

**CITY OF LEBANON PLANNING COMMISSION MINUTES**

DATE: October 16, 2018

TIME: 7:00 p.m.

Members present were Mayor Amy Brewer, Richard Fair, and Tom Miller. Also present was Meredith Snyder, City Planner.

The meeting was called to order by Mr. Fair.

Roll call was taken and two members were absent.

**Consideration of Minutes**

The meeting minutes for the September 18, 2018 meeting and September 18, 2018 Special Meeting were motioned for approval by Mr. Miller and Seconded by Mayor Brewer.

**Certificate of Appropriateness – Demolition – 10 N. High Street – Public Hearing**

The first item of business is for a proposed demolition to an accessory Structure located at 10 North High Street. This property is located in an Architectural Review Overlay District, and therefore must have the approval of Planning Commission.

Ms. Snyder presented an overview of the proposed Certificate of Appropriateness to demolish the accessory structures at 10 North High St be approved subject to the following conditions:

1. All required City permits shall be approved prior to demolishing the building.
2. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.
3. The property owner is required to consult with the Department of Planning and Development to discuss any future improvements, renovations, and/or refurbishment of the structure prior to beginning any related work.
4. The applicant shall have one year to perform the modification under an approved certificate of appropriateness or the certificate shall expire and be deemed null and void, unless an extension of time is applied for and approved by the Planning Commission. Upon expiration of the certificate of appropriateness the applicant shall then be required to submit a new application per section 1132.08.

Mr. Fair asked if anyone else wanted to speak.

Ms. Brunka, the applicant for the item stated that she could answer any questions.

There were none.

With no further comments Mr. Fair requested a motion to close the Public Hearing at 7:08. The Public Hearing was closed.

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Mr. Miller motioned to approve the proposed demolition with staffs recommended conditions. Mayor Brewer seconded.

Upon calling the roll, the motion passed unanimously.

**Certificate of Appropriateness – Exterior Alteration – 243 South Broadway**

The next item of business is for a proposed major modifications to the property located at 243 S. Broadway Street. This property is located in an Architectural Review Overlay District, and therefore must have the approval of Planning Commission. The major modifications proposed include the addition of a pool and pergola to the rear yard of the property.

Ms. Snyder presented an overview of the proposed major modifications to a property located within the Architectural Review Overlay District at 243 S. Broadway and stated that they are in compliance with Section 1140 of the Lebanon Zoning Code. Therefore, staff recommends approval of the Certificate of Appropriateness subject to the following conditions:

1. All required City permits shall be approved prior to beginning work on the structure. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.
2. The property owner is required to consult with the Department of Planning and Development to discuss any future improvements, renovations, and/or refurbishment of the structure prior to beginning any related work.
3. The applicant shall have one year to perform the modification under an approved certificate of appropriateness or the certificate shall expire and be deemed null and void, unless an extension of time is applied for and approved by the Planning Commission. Upon expiration of the certificate of appropriateness the applicant shall then be required to submit a new application per section 1132.08.

Mayor Brewer motioned to approve the proposed exterior modification with staffs recommended conditions. Mr. Miller seconded.

Upon calling the roll, the motion passed unanimously.

**Certificate of Appropriateness – Exterior Alteration – 27 West Mulberry Street**

The next item of business is for a proposed major modifications to the property located at 27 West Mulberry. This property is located in an Architectural Review Overlay District, and therefore must have the approval of Planning Commission. The major modifications proposed are siding on the west, south and east side of the building as a result of a property maintenance violation. The siding will cover existing painted brick

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and block. Photos of the violation are attached. The rear of the building is visible from the adjacent parking lot and alley.

Ms. Snyder presented an overview of the proposed modification and stated that she had requested additional information from the applicant but had received none. Ms. Snyder recommended approval of the item with the following conditions only if the requirements of section 1140.08.D relating to Windows can be met which she did not think could be met for the entire area requested. The conditions were as follows:

1. All requirements of 1140.08.D.6 be met.
2. All required City permits shall be approved prior to beginning work on the structure.
3. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.
4. The property owner is required to consult with the Department of Planning and Development to discuss any future improvements, renovations, and/or refurbishment of the structure prior to beginning any related work.
5. The applicant shall have one year to perform the modification under an approved certificate of appropriateness or the certificate shall expire and be deemed null and void, unless an extension of time is applied for and approved by the Planning Commission. Upon expiration of the certificate of appropriateness the applicant shall then be required to submit a new application per section 1132.08.

Mayor Brewer stated that the renovation of the building is going great.

Mr. Fair discussed the section of the zoning code dealing with the rear of the building, uncovered masonry and rotted wood under siding.

Mr. Miller motioned to table the proposed exterior modification in order to receive additional information from the applicant. Mayor Brewer seconded.

Upon calling the roll, the motion to table passed unanimously. The motion passed and the item was tabled.

**Subdivision Plat – Autumn Ridge Preliminary Subdivision Plat**

The Next item of business is for a subdivision application for a preliminary plan of Autumn Ridge. The preliminary plan proposes 93 lots, four are open space lots and 89 are lots for single family homes. Autumn Ridge is 43.5 Acres and has a proposed open space of 5.8 Acres.

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Ms. Snyder presented an overview of the Subdivision Plat recommends the preliminary plan be approved with the following conditions:

1. All plan corrections as required in the City Planner's letter dated October 12, 2018 shall be provided on revised plans for final staff approval prior to submittal of construction drawings and/or improvement bonds.
2. The final plat for Autumn Ridge shall be submitted to the Planning Commission for review on or before October 16, 2019. Failure to submit the final plat for approval or request an extension by the Planning Commission will cause the preliminary plan to expire and become null and void.

Mr. Miller discussed regulations on access along Neil Armstrong.

Ms. Snyder stated that they are limited by the City Engineer and must be a certain number of feet away.

Mr. Fair asked about amenities included in the project.

Ms. Snyder stated that 10 percent of any new subdivision must set aside for open space.

Mr. Miller stated that there should be some consideration for access to Neil Armstrong way.

Mr. Tom Cloud who is associated with the property to the north of the development, stated that they are in favor but had a questions regarding the utilities being extended.

Meredith stated that the City requires water and sewer to be extended to the extent of the property to be developed. This does include private utilities.

Mr. Miller motioned to approve the proposed Subdivision plat with staffs conditions and the additional condition that all construction enters off of Neil Armstrong Way. Mayor Brewer seconded.

Upon calling the roll, the motion passed unanimously

**Subdivision Plat – 315 Miller Road Subdivision plat**

The Next item of business is an applicant requesting this final plat in order to divide the 10.001 acre property into two parcels, one 2.6141 acre parcel and one 7.3869 acre parcel. The 7.3869 acre property will remain with the existing single family home located at 315 Miller Road and the 2.6141 acre property will be created for possible single home to be built for future development. Both properties will be zoned R-1C Residential One C.

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Ms. Snyder presented an overview of the proposed plat and recommends Planning Commission provide a favorable recommendation to City Council for the final plat of Rosemarie Heights Section 8. The plat substantially complies with the subdivision regulations as required in Ch.1117.03 and applicable development standards as required in the Official Zoning Code. Based on the analysis, staff recommends the final plat be recommended for approval to City Council with the following conditions:

1. All plan corrections as required by the City Planner shall be provided on revised plans for final staff approval prior to City Council review.
2. The plat shall be recorded within sixty (60) days from the date of approval by Lebanon City Council, as listed in Section 1117.04 (a)(4) of the Subdivision Regulations. Failure to record the plat within the sixty (60) day timeframe will result in the approval expiring. Should the approval expire, the applicant shall be required to submit a new application for approval pursuant to the subdivision regulations.
3. A reproducible Mylar of the recorded plat shall be provided to the City of Lebanon.

Mr. Fair asked if there was more than one access.

Ms. Snyder stated that there would only one access that is shared.

Mr. Miller motioned to approve the proposed Subdivision plat with staff recommended conditions. Mayor Brewer seconded.

Upon calling the roll, the motion passed unanimously

### **Site Plan– Three Self Storage Condos – 850 Cincinnati Ave**

The next item of business is for a request for a Major Site Plan approval (Ch. 1132.06 of the Zoning Code) to develop three additional self-storage buildings at 850 Cincinnati Avenue. Ms. Snyder presented an overview of the proposed major site plan. The site plan complies with the approval criteria required of Ch. 1132.06 of the Zoning Code. Staff recommends the major site plan at 850 Cincinnati Avenue be approved, subject to the following conditions:

1. All plan corrections as required in the City Planner's memo dated October 2, 2018 shall be provided on revised plans for final staff approval prior to the commercial zoning permit being issued for the project.
2. That reciprocal cross access easements be recorded and a copy provided to the city.

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3. All applicable permits shall be issued by the City of Lebanon and the Warren County Building Department prior to the start of construction.
4. Any variation from the approved plans will require additional review and approval by the Department of Planning and Development and/or Planning Commission prior to any work being conducted at the site.

Mr. Fair asked if there was an office on site. Is there a fence.

Ms. Bruggaman, the applicant, stated that there is no manager, each is individually owned and there is no fence but there is a gate for controlled vehicular access.

Ms. Snyder stated that a business cannot operate in a unit.

Mr. Fair would like to see a fence around the units.

Mr. Miller stated that there is no outside storage allowed, no need for a fence.

Mr. Miller motioned to approve the proposed Site Plan subject to staff's conditions. Mayor Brewer seconded.

Upon calling the roll, the motion passed unanimously.

**Zoning Amendments – Code Amendments**

The next item of business is for proposed text amendments to various chapters of the Official Zoning Code. Ms. Snyder also stated that all items with the exception of the pool cover change were discussed at the September work session.

Ms. Snyder presented an overview of the proposed text amendments and determined that sufficient findings have been made in accordance with the approval criteria required under Ch.1132.05 (G.). Therefore, staff recommends a favorable recommendation to the City Council for the proposed text amendments to various chapters of the Official Zoning Code as presented.

There was additional discussion on retractable covers for pools.

The addition of the retractable pool covers was stricken.

Mr. Miller motioned to approve the proposed Code Amendments without the pool retractable covers text amendment. Mayor Brewer seconded.

Upon calling the roll, the motion passed unanimously.

**Other Business**

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Ms. Snyder presented an updated version of the Rules and Regulations for the Planning Commission as discussed at the September work session.

Mayor Brewer motion to update the Rules and Regulations for the Planning Commission as presented. Mr. Miller seconded.

Upon calling the roll, the motion passed unanimously and the Rules and Regulations were updated.

There being no further business, Mayor Brewer motioned to adjourn and Mr. Miller seconded the motion. The motion passed unanimously and the meeting was adjourned.

  
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SECRETARY – PLANNING COMMISSION

  
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CHAIRMAN – PLANNING COMMISSION