

PLANNING COMMISSION AGENDA



**Planning Commission Meeting
6:00 PM Wednesday, December 18, 2024**

**South Lebanon Municipal Building
10 N. High Street
South Lebanon, Ohio 45065**

| | Agenda Item |
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| 1. | Call to Order |
| 2. | Pledge of Allegiance |
| 3. | Roll Call |
| 4. | Review and Approval of Minutes A. Minutes of November 4, 2024 |
| 5. | Public Hearing – none |
| 6. | Old Business A. None |
| 7. | New Business A. Case 24-09P: Determination of whether revision of the Irwin PUD (aka Arbors at Grandin Pond) is a “major” or “minor” modification B. Case: 24-10P: Review of proposed Text Amendment to change swimming pool fence requirements |
| 8. | Communications |
| 9. | 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.



City 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**

Monday, November 4, 2024 @ 6:00pm

Members Present:

Darrick Zucco
Linda Allen
Linda Burke
Susanne Mason

Members Absent:

Clyde Adkins

Staff:

Jerry Haddix
Administrator

1. Call to Order by Mr. Zucco, at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call: Mayor Burke-Present, Mr. Zucco-Present, Mr. Adkins-Absent, Ms. Allen-Present, Ms. Mason-Present.
4. Review and Approval of Minutes for September 30, 2024. Motion to approve by Ms. Mason, Seconded by Ms. Allen Vote was taken, all yeas.
5. Public Hearing-None
6. Old Business-None
7. New Business
 - A. Case -24-08P: Review of Final Plat for the Arbors at Grandin Pond Phase 1 subdivision submitted by Grandin Road Development, LLC.

Mr. Haddix states this is the final plat for the Arbors at Grandin Pond Phase 1 development. It consists of 63 lots on 39.1393 acres. The total development will have 182 single family lots on 64.57 acres. This has been sent out for comments to the Fire Department, our Engineer, and to the Tax Map Department. We're still waiting for comments to come back from those. The Fire Department wants to require a no parking on the fire hydrant side and in the cul-de-sac.

Mr. Haddix recommends adoption of the final record plat. They will be required to enter into the development agreement along with the record plat and comply with the subdivision regulations.

Motion to approve was made by Ms. Allen, seconded by Mayor Burke. Vote was taken, all yeas.

8. Communications-None

9. Adjournment-Motion presented by Mr. Zucco, seconded by Ms. Mason. Vote was taken, all yeas.

Darrick Zucco – Chairman

Karen Woodward - Clerk

**CITY OF SOUTH LEBANON
MEMORANDUM**

TO: Planning Commission

FROM: Jerry Haddix, City Administrator

RE: Case 24-09P, Revision of the Irwin PUD, 727 Grandin Road (Arbors at Grandin Pond)

DATE: December 17, 2024

On the agenda for the December 18th meeting is the review of a revision to the Final Development Plan (FDP) for Irwin PUD at 727 Grandin Road. The application was submitted by the “Applicant”, Grandin Road Development. LLC (formerly Beaver Creek Site Management LLC).

Background

Previously, the Planning Commission and then-Village Council approved the rezoning and preliminary development plan (PDP) for the Irwin Farm at 727 Grandin, consisting of 64.57 acres and 173 single family lots on the property.

In December, 2023, Beaver Creek Site Management LLC (Applicant) submitted a revision to the approved Preliminary Development Plan (PDP) for the property at 727 Grandin Road (Parcel# 16-05-100-001-1 & 16-05-100-001-2). The Applicant proposed to 1) increase the total number of lots from 173 to 182 lots; 2) increase the open space area from 12.9 ac. To 13.4 ac.; and 3) create a street connection directly to Striker Road and thereby eliminating the connection from Willow Pond to Grandin Road. This was determined to be a “minor” change by the Planning Commission.

The Applicant is now proposing to create a street connection to the property on the southeast corner of the property and extending Grandin Pond Drive through to the adjoining 59.66 acre property to the east. Future residential development is proposed along with some business near Grandin Road (see attached plan). The property to the east is in the unincorporated area of Hamilton Township.

Code Analysis

Pursuant to Sec 15.14.22 Amendments to Plan, at any time after the approval of a preliminary plan or a final plan of a development area, the owner or owners may request an amendment of their plans; the request of such amendment shall be filed with the zoning administrator and one (1) copy filed with the clerk of council. If such amendment, as determined by Planning Commission, 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 approval as the original application. For the purposes of this section, a "major departure from the substance of a preliminary plan" shall include, but not be limited to, an increase in or relocation of areas planned for a particular use or the addition of a use not included in the approved preliminary plan.

Zoning Process

The Planning Commission shall determine if the proposed revisions depart from the intent of the original plan or a major departure in substance from the approved plan.

Staff Review

The Applicant has submitted a revised development plan for the Irwin PUDs development with the following changes:

1. Create a street connection to the adjoining property to the east at the southeast corner of the property; and
2. Reconfiguration of lots at the connection point.

There is no planned change of use or change in the number of lots planned for the Arbors of Grandin Pond.

Recommendation

Staff recommends that the Planning Commission determine that the proposed changes to the Irwin PUD (aka Arbors at Grandin Pond) development are NOT a major departure from the previously approved Development Plan.

Attachments

Grandin Road Development LLC letter dated November 15, 2024

Current Irwin PUD Development Plan

Revised Irwin PUD Development Plan w/ plan of adjoining property

GRANDIN ROAD DEVELOPMENT, LLC

7861 E. Kemper Road * Cincinnati, OH 45249

November 15th, 2024

Mr. Jerry Haddix, City Administrator
City of South Lebanon
10 N. High Street
South Lebanon, Ohio 45065

RE: Arbors at Grandin Pond Phase 2
Final Development Plan – Minor Modification

Dear Mr. Haddix:

We are pleased to present to you a revised Final Development Plan as a Minor Modification. Our plan features the following changes:

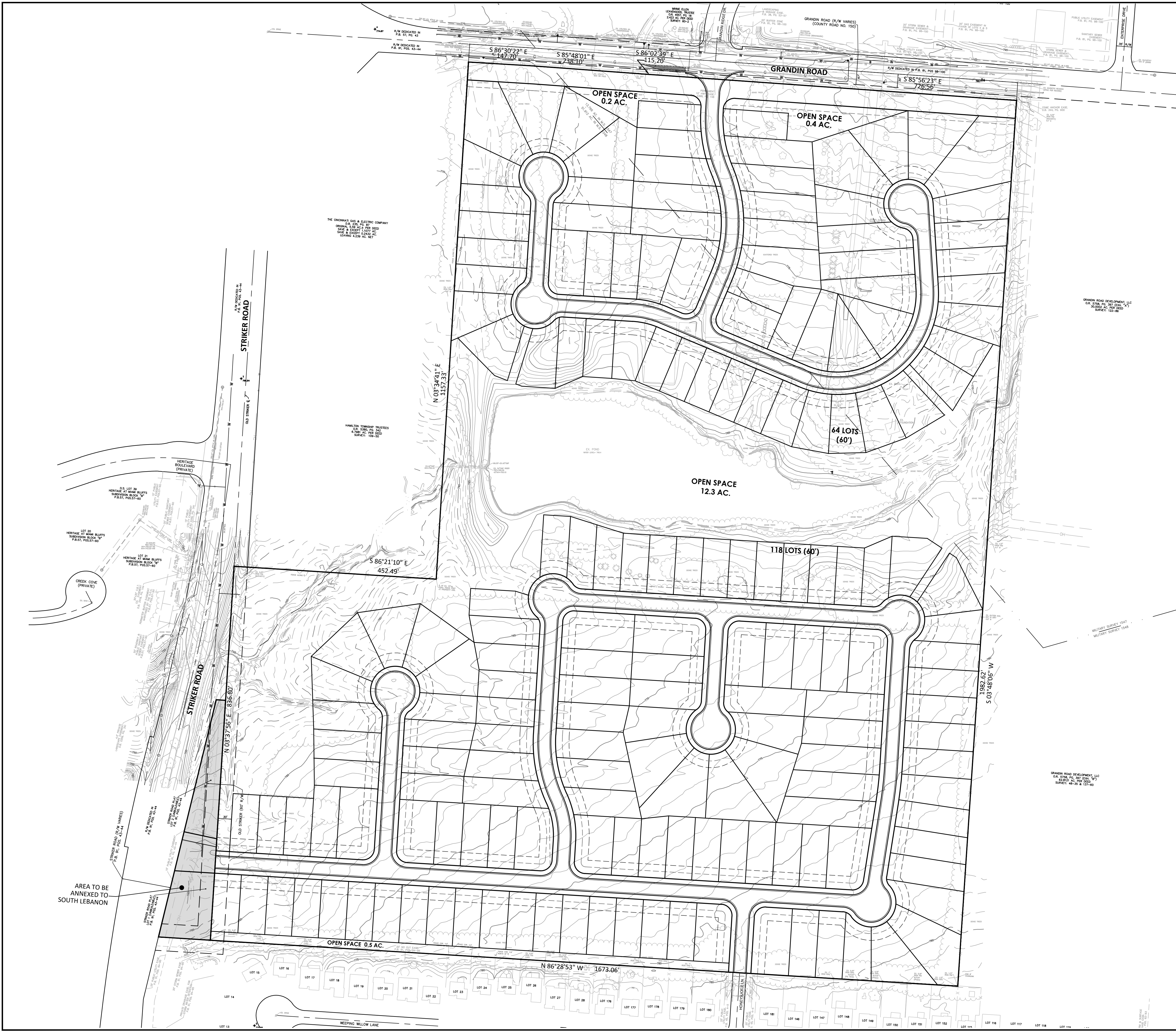
1. Stub Street on the South East corner of the development → Our revised plan shows a stub street into Hamilton Township for future development of “Arbors East”. “Arbors East” would have connectivity east to Route 48 and north to Grandin Road.

We believe the change made to plan does not substantially affect the character or intensity of use, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards. The open space and lot yield will remain the same. We request that the planning commission deem these changes to the Final Development Plan as a minor modification.

Sincerely,

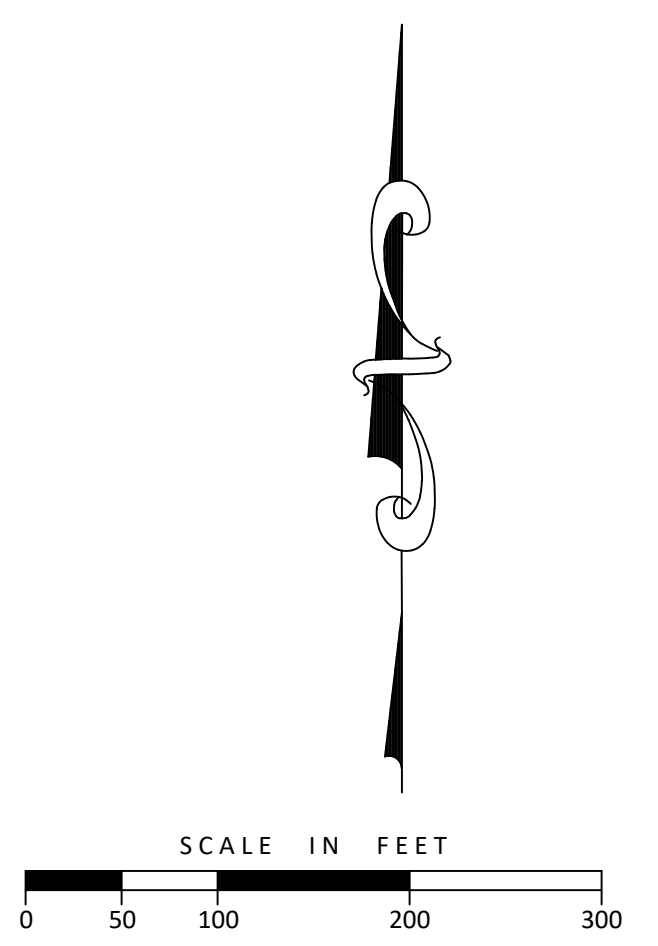
Edwin Farruggia
Grandin Road Development, LLC

| Issue/Revision | No. | Date |
|--------------------|-----|----------|
| ACCESS & LOT YIELD | | 11/28/23 |
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MINIMUM SITE DEVELOPMENT DATA

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|-----------------------|----------|
| LOT AREA: | 7,400 SF |
| LOT WIDTH @ SETBACK: | 60 FT |
| FRONT YARD SETBACK: | 30 FT |
| SIDE YARD SETBACK: | 6 FT |
| SIDE YARDS BOTH: | 12 FT |
| REAR YARD SETBACK: | 30 FT |
| TOTAL NUMBER OF LOTS | 182 |
| AREA OF DEVELOPMENT | 64.55 AC |
| AREA OF OPEN SPACE | 13.4 AC |
| OPEN SPACE PERCENTAGE | 20.7% |



GRANDIN ROAD
MILITARY SURVEY NO. 1547 & 1548
VILLAGE OF SOUTH LEBANON
HAMILTON TOWNSHIP
WARREN COUNTY, OHIO

Sheet Title

60' WIDE CONCEPT PLAN
(HAVING 20.0% OPEN SPACE)

Project Number 16448.02
Drawing Scale 1" = 100'
Sheet Number 1/1
File Number 16448

N:\land projects\16000\16448\dwg\16448004-CONCEPT PLAN-2023.dwg, Concept 2023, 11/29/2023 2:38:20 PM, Rich



**CITY OF SOUTH LEBANON
MEMORANDUM**

TO: Planning Commission
FROM: Jerry Haddix, City Administrator
RE: Case 24-10P, Zoning Text Amendment – Swimming Pool Fence Height
DATE: December 16, 2024

On the agenda for December 18th meeting is Case #24-10P, relates to a proposed text amendment to Section 15.11.7 of the City Zoning Code reducing the required fence height for a private swimming pool to four (4) feet.

Background

The original Village Zoning Code set the minimum height for private swimming pool fences to be six (6) feet. In 2012, the Village Council amended Section 15.11.7 of the Zoning Code to allow for a four (4) foot fence in the event a retractable pool cover is also installed. In 2019, the Village Council denied an amendment to set the minimum height of fences around swimming pools to a height of four (4) feet. The City Council adopted Resolution 2024-37 initiating a zoning text amendment to lower the fence requirement for swimming pools to four (4) feet.

Code Analysis

Article 7 of the City Zoning Code outlines the procedures for amendments to the City Zoning Code.

Zoning Process

Sec. 15.7.3 states the “Amendments to this ordinance may be initiated in one of the following ways:

1. By adoption of a motion by the Planning Commission; By the adoption of a resolutions by City Council; and
2. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Sec. 15.7.7 states that “Within sixty (60) days from the receipt of the proposed amendment, the Planning Commission shall transit its recommendation to the City Council.

Recommendation

Based on the reasonableness of the amendment as well as consistency with generally accepted industry standards, it is Staff’s recommendation to recommend the following amendment to Se. 15.11.7 of the City Zoning Code:

Sec 15.11.7 Private Swimming Pools.

No private swimming pool, exclusive of portable swimming pools with a diameter of less than twelve (12) feet or with an area of less than one hundred (100) square feet, or of a farm pond, shall be allowed

in any residential district or commercial district except as an accessory use, and shall comply with the following requirements:

1. The pool is intended to be used and is used solely for the enjoyment of the occupants of the property on which it is located and their guests.
2. The pool may be located anywhere on the premises except in required front yards, provided that it shall not be located closer than twelve (12) feet to any property line or easement.
3. The swimming pool, or the entire property upon which it is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties. No such fence shall be less than **FOUR (4)** ~~six (6)~~ feet in height, and it shall be maintained in good condition with a gate and lock. ~~In the event that a retractable pool cover is to be installed, the required fence may be reduced to no less than four (4) feet in height.~~

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2024-37**

**A RESOLUTION TO INITIATE A ZONING TEXT AMENDMENT TO SECTION
15.11.7 [PRIVATE SWIMMING POOLS] OF THE CITY ZONING CODE**

WHEREAS, City Council has indicated its interest in amending the City Zoning Code regarding reducing the fence height requirement for private swimming pools from six (6) feet to four (4) feet; and,

WHEREAS, per Section 15.7.3(1) of the City Zoning Code, City Council, by adoption of a resolution, may initiate an amendment to the Zoning Code;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least a majority of all members elected thereto concurring:


Section 1. That the Council hereby initiates a zoning resolution to amend the text of the City Zoning Code relating to Private Swimming Pools Fence Height Requirement from six (6) feet to four (4) feet.

Section 2. That the City Administrator is directed to forward this request to the City Planning Commission.

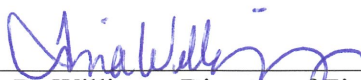
Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 7th day of November, 2024.



Linda S. Burke, Mayor

Attest: 

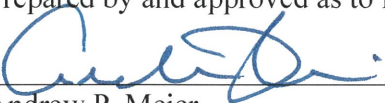
Petrina D. Williams, Director of Finance/Clerk

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Resolution No. 2024-37
Page 2

| | | |
|------------------|-----------------------------|-----------------|
| Rules Suspended: | <u> - </u> | (if applicable) |
| First Reading: | <u> 10/17/24 </u> | |
| Second Reading: | <u> 11/7/24 </u> | |
| Vote: | <u> 6 </u> Yeas | |
| | <u> </u> Nays | |
| Effective Date: | <u> 12/7/24 </u> | |

Prepared by and approved as to form:



Andrew P. Meier
Law Director
City of South Lebanon, Ohio

Ohio Public Swimming Pools – OAC 3701-31 (48 inches)

International Swimming Pool and Spa Code (2021) – Section 305.2.1 (48 inches)

U.S. Consumer Product Safety Commission “Safety Barrier Guidelines for Residential Pools” -- minimum of 4 feet high

Warren County Zoning Regulations 3.102.8 – 4 feet for residential, 6 feet for community or public pools

South Lebanon Zoning Regulations Sec 15.11.7 Private Swimming Pools

Subparagraph 3: The swimming pool, or the entire property upon which it is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties. No such fence shall be less than six (6) feet in height, and it shall be maintained in good condition with a gate and lock. **In the event that a retractable pool cover is to be installed, the required fence may be reduced to no less than four (4) feet in height.**