

PLANNING COMMISSION AGENDA



Planning Commission Meeting
6:00 PM Thursday, January 30, 2020
South Lebanon Municipal Building
10 N. High Street
South Lebanon, Ohio 45065

	Agenda Item
1.	Call to Order
2.	Pledge of Allegiance
3.	Roll Call
4.	Open Forum
5.	Review and Approval of Minutes A. Minutes of January 9, 2020
6.	Public Hearing – Preliminary Development Plan (PDP) for 5315 Cochran Road submitted by Abercrombie & Associates, Inc. on behalf of M/I Homes of Cincinnati
7.	Old Business A. None
8.	New Business A. Case -20-05P: Review of Preliminary Development Plan (PDP) for 5315 Cochran Road B. Case 20-06P – Review of rezoning of 5484 State Route 48 from R-1 (Single-Family Residential District) to B-2 (General Business District) submitted by Thomas A. Megie
9.	Communications
10.	Adjournment

Members of the public may address the Planning Commission during the Open Forum segment of the agenda and shall be limited to five minutes each. After the speaker concludes remarks, the Planning Commission may comment or ask questions at that time. The Chairperson may at his or her discretion restrict duplicate testimony on a particular subject.



Village of South Lebanon
10 N. High St. South Lebanon, Ohio 45065
Ph:(513)494-2296 Fax:(513)494-1656
www.southlebanonohio.org

Planning Commission Meeting
MEETING MINUTES
Thursday, January 9th, 2020

Members Present:

Darrick Zucco
Jim Smith
Tom Hunsche
Bill Madison

Members Absent:

Staff:

Jerry Haddix,
Administrator
Brianna Koutny,
Clerk

1. Call to order at 6:00p.m.
2. Roll Call
3. Pledge of Allegiance
4. Open Forum : None
5. Review and Approval of Minutes from November 4th, 2019. A motion to approve was made by Jim Smith, and seconded by Bill Madison. A vote was taken. All YEAS.
6. Public Hearing : None
7. Old Business : None
8. New Business :
 - a. Case 20-01P – Acceptance & Dedication of Public Improvements for Woodknoll Section 3 Subdivision : Administrator, Jerry Haddix states that this agenda item is requesting the planning commission find that the public improvements for the Woodknoll Section 3 subdivision conform to South Lebanon’s standards for construction of public improvements. This section consists of 13 single family lots, all of which are either under construction or completed. A motion was made to approve by Jim Smith and seconded by Tom Hunsche. A vote was taken, all YEAS.
 - b. Case 20-02P – Acceptance & Dedication of Public Improvements for Woodknoll Section 4 Subdivision : Jerry Haddix states this agenda item is also requesting the Planning Commission find that the public improvements for the Woodknoll Section 4 subdivision conform to South Lebanon’s standards for construction of public improvements. This section consists of 12

single family lots, all of which are either under construction or completed. A motion was made to approve by Jim Smith and seconded by Darrick Zucco. A vote was taken, all YEAS.

- c. Case 20-03P – Acceptance & Dedication of Public Improvements for Shepherds Crossing Section 2 Subdivision: Jerry Haddix states this agenda item is also requesting the Planning Commission find that the public improvements for the Shepherds Crossing Section 2 subdivision conform to South Lebanon's standards for construction of public improvements. This section consists of 17 single family lots, all of which are either under construction or completed. A motion was made to approve by Jim Smith and seconded by Darrick Zucco. A vote was taken, all YEAS.
- d. Case 20-04P – Application for Site Plan for Mikes Carwash in Rivers Crossing West Section 2: Jerry Haddix states that the application is located on 1.7185 acres along the west side of State Route 48. The property is owned by Mike's No. 55, LLC. The present zoning classification is B-2 General Business District. The proposed Project consists of a 7,517 s.f. car wash with access provided by a private access easement from Corwin Nixon Boulevard north of the existing Speedway site. Haddix states the site plan has been distributed to various agencies but we have not received any comments to date. Village Planning Consultant, Kim Lapensee has reviewed the application. After further deliberation, the following conditions were decided upon:
 - 1. Off-Street Loading Dock requirement will be waived due to lack of necessity
 - 2. Low-lying vegetation from the last tree to the east property line will be required to permit visibility.
 - 3. Waive the requirement of a landscape buffer along State Route 48 at this time, and as a condition, the Planning Commission will revisit said issue after completion of construction to determine appropriate landscape buffer.
 - 4. Planning Commission will request an easement set aside for future sidewalks on the private access side of the property.
 - 5. Address any review comments from the Warren County Soil & Water Conservation District relative to the Storm Water Pollution Prevention Plan; and
 - 6. Meet the requirements of the Union Township Fire Department.

A motion to approve considering the above-listed conditions was made by Jim Smith and seconded by Darrick Zucco. A vote was taken, all YEAS.

9. Communications : None

10. Adjournment : A motion to adjourn was made Jim Smith and seconded by Bill Madison. A vote was taken, all YEAS.

Darrick Zucco – Chairman

Brianna Koutny - Clerk

VILLAGE OF SOUTH LEBANON MEMORANDUM

TO: Planning Commission

FROM: Jerry Haddix, Village Administrator

RE: Case 20-05P, Preliminary Development Plan for 5315 Cochran Road

DATE: January 27, 2020

On the agenda for the January 30th meeting is the review of the Preliminary Development Plan (PDP) application of 5315 Cochran Road, being submitted as “Auburn Grove”. The application was submitted by Abercrombie & Associates, Inc. on behalf of M/I Homes of Cincinnati. The current property owner is Sharon Ricketts.

Background

In 2002, the Ritchey Farm, owned by Wilbur & Virginia Ritchey, consisting of 205.071 acres was annexed to the Village of South Lebanon. Upon annexation, the property was zoned by the Village as R-3 Planned Unit Development (PUD). This was the closest zone to the Township zoning of R-4 PUD. Since then, a large portion of the property has been platted and developed as residential neighborhoods as a part of the Villages at Rivers Bend.

Abercrombie & Associates, Inc. (Applicant) on behalf of M/I Homes of Cincinnati has submitted a Preliminary Development Plan (PDP) for the property at 5315 Cochran Road (Parcel# 17-36-100-025). The Applicant is proposing to create 42 single family lots on 19.369 acres at the property located at the northern end to Cochran Road.

The PDP was sent to various agencies with only Choice One Engineering and our Planning Consultant responding.

Code Analysis

Pursuant to Article 14, Planned Unit Development (PUD) Districts, the Planning Commission shall schedule a public hearing and publish notice of said hearing in the newspaper at least fifteen (15) days in advance with written notice mailed to property owners within 300 feet of said property at least twenty (20) days prior to said hearing.

Zoning Process

The Planning Commission shall approve, approve with conditions or disapprove the PUD Preliminary Plan within sixty (60) days after the public hearing which is then transmitted to the Village Council.

Staff Review

The Applicant has submitted an application and preliminary development plan for a R-3 PUD and proposing 42 lots on 19.369 acres with a density of 2.17 units per acre and 6.323 acres of open space. The open space percentage of 30.76% which is significantly greater than the required 20%. The Applicant is requesting sideyard setbacks of 5' in the preliminary development plan which is less than the 6' & 10' which is the R-3 District minimum.

PUD regulations require a minimum 40' buffer between neighboring properties. The Applicant is requesting 30' rear setbacks. The existing tree line would be maintained on three (3) sides with additional trees being planted on the north side. It appears that this requirement may have been waived on adjoining developments.

Attached is a detailed staff report from the Village Planning Consultant, Kim Lapensee.

Recommendation

Staff recommends that the Planning Commission recommend to the Village Council the approval of the preliminary development plan with the following PUD conditions:

1. Allow 5' sideyard setbacks;
2. Reduce peripheral setbacks to 30' with approved landscape buffering;
3. Comply with Village Subdivision Regulations
4. The Developer to provide documentation re: the projected price points of the homes in this proposed subdivision

Attachments

Planning Commission Application
Auburn Preliminary Development Plan
Planning Consultant Staff Review
Choice One Checklist
M/I Response to Comments

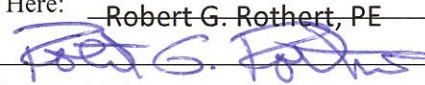
VILLAGE OF SOUTH LEBANON PLANNING COMMISSION APPLICATION

1. Application Type: (check the appropriate box) (all plans must be folded when submitted)

<input type="checkbox"/>	Draft Plan-Discussion Only	<input type="checkbox"/>	Preliminary PUD
<input type="checkbox"/>	Site Plan	<input type="checkbox"/>	Final PUD
<input type="checkbox"/>	Landscape Plan	<input type="checkbox"/>	Rezoning
<input type="checkbox"/>	Construction Drawings. (Please complete Fee Schedule form on Page 2)	<input type="checkbox"/>	Lot Split
<input checked="" type="checkbox"/>	Preliminary Plat (Please complete Fee Schedule form on Page 2)	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Final Plat or Replat	<input type="checkbox"/>	Special Meeting
<input type="checkbox"/>	Right-of-Way Dedication Plat	<input type="checkbox"/>	Other:

(See Page 3 for complete Fee Schedule and Submittal Requirement Information)

2. Development Information:

Development/Business Name: Auburn Grove-M/I Homes of Cincinnati			
Type of Business/Project Description: Single Family Residential Subdivision			
Location: Northern terminus of Cochran Road		Size of Building: n/a	
Current Zoning: "R-3" - PUD		Rezone to: n/a	
Total Acreage: 19.369		Acres to be Rezoned: n/a	
Number of Employees: n/a		Number of Fleet Vehicles: n/a	
Current Owner of the Property		Project Contact (Architect, Engineer, Planner)	
Name: Sharon Ricketts		Name: Abercrombie & Assoc., Inc.-Robert G. Rothert	
Address: 5315 Cochran Road		Address: 3377 Compton Road, Suite 120	
City: Morrow	State: OH	City: Cincinnati	State: OH
Zip: 45152		Zip: 45251	
Telephone: 513-236-2075	Fax:	Telephone: 513-385-5757	Fax: 513-245-5161
Applicant(s): Abercrombie & Associates, Inc.-Robert G. Rothert			
Address: 3377 Compton Road, Suite 120			
City: Cincinnati	State: OH	Zip: 45251	
Telephone: 513-385-5757	Fax: 513-245-5161		
Please Print Applicant's Name Here: Robert G. Rothert, PE			
* Applicant's Signature: 			
* Applicant is responsible for payment of all fees (See Fee Schedule and Footnotes on Pages 3 and 4 respectively.)			

TO BE COMPLETED BY THE VILLAGE OF SOUTH LEBANON

Application Number: _____ Date of Planning Commission Meeting: _____

Fee Paid: _____ Drawn: _____ Check #: _____ Date: _____ Initial: _____

Legal Notices Advertised: _____ Mailed to Surrounding Property Owners: _____

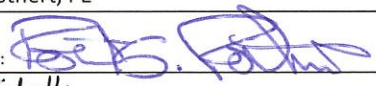
3. Rezoning and Preliminary PUD Plan Requests


Surrounding Property Owners: Please list the names and addresses of all Owners of Real Property within 300 feet of any part of the property as such names and addresses appear on the most recent tax duplicate on 2 sets of mailing labels. (See submittal requirements on page 3).

4. Signatures Required

By signing this application, I attest under penalty of law that all the information given above is correct to the best of my knowledge.

Please Print Applicant's Name: Robert G. Rothert, PE

Applicant's Signature:  Date: 7/3/19

Property Owner's Signature:  Date: 7/3/2019 | 7:19 AM EDT

5. Fee Determination for Construction Drawings and Preliminary Plat Submittals

Please create a detailed breakdown of the estimated infrastructure breakdown cost for the project and attach it to this application. For Construction Drawings complete Item 1 and for Preliminary Plats complete Item 2.

Total Infrastructure Cost		\$ 1,058,772.00	(A)
1 – Construction Drawing Fee Breakdown			
1.25% of Total Infrastructure Cost* (Line A x 0.0125)	\$		(B)
1.50% of Total Infrastructure Cost** (Line A x 0.015)	+ \$		(C)
Application Fee	+ \$	150.00	(D)
Total Construction Drawing Fee (Line B + C + D)	\$		(E)
2 – Preliminary Plat Fee Breakdown:			
0.25% of Total Infrastructure Cost* (Line A x 0.0025)	\$	2,646.93	(F)
Application Fee	+ \$	150.00	(G)
Total Preliminary Plat Fee (Line F + G)	\$	2,796.93	(H)
Total Paid with Application/Submittals (Line E+H)	\$	2,796.93	

* Due upon submittal
** Due prior to construction

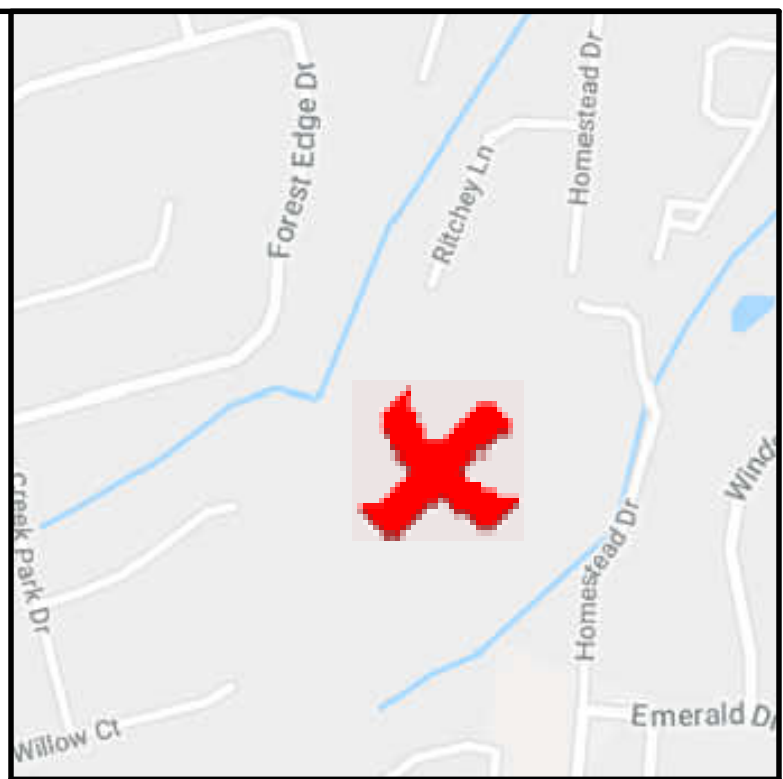
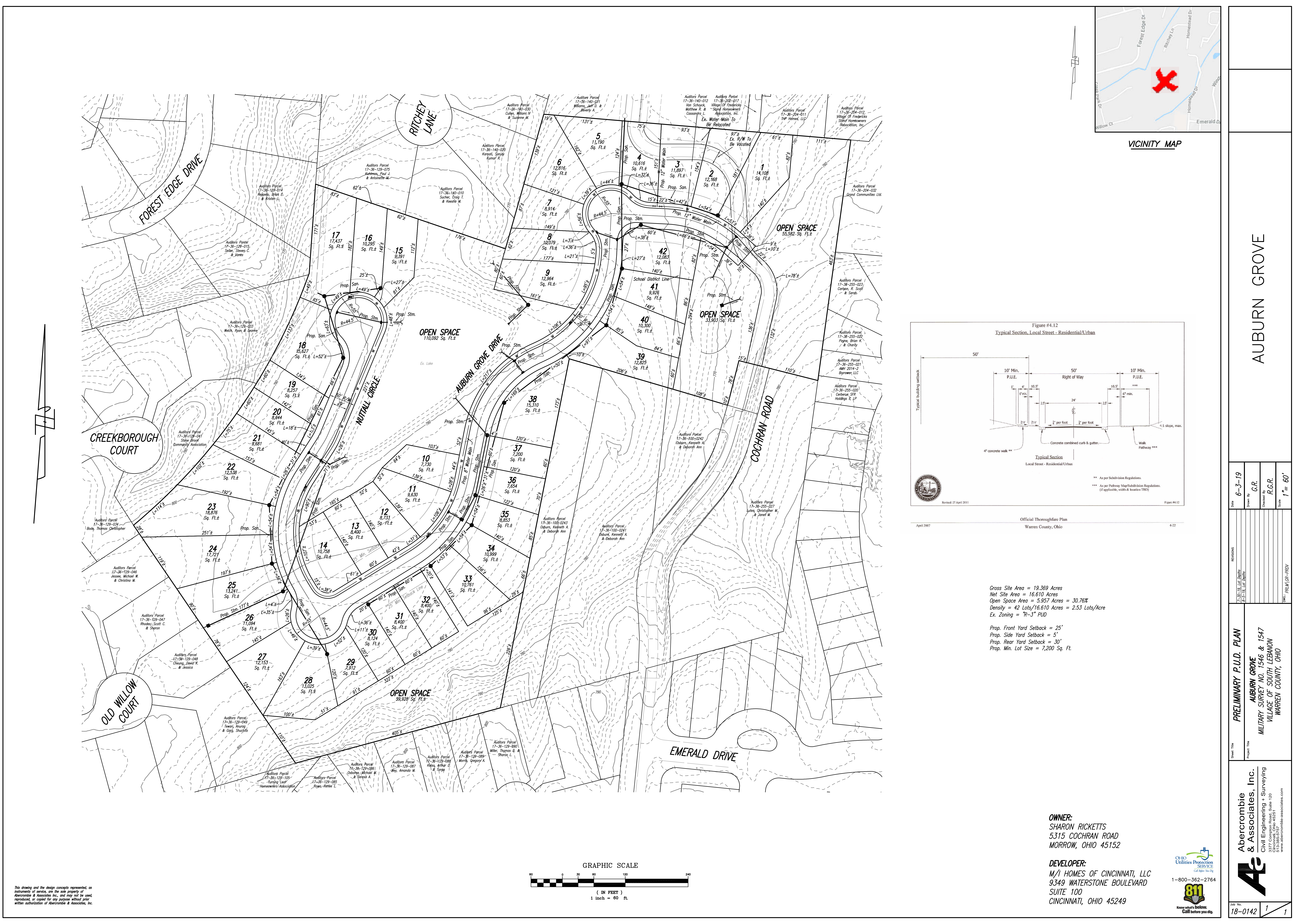
6. Fee Schedule and Submittal Requirements

Article/Ord. Reference	Item	Fees ⁽³⁾⁽⁴⁾	Submittal Requirements
Article 20 Article 14	Preliminary Plats Final PUDs	\$150 + 0.25% of estimated infrastructure construction costs ⁽¹⁾	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Construction Drawings	\$150 + 2.75% of estimated infrastructure construction costs ⁽¹⁾ (Include estimate with application) (1.25% due at time of submittal and 1.5% due before construction begins) ⁽²⁾	4 Copies ⁽⁵⁾ 2 Drainage Calculations 2 Detailed Spreadsheet of the Estimated Infrastructure Costs
Article 20	Final / Dedication Plats	\$350	10 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Lot Split / Minor Subdivision / Replats	\$75 per lot	3 Survey Plats ⁽⁵⁾ & Legal Descriptions 1 New Deed + 1 Original Deed
Article 18	Site Plans	\$400 + \$5 per unit Multi-family \$400 + \$20 per acre Commercial/ Office/Industrial/Institutional	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 17	Landscape Plans	\$150 + \$10 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 7	Zoning District Map Change Zoning Text Change	\$400 + \$10 per acre	20 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 5	Variances / Appeals	\$400	8 Copies + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 1 Set of Mailing Labels
Article 14	Preliminary PUD Plans	\$2,500 + \$20 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 14	Final PUD Plans	Site Plan Review Fees Apply	Site Plan Review Submittal Requirements Apply
Article 6	Conditional Use / Similar Use	\$250 + applicable site plan fee	15 Copies + 1 Copy Ledger Paper ⁽⁵⁾
Article 3	Zoning Permit	\$250 + \$0.03 per square foot of building area (Village water tap and inspection fee required if utilizing Village Water [proof of payment of County tap fee if utilizing County Water]; Village sewer tap and inspection fee also required)	5 Copies
Article 3	Temporary Use Permit	\$50	5 Copies
Article 3	Certificate of Occupancy	\$50	3 Copies
Ord. No: 2008-14; Permit App.	Flood Hazard Area Development Permit	\$50	3 Copies of Permit Application w/ applicable submittal requirements (stated on Page 2 of 2 of Permit Application + Engineering "No Rise" Certification (if applicable))
	Special Meeting	\$500 + Application Fee, if any ⁽⁶⁾	Depends Upon Type of Application or Meeting Requested

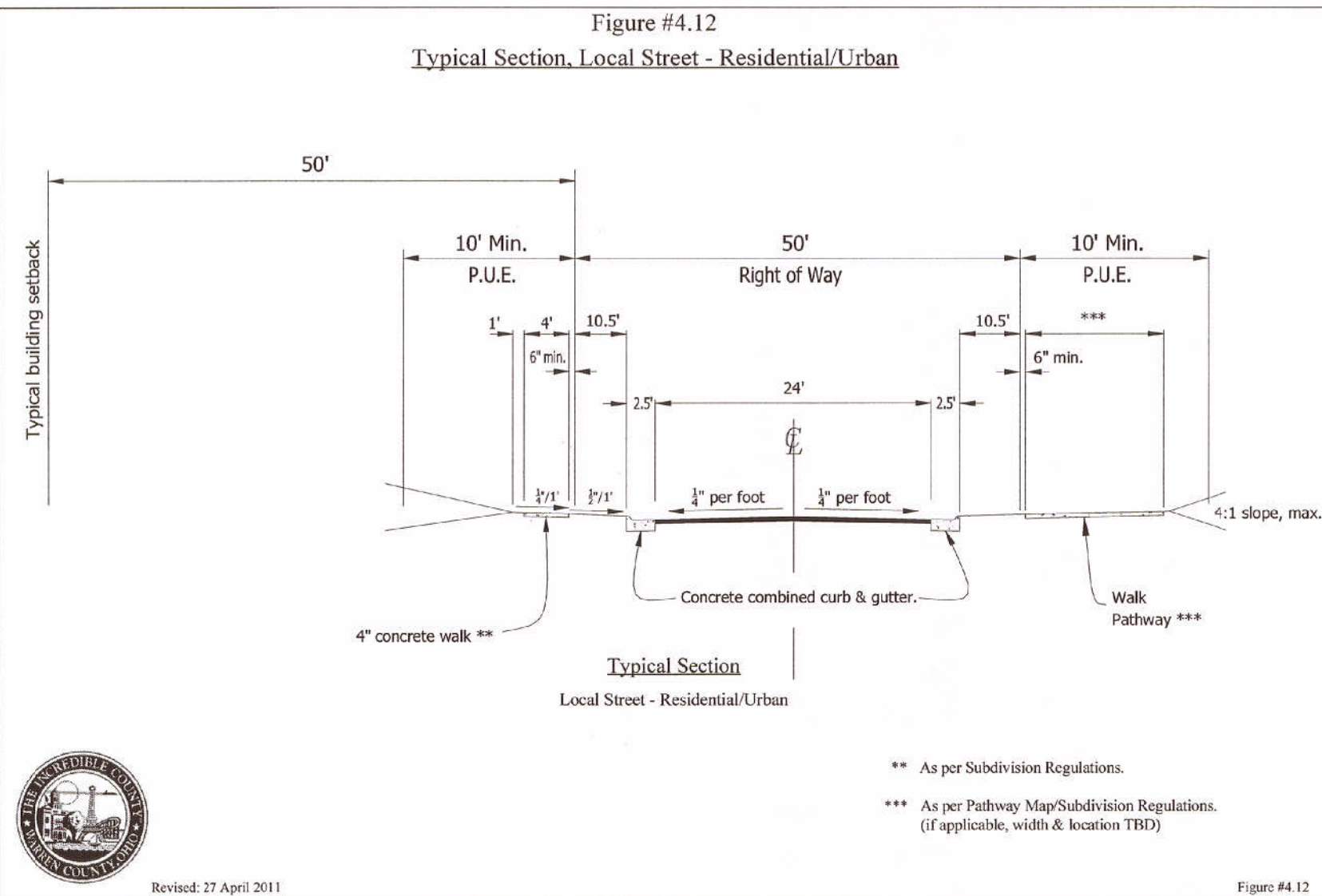
FOOTNOTES TO FEE SCHEDULE

- (1) Infrastructure construction costs include all infrastructure costs associated with a development including, but not limited to, drainage facilities, sanitary sewers, waterlines, grading, excavation, and street improvements.
- (2) Any inspection conducted outside the normal eight-hour workday of Monday through Friday, excluding holidays, 8:00 a.m. until 4:30 p.m., shall be charged at one and a half (1.5) times the standard rate. The Village reserves the right to charge fees in addition to the fees specified in the table above if, due to the applicant's responsibility, excessive review and/or field inspections are necessary, and as determined by the Village Engineer. Such fees for review and field inspection by Village staff shall be charged at the standard rate of forty dollars (\$40) per hour, plus a three-fourths (.75) hour charge for travel time. Any review and inspection completed by consultants on behalf of the Village shall be charged to the applicant at the same rate charged by the consultants. Performance and maintenance bonds will not be released until payment of all fees is received.
- (3) Any review and inspection completed by consultants on behalf of the Village shall be charged to the applicant at the same rate charged by the consultants. The applicant shall pay the difference when consultant fees charged to the Village are in excess of the established Fee Schedule base amounts. Final approvals will be held until all fees charged by consultants are paid-in-full by the applicant.
- (4) The fee for review of a revised application shall be sixty (60) percent of the fee specified for the initial or first review of such application.
- (5) All plans must be folded to fit a legal sized file folder with the title showing in the lower right-hand corner.
- (6) Special meetings that require one or more of the Village's consultants to attend shall require payment of the special meeting fee before the meeting is scheduled. Examples of special meetings include staff meetings and non-scheduled Planning Commission meetings requested by an applicant and/or developer.

1. Complete applications submitted by the deadlines posted above will be processed and placed on the next regularly scheduled Planning Commission meeting.
2. Incomplete applications or applications that do not comply with the minimum Village Zoning Ordinance and/or Subdivision Regulations or applications that are not submitted by the above posted deadlines will not be placed on the next regularly scheduled Planning Commission meeting agenda.
3. The applicant will be notified if his or her application is not accepted for processing. The Village Administrator and/or Zoning Administrator will discuss the reasons why the application was not accepted and the necessary steps required to meet the next meeting deadline.
4. Applicants may request a special Planning Commission meeting. Requests should be made with the Village Administrator at least two weeks in advance of the requested special meeting date. The meeting will be set if approved by the Planning Commission chairperson and if a quorum can be present. A \$500 fee plus applicable application fee must be paid in advance of the meeting (See Fee Schedule and Footnotes to Fee Schedule).
5. Meeting dates are subject to change due to unforeseen scheduling conflicts and holidays. Applicants should call the Village to check meeting dates in advance of the application deadlines.



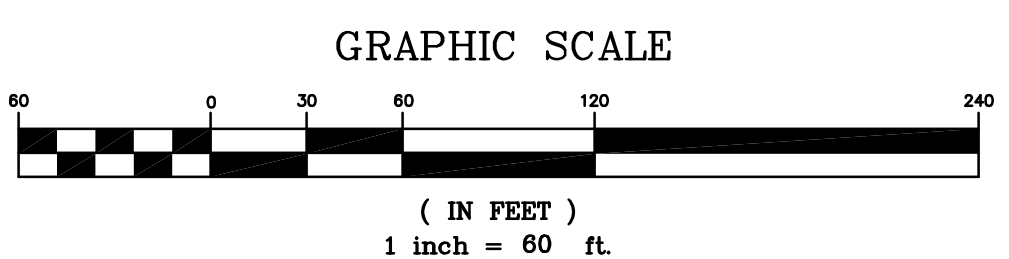
VICINITY MAP



Official Thoroughfare Plan
Warren County, Ohio

Gross Site Area = 19.369 Acres
Net Site Area = 16.610 Acres
Open Space Area = 5.957 Acres = 30.76%
Density = 42 Lots/16.610 Acres = 2.53 Lots/Acre
Ex. Zoning = "R-3" PUD

Prop. Front Yard Setback = 25'
Prop. Side Yard Setback = 5'
Prop. Rear Yard Setback = 30'
Prop. Min. Lot Size = 7,200 Sq. Ft.



This drawing and the design concepts represented, as instruments of service, are the sole property of Abercrombie & Associates, Inc. and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.

OWNER:
SHARON RICKETTS
5315 COCHRAN ROAD
MORROW, OHIO 45152

DEVELOPER:
M/I HOMES OF CINCINNATI, LLC
9349 WATERSTONE BOULEVARD
SUITE 100
CINCINNATI, OHIO 45249



AUBURN GROVE

6-3-19

G.R.

R.G.R.

1" = 60'

PRELIMINARY P.U.D. PLAN

AUBURN GROVE

MILITARY SURVEY NO. 1546 & 1547

VILLAGE OF SOUTH LEBANON

WARREN COUNTY, OHIO

Abercrombie & Associates, Inc.

Civil Engineering + Surveying

3377 Corporate Road, Suite 120

Cincinnati, Ohio 45251

www.abercrombie-associates.com

18-0142

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Staff Report for the Preliminary PUD Plan for Auburn Grove

Project Description

Abercrombie and Associates has submitted a Preliminary PUD Plan for a property that is located on the northwest side of Cochran Road, South Lebanon, Ohio. There are two tracts that are currently 19.369 acres in size (15.198 and 4.171). The PUD proposes to contain 42 new single-family lots that on average are 7,200 sf in size. There are also four open space lots that total 5.957 acres. The overall density of the project is 2.53 lots per acre.

It is my understanding that this was originally part of a PUD plan where only one parcel was approved, and this request is a change to the PUD from one parcel to 42 parcels. Section 15.14.22 allows for amendments to the original plan. If this amendment represents a departure from the intent of, or a major departure from the substance of, the preliminary plan, such amendment shall then be subject to the same procedure and conditions of the approval as the original application. The density for this parcel as requested now is much higher and should trigger a new PUD review.

Parcel Description

The parcel number is 1736100025 and is located in the Little Miami School District. There are four existing neighborhoods that surround this parcel and no stubs have been provided to this vacant parcel of land via these neighborhoods. The only access point to this subdivision is through Hamilton Township at the dead end of Cochran Road.

Zoning

The parcel is zoned R-3 Single and Multiple Family Residential District with a PUD Overlay which allows for the following principal permitted uses:

- Single-Family Dwellings;
- Two-Family Dwellings;
- Multi-Family Dwellings.

Existing Requirements R-3 District

- Max height – 35'-0".
- Front Yard – 25'-0";
- Side Yard – 6'-0" and 10'-0"; ***Proposed side yard setbacks are 5'-0"***.

- Rear Yard – 30'-0";
- Min Lot Size – 6,000 sf for single-family dwellings;
- Frontage – 60'-0".
- Minimum Living Area – 700 sf.
- Max Lot Coverage – 40%.

PUD Requirements

- All requirements must be met as outlined in Article 20 of the Subdivision Regulations.
- All lots shall have sidewalks.
- Common open space shall comprise 20% of the project area. This project contains 30.76 % open space or 5.957 acres. Water courses shall not comprise more than 50% of the open space. Common open space can either be for recreational purposes or undeveloped.
- Common open space must be conveyed and maintained by an Association or public agency.
- All peripheral setbacks along the boundaries of the property shall be 40'-0" (adjacent to residential uses). The proposed lots to the north (lots 1 – 5, lots 17 – 21, and lots 34 - 38) may need additional depth to accommodate the 40'-0" requirement.
- Connections to adjacent properties – There are no connections shown. It is not recommended to only have one way into a subdivision for emergency reasons.
- Old Cochran Road will need to be vacated from the ROW line at lot 1 to the north property line.
- The correct ROW will need to be defined from the Hamilton Township line through the open space shown to lot #1.
- How is this parcel being served by utilities?
- How will this parcel be served by Emergency Services?
- The density is a bit high for this size, shape and location of this parcel.



VILLAGE OF SOUTH LEBANON
Preliminary Plat Approval Checklist

Development Name: Auburn Grove
Chris Fluegeman– Choice One
Reviewed By: Engineering

Date Received 8/21/19
Date Reviewed 8/21/19

All items below are required for preliminary plat approval from the Village Engineer

	Approved	Comments
A. Required Information Sec 15.20.4	<input type="checkbox"/>	
1. Preliminary Plat Form Sec 15.20.4.6	<input type="checkbox"/>	
a. Scale	<input checked="" type="checkbox"/>	
b. Paper Size	<input checked="" type="checkbox"/>	
2. Preliminary Plat Contents Sec 15.20.4.7	<input type="checkbox"/>	
a. Proposed Name of Subdivision	<input checked="" type="checkbox"/>	
b. Location of Subdivision	<input checked="" type="checkbox"/>	
c. Contact Information	<input type="checkbox"/>	No phone number for owner or developer. No engineer/surveyor stamp.
d. Date	<input checked="" type="checkbox"/>	
e. Scale and North Point	<input checked="" type="checkbox"/>	
f. Boundaries and Acreage	<input checked="" type="checkbox"/>	
g. Adjacent Properties	<input type="checkbox"/>	No adjoiner subdivision names and recording information.
h. Existing Features within 200'	<input checked="" type="checkbox"/>	
i. Zoning Classification	<input checked="" type="checkbox"/>	
j. Existing Contours	<input checked="" type="checkbox"/>	
k. Existing Utilities	<input checked="" type="checkbox"/>	
l. Proposed Streets and Easements	<input checked="" type="checkbox"/>	Need a storm sewer easement on Lot 9
m. Building Setbacks	<input checked="" type="checkbox"/>	
n. Proposed Utilities	<input checked="" type="checkbox"/>	
o. Lot Information	<input checked="" type="checkbox"/>	
p. Reserved Land	<input type="checkbox"/>	Areas in square feet not acres.
q. Vicinity Map	<input checked="" type="checkbox"/>	
3. Supplementary Information Sec 15.20.4.8	<input type="checkbox"/>	
a. Proposed Lot Usage	<input type="checkbox"/>	Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.
b. Existing Buildings	<input type="checkbox"/>	Location and approximate dimensions of all existing buildings.
c. Accessible Information	<input checked="" type="checkbox"/>	N/A For commercial and industrial development.
d. Proposed Covenants and Restrictions	<input type="checkbox"/>	Description of proposed covenants and restrictions.
e. Sewage Disposal Method	<input checked="" type="checkbox"/>	
General Comments		

Staff Report for the Preliminary PUD Plan for Auburn Grove

Project Description

Abercrombie and Associates has submitted a Preliminary PUD Plan for a property that is located on the northwest side of Cochran Road, South Lebanon, Ohio. There are two tracts that are currently 19.369 acres in size (15.198 and 4.171). The PUD proposes to contain 42 new single-family lots that on average are 7,200 sf in size. There are also four open space lots that total 5.957 acres. The overall density of the project is 2.53 lots per acre.

M/I Response - The PUD proposes to contain 42 new single-family lots that are a minimum of 7,200 sf and on average are 11,112 sf. Specifically, 17 lots are between 7,200sf and 10,000sf, 10 lots are between 10,000sf and 12,000sf, and 15 lots are between 12,000sf and 19,000sf.

It is my understanding that this was originally part of a PUD plan where only one parcel was approved, and this request is a change to the PUD from one parcel to 42 parcels. Section 15.14.22 allows for amendments to the original plan. If this amendment represents a departure from the intent of, or a major departure from the substance of, the preliminary plan, such amendment shall then be subject to the same procedure and conditions of the approval as the original application. The density for this parcel as requested now is much higher and should trigger a new PUD review.

Parcel Description

The parcel number is 1736100025 and is located in the Little Miami School District. There are four existing neighborhoods that surround this parcel and no stubs have been provided to this vacant parcel of land via these neighborhoods. The only access point to this subdivision is through Hamilton Township at the dead end of Cochran Road.

M/I Response – The property is served by Kings and Little Miami School Districts.

Zoning

The parcel is zoned R-3 Single and Multiple Family Residential District with a PUD Overlay which allows for the following principal permitted uses:

- Single-Family Dwellings;
- Two-Family Dwellings;
- Multi-Family Dwellings.

Existing Requirements R-3 District

- Max height – 35'-0".
- Front Yard – 25'-0";
- Side Yard – 6'-0" and 10'-0"; ***Proposed side yard setbacks are 5'-0"***.
- Rear Yard – 30'-0";
- Min Lot Size – 6,000 sf for single-family dwellings;
- Frontage – 60'-0".
- Minimum Living Area – 700 sf.
- Max Lot Coverage – 40%. **M/I Response – Request 50% max lot coverage to accommodate larger and more expensive houses.**

PUD Requirements

- All requirements must be met as outlined in Article 20 of the Subdivision Regulations.
- All lots shall have sidewalks.
- Common open space shall comprise 20% of the project area. This project contains 30.76 % open space or 5.957 acres. Water courses shall not comprise more than 50% of the open space. Common open space can either be for recreational purposes or undeveloped.
- Common open space must be conveyed and maintained by an Association or public agency.
- All peripheral setbacks along the boundaries of the property shall be 40'-0" (adjacent to residential uses). The proposed lots to the north (lots 1 – 5, lots 17 – 21, and lots 34 - 38) may need additional depth to accommodate the 40'-0" requirement.

M/I Response - Section 15.14.5 of the Village Zoning Regulations states the "Planning Commission may allow for a reduction of the setbacks if the applicant demonstrates that any negative impacts of reducing the setback is sufficiently mitigated".

The existing tree line buffer along the north, south, and west property lines will be maintained. In addition, M/I will plant additional trees to buffer existing neighbors to the north on Ritchey Lane and Homestead Drive. The proposal requests setbacks of 25' (front), 5' (side), and 30' (rear) on all lots.

- Connections to adjacent properties – There are no connections shown. It is not recommended to only have one way into a subdivision for emergency reasons.

M/I Response - The site is surrounded by existing single-family homes. The only practical connection other than Cochran Road is to Homestead Drive which has been permanently closed by the Village.

- Old Cochran Road will need to be vacated from the ROW line at lot 1 to the north property line.
- The correct ROW will need to be defined from the Hamilton Township line through the open space shown to lot #1.
- How is this parcel being served by utilities?

M/I Response - Sanitary sewer to be provided by existing Village facilities on site. Water to be provided by the Village via the proposed waterline along Cochran Road from the GCWW main on 22/3.

- How will this parcel be served by Emergency Services?

M/I Response - This property is served by the Hamilton Township Fire & Rescue and Warren County Sheriff's Department.

- The density is a bit high for this size, shape and location of this parcel.

M/I Response – The property is zoned by the Village of South Lebanon as R3-PUD and the proposal meets or exceeds the R-3 district guidance for minimum lot size (6,000sf) and lot width (60'). As a PUD, the maximum density permitted is 92 lots calculated as net residential area (16.61ac) less 20% open space of project area (3.87ac) divided by the minimum lots size in the R-3 district (6,000sf). This is not a rezoning request as the proposed 42 lot plan is permitted by the PUD zoning.

VILLAGE OF SOUTH LEBANON MEMORANDUM

TO: Planning Commission

FROM: Jerry Haddix, Village Administrator

RE: Case 20-06P, Rezoning of .4.2255 acres at 5484 State Route 48

DATE: January 27, 2020

On the agenda for the January 30th meeting is Case #20-06P, is rezoning request initiated by the property owner, Thomas A. Megie to rezone the property known as 5484 State Route 48 consisting of 4.2255 acres, owned by Mr. Megie, from R-1 – Single Family Residential District to B-2 – General Business District.

Background

Attached is a staff report provided by Kim Lapensee, the Village's Planning Consultant. The property known as 5484 State Route 48 was annexed into the Village, along with three (3) other properties in 2011. At that time, the annexed properties were zoned to the zone most similar to the existing zoning per Sec. 15.7.13(1) of the Village Zoning Regulations which was R-1. In 2015, the Village adopted its Comprehensive Plan which shows this property as a "Community Commercial" use.

Mr. Megie is the owner of Megie Funeral Home LLC and is planning on constructing and opening a funeral home at this location. Per the Village zoning code, a funeral home is not permitted in a R-1 District. A funeral home would be permitted in a B-2 district upon the Board of Zoning Appeals (BZA) granting a conditional for said use.

Code Analysis

Article 7 of the Village Zoning Code lists the procedures for Amendment or District Changes to the Village's Zoning Code.

Zoning Process

The Planning Commission shall transmit its recommendation to the Village Council within sixty (60) days of the receipt of the rezoning application. The Planning Commission may recommend that the amendment be granted as submitted, recommend modifications, or recommend denial.

Recommendation

These rezoning changes are consistent with the Village's Comprehensive Plan. Staff recommends that the Planning Commission recommend approval of this rezoning, as presented.

Attachments

Rezoning PC Application
Staff Report
Property Map of 5484 St. Rt. 48

VILLAGE OF SOUTH LEBANON PLANNING COMMISSION APPLICATION

1. Application Type: (check the appropriate box) (all plans must be folded when submitted)

<input type="checkbox"/>	Draft Plan-Discussion Only	<input type="checkbox"/>	Preliminary PUD
<input type="checkbox"/>	Site Plan	<input type="checkbox"/>	Final PUD
<input type="checkbox"/>	Landscape Plan	<input checked="" type="checkbox"/>	Rezoning
<input type="checkbox"/>	Construction Drawings. (Please complete Fee Schedule form on Page 2)	<input type="checkbox"/>	Lot Split
<input type="checkbox"/>	Preliminary Plat (Please complete Fee Schedule form on Page 2)	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Final Plat or Replat	<input type="checkbox"/>	Special Meeting
<input type="checkbox"/>	Right-of-Way Dedication Plat	<input type="checkbox"/>	Other:

(See Page 3 for complete Fee Schedule and Submittal Requirement Information)

2. Development Information:

Development/Business Name: <u>Megie Funeral Home LLC</u>			
Type of Business/Project Description: <u>Funeral Home</u>			
Location: <u>5484 St. Rt 48</u>		Size of Building: <u>4,600</u>	
Current Zoning: <u>R1</u>		Rezone to: <u>B2</u>	
Total Acreage: <u>4.2255</u>		Acres to be Rezoned: <u>4.2255</u>	
Number of Employees: <u>3</u>		Number of Fleet Vehicles: <u>3</u>	
Current Owner of the Property		Project Contact (Architect, Engineer, Planner)	
Name: <u>Thomas A. Megie</u>		Name: <u>Lichtenberg Const & Devel</u>	
Address: <u>9715 Dallasburg Rd</u>		Address: <u>11435 Williamson Rd</u>	
City: <u>Loveland</u>	State: <u>OH</u>	City: <u>Blue Ash</u>	State: <u>OH</u>
Zip: <u>45140</u>	Telephone: <u>513-266-1854</u>	Zip: <u>45241</u>	Telephone: <u>513-489-4578</u>
Fax: <u>937-444-4816</u>		Fax: <u>513-489-6579</u>	
Applicant(s): <u>Thomas A. Megie</u>			
Address: <u>9715 Dallasburg Rd</u>			
City: <u>Loveland</u>	State: <u>OH</u>	Zip: <u>45140</u>	
Telephone: <u>513-266-1854</u>	Fax: <u>937-444-4816</u>		
Please Print Applicant's Name Here: <u>Thomas A. Megie</u>			
* Applicant's Signature: <u>Thomas A. Megie</u>		<u>MegieFuneralHome@aol.com</u>	

* Applicant is responsible for payment of all fees (See Fee Schedule and Footnotes on Pages 3 and 4 respectively.)

TO BE COMPLETED BY THE VILLAGE OF SOUTH LEBANON

Application Number: _____ Date of Planning Commission Meeting: _____

Fee Paid: _____ Drawn: _____ Check #: _____ Date: _____ Initial: _____

Legal Notices Advertised: _____ Mailed to Surrounding Property Owners: _____

3. Rezoning and Preliminary PUD Plan Requests

Surrounding Property Owners: Please list the names and addresses of all **Owners of Real Property** within 300 feet of any part of the property as such names and addresses appear on the most recent tax duplicate on 2 sets of mailing labels. (See submittal requirements on page 3).

4. Signatures Required

By signing this application, I attest under penalty of law that all the information given above is correct to the best of my knowledge.

Please **Print** Applicant's Name: Thomas A. Mezie

Applicant's Signature: Thomas A. Mezie Date: 10-24-19

Property Owner's Signature: Thomas A. Mezie Date: 10-24-19

5. Fee Determination for Construction Drawings and Preliminary Plat Submittals

Please create a detailed breakdown of the estimated infrastructure breakdown cost for the project and attach it to this application. For Construction Drawings complete Item 1 and for Preliminary Plats complete Item 2.

Total Infrastructure Cost \$ _____ (A)

1 – Construction Drawing Fee Breakdown

1.25% of Total Infrastructure Cost* (Line A x 0.0125) \$ _____ (B)

1.50% of Total Infrastructure Cost** (Line A x 0.015) + \$ _____ (C)

Application Fee + \$ 150.00 _____ (D)

Total Construction Drawing Fee (Line B + C + D) \$ _____ (E)

2 – Preliminary Plat Fee Breakdown:

0.25% of Total Infrastructure Cost* (Line A x 0.0025) \$ _____ (F)

Application Fee + \$ 150.00 _____ (G)

Total Preliminary Plat Fee (Line F + G) \$ _____ (H)

Total Paid with Application/Submittals (Line E+H) \$ _____

* Due upon submittal

** Due prior to construction

6. Fee Schedule and Submittal Requirements

Article/Ord. Reference	Item	Fees ⁽³⁾⁽⁴⁾	Submittal Requirements
Article 20 Article 14	Preliminary Plats Final PUDs	\$150 + 0.25% of estimated infrastructure construction costs ⁽¹⁾	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Construction Drawings	\$150 + 2.75% of estimated infrastructure construction costs ⁽¹⁾ (Include estimate with application) (1.25% due at time of submittal and 1.5% due before construction begins) ⁽²⁾	4 Copies ⁽⁵⁾ 2 Drainage Calculations 2 Detailed Spreadsheet of the Estimated Infrastructure Costs
Article 20	Final / Dedication Plats	\$350	10 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Lot Split / Minor Subdivision / Replats	\$75 per lot	3 Survey Plats ⁽⁵⁾ & Legal Descriptions 1 New Deed + 1 Original Deed
Article 18	Site Plans	\$400 + \$5 per unit Multi-family \$400 + \$20 per acre Commercial/ Office/Industrial/Institutional	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 17	Landscape Plans	\$150 + \$10 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 7	Zoning District Map Change Zoning Text Change	\$400 + \$10 per acre	20 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 5	Variances / Appeals	\$400	8 Copies + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 1 Set of Mailing Labels
Article 14	Preliminary PUD Plans	\$2,500 + \$20 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 14	Final PUD Plans	Site Plan Review Fees Apply	Site Plan Review Submittal Requirements Apply
Article 6	Conditional Use / Similar Use	\$250 + applicable site plan fee	15 Copies + 1 Copy Ledger Paper ⁽⁵⁾
Article 3	Zoning Permit	\$250 + \$0.03 per square foot of building area (Village water tap and inspection fee required if utilizing Village Water [proof of payment of County tap fee if utilizing County Water]; Village sewer tap and inspection fee also required)	5 Copies
Article 3	Temporary Use Permit	\$50	5 Copies
Article 3	Certificate of Occupancy	\$50	3 Copies
Ord. No: 2008-14; Permit App.	Flood Hazard Area Development Permit	\$50	3 Copies of Permit Application w/ applicable submittal requirements (stated on Page 2 of 2 of Permit Application + Engineering "No Rise" Certification (if applicable))
	Special Meeting	\$500 + Application Fee, if any ⁽⁶⁾	Depends Upon Type of Application or Meeting Requested

FOOTNOTES TO FEE SCHEDULE

- (1) Infrastructure construction costs include all infrastructure costs associated with a development including, but not limited to, drainage facilities, sanitary sewers, waterlines, grading, excavation, and street improvements.
- (2) Any inspection conducted outside the normal eight-hour workday of Monday through Friday, excluding holidays, 8:00 a.m. until 4:30 p.m., shall be charged at one and a half (1.5) times the standard rate. The Village reserves the right to charge fees in addition to the fees specified in the table above if, due to the applicant's responsibility, excessive review and/or field inspections are necessary, and as determined by the Village Engineer. Such fees for review and field inspection by Village staff shall be charged at the standard rate of forty dollars (\$40) per hour, plus a three-fourths (.75) hour charge for travel time. Any review and inspection completed by consultants on behalf of the Village shall be charged to the applicant at the same rate charged by the consultants. Performance and maintenance bonds will not be released until payment of all fees is received.
- (3) Any review and inspection completed by consultants on behalf of the Village shall be charged to the applicant at the same rate charged by the consultants. The applicant shall pay the difference when consultant fees charged to the Village are in excess of the established Fee Schedule base amounts. Final approvals will be held until all fees charged by consultants are paid-in-full by the applicant.
- (4) The fee for review of a revised application shall be sixty (60) percent of the fee specified for the initial or first review of such application.
- (5) All plans must be folded to fit a legal sized file folder with the title showing in the lower right-hand corner.
- (6) Special meetings that require one or more of the Village's consultants to attend shall require payment of the special meeting fee before the meeting is scheduled. Examples of special meetings include staff meetings and non-scheduled Planning Commission meetings requested by an applicant and/or developer.

1. Complete applications submitted by the deadlines posted above will be processed and placed on the next regularly scheduled Planning Commission meeting.
2. Incomplete applications or applications that do not comply with the minimum Village Zoning Ordinance and/or Subdivision Regulations or applications that are not submitted by the above posted deadlines will not be placed on the next regularly scheduled Planning Commission meeting agenda.
3. The applicant will be notified if his or her application is not accepted for processing. The Village Administrator and/or Zoning Administrator will discuss the reasons why the application was not accepted and the necessary steps required to meet the next meeting deadline.
4. Applicants may request a special Planning Commission meeting. Requests should be made with the Village Administrator at least two weeks in advance of the requested special meeting date. The meeting will be set if approved by the Planning Commission chairperson and if a quorum can be present. A \$500 fee plus applicable application fee must be paid in advance of the meeting (See Fee Schedule and Footnotes to Fee Schedule).
5. Meeting dates are subject to change due to unforeseen scheduling conflicts and holidays. Applicants should call the Village to check meeting dates in advance of the application deadlines.

SAXTON SCOTT S. AKA *
5291 LITTLE TURTLE DR
SOUTH LEBANON, OH 45065

FAZ JENNIFER K.
5281 LITTLE TURTLE DR
SOUTH LEBANON, OH 45065

RAGOUZIS EVAN & LAURA
ROUTE 48
MAINEVILLE, OH 45039

VISWANATHAN BHARATHI &
5301 LITTLE TURTLE DR
SOUTH LEBANON, OH 45065

CHRISTOFFER MATTHEW D. &
5474 S ROUTE 48
MAINEVILLE, OH 45039

SR 48 DAYCARE LLC
ROUTE 48
MAINEVILLE, OH 45039

HOLLIDAY LINDA FKA *
ROUTE 48
MAINEVILLE, OH 45039

ZUGARO JOHN E. & CYNTHIA
5311 LITTLE TURTLE DR
SOUTH LEBANON, OH 45065

RAGOUZIS EVAN & LAURA
ROUTE 48
MAINEVILLE, OH 45039

JOHNS JANET ETAL: *

5504 ROUTE 48

MAINEVILLE, OH 45039

BOARD OF EDUCATION KINGS

50 RIDGEVIEW LN

MAINEVILLE, OH 45039

MEGIE THOMAS A. & STACY*

5484 ROUTE 48

MAINEVILLE, OH 45039



Scale: 1:2,400

[GIS Home](#)



Staff Report for Rezoning of 4.2255 Acre Parcel on State Route 48

Project Description

Megie Funeral Home has submitted a zone change request for the property located on State Route 48, Maineville, Ohio. The tract is 4.2255 acres in size and is owned by Thomas and Stacy Megie. They are requesting that the property be rezoned from R-1 Single Family Residential District to B-2 General Business District to build a funeral home.

Parcel Description

The parcel number is 16062760060 and is located in the Little Miami School District. This lot is being used for residential and currently has a 924-sf house on the site. There are residential homes on either side of the lot. There are business uses beyond those houses to the north and south on the east side of State Route 48 (vacant car wash to the north). There is an elementary school across the street, a vacant lot and a business use (daycare?).

Zoning

The parcel is zoned R-1 Single Family Residential which allows for single family residential dwellings. Other conditional uses permitted include: cemeteries, churches, elderly MF housing, home occupations, schools and rooming home dwellings.

Existing Requirements R-1 District

- Max height – 35'-0";
- Front Yard – 35'-0";
- Side Yard – 10'-0";
- Rear Yard – 40'-0";
- Min Lot Size – 21,780 sf;
- Frontage – 80'-0".
- Max Coverage – 20%.
- Living Area – Minimum 1100 sf per dwelling unit for SF housing.

Surrounding Zoning Districts

The zoning surrounding the property is as follows: R-1 to the south, R-1 and B-2 to the north (twp. zoning), R-3 PUD to the east, and R-3 PUD and B-1 PUD

(twp. zoning) to the west. There is a single-family subdivision (Stonebrook Subdivision) located to the east that is fairly large in size.

Existing Conditions

The property is surrounded by a mix of uses from single family residential to business uses.

Proposed Zoning

The owner of the property is requesting B-2 General Business District zoning which allows for general business uses. These uses could be the following:

- Animal hospitals;
- Automotive, mobile home, farm implement, sales, service, rental or establishments;
- Building and related trades, including sales areas;
- Business or professional offices;
- Car Washes;
- Churches and similar places of worship;
- Financial institutions;
- Home furnishings sales, rental and repair;
- Medical clinics;
- Motels and Hotels;
- Motion picture theaters, indoor or outdoor printing, copying, publishing establishments;
- Restaurants;
- Retail stores including those which sell petroleum products and may do on-site servicing or repair work;
- Service businesses which may do on-site installation or repair work;
- Studios, salons and health clubs.

Conditional uses requiring a conditional use permit from the BZA include: automotive body shops, funeral homes, group residential facilities, indoor recreation, long term parking facilities and nursery schools and day care centers.

Existing Requirements B-2 District

- Max height – 35'-0";
- Front Yard – 20'-0";
- Side Yard – 10'-0";

- Rear Yard – 20'-0";
- Min Lot Size – 8,000 sf;
- Frontage – 60'-0".

Land Use Plan Recommendations

- The Land Use Plan that was adopted in 2016 recommends a community commercial area. The plan specifies that a community commercial should only be applied in select locations where the mixed-use commercial center is not suitable due to the property's size or neighborhood context. The community commercial area is designed to accommodate a wide range of small and medium sized retail or commercial service businesses including restaurants, small grocery stores, beauty salons, specialty shops, day care centers, pharmacies or professional offices. Schools or government offices are also acceptable.
- Since these parcels are gateways to the community, future development should incorporate a gateway or branding feature into the building or site design. These areas are also adjacent to neighborhoods, therefore future commercial development in this area should be adequately buffered and screened to protect nearby residential development from light and noise.

Conditional Use Requirements

- The buildings shall be designed so as to conform with the architectural character of the residential neighborhoods that are nearby.
- The applicant shall be required to submit a parking and traffic circulation plan to the BZA for approval. The design, location and surface of the parking areas and vehicular approaches shall be subject to approval by the BZA so as to reduce congestion, promote safety, and reduce the impact on the residential character of the neighborhood. The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall provide a safe drop point for visitors that will not impede other traffic.

Other Requirements

- Comply with Article 12 Off-Street Parking and Loading Requirements.
- Comply with Article 16 Signs.
- Comply with Article 17 Landscaping and Screening Requirements.



Corporation Lines

Warren Boundaries

Roads

County Line

School Line

Parcels

County

Auditors Tract Line

Farm Lot Line

Section Line

Tract Line

Interstate

Civil Township Line

Hardware

ROW Unknown Width Line

Subdivision Limit Line

Unknown

Municipal

Corporate Line

Overpass Line

Road ROW

Subdivision Lot Line

VMS Line

State

Township

Vacated Road Line

US

parcel_clip

NORTH

Warren County, Ohio
Customized Property Map



This map was created using data from the Warren County Auditor's Office. It is not a legal document and should not be used for legal purposes. The map is provided as a reference only.

Warren County Auditor's Office
Warren, OH 44680

Project# 12268
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