

## CITY OF LEBANON PLANNING COMMISSION MINUTES

DATE: May 21, 2018

TIME: 7:00 p.m.

Members present were Richard Fair, Tom Miller and Bernie Uchtman. Mayor Brewer and Kevin Glardon were absent. Also present was Meredith Snyder, City Planner.

The meeting was called to order by Mr. Fair. Role was called and three members were present.

### **Consideration of Minutes**

The meeting minutes for the April 16, 2019 regular meeting and work session were motioned for approval by Mr. Miller and Seconded by Mr. Uchtman. The minutes were approved.

### **Zoning Map Amendment and PUD Concept Plan – Monroe Meadows Subdivision**

The first item of business was a proposed Zoning Map Amendment and PUD Concept Plan. The applicant, Dwell Development, LLC, has submitted a subdivision application for a preliminary subdivision plan to be named Monroe Meadows. The preliminary plan proposes 33 lots with one reserved for detention. Monroe Meadows is 6.11 Acres and has a proposed open space of 1.39 Acres. The plan shows 32 single family attached homes. The applicant is currently requesting a rezoning to R-1CC PUD to allow for alternate standards than R- 1CC zoning permits. The applicant has provided a PUD standards document to account for any ways in which the development will not meet the requirements of the code. Any standards that are not specifically listed will revert to the requirements of the R-1CC zoning district. The applicant also provided a concept plan, which is attached to this report.

Ms. Snyder presented an overview of the proposed map amendment and PUD Concept Plan and based on the findings, staff found that the zoning map amendment to rezone 6.11 + acres North of Southline Drive and West of Deas Drive Lebanon, Oh 45036 (Parcel No's 1326227014 and 1336226013) from Residential One-CC (R-1CC) to Residential One-CC Planned Unit Development(R-1CC PUD) fulfills the approval criteria provided in Ch. 1132.05 of the Lebanon Zoning Code and is consistent with the general goals and policy objectives of the Lebanon Comprehensive Plan and therefore staff recommends the Planning Commission provide a favorable recommendation to City Council for approval.

Mr. Fair requested a motion to open the public hearing. Mr. Miller motioned to open the public hearing. Mr. Uchtman seconded. The Public Hearing was opened at 7:15 pm.

The applicant Mr. Garry Shirk discussed why they resubmitted as a PUD and explained they now work with Fischer homes ad introduced Ms. Gemma Maxwell with Fischer homes.

Ms. Maxwell spoke about the products they are bringing to Cincinnati and asked if anyone had any questions.

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Mr. Fair asked if anyone else who was in favor wanted to come up and speak. With the room silent Mr. Fair invited anyone opposed to come up and speak.

Mr. Ralph Saltsgaver discussed his concern with the road connecting to Monroe Rd. and people taking Southline Dr. instead of Columbus Ave. and the dangers exposed to people in the neighborhood if that happens.

Mr. Fair acknowledged his concern and discussed traffic with Mr. Saltsgaver.

Mr. Fair asked if anyone else would like to speak.

Mr. Eddie Sizemore discussed his concerns with the water drainage and additional traffic. Mr. Sizemore also asked about the zoning and asking if it will change to commercial and effect property tax.

Ms. Snyder stated that the property is residential.

Mr. Fair acknowledged Mr. Sizemores concerns and asked if anyone else would like to speak.

Ms. Barbara Russell asked if a landscaping buffer to the south would be required.

Ms. Snyder stated that there would not be a buffer required since the uses were the same, single family.

Mr. Fair asked if anyone else would like to speak.

Mr. Shane Delong stated he was one of the engineers and is available to answer questions.

Mr. Saltsgaver discussed water drainage issues and traffic concerns.

Mr. Fair acknowledged Mr. Saltsgavers concerns and asked if anyone else would like to speak.

With no one speaking Mr. Fair requested a motion to close the public hearing. Mr. Miller moved to close the public hearing and Mr. Uchtman seconded the motion. The public hearing was closed at 7:30 pm.

Mr. Fair asked Mr. Delong about the drainage issues.

Mr. Delong explained the lay out and water drainage with the building project.

Mr. Fair, Mr. Miller, Ms. Snyder and Mr. Delong discussed the water drainage and the traffic.

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Mr. Fair asked if with 32 lots will the HOA support and maintain roads, sidewalks, and lawn care with them being patio homes.

Mr. Shirk stated that they would. Mr. Shirk and Mr. Fair discussed the the cost of keeping up maintenance in a subdivision.

Mr. Chet Calkins discussed HOA fees with Mr. Fair.

After discussion Mr. Fair requested a motion.

Mr. Miller motioned for approval of the recommendation to City Counsel. Mr. Uchtman seconded.

Upon calling the roll, the motion passed unanimously. Planning Commission recommends approval of the proposed Zoning Map Amendments to City Council.

**Zoning Map Amendment and PUD Concept Plan- Hageman Crossing**

64.91 + Acres on US Rt. 42 Lebanon, Oh 45036 (Parcel No's 12202000040 and 12141000100) from Residential One A Planned Unit Development (R-1A PUD) to Residential One A Planned Unit Development (R-1A PUD).

The applicant, Mr. Mike Williams of Highland Development Partners LLC is requesting a zoning map amendment and concept plan approval to rezone property from Residential One A Planned Unit Development (R-1A PUD) to Residential One A Planned Unit Development (R-1A PUD) for Hageman Crossing. The applicant is proposing nineteen residential lots, four open space, and three commercial lots. The applicant has provided a PUD standards document to account for any ways in which the development will not meet the requirements of the code. Any standards that are not accounted for will revert to the requirements of the R-1A zoning district. The applicant also provided a concept plan, which is attached to this report.

Ms. Snyder presented an overview of the proposed map amendment and PUD Concept Plan and based on the findings, staff found that the zoning map amendment to rezone 64.91 + Acres on US Rt. 42 Lebanon, Oh 45036 (Parcel No's 12202000040 and 12141000100) from Residential One A Planned Unit Development (R-1A PUD) to Residential One A Planned Unit Development (R-1A PUD) fulfills the approval criteria provided in Ch. 1132.05 of the Lebanon Zoning Code and is consistent with the general goals and policy objectives of the Lebanon Comprehensive Plan and therefore staff recommends the Planning Commission provide a favorable recommendation to City Council for approval.

Mr. Fair requested a motion to open the public hearing. Mr. Miller motioned to open the public hearing. Mr. Uchtman seconded. The Public Hearing was opened at 7:53 pm.

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Mr. Justin Stowall asked how much of the current vegetation would be disturbed by the new homes.

Mr. Stowall and Mr. Fair discussed the vegetation and property lines.

Ms. Kristen Lane and Mr. Mike Lane asked about the distance from their neighborhood to the south to the development.

Ms. Snyder and Mr. Jason Renneker, the engineer from Highland Development, helped show Ms. Lane where they were they were on the map and discussed the vegetation.

Mr. Fair asked if anyone else would like to speak.

Mr. Marvin Duren expressed his concern for the wetland area.

Mr. Fair acknowledged Mr. Durens concern and asked if anyone else would like to speak.

With no one speaking Mr. Fair requested a motion to close the public hearing. Mr. Miller moved to close the public hearing and Mr. Uchtman seconded the motion. The public hearing was closed at 8:05 pm.

Mr. Fair and Ms. Snyder discussed the zoning of the property.

Mr. Uchtman and Mr. Miller has no questions.

Mr. Uchtman motioned for approval of the recommendation to City Counsel and Mr. Miller seconded.

Upon calling the roll, the motion passed unanimously. Planning Commission recommends approval of the proposed Zoning Map Amendments to City Council.

**CERTIFICATION OF APPROPRIATENESS- 132 E. Mulberry Street – 3<sup>rd</sup> Story Deck Renovations**

The next item of business is for a Certificate of Appropriateness (§1132.08) for proposed major modifications for the proposed installation of porcelain tile on the unfinished concrete slab floor, stepped terraces to link multiple levels of the single-family residence it serves, and a wooden trellis over the deck at 132 E. Mulberry, a property located within the Architectural Review Overlay District.

Ms. Snyder presented an overview of the proposed property modifications and based on the staff analysis, staff recommends the COA to renovate the 3<sup>rd</sup> story deck at 132 East Mulberry Street be approved, subject to the following conditions:

1. All required City permits shall be approved prior to beginning work on the new structure.

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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 work 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.

The board discussed the modifications and complimented how nice they will look.

Mr. Uchtman motioned to recommend approval with staff recommendations. Mr. Miller seconded.

Upon calling the roll, the motion passed unanimously. The motion was approved with the recommended conditions.

### **Major Site Plan – Ohio Warehouse Solutions, LLC- 211 Walnut St**

The last item of business is for a proposed Major Site Plan approval (Ch. 1132.06 of the Zoning Code) to construct a new accessory building at 211 Walnut. On March 6<sup>th</sup>, 2019 the Board of Zoning Appeals granted a request for a change/modification of an existing non-conforming use and dimensional variance request at 211 Walnut Street. The property is zoned R1CC Residential One CC. A Warehousing and Logistics Company is not a permitted use in the Residential One CC. The Warehousing and Logistics Company is currently in operation and allowed to continue however, any change to the existing nonconforming use requires review and approval by the BZA. The proposed new maintenance facility is 81 feet by 122 feet for a total of 9,882 square feet and would have a side yard setback of four feet where 10 feet is required for accessory structures.

Ms. Snyder presented an overview of the proposed site plan and based on staff's analysis, the proposed major site plan complies with the approval criteria required under in accordance with Ch. 1132.06 of the Zoning Code. Therefore, staff recommends the major site plan to allow the proposed accessory structure at 211 Walnut Street be approved, subject to the following conditions:

1. All plan corrections as required shall be provided on revised plans for final staff approval prior to the zoning permit being issued for the project.
2. All applicable permits shall be issued by the City of Lebanon and the Warren County Building Department prior to the start of construction.
3. 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.

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Mr. Fair asked Ms. Snyder about drainage. After discussion Mr. Fair had no further questions.

Mr. Uchtman motioned to approve the proposed Major Site Plan with staffs recommended conditions. Mr. Miller seconded.

Upon calling the roll, the motion passed unanimously. The motion was approved with the recommended conditions.

**Major Site Plan – Four Paws Veterinary Clinic- 1001 Columbus Avenue**

The next item of business is for a proposed Major Site Plan approval (Ch. 1132.06 of the Zoning Code) to make exterior alterations to the existing building on the property. The proposed work will be done under the exiting porch. The total new area including the vestibule is approximately 225 sq. ft. The project also includes removing the existing overhead door and replacing it with a store front door. The proposed work will match the existing building. The property is located within the GC, General Commercial zone and is touched by the GWO, Gateway Overlay District wherein an animal hospital is outright permitted.

Ms. Snyder presented an overview of the proposed site plan and based on staff's analysis, the proposed major site plan complies with the approval criteria required under in accordance with Ch. 1132.06 of the Zoning Code. Therefore, staff recommends the major site plan to allow the proposed exterior alterations to 1001 Columbus Avenue be approved, subject to the following conditions:

1. All applicable permits shall be issued by the City of Lebanon and the Warren County Building Department prior to the start of construction.
2. 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. Miller motioned to approve the proposed Major Site Plan with staffs recommended conditions. Mr. Uchtman seconded.

Upon calling the roll, the motion passed unanimously. The motion was approved with the recommended conditions.

**Other Business**

There being no further business, Mr. Uchtman motioned to adjourn and Mr. Miller seconded the motion. The motion passed unanimously and the meeting was adjourned at 8:17 pm.

  
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SECRETARY – PLANNING COMMISSION

  
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CHAIRMAN – PLANNING COMMISSION