

VILLAGE OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2015-_____

AN ORDINANCE APPROVING ZONING MAP AMENDMENTS TO CERTAIN PROPERTIES IN THE VILLAGE OF SOUTH LEBANON, CONSISTING OF 47.972 ACRES FROM R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT] WITH A PLANNED UNIT DEVELOPMENT OVERLAY TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT] , 20.971 ACRES FROM I-1 [LIGHT INDUSTRIAL DISTRICT] TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT], AND 7.867 ACRES (OF A 42.789 ACRE PARCEL) FROM I-1 [LIGHT INDUSTRIAL DISTRICT] TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT], FOR A TOTAL OF 76.810 ACRES

WHEREAS, on July 30, 2015, HPA Management Group, LLC, as Agent for the Owner, Lebanon Mason, LLC (“Applicant”), filed an application for Rezoning 111.490 acres in the Village of South Lebanon including rezoning 34.68 acres of a 42.789 acre parcel from I-1 [Light Industrial District] to B-2 [General Business District], and rezoning the remaining 7.681 acres of the 42.789 acre parcel along with a 20.971 acre parcel from I-1 [Light Industrial District] to R-3 [Single and Multiple Family Residential District], and rezoning a 47.972 acre parcel from R3 PUD [Single and Multiple Family Residential District with a Planned Unit Development Overlay] to R-3 [Single and Multiple Family Residential District], in order to develop a mixed-use development to be known as Rivers Crossing South; and,

WHEREAS, in accordance with Section 15.7.7 of the Village of South Lebanon Zoning Regulations (Zoning Regs), on August 18, 2015, being within the required 60 day time period, the Village Planning Commission, heard the aforementioned Rezoning Application and issued its recommendation to the Village Council that the zoning amendment be granted, as requested; and,

WHEREAS, in accordance with Section 713.12 of the Revised Code and Section 15.7.8 of the Zoning Regs, the Village Council scheduled the Rezoning Application for a public hearing; and,

WHEREAS, prior to the said public hearing, the Applicant modified, in writing, the rezoning application by reducing the total acreage from 111.490 to 76.810 acres (specifically, Applicant withdrew the request to rezone 34.68 acres from I-1 to B2); and,

WHEREAS, the Village Council held the public hearing on September 24, 2015 at 6:00 P.M., after publication and other proper notice thereof, to consider the recommendation of the Planning Commission to amend the zoning map by rezoning the following identified properties, to-wit:

<u>Owner(s)</u>	<u>Property Address</u>	<u>Parcel No.</u>	<u>Acreage</u>
Lebanon Mason, LLC	-0- W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-004	47.972 ac.
Lebanon Mason, LLC	1151 W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-006	20.971 ac.
Lebanon Mason, LLC Morrow-Millgrove Rd. Lebanon, OH 45036	-0- W. Mason-	Pt.-12-01-151-002	7.867 ac. of 42.789 ac.

WHEREAS, upon considering the recommendation of the Planning Commission, a copy of which is incorporated by reference herein, and testimony received during the public hearing from the Applicant (and no other persons having testified), the Council finds the process has been in accordance with Article 7 [Amendment Procedures], and adopts the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least three-fourths of all members elected thereto concurring:

Section 1. That the Council does hereby amend the official Zoning Map of the Village of South Lebanon, Ohio, as follows:

<u>Property Address</u>	<u>Parcel No.</u>	<u>Acreage</u>	<u>Zoning Classification</u>
-0- W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-004	47.972 ac.	from R-3 PUD to R-3 [Single & Multiple Family Residential]
1151 W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-006	20.971 ac.	from I-1 [Light Industrial] to R-3 [Single & Multiple Family Residential]

-0- W. Mason-
Morrow-Millgrove Rd.
Lebanon, OH 45036

Pt.-12-01-151-002 7.867 ac. from I-1 [Light Industrial
of 42.789 ac. to R-3 [Single & Multiple
Family Residential]

Section 2. Upon the expiration of this Ordinance having been fully and distinctly read on three different days, and the period of referendum provided by law (the effective date being 30 days after the date of adoption), within fifteen (15) days of the effective date, the Zoning Administrator shall amend the Official Zoning Map to reflect the zoning changes in accordance with Sec. 15.7.14 [Zoning Map Amendments] of the Zoning Regs.

Section 3. That the Council is acting in its legislative capacity in approving this Ordinance.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Approved this ____ day of October, 2015.

Attest: _____
Sharon Louallen, Fiscal Officer/Clerk Lionel Harold Lawhorn, Mayor

First Reading – / /2015	Effective Date – / /2015
Second Reading – / /2015	
Third Reading– / /2015	
Vote - ____ Yeas	
____ Nays	

Prepared by and approved as to form:

BRUCE A. McGARY
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: _____

Date: _____