planning and Zoning Code over the last 30 years. The zoning for the property and its vicinity has been consistent during that time as well.

Simply stated, the applicant is seeking approval of the as-built and submitted zoning application exhibit sheet, included in the submitted materials, as the approved site plan for the property, the concern being that the building could not be rebuilt as-is in the event of a catastrophic loss. The sale of the property is contingent on successful resolution of this matter. City staff including the City Manager, City Attorney, and City Planner have been engaged in alternative solutions, all

unsuccessful, to resolve this matter short of seeking Planning Commission action in the form of the site plan review process.

Adjacent land uses include light manufacturing and distribution to the north (former Prodigy Training Center, now in transition to a new use), south (former Miami-Luken), and west (General Dynamics). To the east are a number of single-family residential lots in Franklin Township with frontage on West Factory Road. In addition to the subject property, most of the property in the vicinity is zoned ED, Employment Center District, to the north, south, and west. Property to the east within Franklin Township and zoned R-1, Rural Residence District, a zoning category that permits single-family residential uses at a development density of two dwelling units per acre as well as other uses including churches, schools, and other uses identified in the Warren County Rural Zoning Code.

Given that the property is developed, that no change to the physical layout of the site or its use is requested at this time, and that any discrepancy between the 1990 approved plan and 2020 as-built situation was an honest mistake not revealed until thirty years after the fact, City staff recommends proceeding directly to formal approval at this time without the normal preliminary review. No City Council action is required on this agenda item. Future changes to the property—building additions, the construction of accessory buildings or other features on the site, or a change of use—would be subject to Planning and Zoning Code review as with all other properties in the City.

#### **Staff Recommendation**

City staff recommends APPROVAL of the site plan (as built) for 235 South Pioneer, doing business as Buckeye Fabricating, as submitted.

The information contained in this report is based on material provided to the City of Springboro as of Thursday, October 8, 2020 at 5:00 p.m.

# APPLICATION—SITE PLANS, SUBDIVISIONS & RECORD PLANS

## CITY OF SPRINGBORO PLANNING COMMISSION

☒ SITE PLAN   ☐ REVISION TO APPROVED SITE PLAN   ☐ CONCEPT PLAN   ☐ PRELIMINARY SUBDIVISION   ☐ RECORD PLAN

The undersigned requests the approval identified above. Site Plan Review approvals subject to expiration provided for in Section 1284.18 of the Planning and Zoning Code. For all approvals under this application, it is understood that it shall only authorize the approval described in this application, subject to any conditions or safeguards required by the Planning Commission, and/or City Council.

☒ Owner      **APPLICANT NAME:**      Macaulay Realty Co.  
☐ Agent  
☐ Lessee      Address      245 S. Pioneer Blvd.  
☐ Signed Purchase Contract      Springboro, Ohio 45066  
  
Telephone No.      ( 937 )      746-9822  
  
Fax No.      ( 937 )      746-9823  
  
Email Address      GRM@BuckeyeFabricating.com

**PROPERTY OWNER NAME (IF OTHER):** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. ( \_\_\_\_\_ ) \_\_\_\_\_

Property Address or General Location:      245 S. Pioneer Blvd., Springboro, Ohio

Parcel Number(s):      419276020      Zoning District:      ED Employment District

Proposed Use:      light industrial

The applicant or representative who is authorized to speak on behalf of the request must also be present at all meetings.

  
(Signature of Applicant and/or Agent)

October 2, 2020

(Date)

Macaulay Realty Co., Richard Macaulay, President

Printed Name















