



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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TOM GROSSMANN

PAT ARNOLD SOUTH

DAVID G. YOUNG

BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session – August 13, 2015

The Board met in regular session pursuant to adjournment of the August 11, 2015, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

- 15-1254 A resolution was adopted to authorize Susan Spencer, Personnel Officer, to sign necessary documents in order to post jobs on Montser.com. Vote: Unanimous
- 15-1255 A resolution was adopted to approve Agreement with Agape for Youth, Inc. as a Child Placement and Related Service Provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 15-1256 A resolution was adopted to create Rates and Charges for the County Storm Water Management District No. 1 in accordance with Section 6117 of Ohio Revised Code. Vote: Unanimous
- 15-1257 A resolution was adopted to enter into Contract with Miller-Mason Paving Co. for the 2015 Chip Seal Project. Vote: Unanimous
- 15-1258 A resolution was adopted to enter into Contract with SDS Contracting LLC for the FY2015 Village of Pleasant Plain Sidewalk CDBG Project.
Vote: Unanimous
- 15-1259 A resolution was adopted to enter into Contract with Unger Construction Ltd. for the FY2015 Village of Butlerville - Fire Hydrant CSBG Project.
Vote: Unanimous

- 15-1260 A resolution was adopted to enter into Contract with J.K. Meurer Corporation for FY2015 Village of Morrow - River Corridor Street Rehab CDBG Project.
Vote: Unanimous
- 15-1261 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 15-1262 A resolution was adopted to approve the following Record Plats.
Vote: Unanimous
- 15-1263 A resolution was adopted to approve an Expense Adjustment from Water Revenue Fund #510 and Purchase Order 95357 to Sewer Revenue Fund #580.
Vote: Unanimous
- 15-1264 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 15-1265 A resolution was adopted to approve Appropriation Adjustments within Prosecutor's Office Fund #101-1150. Vote: Unanimous
- 15-1266 A resolution was adopted to approve Appropriation Adjustment within Telecommunications Department Fund #101. Vote: Unanimous
- 15-1267 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Court/Smart Grant Fund #289. Vote: Unanimous
- 15-1268 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 15-1269 A resolution was adopted to approve and authorize the Submittal of a Grant Application and Agreement to the Ohio Emergency Management Agency for funding through the FY2015 Emergency Management Performance Grant Program - Special Projects application and authorize the Director of the Emergency Services Department to sign documents relative thereto.
Vote: Unanimous
- 15-1270 A resolution was adopted to approve the Rezoning Application of Highland Development Partners (Case #2015-03) to rezone approximately 127.2455 acres from Light Industrial Manufacturing "I-1" to Planned Unit Development subject to certain conditions. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

PUBLIC HEARING

CONTINUATION OF THE REZONING APPLICATION OF HIGHLAND DEVELOPMENT PARTNERS TO REZONE APPROXIMATELY 127.2455 ACRES IN UNION TOWNSHIP FROM LIGHT INDUSTRY "I-1" TO PLANNED UNIT DEVELOPMENT

The continuation of the public hearing to consider the rezoning application of Highland Development Partners, agent for Elijah J. Rapp and Cheryl L. Rapp, owners of record (Case #2015-03), to rezone approximately 127.2455 (Parcel Numbers 12-14-200-011, 12-14-100-009, 12-14-100-006 and 12-14-100-005) located at 3090 S. US RT 42 in Union Township from Light Industrial Manufacturing "I-1" to Planned Unit Development was convened this 13th day of August 2015, in the Commissioners' Meeting Room.

Michael Yetter, Zoning Supervisor, presented the attached PowerPoint presentation which reviewed the location and size of the property, the Future Land Use Map as is it today as well as the proposed Future Land Use Map, surroundings zoning, and the zoning map prior to the 2012 Zoning Re-Write and Map Amendments. He then reviewed the revision process that the Rural Zoning Commission followed in making their final decision to recommend approval of the rezoning application.

Daniel Geroni, Regional Planning Commission, reviewed the buffering and standards required in the zoning code and stated that the applications have more than met the requirement. He then discussed the rail spur, stating that trains will be slow moving and that the spur was not a concern of the Regional Planning Commission. He then reviewed the Future Land Use Map that is in process of adoption by the Union Township Trustees that provides for this property to be zoned Residential and stated that, should the Board of Commissioners desire to approve this rezoning, groundwater protection standards would need to be included into the conditions for approval.

Mike Williams, Highland Development Partners, stated he has been working with the adjacent business development owners on a compromise design. He stated that with the agreement to provide additional open space adjacent to the industrial park, the business owners have withdrawn their objection to the rezoning application.

Scott Astin, Highland Development Partners, stated that residential is the best use of this farm due to topography. He presented the attached PowerPoint presentation and stated that the City of

Lebanon has 147 years worth of available industrial land at the current growth rate. He the stated that the Union Township Trustees encourage residential development in a manner that is conducive to the environment and the land in question is an up and coming residential corridor.

Mr. Astin then stated that they have been collaborating with the adjacent property owners and have agreed to an additional buffering for a total of 18 acres between the residential and industrial use. He then stated that it is his understanding that the industrial neighbors will be dropping their objection to the rezoning application.

Chris Koch, Union Township Trustee, stated that the township is supportive of the rezoning application.

Pat Clements, Lebanon City Manager, stated that the City has adopted a resolution in opposition to the rezoning application. He then stated that he understands that the developer has worked out an agreement with the industry but the Lebanon Council has not met to make any change to their stance in opposition so the opposition from the City must remain.

There was discussion relative to the land adjacent to the industrial park that was recently sold by the City of Lebanon to a residential developer.

Commissioner Grossmann questioned Mr. Clements' opinion if the Council would remove their opposition due to the industrial users no longer objecting.

Mr. Clements stated that it would be his opinion that they would and requested the Board consider continuing the public hearing in order for the Council to discuss the matter.

Bill Smith, adjacent property owner, stated his opinion that this is a great plan and a beautiful area.

Kevin O'Sullivan, adjacent property owners, spoke in favor of the rezoning application.

There was no one present to speak in opposition to the rezoning application.

Commissioner South stated her concern with the notification of perspective buyers of the composting facility adjacent to the development and the activation of the rail line that the adjacent industrial park will be utilizing. She questioned what form of notification they would be giving.

There was discussion relative to placing the notice within the covenants and restrictions of the subdivision relative to the adjacent property having a Class II Composting license as well as being adjacent to an industrial park with an active rail spur.

There was extensive discussion relative to the Marvin Duran composting facility/landfill and the smells associated that will affect this area.

Bruce McGary, Assistant Prosecutor, stated that any conditions that are placed on the planned unit development, the developer would need to voluntarily agree to. He then stated that any deed restriction relative to the notification of the adjacent uses caused him concern.

David Gully, County Administrator, stated that the Board does not have to make a decision this evening. He stated the option to continue the public hearing to allow the developer to address how they would like to make the disclosure and also allow Lebanon City Council to review the amended development plan with the 18 acre buffer.

Commissioner Grossmann stated his desire to finalize the process this evening. He then stated he is satisfied that Lebanon will be in favor and the developer will provide disclosure.

Mr. Astin stated that it is more appropriate to disclose the adjacent property uses within the covenants and restrictions of the subdivision.

Mr. Williams and Mr. Astin then agreed to add the additional disclosure conditions to the planned unit development.

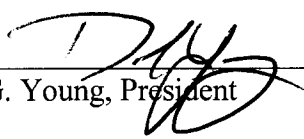
Mr. Yetter then presented the applicant with the 12 conditions presented by the Regional Planning Commission staff for review.

Commissioner Young cautioned the township that balanced growth that includes industrial uses is necessary. He then stated he is typically opposed to the rezoning of industrial land to residential but after viewing this property, he feels this is great land for residential use and stated his favorable opinion of the rezoning application.

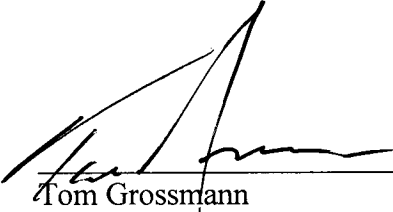
Mr. Williams stated that he is agreeable and accepts the conditions for the planned unit development.

Upon further discussion, the Board resolved (Resolution #15-1270) to approve the rezoning application subject to 13 conditions.

Upon motion the meeting was adjourned.



David G. Young, President

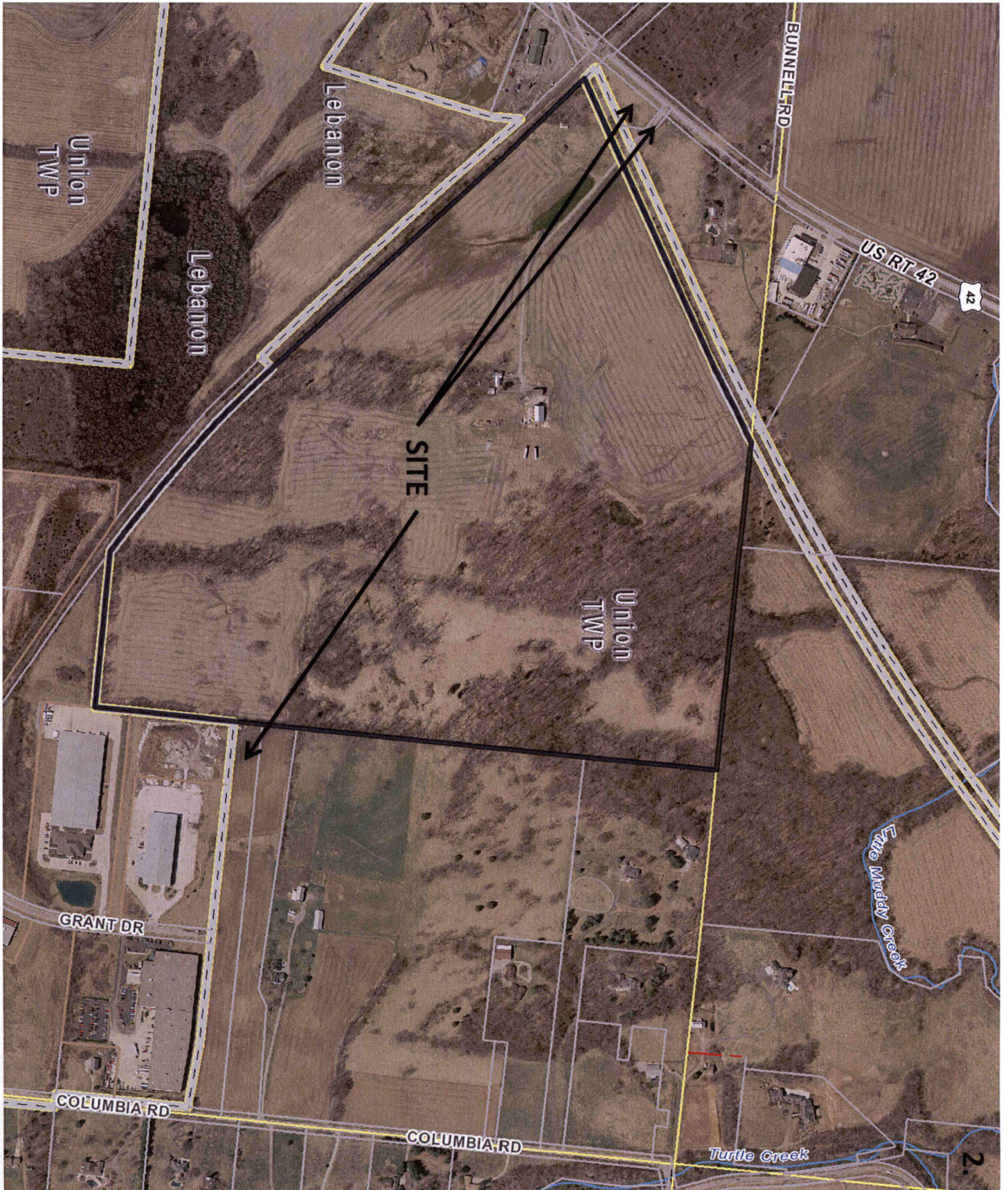


Tom Grossmann

Pat Arnold South

Case No.	2015-03 Rezone to "PUD"		1.
Applicant/Owner Agent	Highland Development Partners		
Township	Union		
Property Location	Address	3090 S. Route 42 Lebanon, Oh. 45036	
	Legal	Same	
	PIN	12-14-200-011, 12-14-100-005, 12-14-100-009, and 12-14-100-006	
Property Size	5.001, 0.186, 120.948, and 1.1105 acres Frontage on Rt. 42- 362' and Columbia Rd. 149.04'		
Future Land Use Map (FLUM) Designation	Industrial, Protection Area, and Agricultural-Vacant-Rural Residential		
Current Zoning District	"I-1" Light Industrial Manufacturing Zone		
Proposed Land Use	"PUD" for residential		
Existing Land Use	Agricultural and Residential		

Aerial Map 2015-03



2015-03

Highland Development Partners

3090 So. Rt. 42

127.2455 acres
Union Twsh.

12-14-200-011, 12-14-100-009,
12-14-100-006, & 12-14-100-005

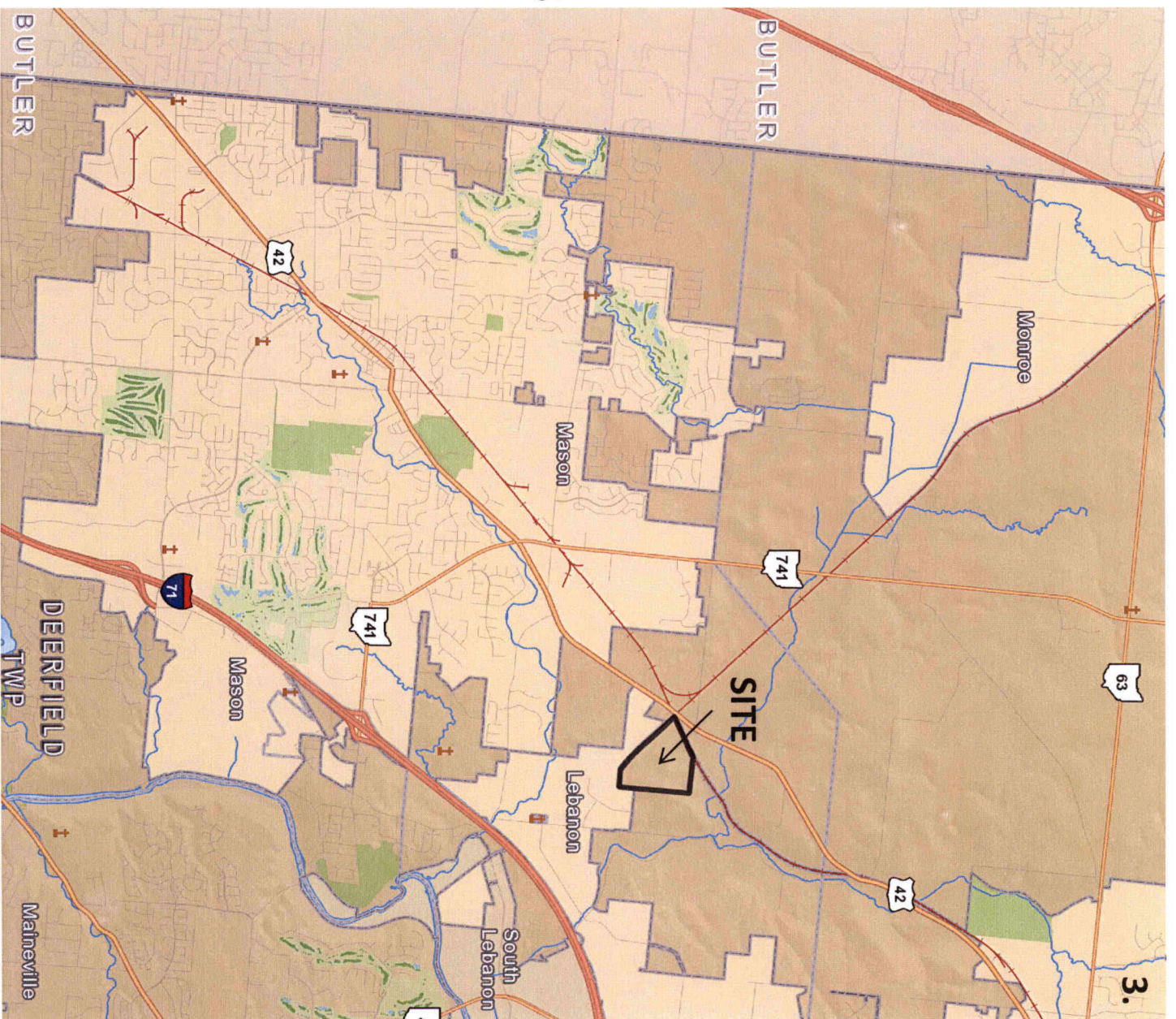
Rezone from:
"I-1"

Light Industrial
Manufacturing Zone

To:
"PUD"

For residential use

Vicinity Map



2015-03

Highland Development Partners

3090 So. Rt. 42

127.2455 acres
Union Twsh.

12-14-200-011, 12-14-100-009,
12-14-100-006, & 12-14-100-005

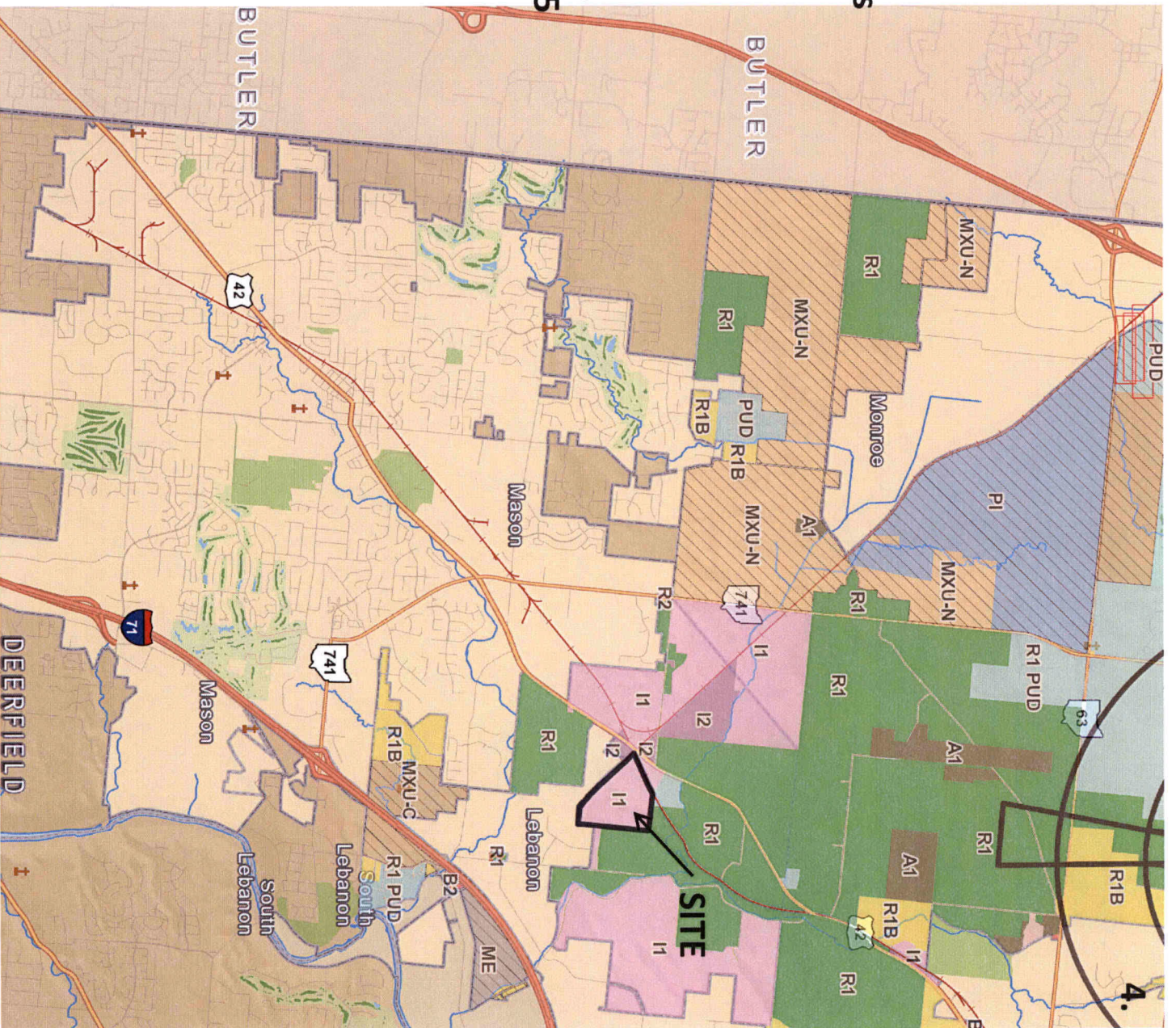
Rezone from:
"I-1"

Light Industrial
Manufacturing Zone

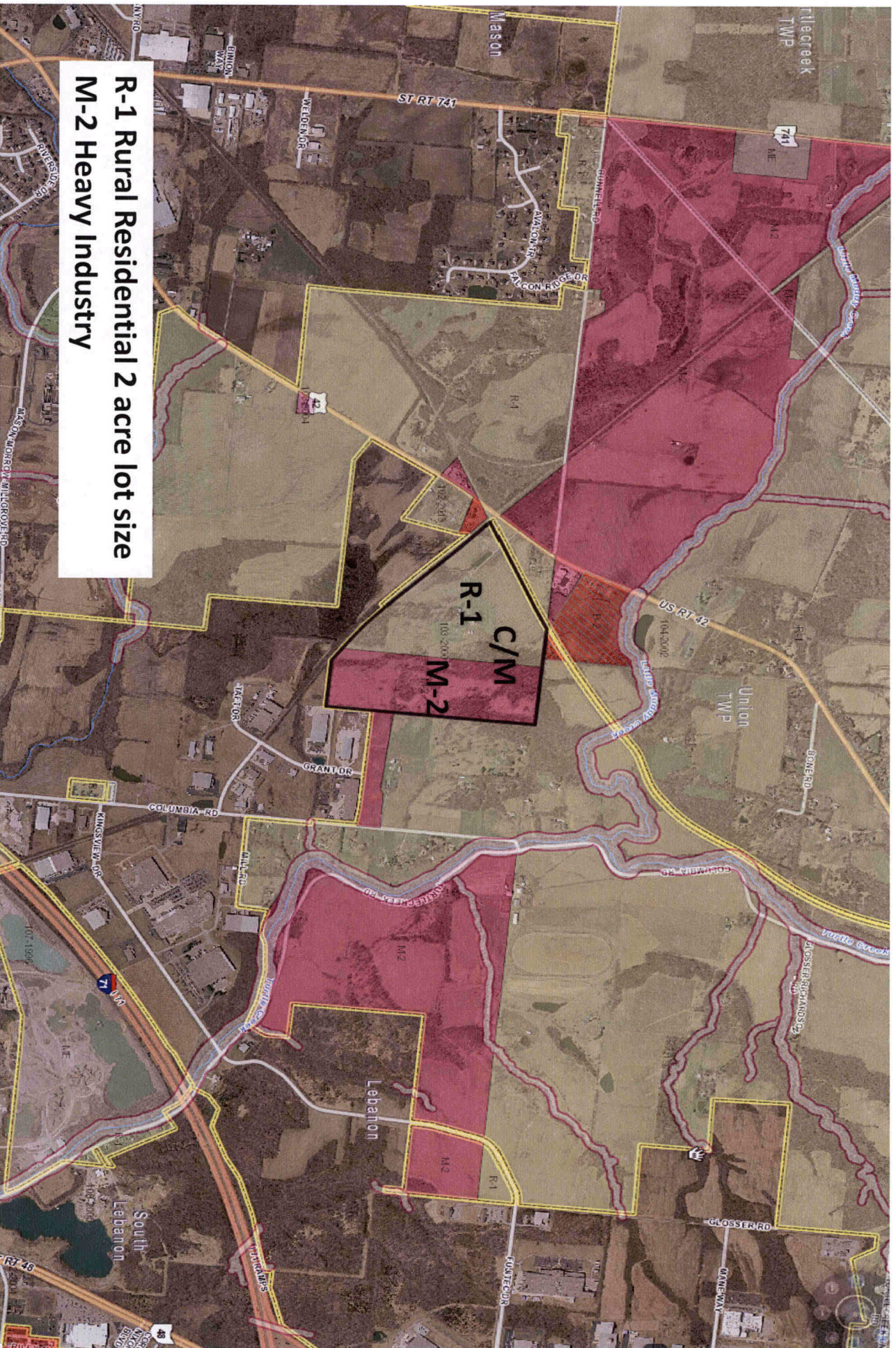
To:
"PUD"

For residential use

Zoning Map



Zoning Map prior to January 2012 Text and Map Amendments



R-1 Rural Residential 2 acre lot size
M-2 Heavy Industry

2015-03

Highland Development Partners

3090 So. Rt. 42

127.2455 acres
Union Twsh.

12-14-200-011, 12-14-100-009,
12-14-100-006, & 12-14-100-005

Rezone from:

"I-1"

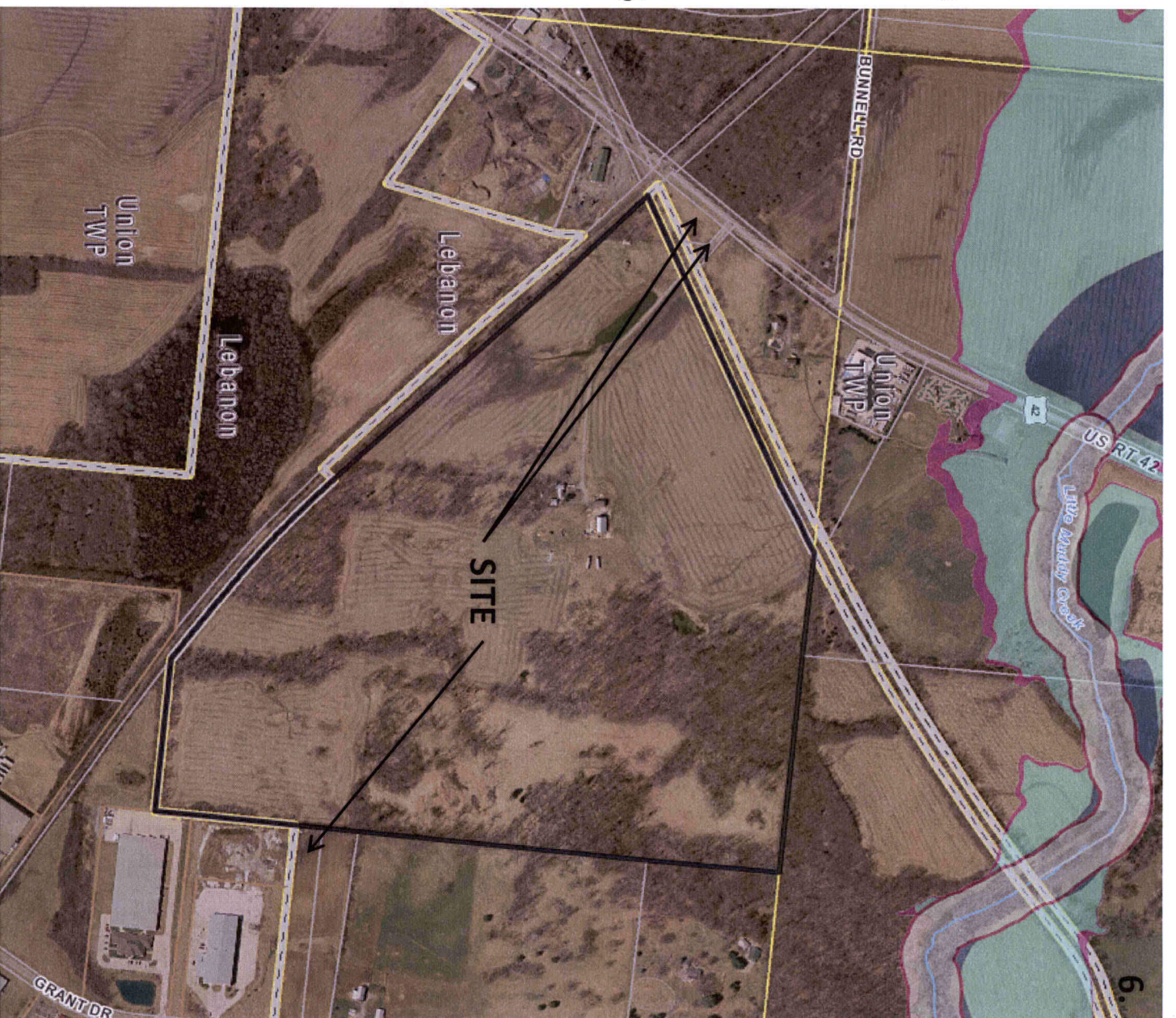
Light Industrial
Manufacturing Zone

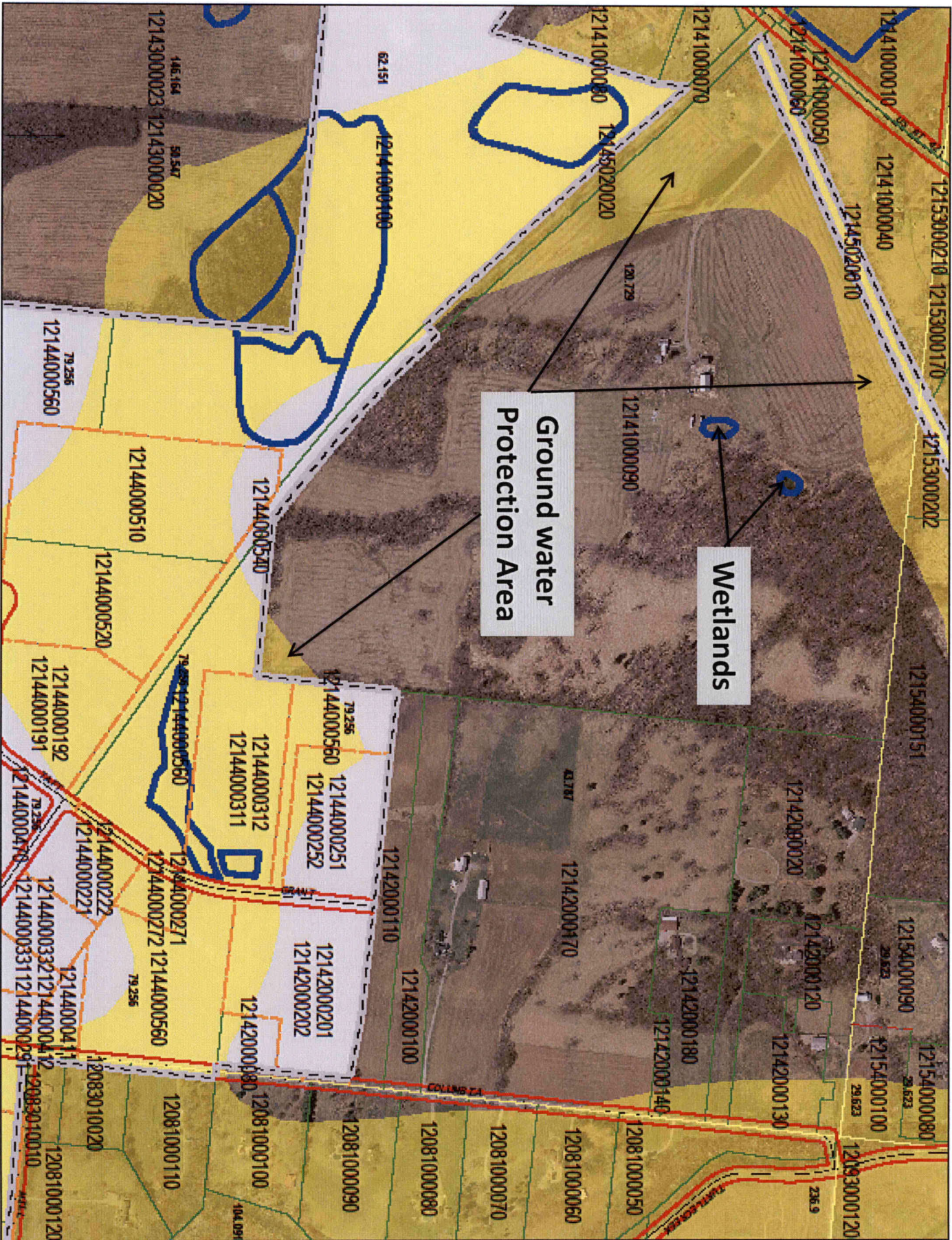
To:

"PUD"

For residential use

Flood Map





2015-03

Highland Development

Partners

3090 So. Rt. 42

127.2455 acres

Union Twsh.

12-14-200-011, 12-14-100-009,

12-14-100-006, & 12-14-100-

005

Rezone from:

"I-1"

Light Industrial

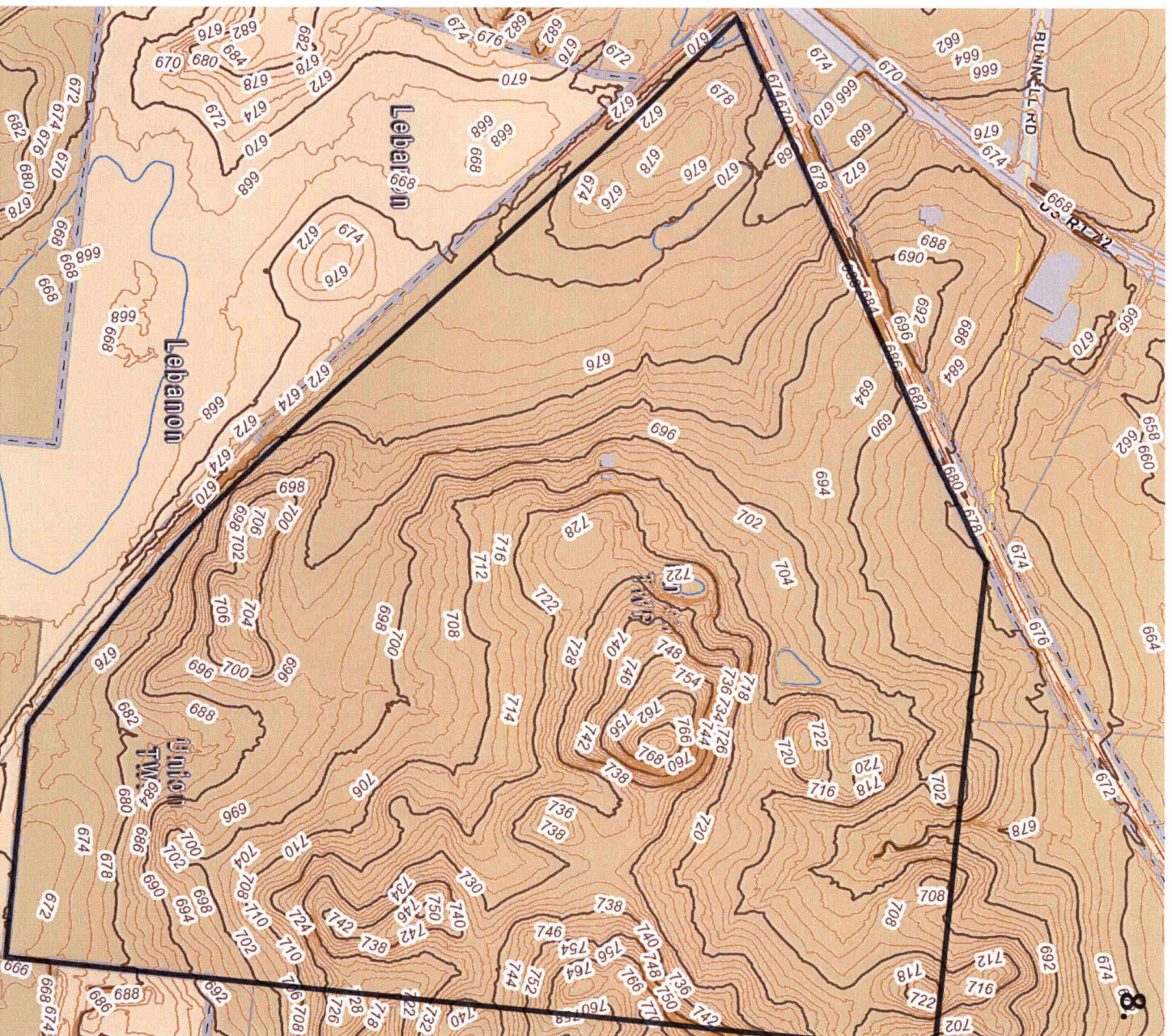
Manufacturing Zone

To:

"PUD"

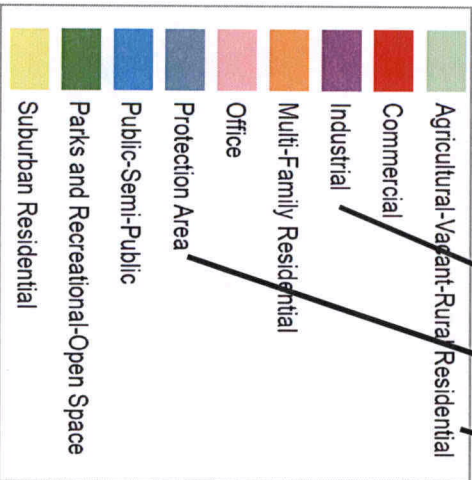
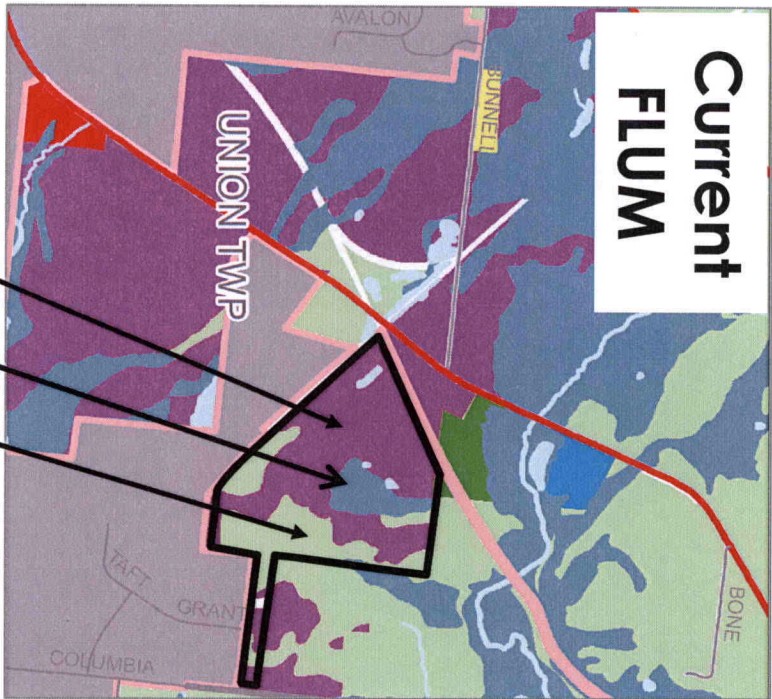
For residential use

Topo Map

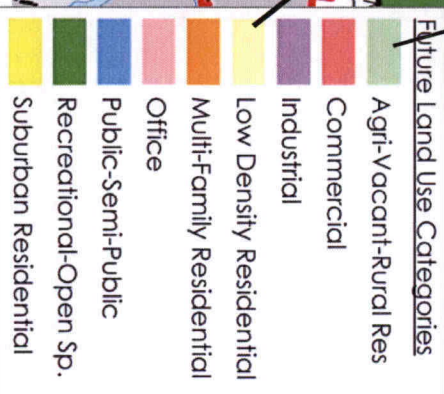
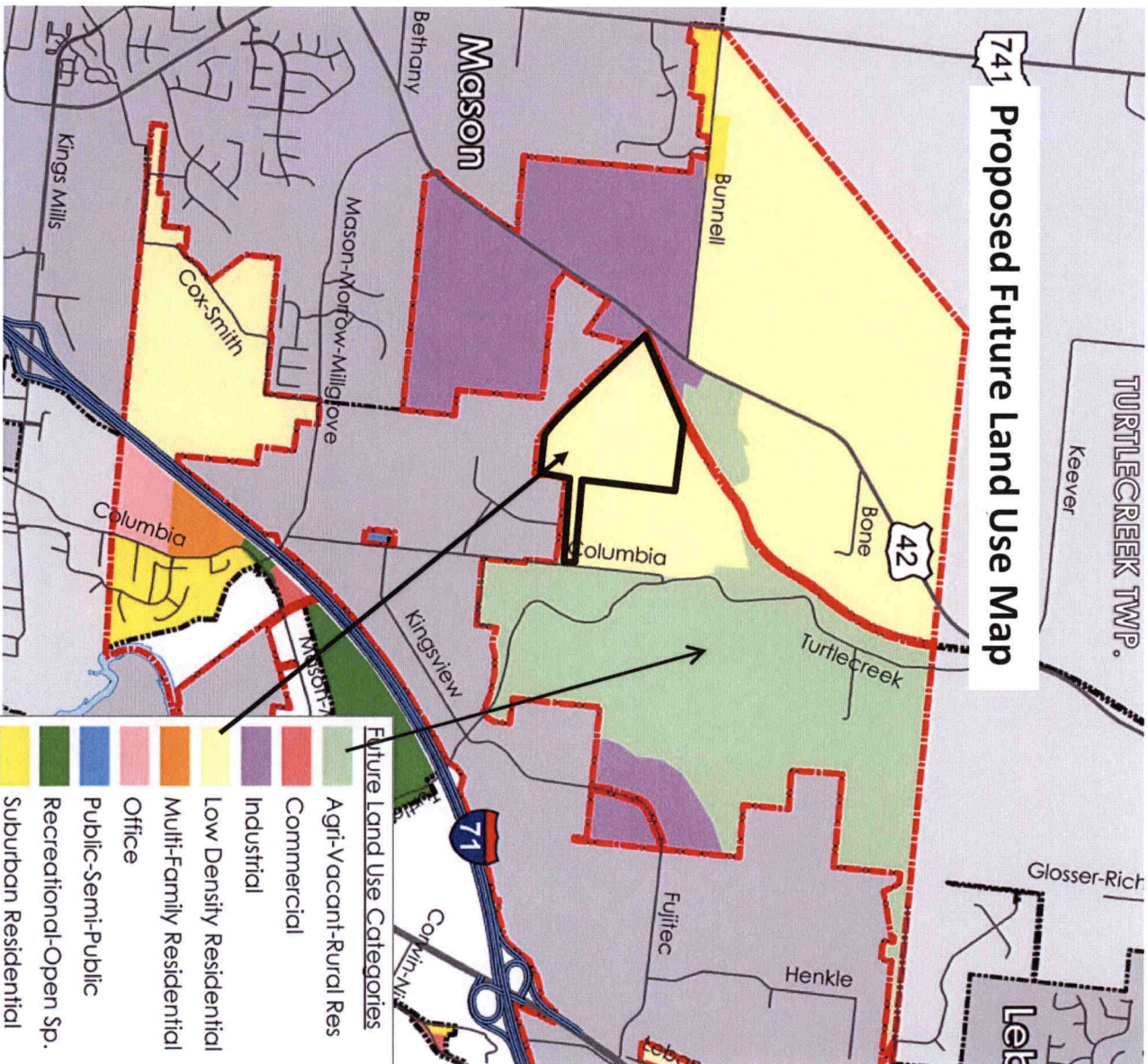


Current and Revised FLUM

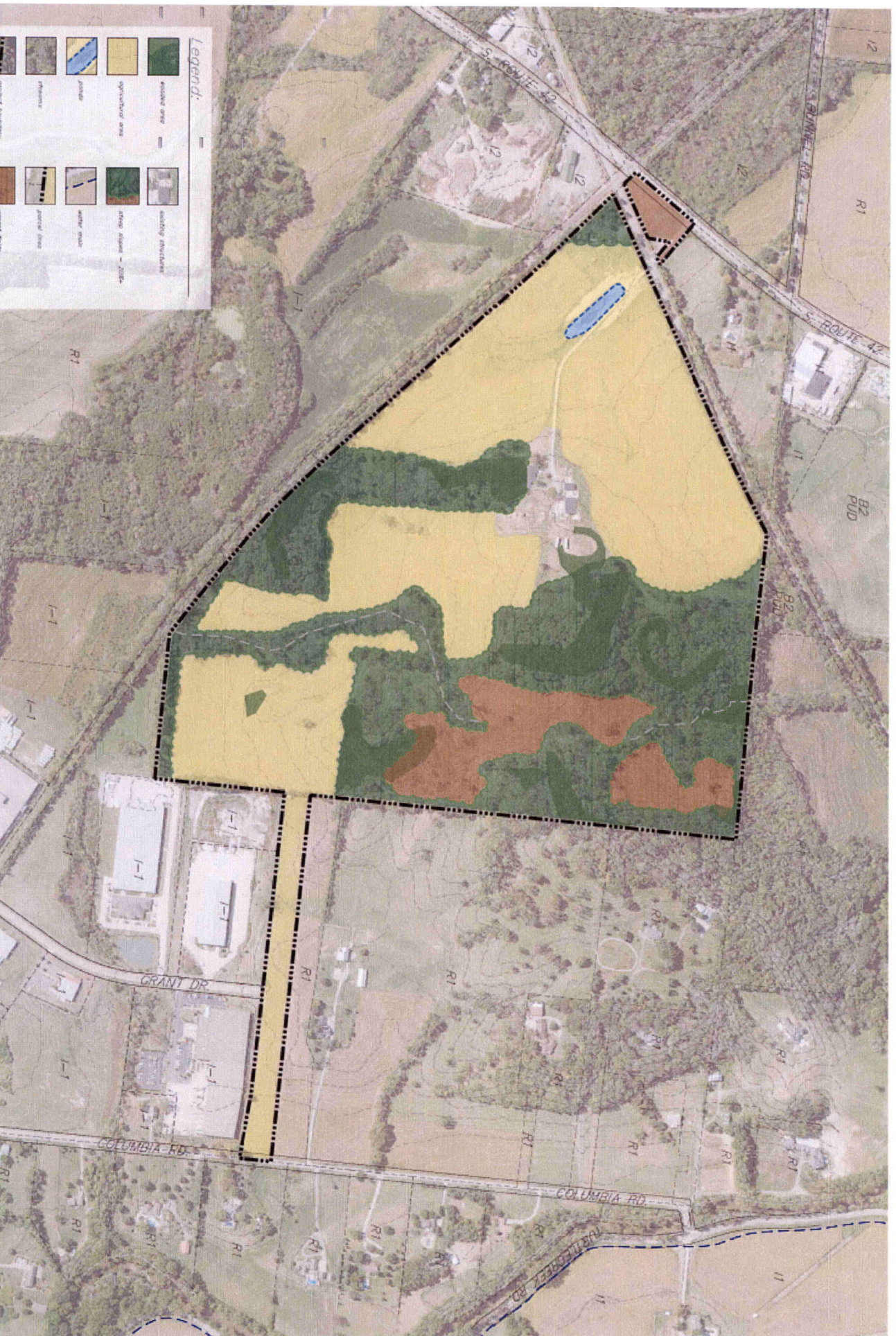
Current FLUM



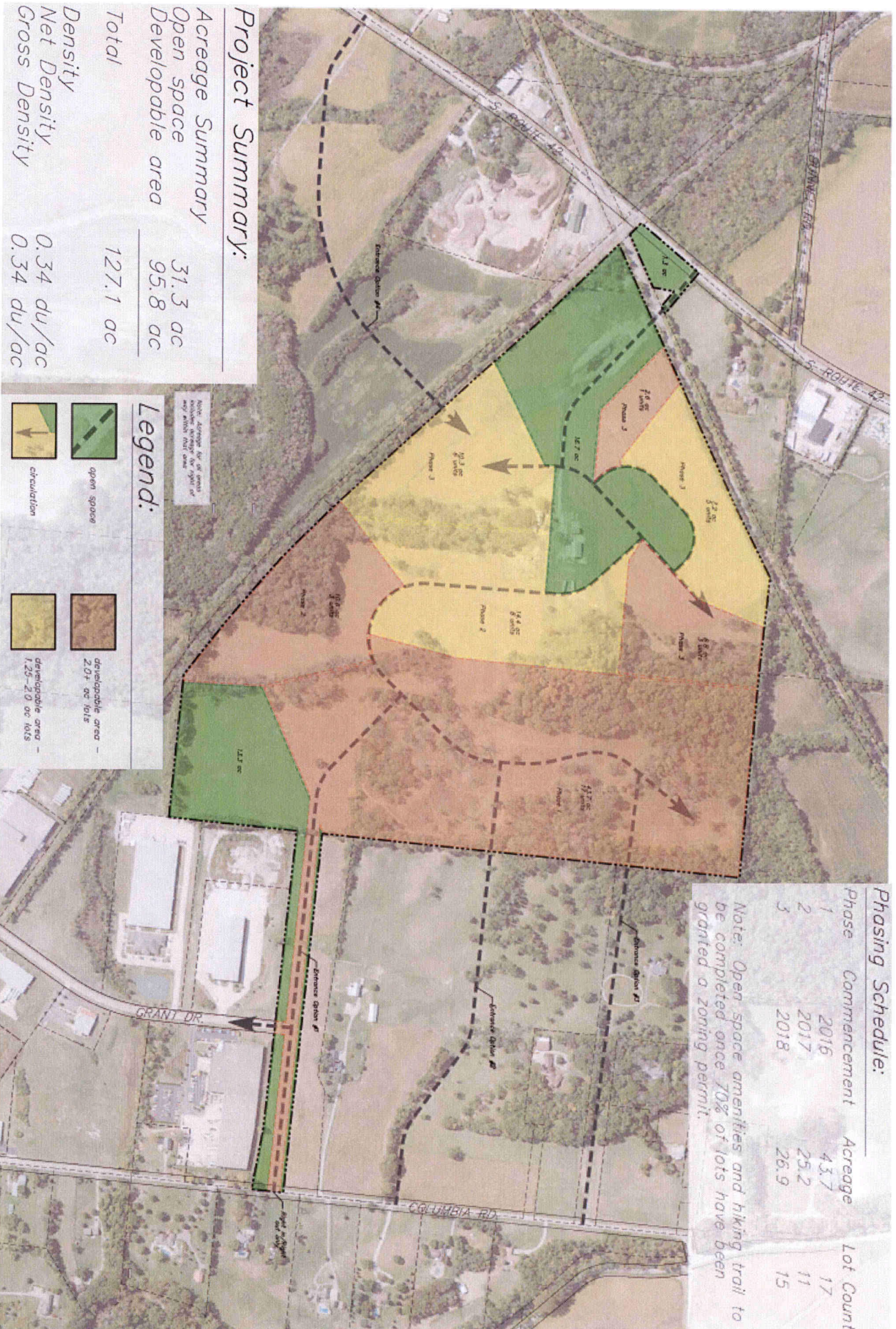
741 Proposed Future Land Use Map



Existing Conditions



PUD Master Plan



Project Summary:

Acreage Summary	
Open space	31.3 ac
Developable area	95.8 ac
Total	127.1 ac
Density	
Net Density	0.34 du/ac
Gross Density	0.34 du/ac

Note: Average lot of 10,000 sq ft. Average lot of 10,000 sq ft. Average lot of 10,000 sq ft.

Legend:

	open space		developable area - 2.04 ac/lot
	circulation		developable area - 1.25-2.0 ac/lot

Phasing Schedule:

Phase	Commencement	Acreage	Lot Count
1	2016	43.7	17
2	2017	25.2	11
3	2018	26.9	15

Note: Open space amenities and hiking trail to be completed once 70% of lots have been granted a zoning permit.

PUD Concept Plan



PUD Standards

Lots and Density

- 43 lots in total at 0.3 dwelling units per acre

Access and Circulation

- Main access from Columbia Road by rural local class public streets
- Emergency/construction/residents only access from U.S. 42

PUD Lot Development Standards	Lot D/W Ratio	Lot Width/ Frontage	Front Yard	Side Yard/Both	Rear Yard	Dwelling Height
19 lots at 1.25 to 2 acres per R1B Zone	4:1	100'	40'	15' each	40'	35'
24 lots at 2+ acres per R1 Zone	4:1	140'	50'	20'/50' total	50'	35'

PUD Standards

Open Space

- 25 ac. (20% of site) in 4 common areas,
- 5 ac. (20%) for active use

Conservation Areas

- 15 foot perimeter buffer easement to preserve trees
- easement on interior lots to preserve trees

Recreation Facilities:

- Amenities to be determined at Stage 2 and completed when zoning permits are issued for 75% of the lots

HOA

- To own and maintain all common areas, recreation facilities, signage, & lighting and stormwater control basin outside road r/w; and to hold and enforce conservation easement tree preservation requirements

Review Summary

- ✓ The proposed low density residential use PUD conforms to the FLUM designation.
- ✓ The PUD proposed residential density; lot standards consistent with the R1 and R1B zones; and provision of open space and conservation areas are desirable for achieving the Union Township goal of providing for new growth that maintains rural character.

INDEX OF SHEETS

NO.	DESCRIPTION	DATE
1	INDEX OF SHEETS	11/15/2014
2	GENERAL NOTES	11/15/2014
3	LOCAL STREET - RESIDENTIAL/UNIVERSAL	11/15/2014

DEVELOPER RAPP PROPERTY
OWNER RAPP PROPERTY
LAND PLANNER/ENGINEER RAPP PROPERTY

PROJECT SUMMARY

ACROSS SECTION	DATE	TYPE
1. 12' WIDE	11/15/2014	NEW
2. 12' WIDE	11/15/2014	NEW
3. 12' WIDE	11/15/2014	NEW
4. 12' WIDE	11/15/2014	NEW
5. 12' WIDE	11/15/2014	NEW
6. 12' WIDE	11/15/2014	NEW
7. 12' WIDE	11/15/2014	NEW
8. 12' WIDE	11/15/2014	NEW
9. 12' WIDE	11/15/2014	NEW
10. 12' WIDE	11/15/2014	NEW
11. 12' WIDE	11/15/2014	NEW
12. 12' WIDE	11/15/2014	NEW
13. 12' WIDE	11/15/2014	NEW
14. 12' WIDE	11/15/2014	NEW
15. 12' WIDE	11/15/2014	NEW
16. 12' WIDE	11/15/2014	NEW
17. 12' WIDE	11/15/2014	NEW
18. 12' WIDE	11/15/2014	NEW
19. 12' WIDE	11/15/2014	NEW
20. 12' WIDE	11/15/2014	NEW
21. 12' WIDE	11/15/2014	NEW
22. 12' WIDE	11/15/2014	NEW
23. 12' WIDE	11/15/2014	NEW
24. 12' WIDE	11/15/2014	NEW
25. 12' WIDE	11/15/2014	NEW
26. 12' WIDE	11/15/2014	NEW
27. 12' WIDE	11/15/2014	NEW
28. 12' WIDE	11/15/2014	NEW
29. 12' WIDE	11/15/2014	NEW
30. 12' WIDE	11/15/2014	NEW

ADJACENT PROPERTY OWNERS

1. 12' WIDE	11/15/2014	NEW
2. 12' WIDE	11/15/2014	NEW
3. 12' WIDE	11/15/2014	NEW
4. 12' WIDE	11/15/2014	NEW
5. 12' WIDE	11/15/2014	NEW
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29. 12' WIDE	11/15/2014	NEW
30. 12' WIDE	11/15/2014	NEW

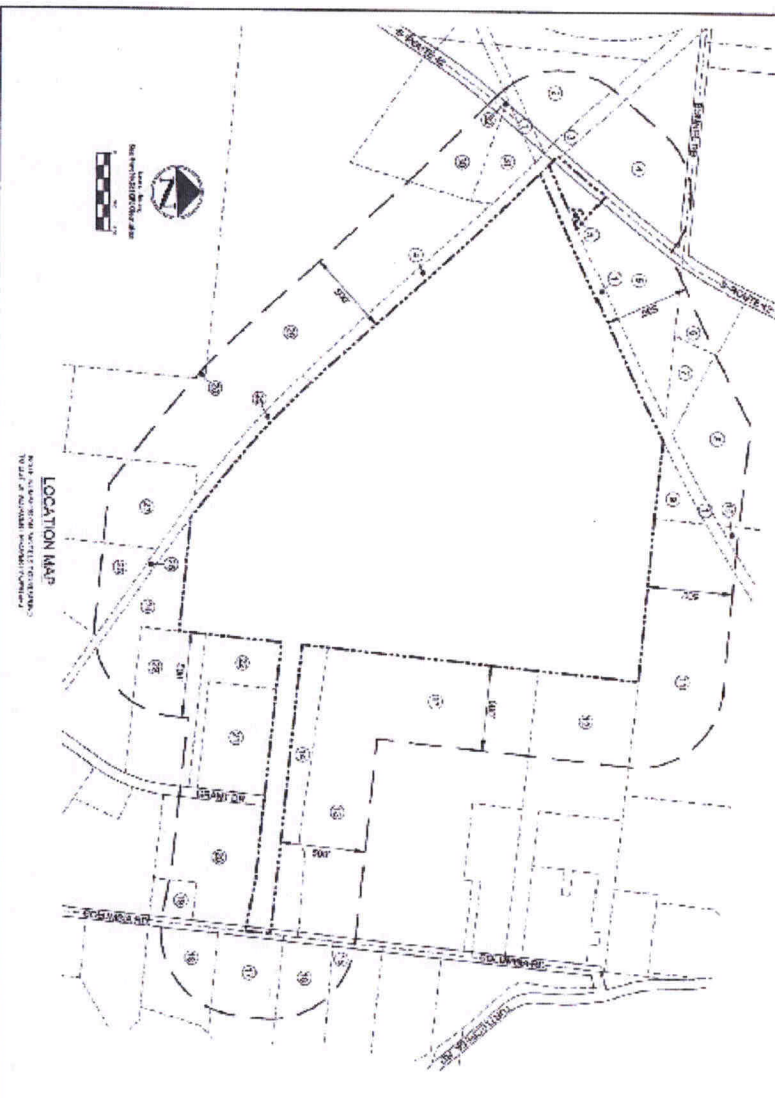
PUD STAGE 1 PLAN

RAPP PROPERTY

3090 S. ROUTE 42

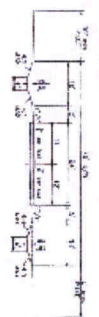
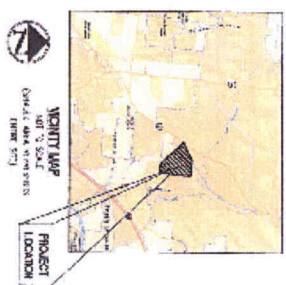
UNION TOWNSHIP

WARREN COUNTY, OH



GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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TYPICAL SECTION - LOCAL STREET - RESIDENTIAL/UNIVERSAL
 ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE NOTED.

DATE: 11/15/2014
 SCALE: PL0.0

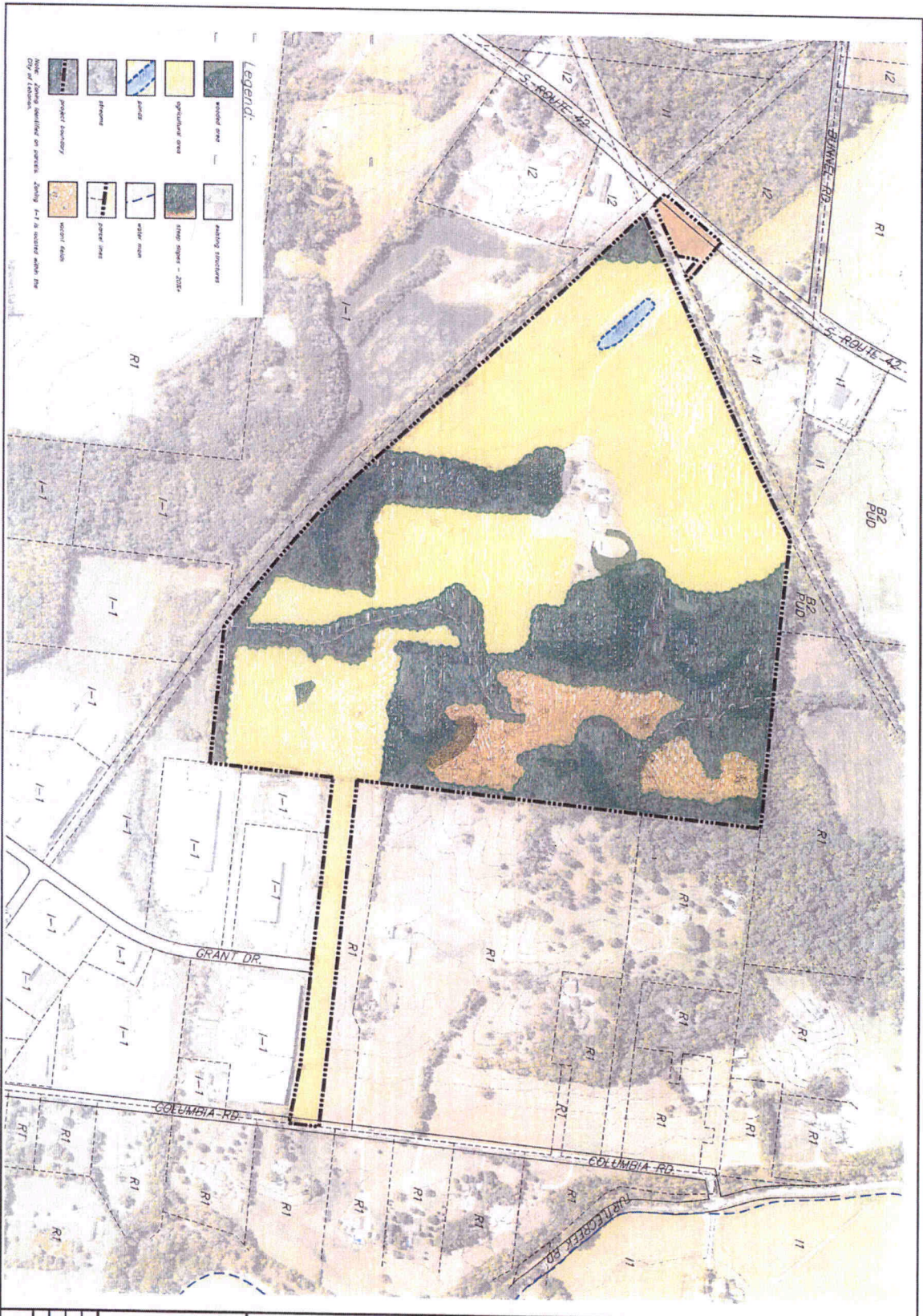


RAPP PROPERTY
 127.25 AC SITE
 3090 S. ROUTE 42
 UNION TOWNSHIP
 WARREN COUNTY, OH

NO.	DESCRIPTION	DATE
1	INDEX OF SHEETS	11/15/2014
2	GENERAL NOTES	11/15/2014
3	LOCAL STREET - RESIDENTIAL/UNIVERSAL	11/15/2014

REVISED DRAWINGS

4-30-15



DATE: 08/11/15
 DRAWN BY: JMR
 CHECKED BY: JMR
 DATE: 4/13/2015
 REV: 1
PL1.0

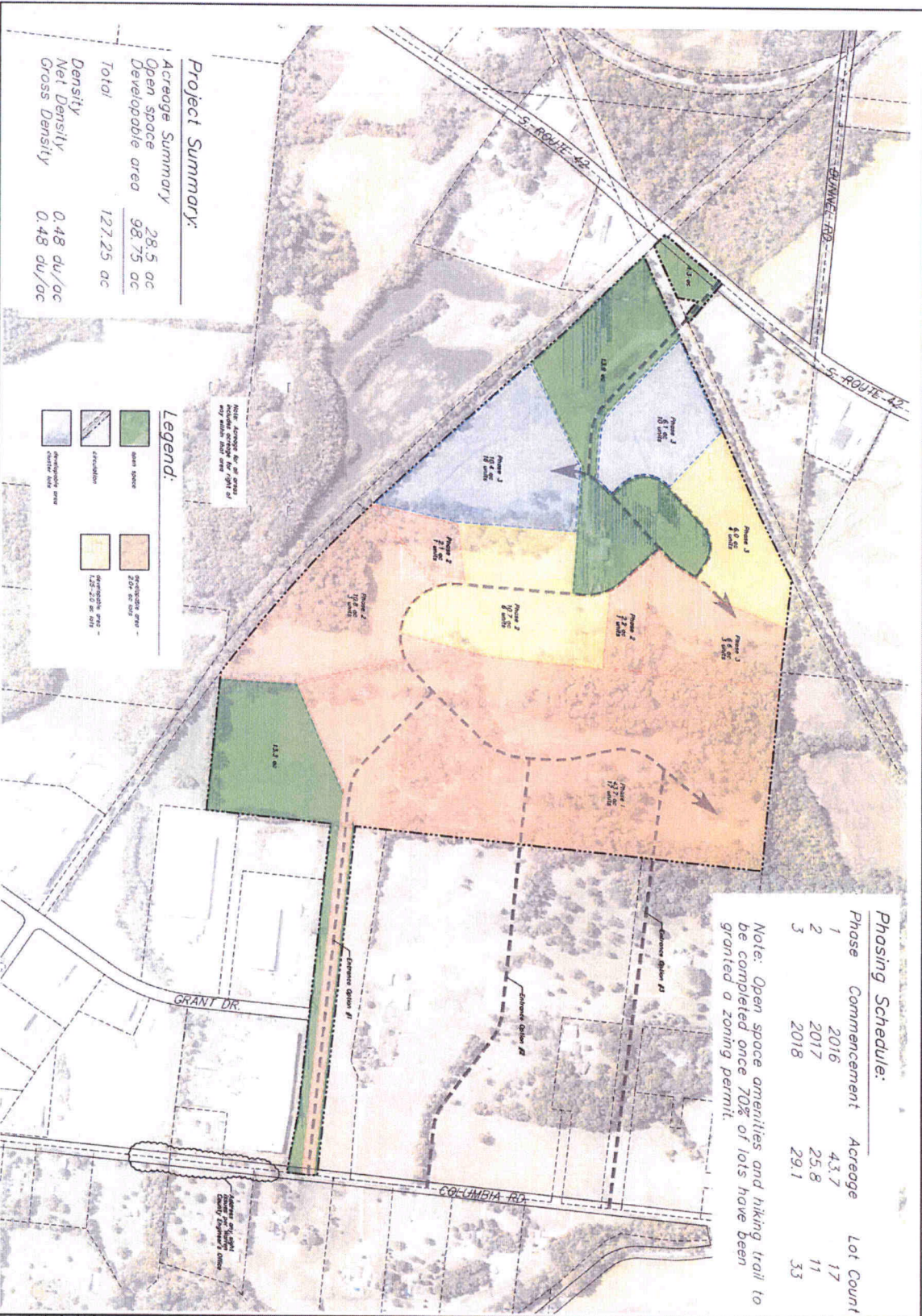


RAPP PROPERTY
 127.25 AC SITE
 3090 S ROUTE 42
 UNION TOWNSHIP
 WARREN COUNTY, OH
 EXISTING CONDITIONS

NO.	DESCRIPTION OF REVISIONS	DATE	BY

REVISED DRAWINGS





Project Summary:

Open space	28.5 ac
Developable area	98.75 ac
Total	127.25 ac
Density	0.48 du/ac
Net Density	0.48 du/ac
Gross Density	0.48 du/ac

Legend:

	open space		developable area - 200' or less
	developable area - 125'-200' or less		developable area - 200' or more
	open space		boundary
	developable area - 200' or more		boundary

Phasing Schedule:

Phase	Commencement	Acreage	Lot Count
1	2016	43.7	17
2	2017	25.8	11
3	2018	29.1	33

Note: Open space amenities and hiking trail to be completed once 70% of lots have been granted a zoning permit.

	RAPP PROPERTY 127.25 AC SITE 3090 S. ROUTE 42 UNION TOWNSHIP WARREN COUNTY, OH	<table border="1"> <thead> <tr> <th>ITEM</th> <th>DESCRIPTION OF REVISIONS</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	ITEM	DESCRIPTION OF REVISIONS	DATE	BY																
	ITEM	DESCRIPTION OF REVISIONS	DATE	BY																		
SHEET: PL2.0 DATE: 4-13-15	MASTER PLAN																					

REVISED DRAWINGS



Pocket Community Grouping
Pocket Community Illustration

Legend:
----- Along Road

Note: Shaded areas in this drawing shall be the property owner's responsibility to preserve or enhance the preservation of existing trees.

DATE: 4-13-2015
SCALE: PL3.0



RAPP PROPERTY
127.25 AC SITE
3090 S. ROUTE 42
UNION TOWNSHIP
WARREN COUNTY, OH

CONCEPT SKETCH PLAN

REVISION	DESCRIPTION OF REVISION	DATE	BY

REVISED DRAWINGS







HIGHLAND
DEVELOPMENT PARTNERS

Highlands Farm – “The Highlands at Heritage Hill”

Zoning Meeting
August 13, 2015



The Highland Farm should be rezoned from Industrial to Residential PUD because:

1. Residential is the “Best use” for the Highland Farm
 - The site is not suitable for the current industrial zoning
2. Demand for this type of low density residential development is high and no other similar sites exist
 - Availability of other industrial space is high and demand is low
3. This PUD aligns with the Union Township Vision and the Union Township Comprehensive Plan recommends this future land use
4. US 42, Columbia Road and Mason-Morrow-Millgrove is a rapidly developing residential corridor and this rezoning better integrates with surrounding properties
5. The proposed PUD will have zero impact on adjacent properties



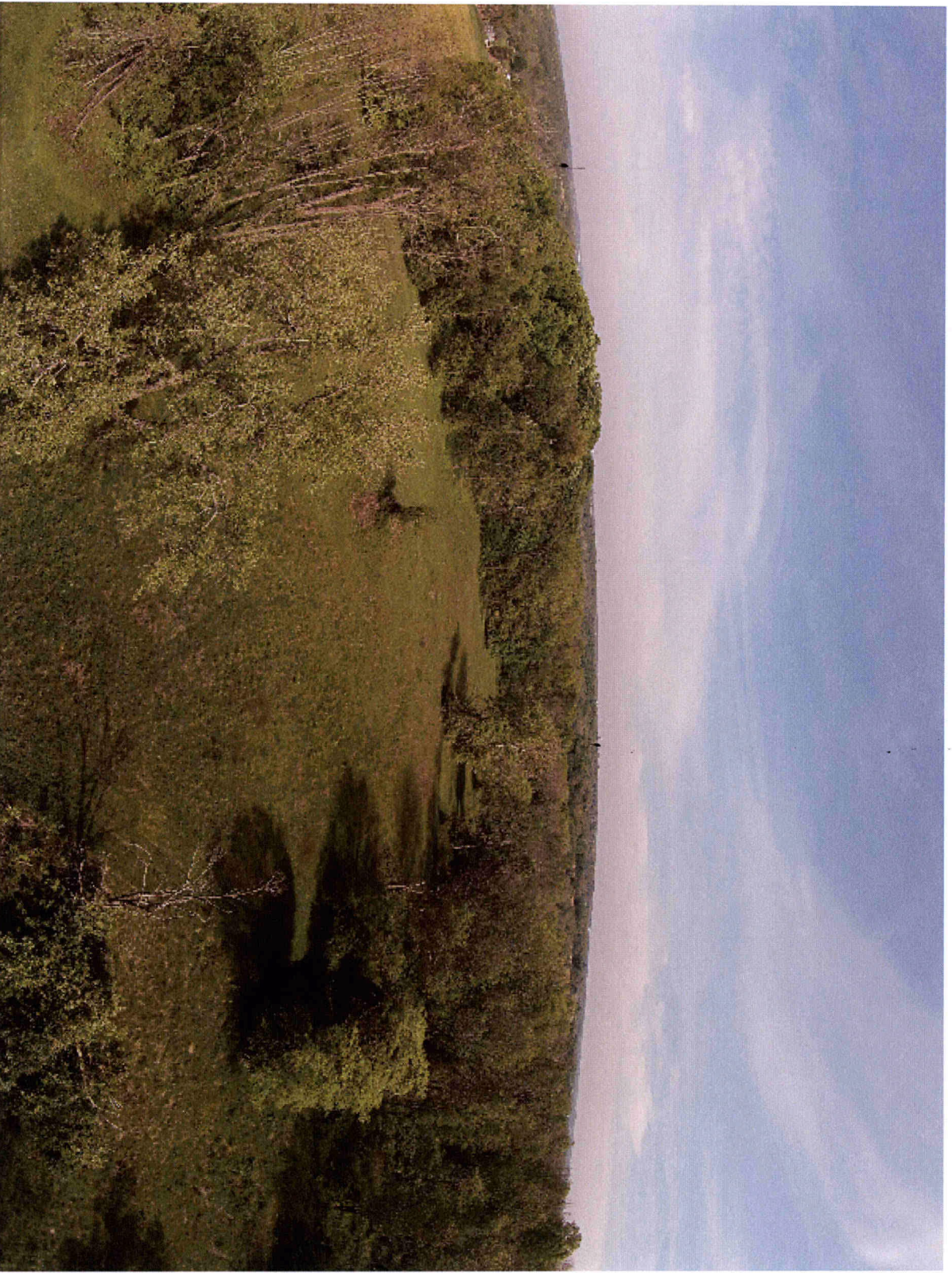
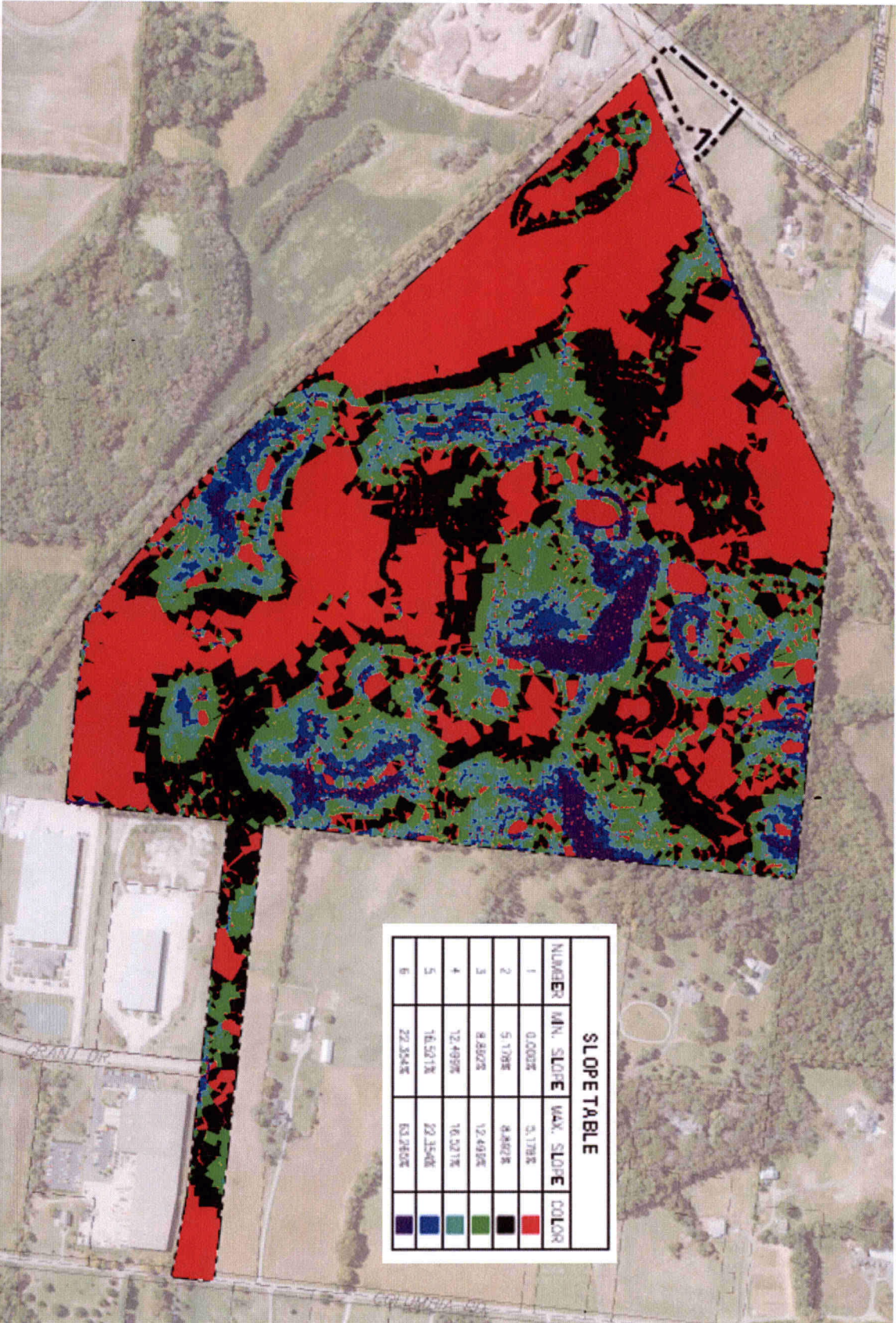


Photo from Route 42 Entrance





Topography not suitable for industrial development



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Residential – VERY HIGH DEMAND

- Union Township
- Kings School District
- Rural feel
- Rolling topography
- Large heavily wooded lots
- Close proximity to outdoor and recreation amenities:
 - 0.7 miles to Little Miami Bike Trail access
 - 1.0 miles to kayaking, fishing and canoeing the Little Miami River
 - Adjacent to golf ranch driving range and miniature golf
 - 3.5 miles to Kings Island
 - 4.0 miles to TPC

No comparable sites currently available

Industrial – MINIMAL TO NO DEMAND

- Industrial Land currently for sale in Lebanon, approximately 958 acres – consisting of:
 - ~ **652 acres** – **Henkle Schuler**
 - ~ **255 acres** – **City of Lebanon**
 - ~ **51 acres** – **Privately Owned**
 - **Total = 958 acres**
- Typical industrial development creates 25 sf of floor space per 100 sf of land
- 958 Industrial acres would result in 10,432,620 SF of industrial space
- Last 5 years absorption (new space coming online = 71,008 sf/year)

146.9 years worth of industrial land is currently for sale



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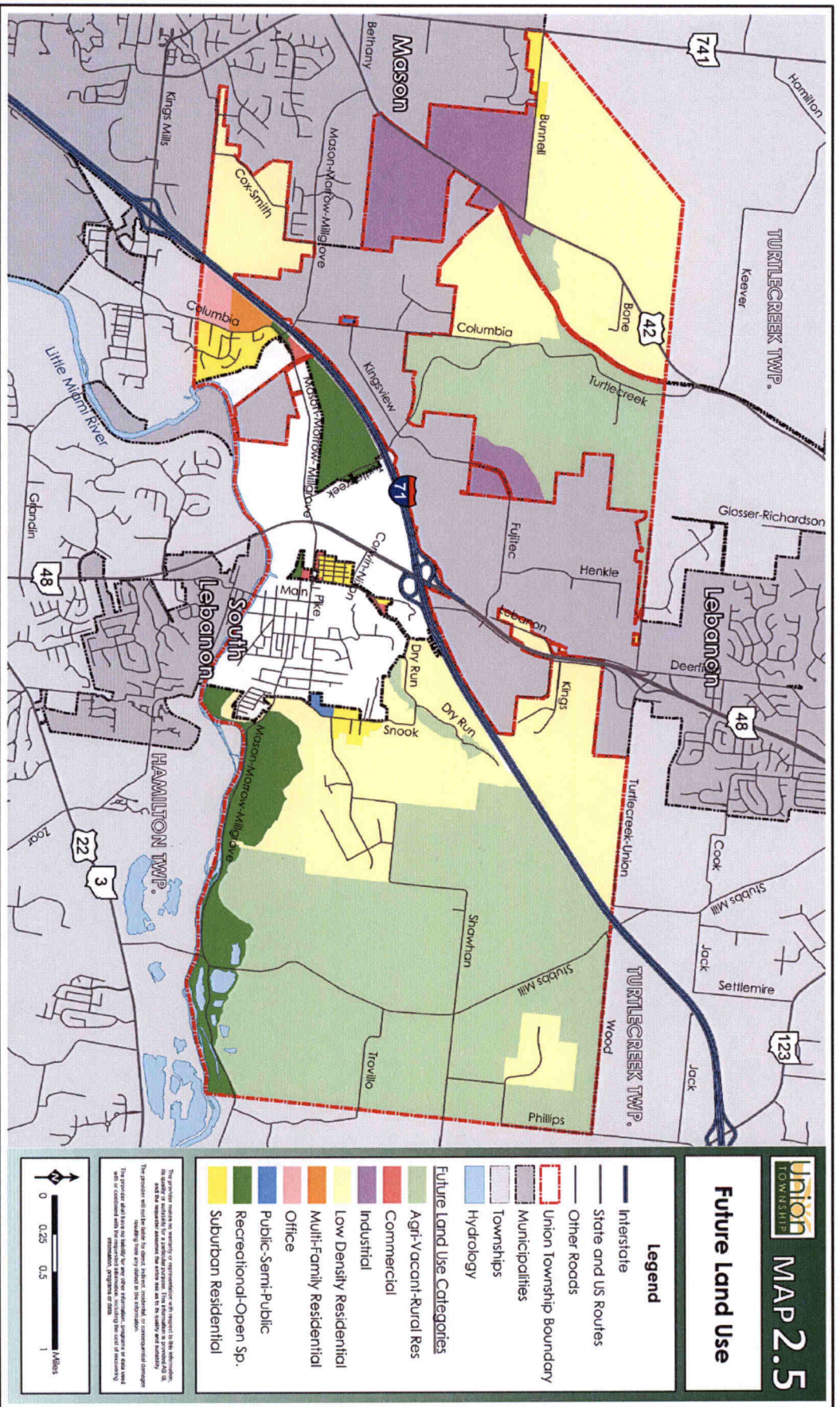


Vision Statement

A vision statement encapsulates the image a community seeks for its future into a few short sentences. The statement is written in the present tense, thus signifying how one would describe the community if he or she were able to visit 20 years into the future. The final statement composed by the CAC is shown to the right.

Union Township, Warren County, Ohio

is defined by idyllic settings, friendly people, and a balance between the preservation of its rural character and accommodations for sustainable growth. The Township encourages low density residential development in a manner that minimizes impact on areas devoted to farming or natural preservation. Residents enjoy the beauty of the Little Miami River and nearby cultural events, good schools, entertainment, and recreational opportunities.





HIGHLAND
DEVELOPMENT PARTNERS

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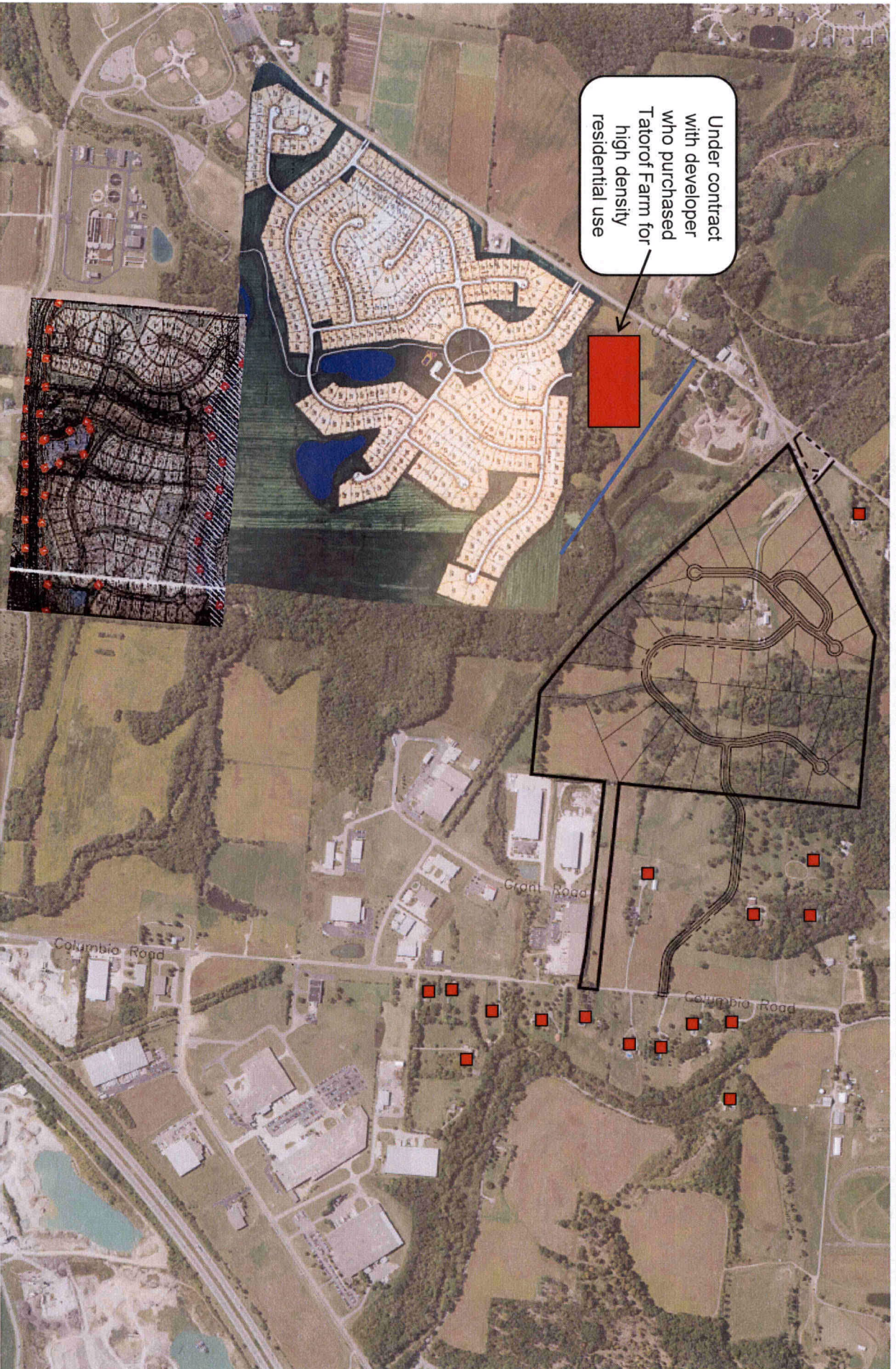
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Surrounding property primarily Residential



Residential Development Coming to this Area





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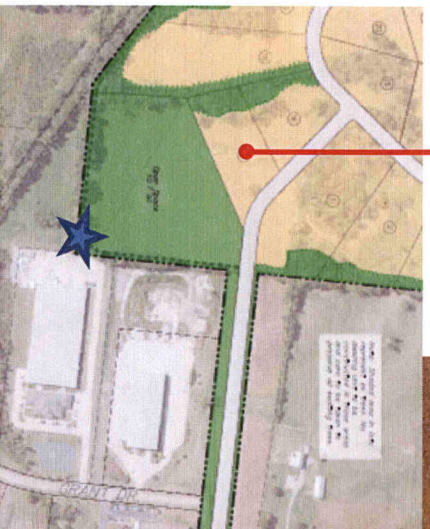
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Site Plan with Enhanced Business Park Buffer

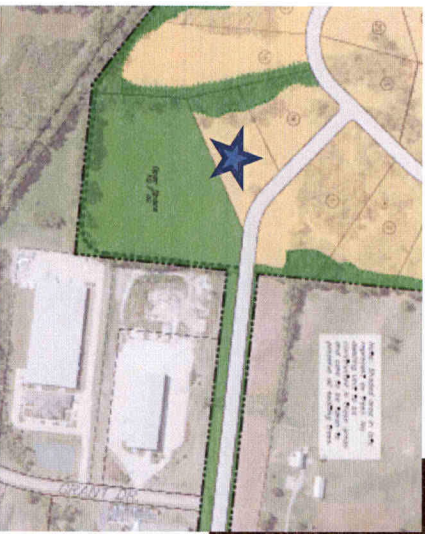


Site Plan with Enhanced Business Park Buffer





Extreme distance from Industrial to nearest building pad



Elevated view from building pad – Industrial barely visible

Sound negligible at this distance

Adjacent Industrial not visible from nearest building site



Proximity to Industrial

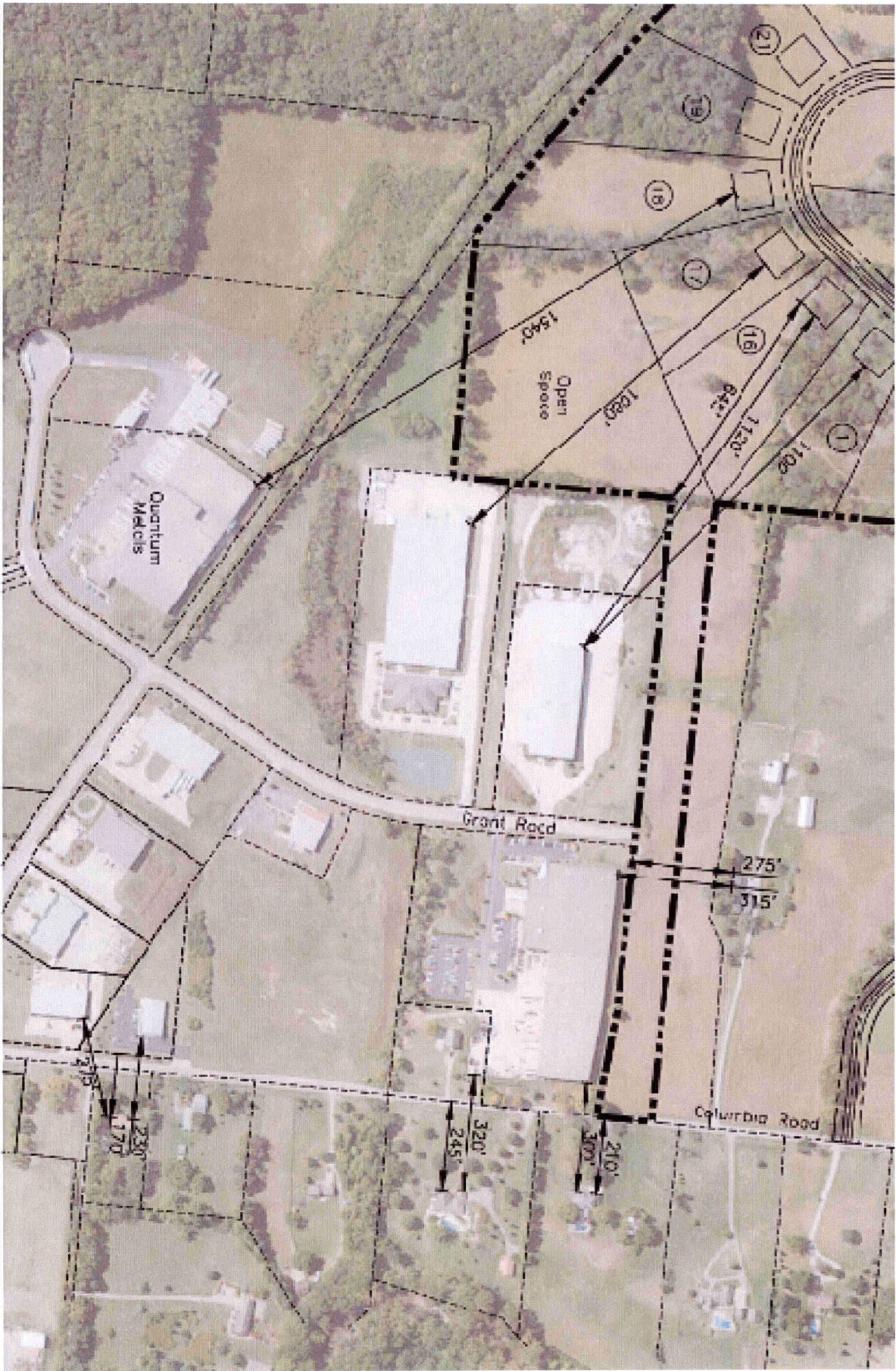


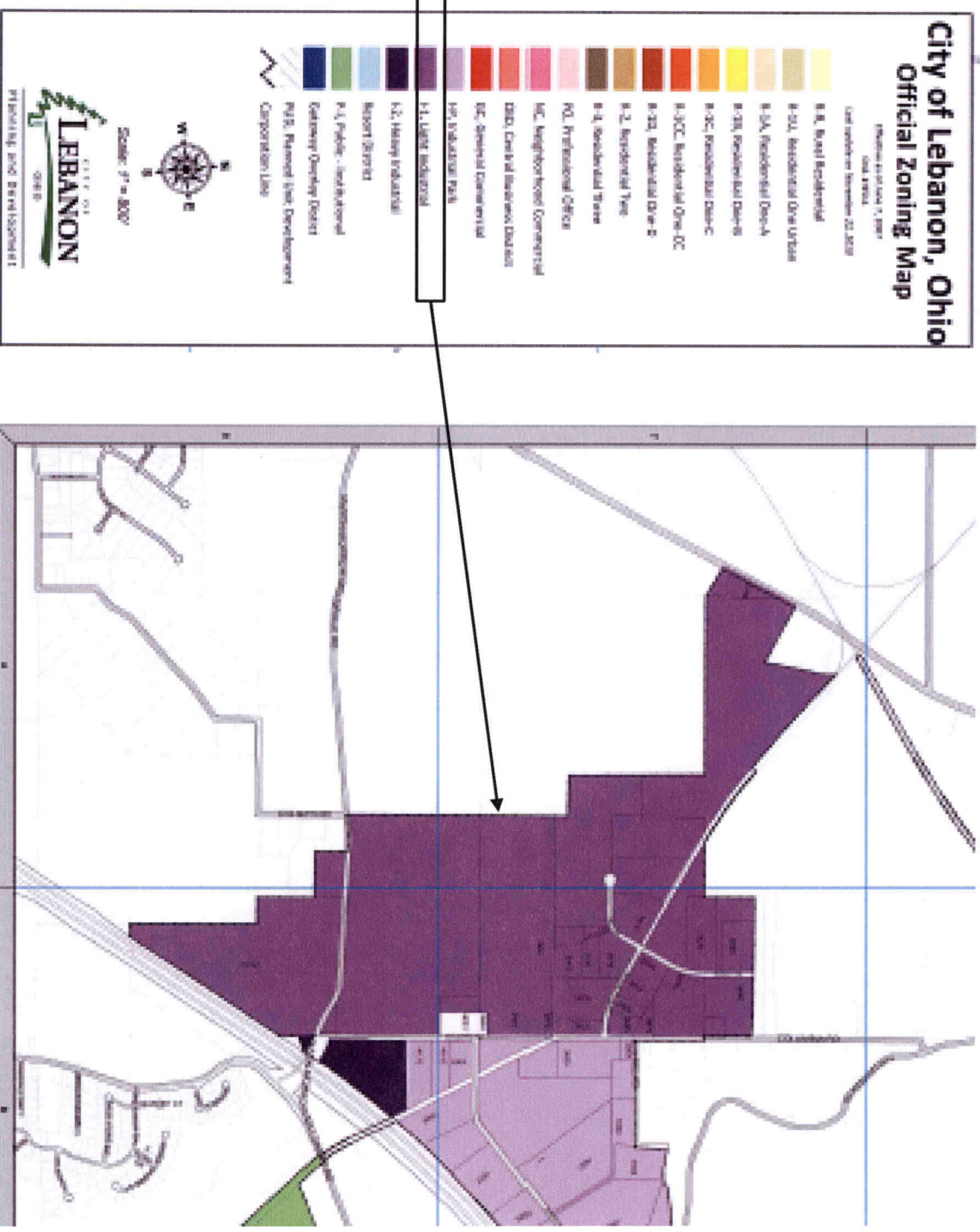
Lot 17 Building Pad

Proximity to Industrial



Lot 16 Building Pad







CHAPTER 1133: ZONING DISTRICTS AND USE REGULATIONS

Section 1133.11: Business Districts

2. NC Neighborhood Commercial District

The purpose of the NC Neighborhood Commercial District is to provide for professional offices, personal services, and retail commercial uses to a primarily local or neighborhood consumer base. This district is designed to allow for smaller scale uses than those permitted in less restrictive business districts.

3. GC General Commercial District

The purpose of the GC General Commercial District is to provide for a wide range of retail and service commercial uses that relate to the varied needs of residential, businesses and visitors. The uses of this district rely heavily on vehicular traffic and thus are appropriately located on arterial roadways.

4. CBD Central Business District

The purpose of the CBD Central Business District is to accommodate and encourage the further expansion and renewal of the historic business area of Lebanon. A variety of business, institutional, public, quasi-public, cultural, residential, and other related uses are encouraged in a planned and coordinated fashion in an effort to provide the mix of activities necessary to establish a truly vital, urban environment.

5. I-P Industrial Park District

The purpose of the I-P Industrial Park District is to provide for offices, warehousing, and industrial uses in a campus-like setting with large lots. Uses shall be restricted to activities that are safe and not a nuisance to surrounding uses. The I-P District shall provide open space, landscaping, and buffering in order to achieve desirable site development.

6. I-1 Light Industrial District

The purpose of the I-1 Light Industrial District is to provide for industrial uses that have minimal exterior movement of vehicles and goods. Uses shall be restricted to activities that are safe and not a nuisance to surrounding uses. The I-1 District shall provide open space, landscaping, and buffering in order to achieve desirable site development.

7. I-2 Heavy Industrial District

The purpose of the I-2 Heavy Industrial District is to provide for a broader range of industrial uses that have extensive exterior movement of vehicles and goods. The intensity of uses associated with the I-2 District requires imposing strict measures to control adverse environmental and visual impacts.



CHAPTER 1142: RULES OF CONSTRUCTION, INTERPRETATION, AND DEFINITIONS
Section 1142.01: Rules of Construction and Interpretation

- 95. **Landscaping** shall mean the improvement of a lot, parcel, tract of land, or portion thereof, with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, trees, shrubs, and ornamental objects such as fountains, statuary, and other similar natural and artificial objects.
- 96. **Land use** shall mean the utilization of land for trade, industry, residence, recreation or any other purpose including, but not limited thereto, all related land development activities necessary for the preparation of a site such as excavation, filling, grading, or building construction for the aforementioned uses.
- 97. **LDD & CSM** shall mean the Lebanon Land Development Design and Construction Standards Manual.
- 98. **Libraries and cultural centers** shall mean a use providing for display, performance, or enjoyment of heritage, history, or the arts. This use includes but is not limited to: museums, arts performance venues, cultural centers, or interpretive sites, but does not include commercially-operated theaters.
- 99. **Light industrial use** shall mean the manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations is not noticeable from the adjacent properties.
- 100. **Lighting outdoor** shall mean any source of light that is installed or mounted outside of an enclosed building or structure, but not including streetlights installed or maintained along public streets by a government agency or public utility.



CHAPTER 113B: LANDSCAPING AND BUFFERING
Section 113B.06: Vehicular Use Area Landscaping

- I. A masonry wall shall have a minimum opacity of 75 percent of the entire wall surface along its single lot line.
 - II. The wall or fence shall be supported with six-inch high concrete struts planted between the fence or wall and the lot line a minimum of three (3) feet on center.
3. **Perimeter Landscape Standards for the CSD District**
 - a. Vehicular use areas on lots within the CSD District shall maintain a minimum perimeter planting strip with an average width of four feet as measured from the outer edge of the vehicular use area.
 - b. The planting strip shall contain a continuous staggered hedge (comprised of evergreen shrubs with a minimum planting height of 30 inches and a maximum on-center spacing of one (1) foot).
 - c. The minimum planting strip width may be reduced to a minimum width of two (2) feet if a wall or fence is provided underneath of the following options and supplemented with 30 inch high evergreen shrubs planted between the fence and the lot line a minimum of three (3) feet on-center:
 1. A solid masonry wall with a minimum height of three (3) feet and a maximum height of six feet located around the perimeter of the vehicular use area; or
 - II. A decorative metal fence with a minimum height of three feet and a maximum height of six feet located around the perimeter of the vehicular use area.
4. **Adjacent to Offices and Commercial Landscaping**
 Perimeter landscape strips associated with a vehicular use area shall not be required if the vehicle use area is contiguous to a buffer required in Subsection 113B.07 (Buffer Requirements), and the screening intent of the chapter is met.
5. **Adjacent to Off-Street Surface Parking on Other Lots**
 In cases where two or more off-street surface parking lots are located adjacent to one another, but upon different lots, no perimeter landscape materials shall be required between two parking lots.



Figure 46: Wall and fencing implementation landscaping can provide adequate perimeter buffering between vehicular use areas and adjacent uses.

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CHAPTER 113B: LANDSCAPING AND BUFFERING
Section 113B.07: Buffer Requirements

- 113B.07 Buffer Requirements
- A. **Applicability**
 1. **General**
 Unless exempted in accordance with section 113B.07(A)(2) below, development shall provide a buffer between lot uses if accordance with this section. The buffer shall show the width, amount of vegetation, and other features to properly mitigate the negative effects of incompatible uses.
 2. **Perimeter Buffer Exemptions**
 Development in the following district shall be exempted from the standard of this section.
 - a. The CSD District; and
 - b. Development within a HUD Development subject to an approved context and regulating plan.
 - B. **Location**
 1. **Location**
 - a. Buffer areas shall be located between the uses for which they are required to buffer or screen.
 - b. When the same property, owner owns and is developing adjoining parcels, the required lot-to-lot buffer may be placed on either parcel or outside the boundary.



Figure 47: The buffer terms supplemented with landscaping can provide an effective screen between residential and nonresidential uses.

2. **Structures**
 No structure shall be permitted within a required buffer other than a wall, fence, or earth berm. Parking areas and driveways shall not encroach upon buffer areas.

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CHAPTER 113B: LANDSCAPING AND BUFFERING Section 113B-071 Buffer Requirements

C. Minimum Required Buffer Area

Table 113B-3 sets forth the minimum required buffer area based upon the adjacent land use. The abbreviations used in the table are described as follows:

1. **Moderate Buffer Area**
An "M" in a cell indicates a moderate buffer area is required with a minimum width of ten feet.
2. **Average Buffer Area**
An "A" in a cell indicates an average buffer area is required with a minimum width of 15 feet.
3. **Substantial Buffer Area**
An "S" in a cell indicates a substantial buffer area is required with a minimum width of 25 feet.
4. **Major Buffer Area**
An "O" in a cell indicates a major buffer area is required with a minimum width of 40 feet.
5. **No Buffer Area Required**
An "N" in a cell indicates that there is no minimum buffer area required.

Table 113B-3: Required Buffer Areas

Proposed Use	Adjacent: Single- or Two-Family Dwellings	Multi-Family Dwellings	Public/Institutional Uses	Office or Commercial Uses (Less than 10,000 sq. ft.)		Fully Enclosed Industrial Uses (20,000 sq. ft. or less)	All Other Industrial Uses
				(10,000 sq. ft. or more)	(10,000 sq. ft. or more)		
Single- or Two-Family Dwellings	N	A	A	B	C	C	D
	A		A	A	B	C	D
Public/Institutional Uses	A	A	N	B	B	B	C
Office or Commercial Uses (1-10,000 sq. ft.)	B	A	B	N	A	B	D
Office or Commercial Uses (10,000-20,000 sq. ft.)	C	B	B	A	B	B	C
Fully Enclosed Industrial Uses (1-20,000 sq. ft.)	C	C	B	B	B	N	C
All Other Industrial Uses	D	D	C	D	C	C	N

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CHAPTER 113B: LANDSCAPING AND BUFFERING Section 113B-081 Screening Requirements

E. Minimum Planting Requirements

For every 100 linear feet of a buffer area, the following number of plants shall be provided for each required buffer area as set forth in Table 113B-4:

Table 113B-4: Minimum Planting Requirements

Required Buffer Area	Minimum Trees (Deciduous or Ornamental) per 100 linear feet	Minimum Evergreen Trees per 100 linear feet	Minimum Shrubs per 100 linear feet
"M"	3	None	3
"A"	6	3	9
"S"	12	5	15
"O"	15	7	24

F. Alternative Buffer Area Option

The planning commission may waive the requirements of Subsections C and D above if the applicant proposes to provide, at a minimum, one six-foot high solid wood or masonry fence along the full length of the line requiring the buffer. The fence shall be supplemented with a minimum of six deciduous trees and three shrubs per 100 linear feet of buffer area.

113B-08 SCREENING REQUIREMENTS

- A. **When Applicable**
In addition to the site landscaping, vehicular use area landscaping, buffer, and street use landscaping standards in this chapter, screening shall be required to conceal specific areas of high visual quality or hazardous areas (from both on-site and off-site views). Such areas shall be screened as all items, unless otherwise specified, regardless of adjacent uses, streets, or other proximate landscaping material.
- B. **Items to be Screened**
The following areas shall be screened in accordance with this section:
 1. Large waste receptacles (dumpsters) and refuse collection points (including cardboard recycling containers);
 2. Loading and service areas;
 3. Outdoor storage areas (including storage tanks) not subject to the outdoor storage requirements of section 113B.13 (Outdoor Sales, Display, and Storage); and
 4. Mechanical equipment and utility meters not located on, and screened by, the building or structure.
- C. **General Provisions**
 1. Where vegetative and/or topographic conditions that provide natural screening and buffer exist prior to development of properties in question every effort shall be made to retain such conditions. In such cases, additional screening may not be required, provided that provision is made for maintenance of such conditions to the satisfaction of the city.

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City of Lebanon, Ohio | Official Zoning Code



- b. In the I-District, the sound pressure of noise radiated continuously from any activity shall not exceed the value given in Tables 1135-2 and 1135-3, in any octave band frequency at any point on or beyond any lot line. If the noise is not smooth and continuous, one or more of the corrections in Table 1135-3 shall be added or subtracted from each of the decibel levels given in Table 1135-2.

CHAPTER 1135: GENERAL DEVELOPMENT STANDARDS
 Section 1135.17: Performance Standards for Industrial Zoning Districts

Table 1135-2: Maximum Permissible Sound Pressure Level at Specified Points of Measurements for Noise Radiated Continuously from a Facility

Octave Band (Cycles per Second)	Sound Pressure Level (Decibel)[1]
20-	75
75-	150
150-	300
300-	600
600-	1,200
1,200-	2,400
2,400-	4,800
4,800-	10,000
10,000-	20,000
20,000-	30,000
30,000-	40,000
40,000-	50,000

[1] According to the following formula, Sound Pressure Level in Decibels equals 10 Log where P_2 equals 0.0002 dynes/cm² P_1/P_2

[2] To avoid possible interference with animal experiments

Table 1135-3: Correction in Maximum Permitted Sound Pressure Level in Decibels to be Applied to Table

Type of Operation	Character of Noise	Correction in Decibels
Noise source operates less than 20% of any one hour period		Plus 5[1]
Noise source operates less than 5% of any one hour period		Plus 10[1]
Noise source operates less than 1% of any one hour period		Plus 15[1]
Noise of impulsive character (hammering, etc.)		Minus 5
Noise of periodic character (rum, screech, etc.)		Minus 5

[1] Apply one of these corrections only.

- c. In the I-1 District the sound pressure of noise radiated from any activity shall not exceed the values given in Table 1135-4 of this section in any octave band frequency at any point on or beyond any lot line.
- d. If the I-P or I-1 District adjoins a residential district, the maximum sound pressure level at any point on the district boundary shall be reduced by six decibels from the maximum listed in Table 1135-4.
- e. In the I-2 District, the sound pressure of noise radiated from any activity shall not exceed the value given in Table 1135-4 of this section in any octave band frequency at any point on or beyond the nearest district boundary. If said districts adjoin a residential district, the maximum sound pressure shall be reduced by six decibels from the maximum listed in Table 1135-4 of this ordinance.



CHAPTER 1135: GENERAL DEVELOPMENT STANDARDS
 Section 1135.17: Performance Standards for Industrial Zoning Districts

- f. In all districts, industrial noise shall be muffled so as not to become objectionable due to intermittence, beat, frequency, or shrillness.

Table 1135-4: Maximum Permitted Sound Pressure Level in Decibels

Octave Band (Cycles per Second)	Sound Pressure Level (Decibels [1])
0 - 74	79
75 - 149	74
150 - 299	66
300 - 599	59
600 - 1,199	53
1,200 - 2,399	47
2,400 - 4,799	41
4,800 - and over	39

[1] According to the following formula, Sound Pressure Level in Decibels equals 10 Log where P₂ equals 0.0002 dynes/cm² P₁/P₂

4. Odorous Matter

No emission of odorous matter shall be allowed in excess of ambient air quality standards as set forth by regulations adopted by the Ohio Environmental Protection Agency.

A noise level chart showing examples of sounds with dB levels ranging from 0 to 180 decibels.

Noise Level Chart

dBa	Example	Home & Yard Appliances Workshop & Construction
0	healthy hearing threshold	
10	a pin dropping	
20	rustling leaves	
30	whisper	computer
40	babbling brook	refrigerator
50	light traffic	air conditioner
60	conversational speech	dishwasher
70	shower	vacuum cleaner
75	toilet flushing	garbage disposal
80	alarm clock	snow blower
85	passing diesel truck	lawn mower
90	squeeze toy	food processor
95	inside subway car	arc welder
100	motorcycle (riding)	bell sander
105	sporting event	handheld drill
110	rock band	table saw
115	emergency vehicle siren	jackhammer
120	thunderclap	riveter
125	balloon popping	oxygen torch
130	peak stadium crowd noise	
135	air raid siren	
140	jet engine at takeoff	
145	firecracker	
150	fighter jet launch	
155	cap gun	
160	shotgun	
165	357 magnum revolver	
170	safety airbag	
175	howitzer cannon	
180	rocket launch	
180	rocket launch	
184	sound waves becomes shock waves	

Noise traveling over 645' declines by 56 decibels



HIGHLAND
DEVELOPMENT PARTNERS

Rapp Farm – “The Highlands”

PREVIOUS PRESENTATION

Zoning Meeting
May 20, 2015



Warren County Rezoning Amendment

1.304.5

Decision-Making Determination Considerations: The approving authority shall review the proposed Zoning Amendment in the interest of public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable, by considering the following factors:

- (A) Is the proposed amendment consistent with the purposes and intent of this Zoning Code?
- (B) Does the proposed amendment deviate from the suggestions of the Warren County Comprehensive Plan?
- (C) Is the proposed amendment justified because of changed or changing conditions of the surrounding area since the time the current zoning designation for the property was established, and has assumptions on, capital investments, road locations, population trends, land committed to development, density, use, or other elements changed to justify the amendment?
- (D) Is the proposed zoning compatible with the present zoning nearby uses, and the character of the surrounding area?
- (E) Is the site suitable for the uses to which it has been restricted, or does the current zoning deprive the site of all economically viable uses?
- (F) How long has the property remained vacant as zoned and is it zoned different from an adjacent properties?
- (G) Are there available sites elsewhere in the County that are already zoned for the proposed use?
- (H) Are public central sanitary sewer, stormwater facilities, roads and other public facilities available and do they have adequate capacity to serve allowable uses?
- (I) Will approval of this amendment result in existing land uses, parcels, or structures becoming non-conforming or somehow result in conflict with any provision, restriction, or requirement of this code?



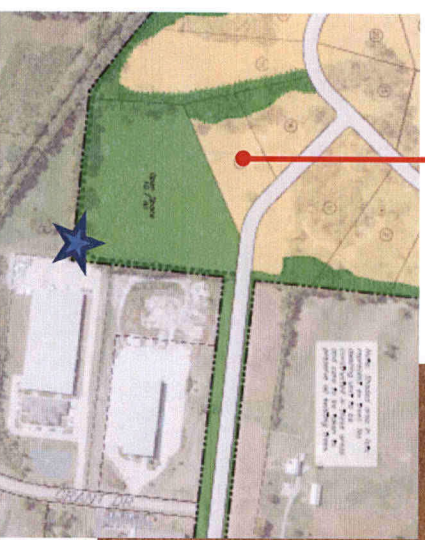
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 - Availability of other industrial space is high and demand is low
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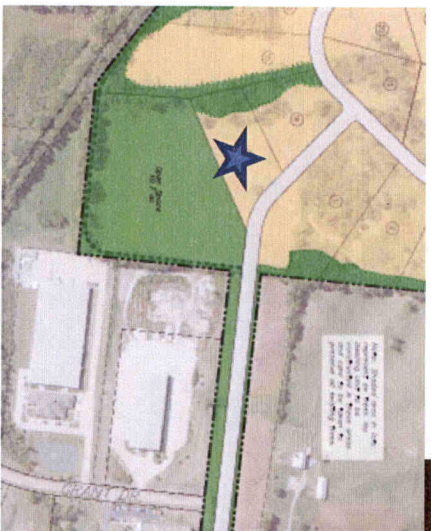
Zero Impact to surrounding properties



Pocket Community Grouping
Concept Illustration



Extreme distance from Industrial to nearest building pad

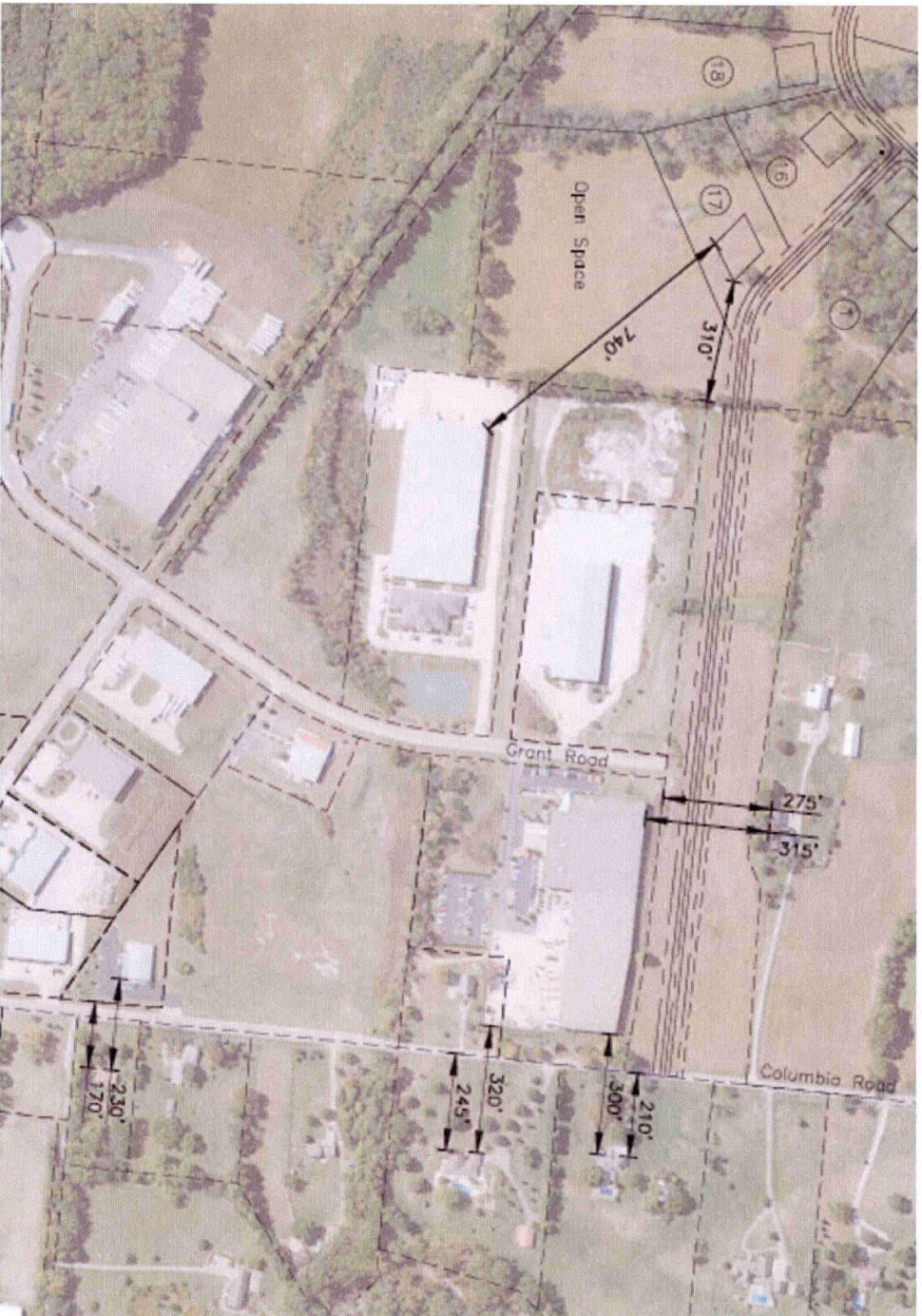


Elevated view from building pad – Industrial barely visible

Sound negligible at this distance

Adjacent Industrial not visible from nearest building site





DISTANCES FROM INDUSTRIAL PARK TO LOTS

SCALE: 1" = 300'

Impact of Industrial neighbors far more significant on other adjacent properties than Rapp



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Appendix

Summary of Industrial Square Footage Currently Available



Industrial Market Lebanon, OH

Availability	Survey	5-Year Avg
Rent Per SF	\$4.37	\$4.54
Vacancy Rate	10.3%	16.8%
Vacant SF	323,908	511,383
Availability Rate	11.0%	20.1%
Available SF	344,878	618,896
Sublet SF	0	912
Months on Market	18.0	19.4

Inventory	Survey	5-Year Avg
Existing Buildings	67	66
Existing SF	3,145,802	3,047,827
12 Mo. Const. Starts	0	59,379
Under Construction	0	44,534
12 Mo. Deliveries	0	79,172

Demand	Survey	5-Year Avg
12 Mo. Absorption SF	472	71,008
12 Mo. Leasing SF	4,628	21,832

Sales	Past Year	5-Year Avg
Sale Price Per SF	\$36	\$29
Asking Price Per SF	\$44	\$38
Sales Volume (Mill.)	\$6.5	\$7.1
Cap Rate	9.4%	8.8%

Current developed industrial space represents 4.9 years of demand



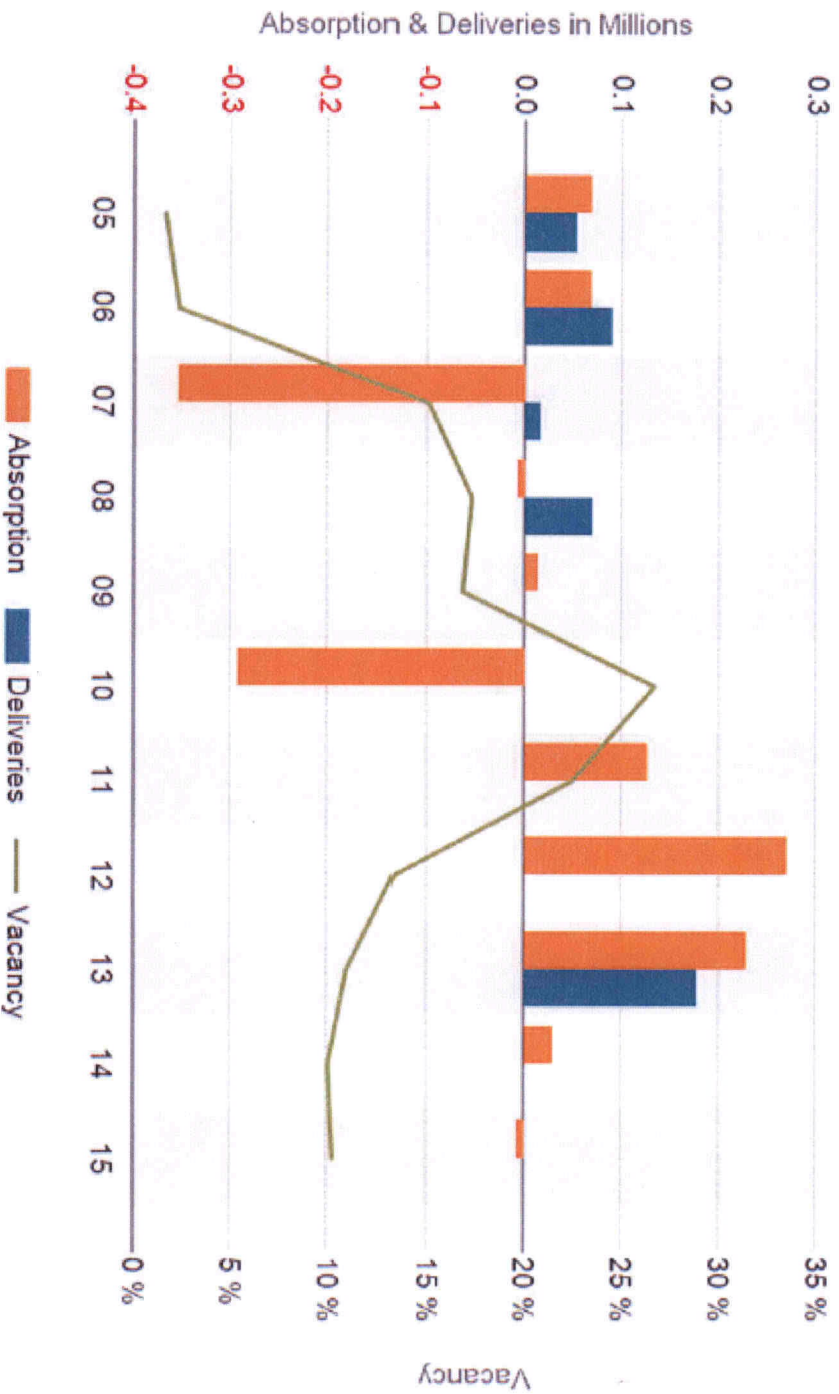
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5/11/2015



Industrial Market Lebanon, OH

Absorption, Deliveries, Vacancy



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5/11/2015

Almost no new industrial space coming into service, very low demand / leasing



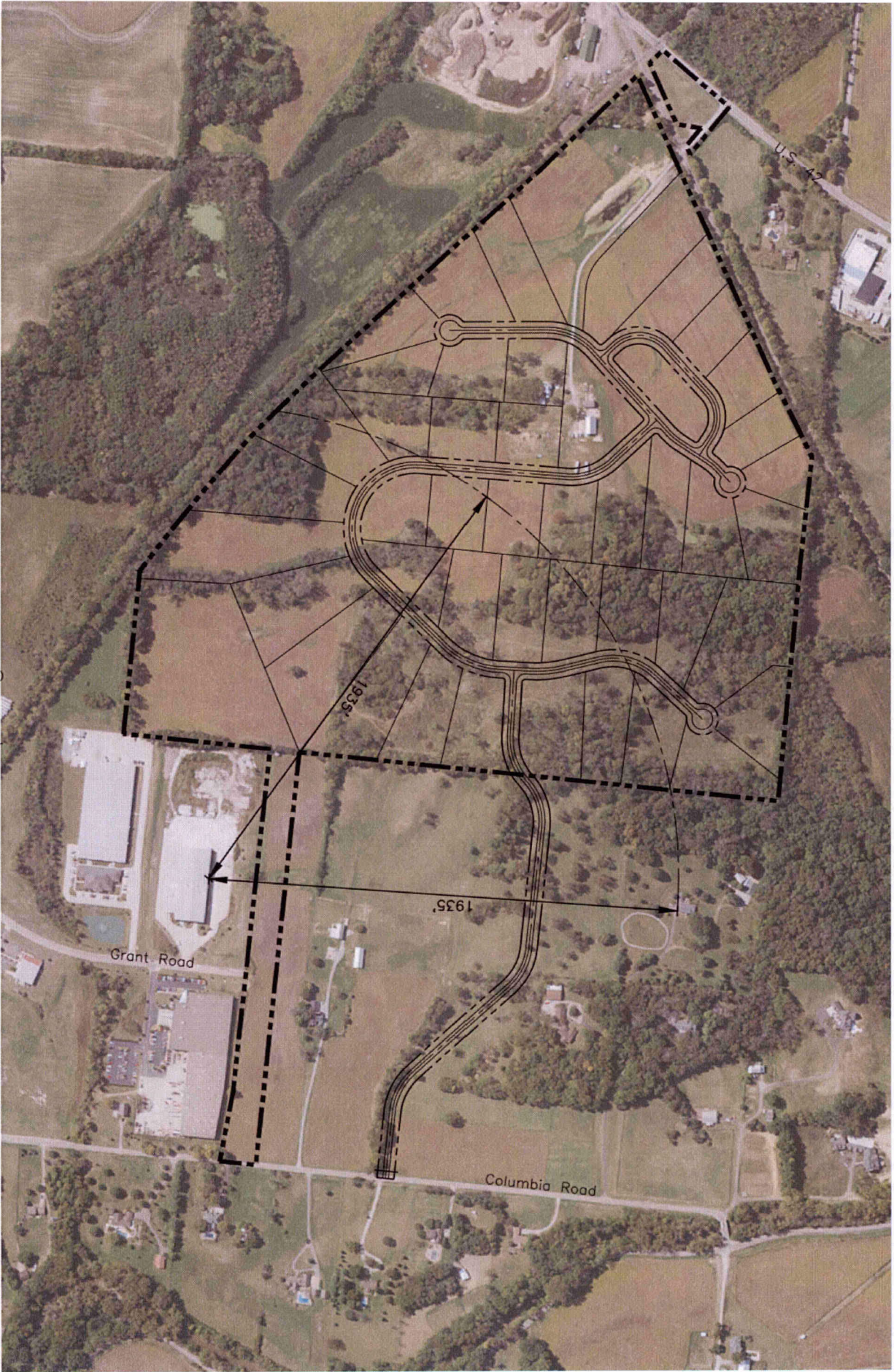
Industrial Land Analysis:

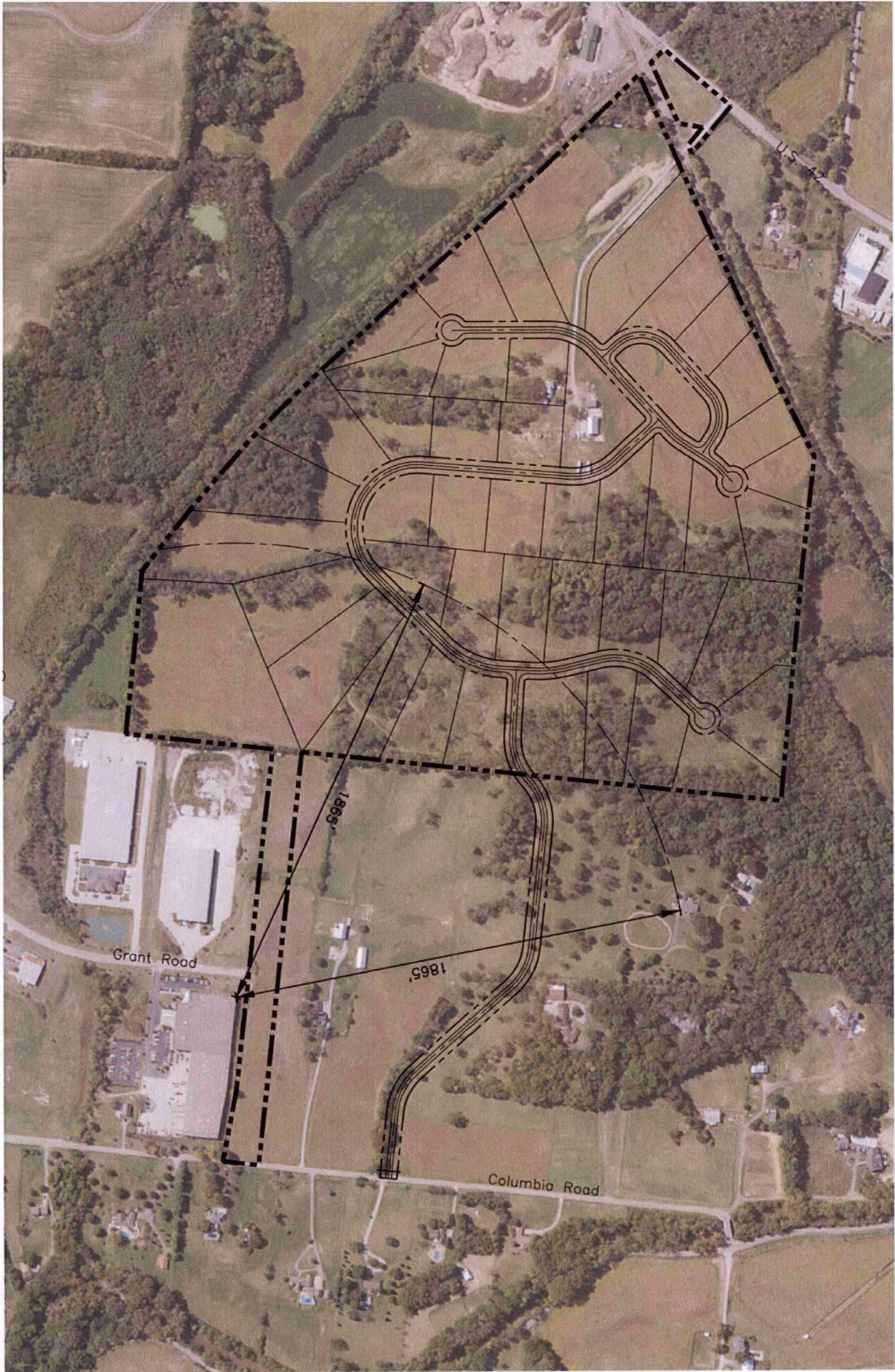
- The existing 3, 145, 802 sq ft of industrial space, it sits on roughly 18,504,717 sq ft of land (425 acres)
- 425 acres is the total industrial land in Lebanon with existing buildings (vacant and occupied)
- Industrial Land currently for sale, approximately 958 acres – consisting of:
 - ~ 652 acres – Henkle Schuler
 - ~ 255 acres – City of Lebanon
 - ~ 51 acres – Privately Owned
 - **Total = 958 acres**

Please note this is what is actively listed for sale, not total amounts available. Other relevant land includes 117 acres zoned M-1 & owned by Lebanon and another 25 acres in the Norgal Park that is undeveloped.

- Typical industrial development creates 25 sf of industrial floor space per 100 sf of land
- Total acreage available for industrial would result in 10,432,620 SF of industrial space
 - This is 3X the total amount of current space in Lebanon
 - Last 5 years absorption (new space coming online = 79,000 sf/year)
 - **Results in 146.9 years of industrial space inventory**

146.9 years worth of industrial land is currently for sale



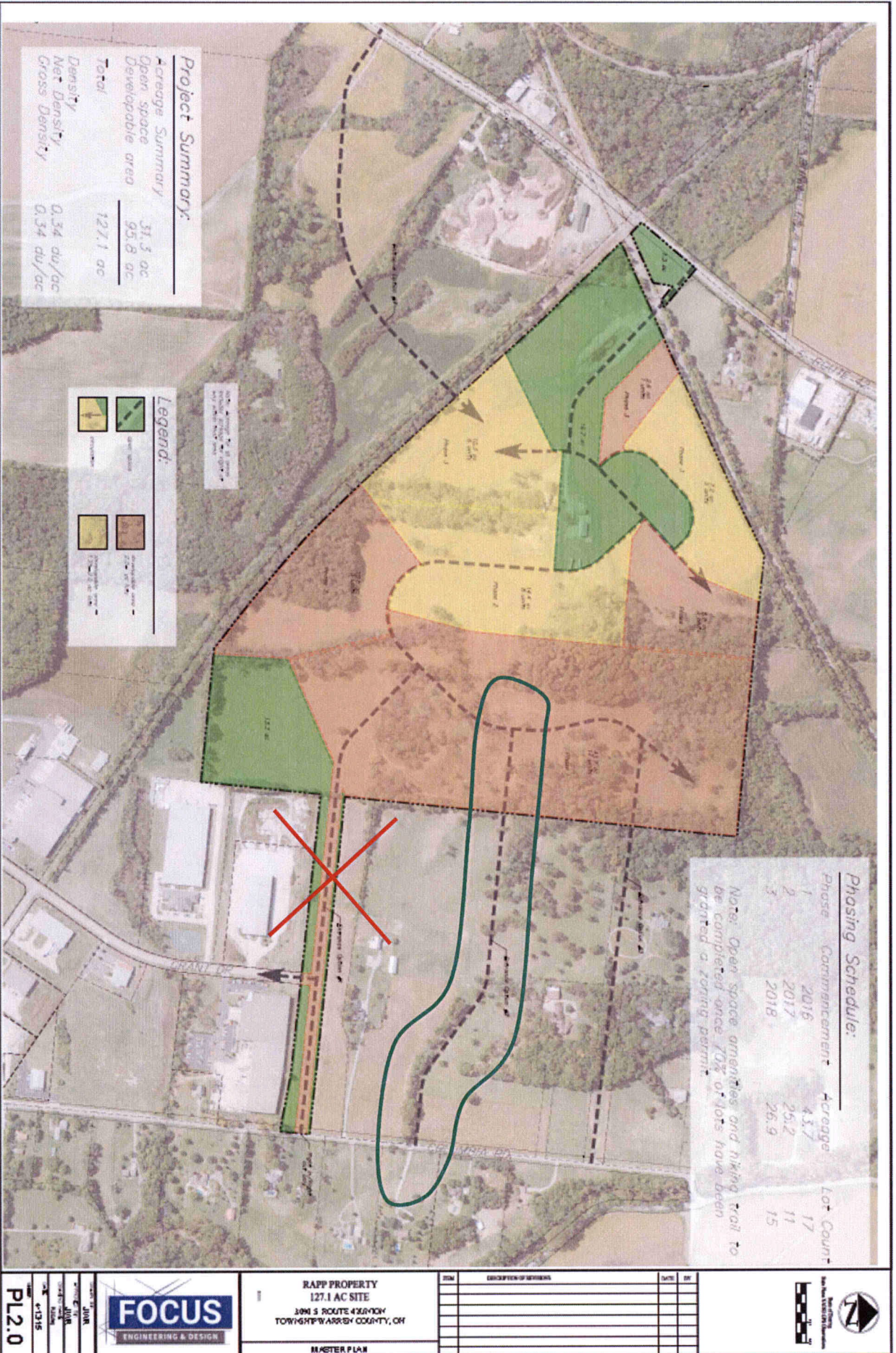




Submittal	Original Application with Entrance Option #1* (recommended for approval by RPC)	Revised Application May 20 Zoning Meeting
Entrance	Grant Drive and Rapp Farm Right-in Right-out to Columbia	Rapp Farm entrance with Columbia Road improvements
Entrance in close proximity to industrial	Yes	Yes
Density	43 units	61 units
Sight distance issue to address on Columbia	Yes	Yes
Distance – building pad to closest industrial building	740'	740'
Pocket Communities	No	Yes
Minimum lot size	1.25 acres	~0.50 acres
Septic systems	Typical regulations apply	Special considerations

Original and revised applications were both recommended for approval by Warren County staff

Original Application Layout and Density





Submittal	Original Application with Entrance Option #1* (recommended for approval by RPC)	Original Application with Entrance Option #2 (June 3 Meeting)
Entrance	Grant Drive and Rapp Farm Right-in Right-out to Columbia	Smith Farm entrance
Entrance in close proximity to industrial	Yes	No
Density	43 units	43 units
Sight distance issue to address on Columbia	Yes	No
Distance – building pad to closest industrial building	740'	1080'
Pocket Communities	No	No
Minimum lot size	1.25 acres	1.25 acres
Septic systems	Typical regulations apply	Typical regulations apply

Application recommended for approval by Warren County staff



Submittal	Original Application with Entrance Option #1* (recommended for approval by RPC)	Revised Application May 20 Zoning Meeting	Original Application with Entrance Option #2 (June 3 Meeting)
Entrance	Grant Drive and Rapp Farm Right-in Right-out to Columbia	Rapp Farm entrance with Columbia Road improvements	Smith Farm entrance
Entrance in close proximity to industrial	Yes	Yes	No
Density	43 units	61 units	43 units
Sight distance issue to address on Columbia	Yes	Yes	No
Distance – building pad to closest industrial building	740'	740'	1080'
Pocket Communities	No	Yes	No
Minimum lot size	1.25 acres	~0.50 acres	1.25 acres
Septic systems	Typical regulations apply	Special considerations	Typical regulations apply

Original and revised applications were both recommended for approval by Warren County staff

Wooded rolling terrain and accommodating lot layout



Pocket Community Grouping
Concept Illustration

