

Village of South Lebanon

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**Planning Commission Meeting**

**MEETING MINUTES**

**Thursday, June 13th, 2018**

**Members Present: Members Absent: Staff:**

Chairman, Darrick Zucco Dennis Rees Jerry Haddix,

Tom Hunsche  **Administrator**

Jim Smith Brianna Koutny

Bill Madison  **Clerk**

1. Call to order at 6:00 p.m.
2. Roll Call
3. Pledge of Allegiance
4. Open Forum : None
5. Review and Approval of Minutes from March 8th, 2018. A motion to approve was made by Jim Smith, and seconded by Darrick Zucco. A vote was taken. THREE YEAS, Bill Madison-abstained.
6. Public Hearing : None
7. Old Business : None
8. New Business :
9. Case 18-04P – Application for Site Plan of Rivers Crossing Lot 9, Phase, 2 (TJ Maxx and 5 Below) – Administrator, Jerry Haddix introduced the memo and opened the floor to Bill Mees with Midland Atlantic Company, who is a development agent working with the property owner, Rivers East Inline, LLC. Mees provided a PowerPoint presentation and site plans of each store. He explained that TJ Maxx is proposed to consist of 21,102 square feet and 5 Below will consist of 8,512 square feet. Mees presentation showed all loading dock, dumpster, and general floor plans of both sites. He says comments have been addressed from Choice One, and will be addressed in the near future. Mees states the current plans do not touch on several things such as parking, lighting, landscaping, etc. He explains this is due to said aspects already being part of the existing maintenance of the shopping center. Mees states they are not intending to do any additional work regarding these matters, due to believing they were already sufficient. Mees says they have realized the parking does not meet the Village Zoning Code in terms of parking, but they exceed zoning codes of private REA codes. Jim Smith states they made changes a number of years ago. Mees ensures that the 2 parcels planned to go in are not foreseen as affecting the existing lots. He states he does not see the need to add more spaces for new parcels. Chairman, Darrick Zucco asks if there are any procedural efforts that need to take place for this. Administrator Haddix states he will look into it to verify. Jim Smith states that the original plan while planning the parking for the plaza was to not have to add additional parking for new tenants/parcels, and has worked that way with every tenant that has resided there (Pets Mart, Dollar Tree, Sally’s, etc.). Mees says the Lots remaining are : 1 Lot between Kohls and retaining wall, 2 Lots between Aspen Dental and retaining wall, and 2 Lots on John C. Quinn Blvd. Mees states on the west side of State Route 48 there is potential for 3 available lots between Speedway and Interstate 71. He states there is a stream that flows through this property which is presenting difficult topography challenges that the developer is trying to work through. Plans have been submitted to FEMA requesting to redefine the floodway. He says there are 6 to 7 interested businesses for future development. Tree removal and construction on the property is due to take place in October of this year. Jim Smith asks if it can accommodate a hotel. Mees states it is a possibility depending on the size of the hotel. Darrick Zucco asks if they will address the issue of street lights malfunctioning along Corwin Nixon Boulevard. Mees states they plan to address, but he believes it is a problem with the existing light fixtures, that are constantly needing replaced. Jim Smith asks who the maintenance supervisor is. Mees states it is Julie Kraus.

Kim Lapensee – Village Consultant. Lapensee states the Village code requires loading spaces. She states the code requires 1 space for every 3,000 square feet. She asks if there is room to put another space due to only showing one current space in the plans. She confirmed material usage. Lapensee states she would like to see a signage package for both stores, despite it not being required by the Village. She provided pictures of existing stores and their signs. Chairman Darrick Zucco asked if there were any further questions or comments from the commission. Seeing none, he asked for a motion to approve. Motion was made by Jim Smith and seconded by Bill Madison. All YEAS.

Jim Smith states there is an exit on the back side of Kohl’s onto Lebanon Road. He suggests making this exit more apparent to help with future traffic new parcels will bring. Jim Smith also asks when construction will start. Mees states they are waiting on approval from Target and Kohls, but they hope to start by August 1st.

1. Case 18-05P – Review of Proposed Text Amendment to Village Zoning Code Relative to Group Homes – Haddix states this a Council-initiated zoning tax amendment, which will require a conditional use permit for any rehabilitative services including but not limited to drug and alcohol counseling, psychiatric treatments, etc. Village Solicitor, Paul Revelson states this was initiated by Council last December by Council Member Bill Madison. Revelson states there was some conflict with existing residents regarding a rehabilitative home that was planned to provide rehabilitative services in a residential area. This fell within the gray area of the Village’s Zoning Code. Revelson states there is nothing the Village can do to remove them at this point, due to being grandfathered in, but the Village can tighten restrictions. He states this establishment is not intended for distribution of medication or counselling, but rather a safe house for recovering addicts. He states the Village cannot outright deny this type of thing for risk of being sued, but the Village can make it harder, which is why he suggested a conditional use for these types of dwellings to come in. He presented changes on B1, B3, R2. Revelson explains that the goal is to require a conditional use permit for these types of establishments in the future. Darrick Zucco asked if the home was currently in use. Bill Madison states it has been purchased, and remodeling looks to be underway. Chairman Darrick Zucco asked how the Village is to know what the actual use is? Revelson states they did what was expected and asked for a zoning certificate for that use, and in turn expressed the use. Revelson states this is more for protection down the line. Haddix states that putting a conditional use requirement will give the Board of Zoning Appeals the authority to enforce conditions. Bill Madison states there is a need for these social nets, and the Village wants to have open arms, but at the same time the Village has to protect its residents and children. He states the description received was very open-ended with minimal details. Due to being unsure of intent the need was felt to protect the Village and its residents. He states there is certainly a place for this type of establishment, but the place is not in the middle of a residential area. He states there will surely be further discussion on this in the future to accommodate the needs of both parties. Solicitor, Revelson states he has teamed up with a firm in Columbus and they think it will pass with no issue. Darrick Zucco asks if there needs to be an amendment for R-1 or if it can be approved without R-1 draft. Jerry Haddix states an amendment can be drafted and the issue will go to Council from here for a public hearing. Darrick Zucco asks for a motion to approve. Motion was made by Jim Smith, and seconded by Bill Madison. All YEAS.
2. Communications:

Jim Smith states the base of Primrose had to be torn off due to being too high. Despite the setback, they plan to be back on schedule by next week. Jerry Haddix states State Route 48 and Mason Morrow Millgrove are scheduled to be completed in July. Jim Smith asked if there was a pole on the Oeder’s & Son’s and Gravel side of the intersection that looks like it is shifting. Concern was expressed by citizens and owner of Oeder’s & Son’s. Haddix states he will look into this. Smith also states the City Building ran into a problem when tearing out concrete. A soft spot was found. It is now fixed. Council approved the plaza in the front of the building. Dry wall was delivered today, and asbestos is completely removed, along with completion of heating and air in the building. States Planning and Zoning and Sherriff’s Station will also move to the new building, and court will only remain in the old building.

1. A motion was made to adjourn by Tom Hunsche, and seconded by Jim Smith. All YEAS.

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 Darrick Zucco – Chairman Brianna Koutny – Clerk