

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: November 6, 2020

Re: Instructions for Thursday, November 12, 2020 Planning Commission Work Session

The Thursday, November 12, 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. Thursday 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 Thursday night:

- 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!

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

Topic: Springboro Planning Commission Meeting

Time: Nov 12, 2020 05:45 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87274487864?pwd=SHVaRGIOS3BBaFc3ZHg2emhQdjhYdz09>

Meeting ID: 872 7448 7864

Passcode: 850434

One tap mobile

+13126266799,,87274487864#,,,,0#,850434# US (Chicago)

+16465588656,,87274487864#,,,,0#,850434# 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 (Washington D.C.)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 872 7448 7864

Passcode: 850434

Find your local number: <https://us02web.zoom.us/u/kctvu4yRaG>

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. 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
Thursday, November 12, 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 Thursday, November 12, 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. October 14, 2020 Planning Commission Meeting
- III. Agenda Items
 - A. Final Approval, Record Plan (Stage 3), 6329 Red Lion Five Points Rd., Clearcreek Reserve West, Section One, residential subdivision
 - B. Presentation & Discussion, Planning & Zoning Text Amendments, Sign Code
- 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, October 14, 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 Iverson, Chair, Chris Pearson, Vice-Chair, Mark Davis, Robert Dimmitt, Becky Hartle, and John Sillies. Absent: Steve Harding.

Staff: Dan Boron, City Planner; Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary, and Jerry McDonald, City Attorney. Also present representing Buckeye Fabricating were Richard Macaulay and Bob Curry.

Mr. Davis motioned to excuse Mr. Harding. Ms. Hartle seconded the motion.

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

II. Approval of Minutes

A. September 30, 2020 Planning Commission Minutes

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

There were none.

Mr. Pearson motioned to approve the September 30, 2020 Planning Commission minutes as submitted. Ms. Hartle seconded the motion.

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

III. Agenda Items

A. Final Approval, Site Plan Review, 245 South Pioneer Boulevard, Buckeye Fabricating, verification of setbacks on approved site plan (as built)

Background Information

This agenda item is an application for site plan review approval, submitted by Richard Macaulay, Macaulay 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 Boulevard. 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 245 South Pioneer, doing business as Buckeye Fabricating, as submitted.

Discussion:

Mr. Boron briefly reviewed the background on this property explaining that 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. This was due to the files for this approval being incomplete, no site plan could be found. There is formal record of the approval of the site plan in the minutes, but it does not match up to what was actually built. The property is up for sale and is contingent on successful resolution of this matter.

Mr. Macaulay explained that the buyer is very specific on their due diligence. Since the recent survey reflected a 3 ft. difference, they just want to clear up the discrepancy before the sale of the property.

Mr. McDonald noted that both the 65 feet or 68 feet would be in compliance, and we just need to clarify the as-built site plan.

Mr. Boron noted that staff will be sending the final stamped drawings both by mail and electronic.

Ms. Iverson asked for a vote on approval of the Site Plan for Buckeye Fabricating at 245 South Pioneer Blvd.

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

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

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Mr. Boron noted that there will be a text change for the Planning & Zoning Code as a discussion item for November's agenda.

Adjournment

Ms. Hartle motioned to adjourn the October 14, 2020 Planning Commission Regular Meeting at 6:18 p.m. Mr. Davis seconded the motion.

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

Becky Iverson, Planning Commission Chairperson

Dan Boron, Planning Consultant

Ann Burns, Planning Commission Secretary

DRAFT

Background Information & Staff Recommendations
City of Springboro Planning Commission Meeting—Conducted by Conference Call (Zoom)
Thursday, November 12, 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 Thursday, November 12, 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

Record Plan (Stage 3), 6329 Red Lion-Five Points Road, Clearcreek Reserve West, Section One

Background Information

This agenda item is a request for record plan (Stage 3) approval for the Clearcreek Reserve West residential subdivision, Section One, located at 6329 Red Lion-Five Points Road. The record plan contains approximately 5.1988 acres of land and three buildable lots. The preliminary plan (Stage 2) of the subdivision approval process was reviewed and approved at the July 29th Planning Commission meeting as an 11-unit, 34.1-acre subdivision on a parcel located east of the Heatherwoode Community, and the Section One record plan is consistent with the Stage 2 approval. The property is zone R-1, Low-Density Residential District, a zoning designation that permits the proposed development. The property is currently occupied by a single-family residence and barn.

Upon Planning Commission approval, it will proceed to City Council for final review and approval following action by the Planning Commission.

Staff Recommendation

City staff recommends APPROVAL of the record plan for Clearcreek Reserve West, Section One, subject to the following conditions:

1. Revise plan according to Warren County review comments, if any.
2. Revise the Conservation Easement language to meet City specifications as follows:

Conservation Easement:

The areas labeled on the record plan as Conservation Easement are non-exclusive and irrevocable easements hereby created for the benefit of the Declarant and the Homeowners Association for the continual and perpetual conservation of the trees and vegetation growing in said Conservation Easement areas. No improvements of any kind may be built or maintained by any lot owner in such easement areas. Trees and vegetation located in said easement shall be maintained in its natural state by all lot owners and the association, provided however that said lot owners and association may from time to time remove diseased or dead trees and vegetation or any trees or vegetation that become hazardous to persons or property. Trees

can be removed during development activities if select removal is required to facilitate storm water drainage. In such cases, any trees removed, greater than 4" in caliper at shoulder height, shall be replaced with a new tree planted within the easement by the developer.

3. Remove the Planning Commission approval signature block.
4. Add "Record Plan" to the top of the title block and revise "Record Plat" to read "Record Plan".
5. Provide HOA documents for review. HOA documents must be recorded prior to the record plan being recorded.
6. Revise access easement to read "Public Access Easement".
7. Add note on title sheet stating all lots are subject to a publicly available drainage easement five (5) feet in width along all side yards and ten (10) feet along rear lot lines, except as otherwise indicated.
8. Add note stating all lots shall have an exterior light post with photoelectric cell to be maintained in working order at all times by the property owner.
9. Set a concrete monument (iron pin in concrete) at the southeast corner of lot 1.

B. Presentation & Preliminary Discussion

Planning & Zoning Code Text Amendment, Sign Code

City staff has contracted Compass Point Planning, Blue Ash, to assist in the development of a plan for the amendment of the sign code, Chapter 1281, of the Planning & Zoning Code. The firm's work will include (1) the completion of a sign code audit to identify elements of the sign code that need to be revised based on her experience on this topic, and (2) crafting revised text, in collaboration with City staff, for review and approval by the Planning Commission and City Council. We will also be including public involvement in the form of a survey to obtain the input of the community.

An ad-hoc committee consisting of the City Manager, City Attorney, Zoning Inspector, who administers the sign code, and City Planner are collaborating with Compass Point Planning on this project. We have invited Compass Point Planning to attend the November 12th meeting to discuss the project goals, schedule, and current status.

No action is requested on this agenda item at this time.

The information contained in this report is based on material provided to the City of Springboro as of Thursday, November 5, 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:** CESO, Inc (Justin Elam)
 Agent
 Lessee **Address:** 3601 Rigby Road Suite 300
 Signed Purchase Contract **Address:** Miamisburg, OH 45342

Telephone No. (937) 401.3661

Fax No. ()

Email Address Elam@cesoinc.com

PROPERTY OWNER NAME (IF OTHER): Headwaters Capital LTD

Address: 500 S. Main Street
Springboro, OH 45066

Telephone No. (937) 313.2553

Property Address or General Location: 6329 RED LION-FIVE POINTS RD

Parcel Number(s): 08122510010 **Zoning District:** R-1

Proposed Use: Residential Lots

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

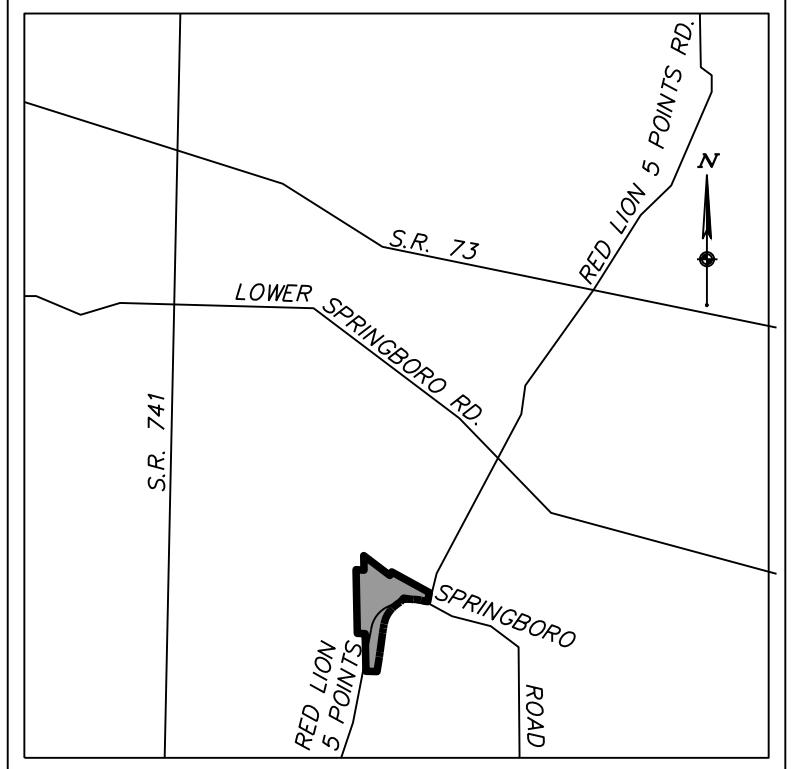

(Signature of Applicant and/or Agent)

10/20/20

(Date)

Justin Elam, P.E. CPESC

Printed Name



CLEARCREEK RESERVE WEST

SECTION ONE

SEC. 12, TOWN 3E, RANGE 4N

CITY OF SPRINGBORO, WARREN COUNTY, OHIO

CONTAINING 5.1988 TOTAL ACRES

OCTOBER 22, 2020

VICINITY MAP

NOT TO SCALE

OWNERS CONSENT AND DEDICATION:

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAT AND DO DEDICATE THE STREETS, PARKS, OR PUBLIC GROUNDS AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

ANY "PUBLIC UTILITY EASEMENTS", AS SHOWN ON THIS PLAT ARE FOR THE PLACEMENT OF PUBLIC UTILITIES, SIDEWALKS, AND TRAILS AND FOR THE MAINTENANCE AND REPAIR OF SAID UTILITIES, SIDEWALKS, AND TRAILS. THIS EASEMENT AND ALL OTHER EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE, ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION OR OTHER UTILITY LINES OR SERVICES, SIDEWALKS, TRAILS, STORMWATER DISPOSAL AND FOR THE EXPRESS PRIVILEGE OF CUTTING, TRIMMING OR REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS WITHIN SAID EASEMENT, OR IMMEDIATELY ADJACENT THERETO, TO THE FREE USE OF SAID EASEMENTS OR ADJACENT STREETS AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD.

THE ABOVE PUBLIC UTILITY EASEMENTS ARE FOR THE BENEFIT OF ALL PUBLIC UTILITY SERVICE PROVIDERS INCLUDING BUT NOT LIMITED TO:

LIST OF PROVIDERS: AT&T, DUKE ENERGY, VECTREN, TIME WARNER CABLE, CITY OF SPRINGBORO.

ALL MAILBOXES ARE TO BE PLACED WITHIN THE PUBLIC UTILITY EASEMENTS.

AS TO ALL:

OWNER: HEADWATERS CAPITAL, LTD.

WITNESS

BY: _____

CERTIFICATE OF NOTARY PUBLIC:

STATE OF OHIO, S.S.
BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 2020, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME _____ WHO
ACKNOWLEDGED THE ACCOMPANYING PLAN TO BE THE OFFICIAL PLAN OF SUBDIVISION SITUATED IN THE CITY OF SPRINGBORO, WARREN COUNTY, OHIO AND DESIRED THAT SAID PLANS BE RECORDED
ACCORDING TO LAW.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE OF ABOVE WRITTEN.

NOTARY PUBLIC STATE OF OHIO MY COMMISSION EXPIRES

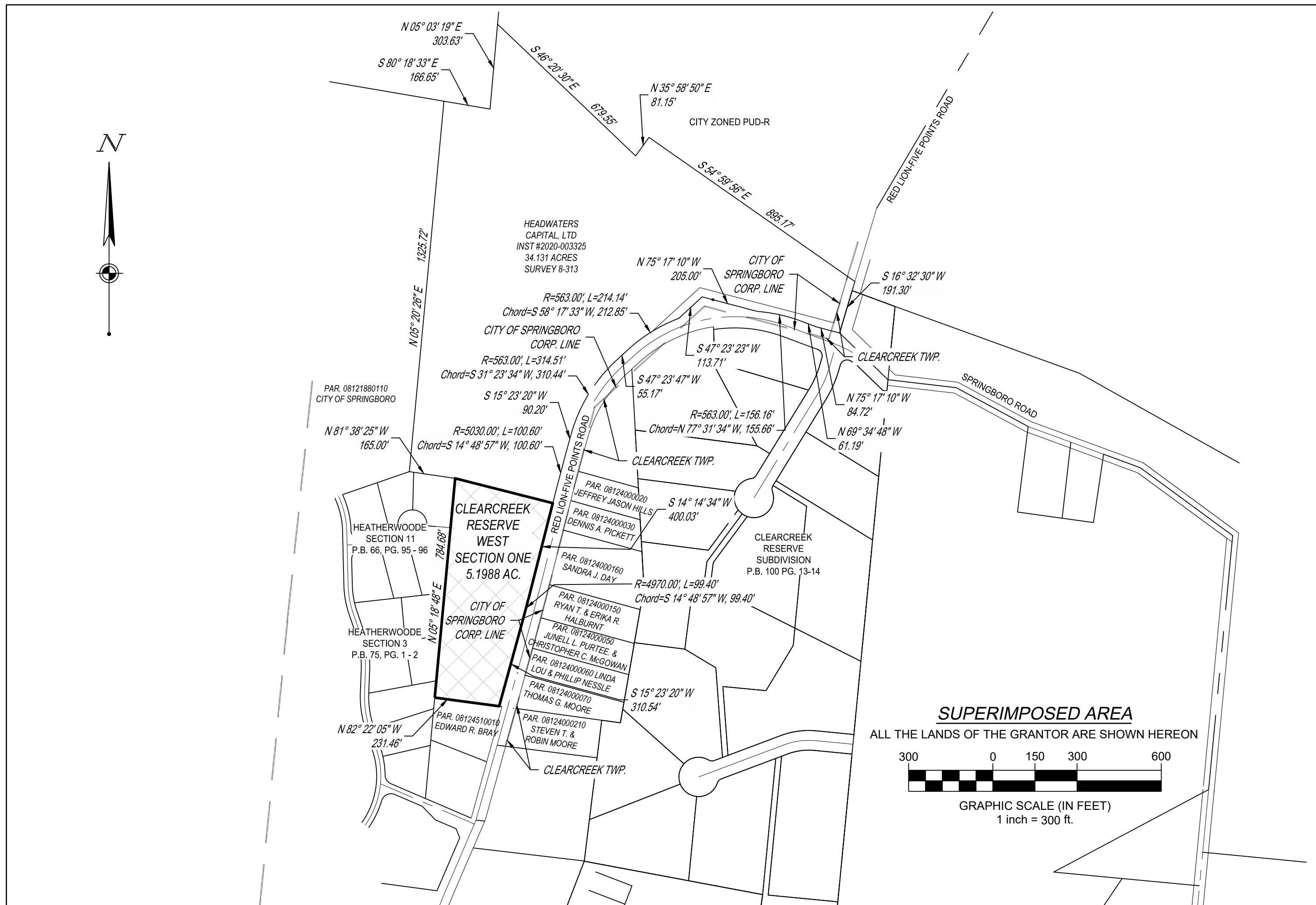
OCCUPATION STATEMENT:

OCCUPATION IN GENERAL AGREES WITH THE BOUNDARY LINES AS SHOWN.

CONSERVATION EASEMENT:

THE PRIMARY PURPOSE OF THIS EASEMENT IS TO ENABLE THE PROPERTY TO REMAIN IN CONSERVATION USE FOR FLOODWATER CONVEYANCE, FLOOD MANAGEMENT, FLOODWATER STORAGE, AND WILDLIFE HABITAT AND/OR AGRICULTURE. THIS EASEMENT WILL PRESERVE AND PROTECT IN PERPETUITY THESE CONSERVATION VALUES, THE PROPERTY'S CHARACTER, USE, AND UTILITY, AND PREVENT ANY USE OF THE PROPERTY THAT WOULD SIGNIFICANTLY IMPAIR OR INTERFERE WITH ITS CONSERVATION VALUES, CHARACTER, USE OR UTILITY.

NO OFF-ROAD, ALL-TERRAIN OR SIMILAR VEHICLES ARE PERMITTED TO OPERATE ON THE PROTECTED PROPERTY, EXCEPT FOR EMERGENCY VEHICLES OR WHERE NECESSARY TO EFFECTUATE THE TERMS OF THIS CONSERVATION EASEMENT. USE OF MECHANIZED VEHICLES SHALL ONLY BE ALLOWED FOR THE CONSTRUCTION AND MAINTENANCE OF PLANTING VEGETATION, MOVING ROCKS, SOIL, AND MAINTENANCE.



COVENANTS AND RESTRICTIONS

THE ENTIRE PROPERTY SHOWN HEREIN AND ALL IMPROVEMENTS THEREON ARE SUBJECT TO THE RULES, REGULATIONS, COVENANTS AND RESTRICTIONS OF THE HOMEOWNERS ASSOCIATION AND SUBJECT TO ALL RECORDED AMENDMENTS AND SUPPLEMENTS TO THE HOMEOWNERS ASSOCIATION DOCUMENTS WHICH MAY BE RECORDED FROM TIME TO TIME.

NO PRIVATE IMPROVEMENTS OF ANY KIND SHALL BE MADE ON ANY SAID RIGHT-OF-WAY OR EASEMENT WHICH WOULD INTERFERE WITH ACCESS TO ANY PROPOSED STREET, UTILITY, OR OTHER SERVICE IMPROVEMENT, PRESENT OR FUTURE, AND THE CITY OF SPRINGBORO SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNERS OF THE PROPERTY INDICATED ON THIS PLAN FROM ANY DAMAGE DONE ON SAID RIGHT-OF-WAY, OR EASEMENTS TO SOD, SHRUBBERY, TREES, DRIVEWAYS OR OTHER IMPROVEMENTS WHETHER NATURAL OR ARTIFICIAL BY REASON OF ENTERING FOR CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF SAID IMPROVEMENTS.

THE CITY OF SPRINGBORO ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY OPEN DRAINAGE CHANNELS, OR DETENTION BASINS OR EASEMENT AREA OF ANY LOT AND NO STRUCTURES, CULVERTS, PLANTING, FENCING, FILLING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR DIVERT THE FLOW THROUGH SAID WATERCOURSE. IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION TO CONTINUOUSLY MAINTAIN THE AREA OF SAID EASEMENT, OR DETENTION BASIN WITHIN ANY LOT.

TO INSURE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE OCCUPANTS OF THIS DEVELOPMENT AND THE CITIZENS OF SPRINGBORO, ALL AREAS DESIGNATED AS PUBLIC ACCESS EASEMENTS ARE HEREBY DEDICATED TO THE CITY OF SPRINGBORO, OHIO TO BE HELD FOREVER IN TRUST FOR THE PUBLIC USE AS RIGHTS-OF-WAY FOR VEHICULAR AND PEDESTRIAN TRAFFIC. THE OWNER OF THE UNDERLYING FEE (HEREINAFTER "OWNER") SHALL HAVE THE RIGHT TO INSTALL DRIVES, SIDEWALKS, DRAINAGE FACILITIES AND OTHER IMPROVEMENTS UPON PUBLIC ACCESS EASEMENTS TO SUCH EXTENT AND IN SUCH MANNER AS APPROVED BY THE CITY DRIVES AND SIDEWALKS CONSTRUCTED UPON DEDICATED PUBLIC ACCESS EASEMENTS SHALL BE KEPT OPEN AND ACCESSIBLE TO FIRE, POLICE AND OTHER EMERGENCY AND MAINTENANCE VEHICLES AND PERSONNEL BY THE OWNER AT ALL TIMES. PAVING, SIDEWALKS, AND OTHER IMPROVEMENTS WITHIN THESE EASEMENTS SHALL BE CONTINUOUSLY MAINTAINED BY THE OWNER IN GOOD REPAIR AND KEPT FREE OF ALL OBSTRUCTIONS WHICH WOULD IMPEDE THE FREE MOVEMENT OF PUBLIC AND PEDESTRIAN TRAFFIC, INCLUDING BUT NOT LIMITED TO ICE, SNOW AND PARKED VEHICLES. WHERE NECESSARY, IN ACCORD WITH A TRAFFIC CONTROL PLAN APPROVED BY THE CITY, TRAFFIC CONTROL DEVICES SHALL BE PROVIDED, INSTALLED AND MAINTAINED BY THE OWNER, TO INSURE COMPLIANCE WITH TRAFFIC CONTROL DEVICES IN PUBLIC ACCESS EASEMENTS, THE CITY OF

SPRINGBORO SHALL HAVE FULL POWER AND AUTHORITY TO ENFORCE SUCH CONTROLS AND TO PROSECUTE VIOLATIONS IN ACCORDANCE WITH THE LAWS OF THE CITY AND THE STATE OF OHIO, AS IT MAY IN ALL OTHER RIGHTS-OF-WAY DEDICATED OR OTHERWISE CONVEYED TO IT FOR PUBLIC USE. NOTHING IN THE DEDICATION SHALL REQUIRE THE CITY TO INSTALL OR MAINTAIN IMPROVEMENTS IN PUBLIC ACCESS EASEMENT, OR TO ENFORCE TRAFFIC LAWS WHERE A TRAFFIC CONTROL PLAN HAS NOT BEEN APPROVED AND IMPLEMENTED.

IN THE EVENT THAT THE OWNER FAILS TO FULFILL THE OBLIGATION SET FORTH IN THE ABOVE COVENANTS, CONDITIONS AND RESTRICTION, THE CITY OF SPRINGBORO IS HEREBY AUTHORIZED, AFTER PROVIDING REASONABLE NOTICE AND OPPORTUNITY FOR A HEARING THE THE OWNER, TO TAKE SUCH CORRECTIVE ACTION AS IT DEEMS NECESSARY, TO CHARGE THE OWNER THE ENTIRE COST THEREOF, AND IN THE EVENT OF FAILURE OF PROMPT PAYMENT, TO COLLECT SAID COSTS AS A SPECIAL ASSESSMENT AGAINST THE PROPERTY AS IN THE ABATEMENT OF A PUBLIC NUISANCE.

NOTES:

1. ROOF DRAINS, FOUNDATION DRAINS, OR OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SYSTEM ARE PROHIBITED.
2. NO PERSON SHALL INSTALL ANY PUMP, PUMPING DEVICE, APPARATUS, OR OTHER SUCH SYSTEM FOR DISCHARGING SUMP PUMP EFFLUENT INTO THE PUBLIC RIGHT-OF-WAY WITHOUT APPROVAL OF THE CITY ENGINEER.
3. BACK FLOW PREVENTION DEVICES SHALL BE INSTALLED PER CITY ORDINANCE O-90-36.
4. SUMP DRAINS AND ALL OPEN SPACE AND/OR NON-BUILDABLE LOTS TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

APPROVALS

APPROVED BY COUNCIL OF THE MUNICIPALITY OF SPRINGBORO ON
THIS ____ DAY OF _____.

CLERK OF COUNCIL _____ MAYOR _____
CITY ENGINEER _____

SPRINGBORO PLANNING COMMISSION APPROVAL:

THIS PLAT WAS APPROVED BY THE WARREN COUNTY REGIONAL PLANNING COMMISSION ON
THIS ____ DAY OF _____.

EXECUTIVE DIRECTOR:

WARREN COUNTY AUDITOR:

TRANSFERRED ON THIS ____ DAY OF _____.

DEPUTY _____ WARREN COUNTY AUDITOR _____

WARREN COUNTY RECORDER:

FILE NO. _____

RECEIVED ON THIS ____ DAY OF _____ AT ____ M.

RECORDED ON THIS ____ DAY OF _____ AT ____ M.

RECORDED IN PLAT BOOK NO. ____, PAGE ____

FEES _____

DEPUTY WARREN COUNTY RECORDER

CERTIFICATE OF SURVEYOR:

THIS RECORD PLAN WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733-37 AND O.R.C. CHAPTER 711.01-40. I CERTIFY THAT THIS RECORD PLAN WAS MADE UNDER MY DIRECT SUPERVISION AND IS BASED ON ACTUAL FIELD SURVEY BY CESO INC. IN FEBRUARY 2020.

MICHAEL J. WILSON, P.S.

DATE: _____

DEED REFERENCE:

SITUATED IN PART OF SECTION 12, TOWN 3E, RANGE 4N, CLEARCREEK TOWNSHIP, WARREN COUNTY, OHIO, CONTAINING 5.1988 ACRES, AND BEING PART OF THE 34.131 ACRES CONVEYED TO HEADWATERS CAPITAL, LTD., AND DESCRIBED IN THE DEED OF RECORD IN DOCUMENT NUMBER 2020-003325, RECORDER'S OFFICE, WARREN COUNTY OHIO.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE BASED UPON OHIO STATE PLANE SOUTH ZONE AND GPS OBSERVATIONS MADE IN FEBRUARY 2020. COORDINATES WERE BROUGHT TO GROUND AT LATITUDE N 39°32'10.35019", LONGITUDE W 84°13'12.05181", WITH A SCALE FACTOR OF 1.00009207540748.

RECORD PLAT

CLEARCREEK RESERVE WEST SECTION ONE		
SECTION 12, TWP 3E, RANGE 4N	SECTION 12, TWP 3E, RANGE 4N	WARREN COUNTY, OHIO
CITY OF SPRINGBORO	SCALE: 1" = 300'	DATE: OCTOBER 22, 2020
PHONE NO.: 937-435-8584	DESIGN: JEE	JOB NO.: 757158
OWNER/DEVELOPER: HEADWATERS CAPITAL, LTD.	DRAWN: SJS	SHEET NO.:
500 S. MAIN STREET	CHECKED: JKH	1 OF 2
SPRINGBORO, OHIO 45066		
PHONE NO.: 937-313-2553		

ENGINEER/SURVEYOR		
CESO, INC.		
3601 RIGBY ROAD, SUITE 300		
MIAMISBURG, OHIO 45342		
PHONE NO.: 937-435-8584		

OWNER/DEVELOPER:		
HEADWATERS CAPITAL, LTD.		
500 S. MAIN STREET		
SPRINGBORO, OHIO 45066		
PHONE NO.: 937-313-2553		

