

**Agenda**  
**City of Springboro Planning Commission Meeting**  
**Wednesday, December 13, 2023, 6:00 p.m.**  
**Council Chambers, City Building, 320 West Central Avenue**

- I. Call to Order
- II. Approval of Minutes
  - A. October 11, 2023 Planning Commission Meeting
- III. Agenda Items
  - A. Preliminary Review, General Plan, near southwest corner of West Lower Springboro Road and Red Lion-Five Points Road, 6821 Red Lion-Five Points Road, Bailey Farms PUD\_R, Planned Unit Development-Residential, single-family residential district
  - B. Preliminary Review, Planning & Zoning Code Text Amendment, public notifications
- IV. Guest Comments
- V. Planning Commission and Staff Comments
- VI. Adjournment

**Background Information & Staff Recommendation**  
**City of Springboro Planning Commission Meeting**  
**Wednesday, December 13, 2023, 6:00 p.m.**  
**Council Chambers, City Building, 320 West Central Avenue**

**III. Agenda Items**

**A. Preliminary Review**

**General Plan, near southwest corner of West Lower Springboro Road and Red Lion-Five Points Road, 6821 Red Lion-Five Points Road, Bailey Farms PUD-R, Planned Unit Development-Residential, single-family residential development**

**Background Information**

This agenda item is based on an application filed by M/I Homes, Cincinnati, Ohio, seeking general plan approval for the development of a single-family, residential subdivision under the terms of the City's Planned Unit Development (PUD) provisions, Chapter 1266 of the Planning and Zoning Code. The subject property is approximately 79.9 acres in area. The subject property is located southeast of the corner of West Lower Springboro Road and Red Lion-Five Points Road. The subject property does not include a 1.47-acre residential lot located immediately adjacent to that corner. A total of 130 single-family detached residential units are proposed in the PUD-R, Planned Unit Development-Residential.

This item was reviewed on a preliminary basis at the September 21, 2022 Planning Commission meeting. Following that review, the applicants pulled the proposal off the table to resolve estate and site layout issues.

The subject property was annexed into the City from Clearcreek Township in 2006 and accepted by City Council in January 2007. The annexation was subject to an intergovernmental agreement between the City and Clearcreek Township that included statements (1) restricting development to single-family residential development, (2) with a street pattern approved by the Springboro Planning Commission, (3) allowing no more than 130 lots in the buildable portion of the property, and (4) the installation of a buffer along the Red Lion-Five Points Road portion of the property.

Rezoning to incorporate the agreement was the responsibility of the City. Rezoning to PUD-R was accomplished through Ordinance O-07-15 approved by City Council on May 17, 2007 and effective June 16, 2007. The Planning Commission approved a recommendation of approval of the rezoning at its February 28, 2007 meeting. The PUD-R was consistent with the Springboro Comprehensive Land Use Plan of 1998, the land use and development guidance at the time. The property owners, the Bailey family, elected to continue use the property as is: a farm and residential use.

Rezoning is one-half of the first step of the three-step PUD approval process, the other half being general plan review and approval that is the subject of this agenda item. At the time, general plan and rezoning reviews and approval could take place separately. General plan review requires review of both Planning Commission and City Council, the latter in the form of a resolution, and no Public Hearing.

Following general plan review, the second stage of the PUD review and approval process, final development plan, may proceed. For a development of this size it is anticipated that a number of

final development plans may be submitted for review and approval so that development may proceed in an incremental manner or in sections. For example, Settlers Walk includes 10 neighborhoods and 44 sections with its 1,300 residential dwelling units. The final step in the PUD approval process is record plan approval coinciding with the creation of lots, and the dedication of right-of-way and open space. Record plans are reviewed and approved by Planning Commission and City Council.

The proposed general plan submitted for review includes 130 single-family residential lots. A total of 66 6,760-square foot lots (52 feet wide and 130 feet deep) and 64 8,060-square foot (62 feet wide and 130 feet deep) are proposed. Setbacks and other details are included in the general plan exhibits.

Primary access to the site is from Red Lion-Five Point Road roughly midway between West Lower Springboro Road and the intersection of Red Lion-Five Points Road and Springboro Road to the south. Secondary access is provided through an extension of Cambridge Drive and the Creekside subdivision to the west. While the subject property has frontage on West Lower Springboro Road, no access is proposed. The dedication of right-of-way is needed to accommodate the development both from the City (West Lower Springboro Road) and Clearcreek Township (Red Lion-Five Point Road). The eastern edge of the subject property coincides with the City corporation line. Fairway Drive to the west will be extended into the site with a cul-de-sac and terminated with no lots in the area.

A multiuse trail is proposed for public use along Red Lion-Five Points Road, extending through the development to West Lower Springboro Road. This trail will eventually connect with a similar trail to the south in the Clearcreek Reserve West subdivision. The bike lane on West Lower Springboro Road will be extended to the east corporation boundary concurrent to development of the Bailey Farm. Additional private trails are proposed within the development. All streets will incorporate sidewalks as provided by City code.

The proposed general plan includes 45.36 acres of open space, or 55% of the subject property land area. This includes a proposal for a common area including a playground and trails around an existing pond. A significant portion of this area is defined as the floodway and floodplain of Clear Creek.

Following the discussion at the December 13 Planning Commission meeting the Planning Commission may authorize this agenda item to be placed on a future agenda for formal action in the form of a recommendation to City Council.

Adjacent land uses include to the west the Creekside residential subdivision, on the north side of Lower Springboro Road a residential lot and beyond the Fieldstone residential subdivision. To the east in Clearcreek Township, residential lots on the north side of Lower Springboro Road and continuing to the east side of the property on the east side of Red Lion-Five Points Road in Clearcreek Township. The south side of the property coincides with the open space portion of the Clearcreek Reserve East residential subdivision in Springboro.

Adjacent zoning in the Springboro portion of the vicinity includes R-2, Low-Density Residential District, in the Creekside, Fieldstone, and Clearcreek Reserve East subdivisions, and R-1 for remaining lands in the vicinity in the City. For the Clearcreek Township vicinity, R-1, Rural Residence Zone to the north and northeast, and to the east SR-1, Suburban Residence Zone, and OSR-1, Open Space Rural Residence Zone.

## Staff Comments

City staff has the following comments on this agenda item:

1. Vinyl prohibited from use as an exterior building material aside from window and trims.
2. Setbacks are measured at the overhang.
3. Roadway to be built to city specifications. Intersections to be at 90 degrees (revise Cambridge Drive accordingly).
4. Roadway improvements along Lower Springboro Road to include: dedicate 40 feet half right of way, widen the road to 18 feet from center line of road to south, add curb & gutter, storm sewer, sidewalks and bike lane.
5. Provide relief sewer and remove the existing lift station in the Villages of Creekside. Provide water main stub into the golf course along the proposed cul-de-sac at the east end of Bailey Lane.
6. No development is to occur in the floodway and or floodplain, without prior permit approval by the City Engineer.
7. Revise General Plan drawings to have standard engineering scale type on each sheet, i.e. 1"=20', 30', 40', 50', 60', 100', 200'. Please verify that sheets are printed to scale.
8. Provide minimum dwelling unit S.F. for each Area (A & B) on General Plan.
9. Details regarding the improvements along Red-Lion Five Points Road to meet requirements of Warren County/Clearcreek Township and meet the requirements of the previous annexation of the property, specifically: When the subject property is proposed to be developed, the owner will, as part of its Record Plat establish a fifty foot (50') wide buffer strip along the west side of Red Lion-Five Points Road, to be owned and maintained by the homeowners' association for the subdivision. With the filing of such record plat, the owner shall also guarantee the construction of an attractively-contoured seven-foot (7') high, minimum, landscaped mound within the buffer strip, with side slopes not to exceed a grade of 3:1. The minimum height of the mound shall be measured from the existing grade of the adjoining pavement on Red Lion-Five Points Road. The buffer strip may be reduced in width to no less than 40' where the side of the mound away from Red Lion-Five Points Road is terminated into a decorative stone retaining wall. The retaining wall need not follow the lot line provided that it is entirely within the buffer strip. In such event, the adjacent building lot may extend to that retaining wall. Included in the landscaping of the buffer strip shall be trees of appropriate species. Evergreen trees shall be at least 5' tall and deciduous trees shall be at least 1-1/2" caliper at the time of planting.
10. An approved traffic impact study to be completed prior to general plan approval. Any associated improvements required by the study to be implemented on the general plan and subsequent construction drawings.
11. Provide metes and bounds of the boundary lines.
12. Basements shall be served by gravity sewer and shall not be permitted otherwise. Grinder pumps are not permitted.
13. Details for proposed common areas to be provided during final development plan, stage 2 of PUD approval process.
14. Provide legal description of property and survey.
15. Lighting planned for individual home sites to be provided at final development plan.
16. Pursuant to Section 105.4.3 of the Ohio Fire Code, it shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and shop drawings are complete and in compliance with the applicable codes and standards. Construction documents reviewed by the fire code official in accordance with paragraph



(D)(2)(a)(104.2.1) of this rule or construction documents approved with the intent that such construction documents comply with all aspects with the code. Review and approval shall not relieve the applicant of the responsibility of compliance with the code.

17. New home shall be provided with approved address identification. The address identification shall be legible and be placed in a position that is visible from the street or road fronting the property. Address identification shall contrast with their background. Address numbers shall not be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall not be less than 4 inches (12.7 mm).
18. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant until replaced by permanent signs.

**B. Preliminary Review**  
**Planning & Zoning Code Text Amendment, public notifications**

Please see the enclosed memo regarding this proposed text amendment from City staff.

The information contained in this report is based on material provided to the City of Springboro as of Monday, December 4, 2023 at 12:00 p.m.

# APPLICATION—PLANNED UNIT DEVELOPMENTS CITY OF SPRINGBORO PLANNING COMMISSION

☒ REZONING/GENERAL PLAN

☐ FINAL DEVELOPMENT PLAN

☐ RECORD PLAN

☐ VARIANCE

The undersigned requests the approval identified above. Approvals subject to expiration provided for in Chapter 1266 of Planning & 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  
☐ Agent  
☐ Lessee  
☒ Signed Purchase Contract

**APPLICANT NAME:** M/I Homes of Cincinnati, LLC.

Address 9349 Waterstone Boulevard, Suite 100  
Cincinnati, OH 45249

Telephone No. ( 513 ) 267- 4719

Fax No. \_\_\_\_\_

Email Address Bwilkins@MIHomes.com

**PROPERTY OWNER NAME (IF OTHER):** Jeff Bailey

Address: 6821 Red Lion-Five Points Road, PO Box 116

Springboro, OH 45066

Telephone No. (937) 689- 2665

Property Address or General Location: Red Lion-Five Points and W. Lower Springboro Road

Parcel Number(s): 08122260030 & 08122010020 Acreage: Approx. 79.991

PUD Category: ☒ Residential ☐ Retail ☐ Office ☐ Manufacturing ☐ Mixed Use

If Mixed Use, Acreage in Each Category: \_\_\_\_\_

For Residential Proposed Density 1.63 units/acre Number of Residential Units 130

Proposed Use: 130 new single family homes built on detached fee-simple lots

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

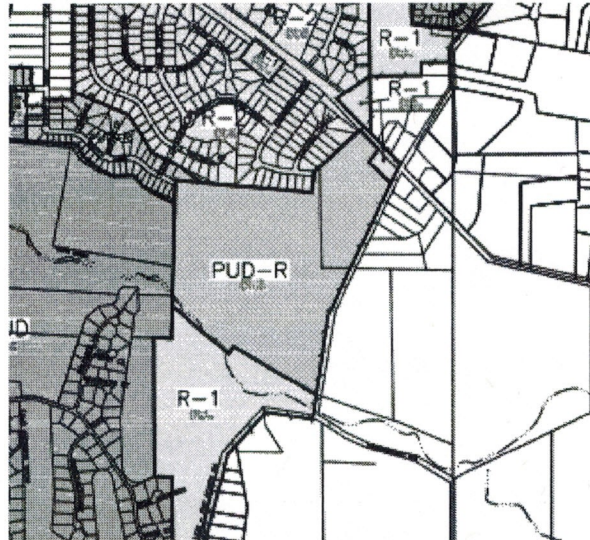
Brent Wilkins  
(Signature of Applicant and/or Agent)

11/10/23  
(Date)

Brent Wilkins, for M/I Homes of Cincinnati, LLC.  
Printed Name

### Authorization to Discuss Bailey Property

Please allow this letter to authorize M/I Homes and its agents to discuss the Property identified below (PUD-R) with the City of Springboro, Warren County, and any other governmental jurisdictions as needed.



By: Jeff Bailey

4-9-20  
Date



Cincinnati Division  
9349 Waterstone Blvd, Suite 100  
Cincinnati, OH 45249  
(513) 248-5400 **OFFICE**

Daniel Boron, AICP  
City Planner, City of Springboro  
320 W Central Avenue  
Springboro, OH 45066

November 10, 2023

Subject: Open Space for Bailey Farm PUD-R

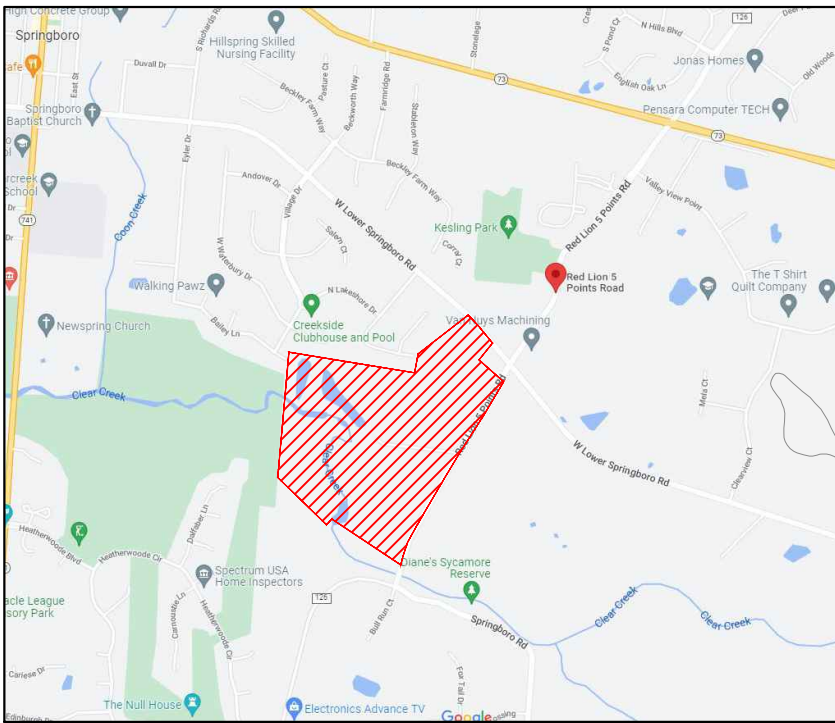
The 44.24 acres of common open space areas preserved in this development represents 55% of the 80-acre total site area. The formal open space will include landscaping, a walking path connecting to the overall sidewalk network, a playground and a hike/bike path. The open space will be owned and maintained by the homeowners' association established by M/I Homes.

Sincerely,

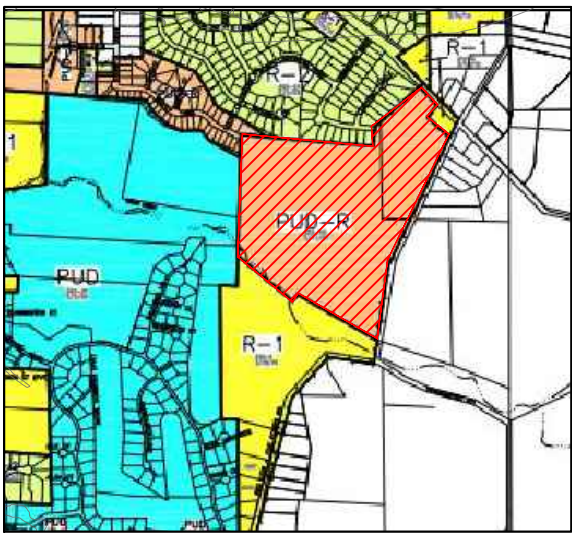
A handwritten signature in blue ink that reads "Brent Wilkens".

Brent Wilkens

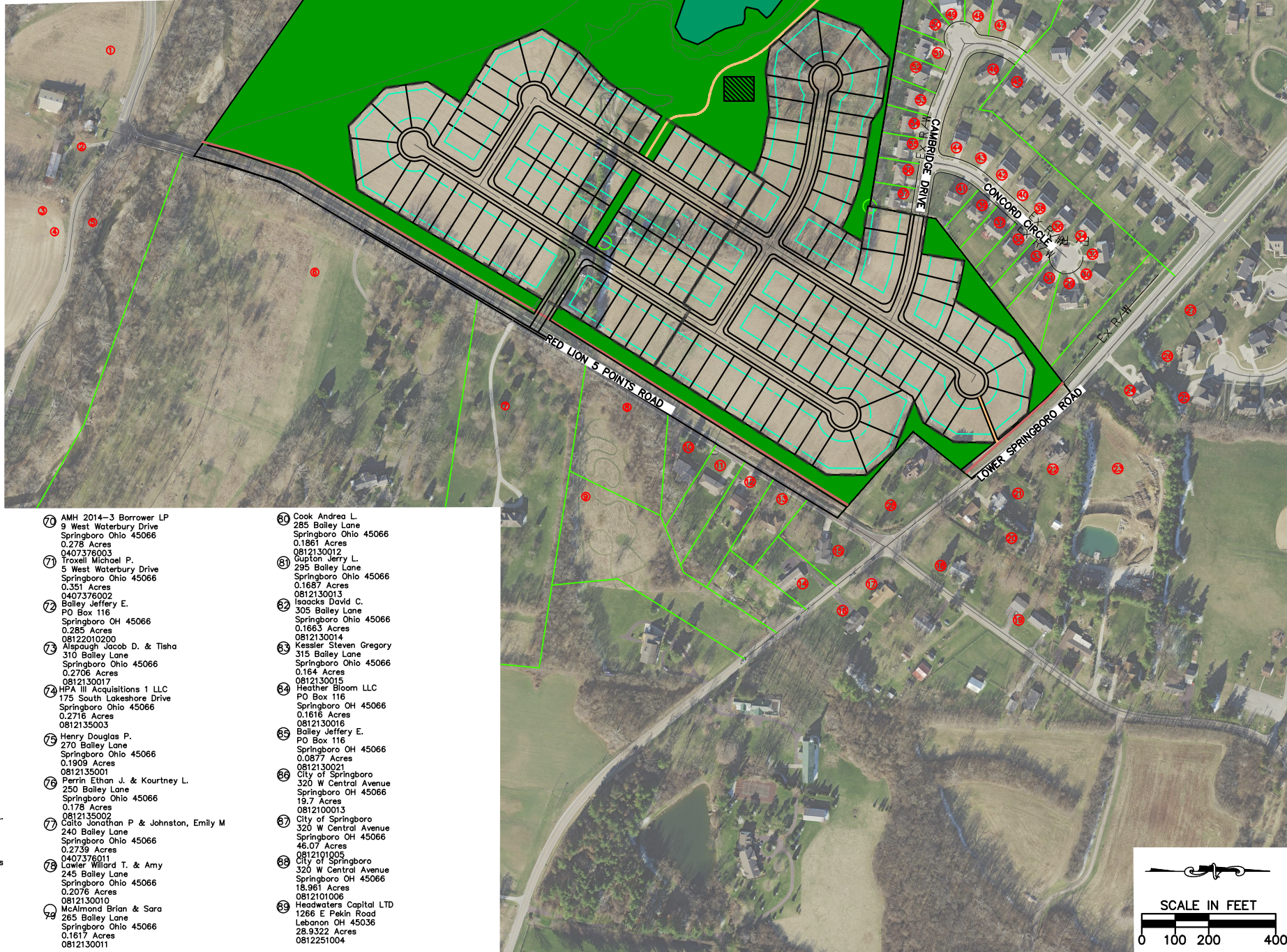




VICINITY MAP  
1" = 1,000'

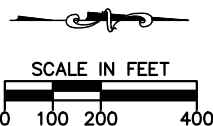


ZONING MAP  
1" = 1,000'



PROPERTY OWNERS:

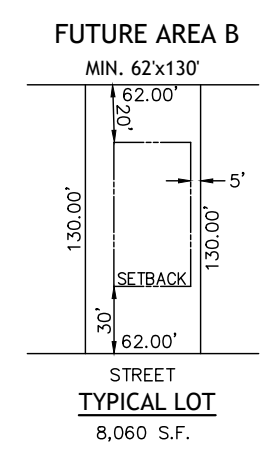
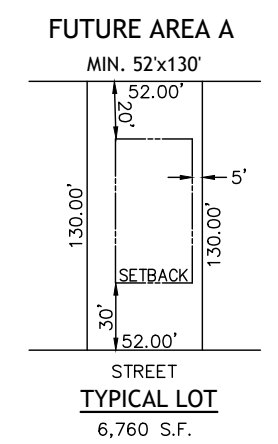
- 1 Headwaters Capital LTD  
1266 E Pekin Road  
Lebanon Ohio 45036  
1.2912 Acres  
0812252005
- 2 Morris Ryan S & Misty G  
6498 Bull Run Court  
Lebanon Ohio 45036  
1.3696 Acres  
0812275001
- 3 Davis Thomas W. Jr. & Tricia M.  
6503 Fox Tail Drive  
Lebanon Ohio 45036  
2.923 Acres  
0812430002
- 4 Macduff Terrence, William & Shelly Lynn  
6502 Fox Tail Drive  
Lebanon Ohio 45036  
2.6972 Acres  
0812430001
- 5 Clearcreek Township  
7593 Bunnell Hill Road  
Springboro Ohio 45066  
6.796 Acres  
0812276005
- 6 Sprout Thomas M.  
PO Box 185  
Springboro Ohio 45066  
33.0899 Acres  
0812276004
- 7 Sprout Samuel M. & Joann  
6800 Red Lion-Five Points Road  
Lebanon Ohio 45036  
8.0311 Acres  
0812276003
- 8 Davenport Renee Davis  
6836 Red Lion-Five Points Road  
Lebanon Ohio 45036  
1.966 Acres  
081228014
- 9 Garland Brian P. & Paula  
991 W Lower Springboro Road  
Springboro Ohio 45066  
3.009 Acres  
081228017
- 10 Norris Jennifer L.  
PO Box 94  
Springboro Ohio 45066  
0.63 Acres  
081228006
- 11 Tucker Joel Andrew  
6922 Red Lion-Five Points Road  
Lebanon Ohio 45036  
0.752 Acres  
081228005
- 12 Smith Harold Ray & Carol  
1509 Hart Road  
Lebanon Ohio 45036  
0.865 Acres  
081228004
- 13 Stiles Austin J. & Conley Makayla N  
6950 Red Lion-Five Points Road  
Lebanon Ohio 45036  
0.594 Acres  
081228003
- 14 Smith Peggy Ann  
1055 Lower Springboro Road  
Springboro Ohio 45066  
N/A  
081228002
- 15 Graham Robert C. & Debbi  
6990 Red Lion-Five Points Road  
Lebanon Ohio 45036  
0.63 Acres  
081228001
- 16 Mack Cynthia Faye  
1064 Lower Springboro Road  
Springboro Ohio 45066  
0.954 Acres  
0812277005
- 17 Patrick Lucinda J.  
236 Lake Street  
Delaware Ohio 43015  
0.819 Acres  
0407478006
- 18 Bailey Jeffrey E & Norris Jennifer  
PO Box 116  
Springboro Ohio 45066  
1.23 Acres  
0407476010
- 19 England Rebecca H. & Timothy L.  
7089 Red Lion-Five Points Road  
Springboro Ohio 45066  
1 Acre  
0407476006
- 20 Thomas Theresa & Robert  
1134 W Lower Springboro Road  
Springboro Ohio 45066  
0.57 Acres  
0407476009
- 21 Mousa Kevin M. & Lori  
1150 Lower Springboro Road  
Springboro Ohio 45066  
0.541 Acres  
0407476008
- 22 Rund Derek & Megan  
1184 Lower Springboro Road  
Springboro Ohio 45066  
1.642 Acres  
0407476007
- 23 Swigart Steven F. & Brid  
7147 Red Lion-Five Points Road  
Springboro Ohio 45066  
3.6123 Acres  
0407476019
- 24 Marsh Vincent C & Mollie  
1234 Lower Springboro Road  
Springboro Ohio 45066  
0.9498 Acres  
0407476016
- 25 Rogers Timothy J & Gladys Rogers  
50 Corral Court  
Springboro Ohio 45066  
0.4115 Acres  
0407408027
- 26 Eversding Bryan & Verdoorn Beth J.  
60 Corral Court  
Springboro Ohio 45066  
0.4115 Acres  
0407408027
- 27 Brill John Michael  
55 Corral Court  
Springboro Ohio 45066  
0.4944 Acres  
0407420013
- 28 Bremar James G & Lindsay  
1129 Lower Springboro Road  
Springboro OH 45066  
1.47 Acres  
0407477013
- 29 Mast Jeffrey A Jr. & Patricia  
70 Concord Circle  
Springboro Ohio 45066  
0.552 Acres  
0407477006
- 30 Oesterlin Peter E. & Bev  
80 Concord Circle  
Springboro Ohio 45066  
0.306 Acres  
0407477005
- 31 Patterson James B. Jr.  
60 Concord Circle  
Springboro Ohio 45066  
0.482 Acres  
0407477007
- 32 Weinman Charles R. & Amy  
75 Concord Circle  
Springboro Ohio 45066  
0.398 Acres  
0407451029
- 33 Slade Bob & Bowlin Andr  
50 Concord Circle  
Springboro Ohio 45066  
0.349 Acres  
0407477008
- 34 Paradise James J.  
35601 Meadowdale Drive  
Solon Ohio 44139  
0.24 Acres  
0407451028
- 35 Thomas Earl E. & Angela  
40 Concord Circle  
Springboro Ohio 45066  
0.328 Acres  
0407477009
- 36 James E. Marsh & Retta A.  
55 Concord Circle  
Springboro Ohio 45066  
0.258 Acres  
0407451027
- 37 Crawford Victor T.  
30 Concord Circle  
Springboro Ohio 45066  
0.305 Acres  
0407477010
- 38 Sams Laura C.  
45 Concord Circle  
Springboro Ohio 45066  
0.258 Acres  
0407451026
- 39 Burt Robert F. & Kristin  
20 Concord Circle  
Springboro Ohio 45066  
0.281 Acres  
0407477011
- 40 Flay Evan & Christine  
35 Concord Circle  
Springboro Ohio 45066  
0.258 Acres  
0407451025
- 41 Selbel Johnathan & Heather  
10 Concord Circle  
Springboro Ohio 45066  
0.341 Acres  
0407477012
- 42 Moran William C. & Pamela  
25 Concord Circle  
Springboro Ohio 45066  
0.258 Acres  
0407451024
- 43 Kennedy Matthew J. & Rebekah L.  
15 Concord Circle  
Springboro Ohio 45066  
0.306 Acres  
0407451023
- 44 Bell William E.  
5 Concord Circle  
Springboro Ohio 45066  
0.412 Acres  
0407451022
- 45 PAG Holdings LTD  
140 Cambridge Drive  
Springboro Ohio 45066  
0.261 Acres  
0407451018
- 46 FKX SFR Propco K  
160 Cambridge Drive  
Springboro Ohio 45066  
0.446 Acres  
0407451021
- 47 Stull Michael J. & Tracy  
125 Cambridge Drive  
Springboro Ohio 45066  
0.336 Acres  
0407465011
- 48 Freeman Benjamin T. & Caroline  
PO Box 341262  
Springboro Ohio 45434  
0.285 Acres  
0407465010
- 49 MC George Asher  
145 Cambridge Drive  
Springboro Ohio 45066  
0.394 Acres  
0812201019
- 50 Pag Holdings LTD  
155 Cambridge Drive  
Springboro Ohio 45066  
0.342 Acres  
0812201018
- 51 Glenn John B. & Renee M.  
165 Cambridge Drive  
Springboro Ohio 45066  
0.280 Acres  
0812201017
- 52 Szabo Brian P.  
175 Cambridge Drive  
Springboro Ohio 45066  
0.261 Acres  
0812201016
- 53 Pag Holdings LTD  
185 Cambridge Drive  
Springboro Ohio 45066  
0.243 Acres  
0812201015
- 54 Farley William J. Jr.  
195 Cambridge Drive  
Springboro Ohio 45066  
0.224 Acres  
0812201014
- 55 Pham Hui  
205 Cambridge Drive  
Springboro Ohio 45066  
0.215 Acres  
0812201013
- 56 Wang Changzeng & Zhou R  
215 Cambridge Drive  
Springboro Ohio 45066  
0.215 Acres  
0812201012
- 57 Kendel LLC  
2331 Oakglen Ct.  
Dayton Ohio 45459  
0.218 Acres  
0812201011
- 58 Angel Gary D. & Glynn An  
90 East Waterbury Drive  
Springboro Ohio 45066  
0.429 Acres  
0812201004
- 59 Davis William E. & Sauer  
85 East Waterbury Drive  
Springboro Ohio 45066  
0.478 Acres  
0812201005
- 60 Kennedy Christopher A.  
69 East Waterbury Drive  
Springboro Ohio 45066  
0.249 Acres  
0812201006
- 61 Antill Michael L.  
53 East Waterbury Drive  
Springboro Ohio 45066  
0.274 Acres  
0812201007
- 62 Boeck Michael & Jennifer  
37 East Waterbury Drive  
Springboro Ohio 45066  
0.263 Acres  
0812201008
- 63 Murdock James C.  
PO Box 6502  
Springfield Ohio 45501  
0.245 Acres  
0812201009
- 64 Stanifer, Charles  
110 South Lakeshore Dr.  
Springboro Ohio 45066  
0.328 Acres  
0812201010
- 65 Bauer Adam M. & Randell R.  
66 East Waterbury Drive  
Springboro Ohio 45066  
0.335 Acres  
0407465008
- 66 Owens Joseph S. & Tamara  
52 East Waterbury Drive  
Springboro Ohio 45066  
0.306 Acres  
0407465005
- 67 Garbark Phillip R. & Ren  
38 East Waterbury Drive  
Springboro Ohio 45066  
0.293 Acres  
0407465004
- 68 Allen Charles, Gregory & Jennifer L.  
24 East Waterbury Drive  
Springboro Ohio 45066  
0.238 Acres  
0407465003
- 69 American Homes 4 Rent, Properties  
Seven LLC  
10 East Waterbury Drive  
Springboro Ohio 45066  
0.288 Acres  
0407465002
- 70 AMH 2014-3 Borrower LP  
9 West Waterbury Drive  
Springboro Ohio 45066  
0.278 Acres  
0407376003
- 71 Travell Michael P.  
5 West Waterbury Drive  
Springboro Ohio 45066  
0.351 Acres  
0407376002
- 72 Bailey Jeffrey E.  
PO Box 116  
Springboro OH 45066  
0.285 Acres  
08122010200
- 73 Alspaugh Jacob D. & Tisha  
310 Bailey Lane  
Springboro Ohio 45066  
0.2706 Acres  
0812130017
- 74 HPA III Acquisitions 1 LLC  
175 South Lakeshore Drive  
Springboro Ohio 45066  
0.2716 Acres  
0812135003
- 75 Henry Douglas P.  
270 Bailey Lane  
Springboro Ohio 45066  
0.1908 Acres  
0812135001
- 76 Perrin Ethan J. & Kourtney L.  
250 Bailey Lane  
Springboro Ohio 45066  
0.178 Acres  
0812135002
- 77 Gatto Jonathan P & Johnston, Emily M  
240 Bailey Lane  
Springboro Ohio 45066  
0.2739 Acres  
0407376011
- 78 Parodis Willard T. & Amy  
245 Bailey Lane  
Springboro Ohio 45066  
0.2076 Acres  
0812130010
- 79 McAlmond Brian & Sara  
265 Bailey Lane  
Springboro Ohio 45066  
0.1617 Acres  
0812130011
- 80 Cook Andres L.  
285 Bailey Lane  
Springboro Ohio 45066  
0.1861 Acres  
0812130012
- 81 Doupton, Jerry L.  
295 Bailey Lane  
Springboro Ohio 45066  
0.1687 Acres  
0812130013
- 82 Isaacs David C.  
305 Bailey Lane  
Springboro Ohio 45066  
0.1663 Acres  
0812130014
- 83 Kessler Steven Gregory  
315 Bailey Lane  
Springboro Ohio 45066  
0.164 Acres  
0812130015
- 84 Heather Bloom LLC  
PO Box 116  
Springboro OH 45066  
0.1663 Acres  
0812130016
- 85 Bailey Jeffrey E.  
PO Box 116  
Springboro OH 45066  
0.0877 Acres  
0812130021
- 86 City of Springboro  
320 W Central Avenue  
Springboro OH 45066  
19.7 Acres  
0812100013
- 87 City of Springboro  
320 W Central Avenue  
Springboro OH 45066  
46.07 Acres  
0812101005
- 88 City of Springboro  
320 W Central Avenue  
Springboro OH 45066  
18.961 Acres  
0812101006
- 89 Headwaters Capital LTD  
1266 E Pekin Road  
Lebanon OH 45036  
28.922 Acres  
0812251004



REVISIONS:

FILE NAME	VICINITY
DRAWN BY	JLH
CHECKED BY	JSP
PROJECT No.	WARSPR2202
DATE	11-15-2023
SHEET NUMBER	1 OF 4

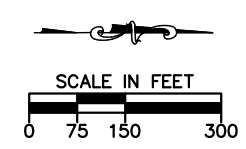




PROPOSED STREET RIGHTS OF WAY  
TO BE 50' IN WIDTH.  
INTERNAL STREETS TO BE 29' BACK  
TO BACK CURB WITH 5' SIDEWALKS.

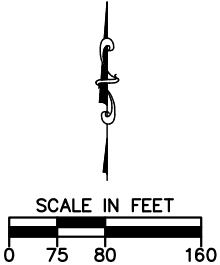
SITE: 80.1 AC.  
SUMMARY TABLE:  
PROPOSED USE: SINGLE FAMILY  
RESIDENCE  
NUMBER OF DWELL UNITS: 130  
NET DENSITY OF RESIDENTIAL USES:  
130 UNITS / 80.1 AC.  
= 1.623 UNITS / ACRE  
EXISTING ZONING: PUD-R ZONING  
  
OPEN SPACE: 44.24 AC. / 55%  
64 LOTS 62'x130'  
66 LOTS 52'x130'  
130 TOTAL LOTS  
FRONT SETBACK = 30'  
REAR SETBACK = 20'  
SIDE SETBACK = 5', 10' TOTAL

- OPEN SPACE MAINTAINED BY HOA
- EXISTING FLOODWAY
- PROPOSED WALKING PATH
- PROPOSED HIKE/BIKE PATH





- OPEN SPACE MAINTAINED BY HOA
- EXISTING FLOODWAY
- PROPOSED WALKING PATH
- PROPOSED HIKE/BIKE PATH



**BAILEY FARM CONCEPT  
CITY OF SPRINGBORO  
GENERAL PLAN**

REVISIONS:

FILE NAME	SOUTH
DRAWN BY	JLH
CHECKED BY	JSP
PROJECT No.	WARSPR2202
DATE	11-15-2023
SHEET NUMBER	3 OF 4





- OPEN SPACE MAINTAINED BY HOA
- EXISTING FLOODWAY
- PROPOSED WALKING PATH
- PROPOSED HIKE/BIKE PATH

**BAILEY FARM CONCEPT  
CITY OF SPRINGBORO  
GENERAL PLAN**

REVISIONS:

FILE NAME	NORTH
DRAWN BY	JLH
CHECKED BY	JSP
PROJECT No.	WARSPR2202
DATE	11-15-2023
SHEET NUMBER	4 OF 4



## **Proposed Products – Area A**

- Avery – 1,476 SF
- Remington – 1,514 SF
- Brody – 1,626 SF
- Cameron – 1,715 SF
- Turnbull – 1,769 SF
- Steinbeck – 1,845 SF
- Emerson – 1,947 SF
- Yeats – 2,262 SF
- Sinclair – 2,310 SF
- Inglewood – 2,558 SF
- Cooke – 2,624 SF
- Barrett – 3,035 SF
- Thoreau – 3,067 SF

- 13 Unique House Plans (5 Ranch Plans & 8 2-Story Plans)
- Elevations to be comprised of brick, stone and/or vinyl siding. All plans to meet or exceed the requirements set forth in code 1264.06 (a).
- Estimated Average Sales Price Range
  - \$350,000 to \$550,000
- Range of Floor Plan Sizes
  - 1,476 sf to 3,594 sf

## **Proposed Products – Area B**

- Faulkner – 1,544 SF
- Cooper – 1,776 SF
- Steinbeck – 1,845 SF
- Melville – 1,865 SF
- Clayton – 1,927 SF
- Emerson – 1,947 SF
- Cheswicke – 2,188 SF
- Yeats – 2,262 SF
- Sinclair – 2,310 SF
- Serenity – 2,330 SF
- Dawson – 2,461 SF
- Inglewood – 2,558 SF
- Cooke – 2,624 SF
- Hampton – 2,869 SF
- Barrett – 3,035 SF
- Ainsley II – 3,175 SF
- Fairview – 3,322 SF
- Nicholas – 3,390 SF

- 18 Unique House Plans (6 Ranch Plans & 12 2-Story Plans)
- Elevations to be comprised of brick, stone and/or vinyl siding. All plans to meet or exceed the requirements set forth in code 1264.06 (a).
- Estimated Average Sales Prices
  - \$500,000 to \$650,000
- Range of Floor Plan Sizes
  - 1,544 sf to 3,918 sf



M/I HOMES

AVERY



BRODY



CAMERON





# REMINGTON





# TURNBULL





# STEINBECK





# EMERSON





# YEATS





# SINCLAIR





# INGLEWOOD





# COOKE

A-w/Bonus Rm.



B



B-w/Bonus Rm.



C-w/Bonus Rm.





# COOKE





# BARRETT



# SERENITY





# THOREAU





# FAULKNER





# COOPER





# MELVILLE





# CLAYTON





# CHESWICKE

A



B



C



D





# CHESWICKE

D



E



F



G





# DAWSON





# HAMPTON





# AINSLEY II





# FAIRVIEW





# NICHOLAS

A



B



C



D





# Memo

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

From: Dan Boron, Planner

Date: December 4, 2023

Re: Amendment to Codified Ordinances, Public Notifications of Public Hearings

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This agenda item is a follow-up to my brief comments at the conclusion of the October 11th meeting and will change part of the manner in which the City notifies the general plan of public hearings of Planning Commission and the Board of Zoning Appeals (BZA). A recent change in state law brought to my attention by Jerry McDonald, Law Director, contained in the biennial budget included a provision that removed the requirement that the City post public hearing notices in the newspaper of general circulation. For us that has meant the Dayton Daily News or the Springboro Star Press recent past. In 2023 alone the City spent \$1,281 in public notifications for rezoning and variance cases.

The state law change allows the posting of notices on the City's website, something the City already does under "Springboro News/What's Happening" at [www.cityofspringboro.com](http://www.cityofspringboro.com). City staff will continue to post public hearing notifications at the City Building, Performing Arts Center, and Springboro Public Library as required under Section 224.01 of the Codified Ordinances. The City will also continue to send notifications to adjacent property owners by regular mail, but move and clarify the language so it is together in one section of the code, not two as at present. Lastly with respect to public hearings, the City will continue to post a rezoning sign on the property, although not required by Ordinance.

With respect to Planning Commission's part in rezoning reviews, the City will continue to distribute complementary notification letters to all property owners within 300 feet making them aware of a preliminary review of a zoning map amendment before Planning Commission. I'd welcome any thoughts on reducing that number to 200 feet which is the standard for BZA variance public hearings, rezoning cases here before 2004/2005, and for rezoning in other communities.

**Planning and Zoning Text Amendment Public Hearings.** With respect to Planning and Zoning Code text amendments like this one, as well as amendments to the Official Zoning Map of the City of Springboro, the following text amendments are recommended. Deleted text appears in ~~strikeout~~, text to be added appears in **bold and underline**.



Section 1287.01, General Requirements. Delete the second paragraph:

~~1262.29~~ There is hereby adopted in and for the City a sensible "good neighbor" policy, whereby notification of proceedings concerning Municipal land use planning and rezoning shall be given to all property owners who own properties located within the immediate neighborhood, being located within 300 feet of the subject property, regardless of what jurisdiction these neighboring properties are located within, and also to any local governmental jurisdiction whose boundaries are located within 300 feet of the subject property, which notifications shall be mailed to the respective owners and jurisdictions which so qualify, so that their comments and concerns can be considered in land use and zoning decisions which concern property located within such close proximity to such other jurisdictions. It is hoped that this policy of cooperation will also be adopted by all of the City's neighboring jurisdictions so as to help create a more cooperative environment within which better, more coordinated land use decisions can be made. (Res. 373. Passed 3-18-82.)

Note: "1262.29" is a cross-reference to the section of the previous Planning and Zoning Code from where this provision was taken prior to 2015.

Section 1287.06, Public Hearing by City Council. Before any amendment may be passed, City Council shall hold a Public Hearing, within 120 days from date of receipt of recommendation from the Planning Commission. Such hearing shall be publicized as follows:

- (a) ~~**Newspaper.** Written notice shall be placed in a newspaper of general circulation in Springboro at least 30 days prior to the date of the Public Hearing, stating the time, place of hearing and general nature of the amendment(s) proposed and that copies of the proposed amendment(s) and Zoning Code shall be on file with the City for public examination.~~
- (b) **Mail Notification.** If the amendment proposed is intended to rezone or re-district 10 or fewer parcels as listed on the tax duplicate, written notice of the hearing shall also be mailed by the Clerk by first class mail at least 20 days before the date of the Public Hearing to the owners of the property within, ~~contiguous to, and directly across the street from the area~~ **300 feet of the property** proposed to be rezoned to the address of such owners appearing on the County Auditor's current tax list, or the Treasurer's mailing list or any other lists that may be specified by Council.
- (c) **Delivery Failure.** The failure of mail delivery of such notice shall not invalidate any such amendment.
- (d) **Posting Places.** The notice of Public Hearing shall be publicized according to the provisions of Section 224.01 (a), Posting Places.

**BZA Public Hearing Notifications for Variances.** With respect to the recent state law change, no amendments are needed to the BZA notification requirement since it cross references state and local law in Section 1285.04(c), Variances, Notice of Public Hearings. There is a need to include a statement on the notification of property owners within 200 feet of the property subject to a variance request; that number has been consistently used in the BZA proceedings, is included in the variance application, but has not been listed specifically in the ordinances since at least 2015.

The following text change is recommended in **bold and underline**:

- (c) **Notice of Public Hearing.** Before holding the Public Hearing, notice of such hearing shall be given at least 15 calendar days before the date of such hearing. The owner of the property for which the application is made, or his or her agent, shall be notified by general mail or personal delivery. **All property owners within 200 feet of the property shall be notified by mail.** Notice of such hearing



shall be posted on the property for which the application is made, at the Municipal Building, and in other locations required under City Code Section 224.01(a), Posting Places, at least 15 days prior to the Public Hearing.

Following Planning Commission preliminary review and formal action, this item will need to be approved by City Council ironically with a public hearing announcement in the paper of general circulation.

If you have any questions regarding this proposed amendment, please feel free to reach out to me at (937) 748-6183 or [danb@cityofspringboro.com](mailto:danb@cityofspringboro.com).



**City of Springboro**  
**320 West Central Avenue, Springboro, Ohio 45066**  
**Planning Commission Meeting**  
**Wednesday, October 11, 2023**

**I. Call to Order**

Chair Becky Iverson called the October 11, 2023 Springboro Planning Commission Meeting to order at 6:00 pm at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio.

Present: Becky Iverson, Chair, Chris Pearson, Vice Chair, Rob Dimmitt, Steve Harding, John Sillies, and Mike Thompson.

Staff Present: Dan Boron, City Planner; Chad Dixon, City Engineer; and September Bee, Planning Commission Secretary.

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

**Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Harding, yes; Sillies, yes; Thompson, yes (6 yes,-0 no)**

**II. Approval of Minutes**

**September 13, 2023 Planning Commission Minutes**

Ms. Iverson asked for corrections or additions to the minutes. There were none.

*Mr. Pearson motioned to approve the September 13, 2023 Planning Commission minutes. Mr. Dimmitt seconded the motion.*

**Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Harding, abstain; Sillies, yes; Thompson, yes (5 yes, 1 abstain, 0 no)**

**III. Agenda Items**

**A. Final Approval**

**Site Plan Review, 1345 Lytle-Five Points Road, Ravine at Settlerspoint assisted living facility**

**Background Information**

This agenda item is a request for site plan review approval, filed by James Alt, representing Seva Group LLC, property owner, seeking approval to construct a 32,770-square foot, 48-bed assisted living facility on property located at 1345 Lytle-Five Points Road.

This site plan was reviewed by the Planning Commission in 2021, first on a preliminary basis at the July 14 meeting, and then formally approved at the October 13 meeting. The October 2021 approval included, as is customary, a number of conditions, 23 in all. Many of those comments have been addressed this that time. Planning Commission's site plan approvals have an expiration date tied to lawful construction. While the



applicant had applied for a building permit from the City, the extraordinary amount of time that has passed with no construction activity led to City staff's recommendation that this item be again now to reset the clock on the remainder of the City's development review process.

The proposed assisted living facility is proposed for construction immediately to the south of the existing BeeHive Homes facility. That facility was reviewed and approved by the Planning Commission in 2017, with construction completed in 2018. The subject property is zoned O-R, Office Residential District, a zoning designation that allows assisted living facilities as a permitted use. The O-R District places no limitations on the maximum size of buildings. The proposed site plan is consistent with all design and development standards including but not limited to setbacks, building heights, and lot coverage.

The proposed Ravine at Settlerspoint assisted living facility will use the same access drive to Lytle-Five Points Road as the existing BeeHive facility to the north. That drive terminates with a turnaround at the northwest corner of the Ravine property.

Adjacent land uses include single-family residential in Clearcreek Township to the east on East Tamarron Court and in the City of Springboro on Westchester Court, both located within the Woodland Greens subdivision. The property at the western terminus of Westchester Court, and immediately abutting the southeast corner of the subject property, is a detention pond owned by the City of Springboro. To the south is undeveloped land, to the west a retention pond serving retail development at the southeast corner of North Main Street and Lytle-Five Points Road (KeyBank, Settlers Station shopping center) as well as a vacant parcel fronting Lytle-Five Points Road. To the north is the existing BeeHive facility.

Adjacent zoning includes Clearcreek Township R-1, Rural Residence District and City of Springboro R-1, Estate-Type Residential District to the east corresponding to the Woodland Greens subdivision. To the south is O-R District, and to the west, is O-R District and LBD, Local Business District corresponding to the Settlers Station shopping center and adjacent development.

The Planning Commission's review of this site plan is to following the provisions of Section 1284.08, Site Plan Review Criteria Applicable to All Land Uses that is included here:

**1284.08, Site Plan Review Criteria Applicable To All Land Uses.**

The Planning Commission shall review the site plan and the reports of City staff at a meeting on a preliminary basis subject to submission of an application consistent with the deadlines established by the Director of Planning (see Figure 10 at the end of this chapter). At the preliminary review, the Planning Commission shall determine if formal review of the site plan is appropriate at its next meeting if all of the following requirements are met and/or recommend modifications thereof to the applicant or landowner if any of the following requirements are not met:

- (a) The application shall be fully and accurately completed;
- (b) The substance of the plan shall conform to the provisions of this chapter and any other Municipal ordinance or state or federal law, or provide an explanation of why any nonconformity should be allowed;
- (c) The plan shall provide adequate parking, loading and vehicle stacking facilities, open space, and lighting systems. Permitted parking shall be separated by buildings or properly designed walkways, trees, greenspace or by other comparable techniques;
- (d) The plan shall provide for adequate pedestrian and vehicular circulation within the development and adjacent public right-of-way;
- (e) The plan shall access the public roadway via curb cuts shared with adjacent uses to the maximum extent feasible, consistent with sound traffic engineering standards;



- (f) The plan shall provide adequate utility, waste disposal or sanitary services;
- (g) The plan shall create a satisfactory and harmonious relationship between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods;
- (h) The plan shall include all dedications of easements and rights-of-way, and all public improvements, to conform to and implement municipal plans for utilities, streets and open space preservation and development;
- (i) The plan shall include landscaping and screening in conformance with municipal ordinances, administrative standards or other reasonable criteria;
- (j) The plan shall eliminate any existing conditions hazardous to health or safety, shall not create such conditions, and shall not create a nuisance;
- (k) The plan shall include all design elements and expressly state all operational limitations recommended by the Commission which are reasonably related to the public health, safety and general welfare and which are desirable to serve the premises or minimize the adverse effects of the plan on the neighborhood or community;
- (l) Walkway/bikeways fronting on public roads shall be designed and integrated with the screening and landscaping in a manner conforming to the relevant renderings provided in the City's Bicycle Pedestrian Plan; and
- (m) Walkway/bikeway design, landscaping and plant material selection, and screening techniques shall not only relate to the development of the subject site but also coordinate with the existing and prospective development of adjacent sites and public facilities. (Ord. 0-15-4. Passed 2-19-15.)

### **Staff Recommendations**

City staff recommends APPROVAL of the site plan for The Ravine at Settlerspoint located at 1345 Lytle-Five Points Road subject to compliance with the following comments:

1. Update sheet A4.0-4.1 to correct elevation labels (east to north, north to east, west to south, south to west).
2. Indicate plans for screening of dumpster facilities. Also indicate if other screening matches that of the adjacent BeeHive facility at 1325 Lytle-Five Points Road in terms of color, materials, and appearance.
3. Signage for the proposed use subject to review by the City of Springboro Zoning Inspector.
4. Submit lighting plan for review of compliance with Chapter 1273, Exterior Lighting. Site plan approved in 2021 included comments related to verification of compliance with color-temperature, light trespass, and cut-off standards, and average to minimum (4:1) and maximum to average (10:1) ratios.
5. An "As Built" drawing showing as-built location and elevations of all improvements shall be submitted prior to the issuance of an occupancy permit.
6. The Clearcreek Fire District will review plans concurrent to building code review process.

### **Discussion:**

Mr. James Alt of Alt Architecture was present to answer any questions from Planning Commission members and City staff.

Ms. Iverson the applicant for Final Approval, Site Plan Review, 1345 Lytle-Five Points Road, Ravine at Settlerspoint assisted living facility, to approach the podium.



Mr. James Alt, 2440 Dayton-Xenia Road, Suite B, Beavercreek, Ohio, introduced himself to Planning Commission members and staff. He gave a short summary of the project, explaining he and his staff had no issues with any of the staff comments and are currently addressing those items.

Ms. Iverson asked Mr. Boron for a summary of the proposed project.

Mr. Boron said that this item had been before Planning Commission in October 2021 for final approval, at which time it was formally approved with staff conditions. Due to the length of time that has passed since the October 2021 approval, staff felt that it was prudent to review the site plan as presented currently. The applicant has addressed all engineering staff comments from 2021. Only six minor staff comments remain to be addressed at this time.

Mr. Pearson asked how long the deadline is before final approval expires.

Mr. Boron stated that the application expires after six months with a typical extension of up to six months if requested.

Mr. Sillies asked about how the buffer between the proposed new facility and the Woodland Greens subdivision will be addressed.

Mr. Boron said that the landscape plan submitted by the applicant meets all the buffer requirements for that area. It is concurrent with the setback on the east side of the property. Trees will be added to the existing vegetation. The lighting, for the most part, will be on the west side of the property near the parking and walkways.

Mr. Sillies asked if the new facility is owned by the same people who run The Beehive Memory Care facility.

Mr. Alt replied that the new building is owned by the same company and will be a replica of the existing Beehive facility. The front building is primarily for memory care while the new building will be for rehabilitation and assisted living.

Mr. Harding asked when they would begin construction.

Mr. Alt stated that they were currently working with the City of Springboro's Chief Building Official, Tad Stoll, regarding permits. They have secured a general contractor and would like to break ground as soon as Mr. Stoll gives his approval for the permits.

Mr. Dimmitt stated that he feels the facility is too large for the area.

Ms. Iverson asked if the facility was within the zoning code standards.

Mr. Boron said the building is a permitted use.

Ms. Iverson asked if there were any further questions or comments. There were none.

Ms. Iverson called for a motion to approve the Final Approval, Site Plan Review, 1345 Lytle-Five Points Road, Ravine at Settlerspoint assisted living facility.

Mr. Sillies motioned to approve the final approval. Mr. Harding seconded the motion.



Ms. Iverson called for roll call.

**Vote: Iverson, yes; Pearson, yes; Dimmit, no; Harding, yes; Sillies, yes; Thompson, yes (5 yes - 1 no)**

Ms. Iverson said that the motion is approved.

- B. Final Approval, Rezoning, R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential, 1525 South Main Street (SR 741), proposed single-family residential subdivision**
- C. Final Approval, General Plan, R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential, 1525 South Main Street (SR 741), proposed single-family residential subdivision**

### **Background Information**

These agenda items are based on a request filed by M/I Homes of Cincinnati, LLC, seeking rezoning and general plan approval for the proposed Whispering Pines subdivision, a residential subdivision on an approximately 35.62-acre site located at 1525 South Main Street (SR 73). The applicant is requesting rezoning and general plan approval under the City's Planned Unit Development (PUD) process from R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential. These items were reviewed on a preliminary basis at the July 12 and August 9 Planning Commission meetings at which time the Planning Commission asked the applicants to consider the comments made at the meeting and present another plan for preliminary review. This item was reviewed again at the September 13 Planning Commission meeting at which time the Planning Commission authorized this item to be placed on a future agenda for formal approval.

The applicant proposes to develop a total of 75 single-family residential units on the site. The proposed development density is 2.11 units per acre with typical lots proposed to be 8,370 square feet and an average of 9,000 square feet. Current R-1 District zoning permits two units per acre on lots no less than 20,000 square foot lots. Two access points are proposed for the subdivision, both from the frontage on South Main Street, one at the midpoint of the property frontage, and a second on the northeast corner aligned with the intersection of Heatherwoode Boulevard. A stub street is also proposed for the west end of the site. That stub street would project into lands in Clearcreek Township. A total of 13.40 acres of open space is shown, or 37.6% of the land area, a slight reduction from the proposal reviewed on August 9th. Residential PUDs require a minimum 25% open space.

The proposed rezoning/general plan appears as two separate items on the Planning Commission work session agenda. Rezoning together with general plan review and approval are the first step in the three-step PUD review and approval process. Approval by both Planning Commission and City Council are required. Final development plan, similar to the City's site plan review process, review and approval by Planning Commission is the second stage in the process. Final development plan may be submitted in a number of sections in conjunction with a site's incremental development. Record plan review and approval by both Planning Commission and City Council is the last step in the PUD approval process. This allows for the subdivision of lots and the dedication of right-of-way and open spaces. As with final development plans, record plans may be submitted in a number of sections as the development is completed.

The subject property is presently zoned R-1, Estate-Type Residential District. That classification dates to 2015 when large parts of Springboro were reclassified to R-1 District from Township or (T)R-1 District. The



(T)R-1 designation was allowed to remain on properties annexed over time from lands originally in Clearcreek and Franklin Townships. The R-1 and (T)R-1 have similar development densities, however moving to R-1 District allows the City to manage its own long-range development through its own Planning and Zoning Code.

Adjacent land uses in Springboro include large lot residential to the west in Clearcreek Township, and to the north in the City. To the east, on the east side of South Main Street, cluster housing on Glencoe Court, Dunnington Court within the Heatherwoode PUD, and large lot residential, and to the south the Springboro Community Schools Junior High School and athletic facilities.

Adjacent zoning in the Springboro portion of the vicinity is R-1 District to the north and southeast, PUD to the east encompassing the Heatherwoode PUD, and PUD to the south incorporating the Junior High School and other school property to the south. Lands to the west in Clearcreek Township are zoned SR-1, Suburban Residence, which allows development up to two units per acre when connected to a centralized sewage system.

The *Springboro Master Plan*, adopted by City Council in February 2022, includes recommendations for the long-range development of the community. It is divided into 16 policy areas that make specific recommendations for smaller portions of the community and are grouped together because of proximity, land use patterns, date of development and other general characteristics. Policy Area 16, Heatherwoode, includes the subject area and land including the Heatherwoode, Farms of Heatherwoode, and Ashton Woods subdivisions, the City's Heatherwoode Golf Course, and the Springboro Community Schools main campus. The policy area recommends residential development and redevelopment that conforms to the existing character of adjoining neighborhoods. The plan also recommends connecting neighborhoods in the area, and improving pedestrian and bicycle access.

The three residential subdivisions in the vicinity were developed at the following densities:

- Ashton Woods, 21 units on 10.62 acres, 1.98 units/acre
- Farms of Heatherwoode, 162 units on 80.79 acres, 1.78 units/acre
- Heatherwoode, 221 units on 105.71 acres, 2.08 units/acre. This includes Glencoe Court and Dunnington Court. The golf course is not included in the density calculation.

Aside from school property, lands immediately abutting the property are 11.23 acres (west), and 16.65 acres (north) in area.

Courtesy notification letters were sent out to all property owners within 300 feet of the subject property prior to the July 12th meeting. Should this proposal move forward, the same property owners will be notified of a Public Hearing of City Council on the rezoning of the property.

The basis of any recommendation of approval of PUD rezoning and general plan is Section 1266.10, Amendment of Zoning Map, General Plan Approval, of the Planning & Zoning Code, subsection (a):

- (1) PUD zoning and the General Plan are in conformance with the General Development Plan for the City of Springboro, supporting plans, and related legislation as adopted by City Council.
- (2) An exemption to conventional zoning is justified because the Comprehensive Land Use Master Plan for the City of Springboro can be more faithfully and reliably implemented by the use of PUD zoning.

- (3) The General Plan is compatible with the location, topographic and other characteristics of the site and will bear a beneficial relationship with surrounding land uses in terms of noise, smoke, dust, debris, or other nuisances.
- (4) The general plan is carefully designed to support surrounding streets, utilities and other public improvements.
- (5) The general plan represents an efficient and economic use of the land in view of the community's need for a balance of land uses.
- (6) All public streets, utilities and services necessary to carry out the General Plan are available to the site, or will be extended or improved by the developer and/or City in time to permit the development to be properly served.
- (7) Exception from conventional zoning is warranted by design goals or other criteria and/or the need to provide a variety of development opportunities within the community.
- (8) The design of the development protects natural assets such as streams, woodlots, steep terrain, and other critical environments in the City.
- (9) Taken as a whole the development of the proposed PUD will have a positive effect on the health, safety, and general welfare of the City of Springboro.
- (10) The General Plan appears capable of being implemented by a Final Development Plan which meets all requirements of this chapter.

#### **Staff Recommendations**

City staff recommends APPROVAL of the proposed rezoning of 1525 South Main Street from R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential with the comments below.

City staff recommends APPROVAL of the proposed general plan for 1525 South Main Street with the following comments.

1. Home plans to comply with Section 1264.06, Design Standards for Single-Family Detached Dwellings, of Planning and Zoning Code.
2. Proposed volume of vinyl siding on sample homes included in submittal is high. Applicant to propose exterior minimum percentage of brick, stone, cement board, and other materials for use in the subdivision.
3. Provide a minimum 50% ranch-type home product as part of proposed general plan.
4. Reorganize the proposed open space plan so that it provides future residents with more quality open space this is contiguous and usable, then drains the property, then buffers neighboring development in that preference order.
5. Proposed east-west multiuse trail needs to be more fully developed in final development plan stage of process and rerouted. Meantime realign west end to follow proposed Morris Street to west property line, and include stub street to north property, and to any potential connection to the school campus to the south. Access for all members of the public needs to be provided for in the layout and location.
6. Streets to be built to City specifications, including 29 feet back to back of curb with 5 feet sidewalks. Back of sidewalk to be along the right of way line.
7. An HOA shall be developed to maintain all common elements, including but not limited to: detention facilities, sump drains, identification signage, central mailbox unit(s) and open space.
8. Provide location of Central Mailbox Unit(s), which are to be reviewed by the Post Master.



9. Engineering comments are reserved until such time when designed improvements are completed on construction drawings, including but not limited to: water, sanitary, storm sewer and detention basin design.
10. Dedicate the right of way along South Main Street (SR 741) and make any necessary roadway improvements, including but not limited to roadway widening (if needed), pavement markings and signage.
11. Consider implementing traffic calming controls on Glasgow and Morris Streets.
12. Clearcreek Fire District has no comments at this time.

### **Discussion:**

Mr. Justin Lanham of M/I Homes was present to answer questions from the Planning Commission and staff.

Ms. Iverson announced that guest comments would be heard before any vote will be taken if a decision is made to vote on the final approval for the rezoning and general plan, for 1525 South Main Street (SR 741), rezoning from R-1, Estate Type Residential District, to PUD-R, Planned Unit Development-Residential, proposed single-family residential subdivision.

Ms. Iverson asked Mr. Lanham if he had any questions or comments regarding the current staff comments and recommendations.

Mr. Lanham said that he has several questions regarding staff comments numbers three and four.

Mr. Lanham stated that with regards to staff comment number three, M/I Homes will not commit to providing a minimum of 50% ranch style homes in the development. Ranch homes will be offered but they will not limit the number of two-story homes offered to potential buyers. The buyer will have the option to choose from both two-story and ranch-style homes.

Ms. Iverson interjected that because this is a planned unit development, PUD, Planning Commission has the latitude to request specific conditions be met before Final Approval is granted.

Mr. Lanham continued and said that with regards to staff comment number four, he is stymied how they can better use the open space. Currently there is nearly 40% of the property designated for open space. The center open active area with the pond and the path is nearly 17% of the project's overall open space.

Ms. Iverson asked if Mr. Dixon or Mr. Boron could address Mr. Lanham's question regarding staff comment number four.

Mr. Boron said that the staff has concerns that the open space will over-rely on the open space to be used for detention and retention of water; they would like to see more programmable space dedicated to use by the residents of the community. The minimum requirement for 25% open space has been met, but staff feels the open space could be better utilized.

Mr. Pearson asked if Planning Commission could vote on something they had not seen proposed; how can they make a final approval vote on plans they have not seen as of yet?

Mr. Boron said that they could make it a condition of approval.

A discussion was had by Planning Commission members and City staff regarding the two staff comments in question. It was generally understood from the discussion at the last meeting that the builder should not be

required to build a certain percentage of any style home on the property and that the greenspace was acceptable as presented with minimal changes required to the multiuse trail.

Mr. Lanham reiterated that their application has always included two-story and ranch-style homes in their proposal.

Ms. Iverson stated that she feels strongly about the fact that rezoning a PUD leaves the Commission with an option to add something to the community that they currently don't have available. She also said she understands what the market will bear.

Ms. Iverson asked Mr. Lanham if he wanted to continue with the discussion or did he want to address any other issues with the staff comments?

Mr. Lanham said that in general he was compliant with the majority of the staff comments but had a concern about staff comment number two regarding vinyl siding. The bases of the homes would be wrapped in brick with the remainder of the house to be vinyl siding as a standard option. Upgrading to cement board is an option and the buyer can choose that option if desired.

There was another short discussion amongst the commission members about the price point of the homes if cement board is required versus less expensive vinyl siding.

Mr. Boron said that comment number two came about because there was a change in the nature of the application tied to specifically looking at the materials presented to the board previously but the finishes had never really been addressed like they have before with previous subdivisions such as The Springs and Clearview Crossing.

After discussion, Planning Commission members came to an agreement that no vinyl siding be used, and cement board and brick homes would be an appropriate request for M/I Homes.

There was another discussion regarding how to be able to take a vote for final approval. It was decided amongst the board members that staff comments three and four should be stricken from the staff comments as requirements and that staff comment number two should be amended to say that no vinyl siding will be used in the construction of the new residential homes.

Ms. Iverson asked if there were any further questions or comments from the applicants or Planning Commission members. There were none.

Ms. Iverson called for guest comments.

Mr. Dave Diemunsch, 6615 Weidner Road, introduced himself. He is still concerned about how the new subdivision will affect safety, traffic, property values and quality of life in his neighborhood. He is also concerned about the proposed new stub street, possible annexation of property and how it will add to the traffic on Weidner Road.

Ms. Iverson said that she had not heard of any possible annexation of property. She asked Mr. Boron if he could clarify the placement of the stub street.

Mr. Boron explained that the City boundary line ends at the west end of the property. There has been no discussion regarding annexation with this proposal.



Mr. Harding clarified that the Planning Commission or the City cannot control the construction of a stub street; it would be up to the developer if they decide they want a stub street as long as they don't encroach on someone else's property.

Mr. Boron said the goal of the City is to create connectivity wherever possible for several reasons, with safety being the number one reason. It allows for future development to be able to be connected to existing neighborhoods or districts much more easily.

Mr. Diemunsch re-stated said he and other property owners on Weidner Road are still concerned about the stub street that could possibly connect to Weidner Road. He is also concerned about the additional traffic the new subdivision will add to SR 741.

Ms. Annie Frick, 5889 Weidner Road, introduced herself and said that she is very concerned about the lack of transparency by the City regarding this project.

Mr. Dixon commented that the City will not annex property in a different jurisdiction just to build a road.

Mr. Boron said that all property owners within 300 feet of the proposed development received a letter stating that the Planning Commission is meeting to discuss the development of property and that property owners could find all the information regarding the application on the City's website.

Mr. David Ferguson, 6584 Weidner Road, introduced himself. He is concerned that because there is only one access point to the new development that the City would annex property to connect to Weidner Road for safety purposes.

Mr. Harding stated that there are two entrances to the new development, so no extra annexation of property would be necessary.

Mr. Ferguson said that he feels more property owners on Weidner Road should have been notified.

Mr. Harding said that the 300 foot letters are sent out as a courtesy, they are not required, and the City cannot notify every resident of the City and Township whenever development is proposed.

Ms. Iverson called for any further guest question or comments. There were none.

Ms. Iverson called for a proposal to decide whether or not to take a vote and how the staff comments should be amended.

Mr. Dimmitt proposed that staff comments three and four be stricken from the staff requirements and that staff comment number two be amended to include no vinyl siding is to be used on the residential homes.

Ms. Iverson asked if any of the members thought that no vote should be taken tonight.

Mr. Harding said that he feels more discussion is called for regarding staff comment number three.

Mr. Thompson replied that a vote should be taken and any member who is not comfortable with this moving forward to City Council with the amendments discussed, that member may vote no.

Ms. Iverson called for a motion to strike vinyl siding as construction option from staff comment number two and to strike comments three and four altogether.

Mr. Dimmitt motioned to remove vinyl siding as an option for staff comment number two and to strike comments three and four from the staff requirements. Mr. Sillies seconded the motion.

Ms. Iverson called for any further discussion. There was none.

Ms. Iverson called for roll call.

**Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Harding, no; Sillies, yes; Thompson, yes (5-1)**

Ms. Iverson said that the motion carries and the general plan is approved to move forward to City Council.

Ms. Iverson called for a motion to approve the final approval of the rezoning of 1525 South Main Street (SR 741), from R-1, Estate-Type Residential District, to PUD-R, Planned Unit Development-Residential.

Mr. Thompson made a motion. Mr. Pearson seconded the motion.

Ms. Iverson called for further discussion. There was none.

Ms. Iverson called for roll call.

**Vote: Iverson, yes; Pearson, yes; Dimmitt, yes; Harding, no; Sillies, yes; Thompson, yes (5-1)**

Ms. Iverson said that the motion carries and the rezoning is approved to move forward to City Council.

#### **V. Guest Comments**

Ms. Iverson asked if there were any other guest comments to be made.

There were none.

#### **VI. Planning Commission and Staff Comments**

Ms. Iverson asked Mr. Boron if he had any additional comments or information.

Mr. Boron said that there has been a moratorium placed on new vaping and tobacco product businesses within Springboro for nine months. A committee has been formed to research the issues of business regulation and taxation along with zoning issues of lighting and location. There is a concern that these businesses will proliferate in the City. No new additional applications or permit requests will be accepted for these uses during the moratorium. Any changes to the Planning and Zoning Code would need to be reviewed by Planning Commission.

Mr. Boron stated that the manner in which extensions are afforded for site plans will need to be addressed by a text change as well/

There will be a Planning and Zoning workshop on Friday, December 1 and Planning Commission members are invited to attend. It will be held at Sinclair Community College in Dayton. Members need to let Ms. Bee know if they wish to attend. The City will pay for registration.

The next Planning Commission meeting will be Wednesday, November 8, 2023 at 6:00 pm in Council Chambers.



## VII. Adjournment

Ms. Iverson called for a motion to adjourn.

*Mr. Harding motioned to adjourn the October 11, 2023 Planning Commission Meeting at 7:35 pm*  
*Mr. Thompson seconded the motion.*

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

Ms. Iverson said that the motion is approved unanimously.

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Becky Iverson, Planning Commission Chairperson

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Dan Boron, Planning Consultant

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September Bee, Planning Commission Secretary