

Minutes Goshen Township Zoning Commission Meeting

7:00PM Township Hall September 6, 2005

The Public Hearing for Case 216 of the Goshen Township Zoning Commission was called to order by Chairperson Nancy Middleton. Members present were as follows: Nancy Middleton, Jim Poe, Andy Pyott, Matt Powers and Scott Chasteen. Members absent were: Wendy Moeller.

Case 216: The applicant, Loveland Development, LLC. is requesting a zone change from R-3 Medium Low Density Residential District to B-1 Local Business District at the property located on the northern side of State Route 28, approximately ¼ mile east of the intersection of State Route 28 and State Route 48. The proposed land use is a full care nursing home with 99 available beds and 72 assisted living units on the northern half of the site to be developed in the future, as allowed, under B-1, Local Business District.

Tracy Minger read the staff report from the Clermont County Planning Commission which recommended approval of the zone change and the Goshen Township staff findings which also recommended approval.

John Korfhagen, lawyer for Loveland Development, LLC. and Mark Browning, PDT Architects asked the Board whether they should begin by giving a full presentation of the project or start off by addressing the comments and concerns of the residents surrounding the property. Chairperson Nancy Middleton requested that they begin with a presentation of the project.

John Korfhagen- In regards to the zone change, we see no reason to go for a Planned Business Development District as we can meet all of the needs of the project with the change to B-1. There are no problems with the cross access easements, except for the east of the site where this is a rather large ravine. This would cost a great deal to cross as the land would have to be built up. To the west of the property there is a private road (Simons Lane), but if the residents will not grant us an access easement there is nothing we can do to force them. The Clermont County Planning Commission stated that we should not have to be required to make any changes to the infrastructure of the property.

Mark Browning-The proposed building in phase one would be one story, brick with a fiberglass shingle roof. The appearance would be that of a more residential scale. The building would be constructed of wings so as not to be one massive looking building. There would be a covered drop off area with visitor parking in the front. Staff parking, the loading dock, garbage containers etc. would be located at the far back of the building. In the future, there would also be a three story 72 unit (1 to 2 bedroom) assisted living facility located at the far back of the property. The nursing home would be divided into three residential nursing components depending on the level of care needed. The central area would contain the lobby and dining hall. We think that the building will have an attractive residential look. There would be no need for retaining walls. The

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east side drops off.

Nancy Middleton-Will they have to come back in before starting on the second phase?

Tracy Minger-Yes, they will.

Mrs. Freiburger-I am concerned about the easement. I own Simons Lane. My concern is that we would be land locked if the State comes in. How would we get out?

John Korfhagen-Simons Lane will continue to exist. If the State did come in, the residents would have to compensate the residents.

Debbie Powers, 6671 Rose Lane-What is your plan for a buffer?

Mark Browning-The existing trees can be used as a buffer

Jeff Freiburger, 1498 West Meadowbrook Drive-How do you buffer a three-story building and a parking lot?

Mark Browning-The existing trees will be kept. A three-story building can't be hidden, but the parking lot will not be huge.

Perry Ross, 6630 Simons Lane-You are building right over my water line. I have an easement that says nothing can be built over it. You are going to be building 30 to 40 yards from my house. How are you going to buffer me from seeing a three story building every time I look out my back window? What about the trucks coming in and out? Have you ever driven a diesel truck?

Mark Browning-We will have to look into the water easement. However, there would be no truck service to the assisted living area.

Jeff Freiburger, 1498 West Meadowbrook Drive-What kind of patients would be living there?

Mark Browning-The nursing home would be a skilled nursing facility for patients that need round the clock care.

Jeff Freiburger, 1498 West Meadowbrook Drive-No psychiatric patients?

Mark Browning-There will be people suffering from Alzheimer's and other forms of dementia as there are in all nursing homes.

Joel Harker, 6657 Rose Lane-The trees that they are talking about are mine. In the winter and fall you could see the building.

Mark Browning-Zoning allows for a three-story building.

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Bob Winterberger, 1763 Clark Drive-Where does the creek come in at? Would you have to get flood insurance?

Mark Browning-No, it is well above the flood line.

Belinda Monk, 1428 State Route 28-(pointing to site plan) Commercial property ends here. There's farmland and houses back here. This is residential and rural land. This project is not consistent with the area. It goes all the way back by people's homes. Right now it's very private and quiet. We want rural and woods. That's why we moved to Goshen.

T.J. Corcoran, 6175 State Route 132- The Board has the authority to require that they put in a buffer zone. They should listen to the residents.

Chris Monk, 1428 State Route 28-Have any of the Board members checked out the property?

Scott Chasteen-I have.

Perry Ross, 6630 Simons Lane-I don't think it's right to rezone residential. We want Goshen to grow, but let's do it right. Plenty of stuff is already zoned commercial. You shouldn't be going in people's back yards.

Nancy Middleton-Does the Board have any questions?

Scott Chasteen-Has anyone given any thought to fencing the property in?

Carol Duval, Loveland Development, LLC.-All of our other properties have fenced in areas.

Scott Chasteen-Some people hunt in the woods back there. I would hate for people to run off.

Carol Duval, Loveland Development, LLC.-All the doors are alarmed. They would not have free reign.

Patty Ross, 6630 Simons-This is not going to look like a home. This is going to look like a huge apartment complex.

Mark Browning-For clarification, only the back building would be three stories. The nursing home would only be one story.

Pauline Holland, 6663 Rose Lane-What will this do to our property value?

Perry Ross, 6630 Simons Lane-Which nursing homes do you own or have you built? How many of them are fenced in?

Greg Jacobs, Loveland Development, LLC.-Four out of four.

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Nancy Middleton-Can you show me your buffer zone? Where are all of the trees you are talking about?

Mark Browning-The existing trees are east along the creek.

Nancy Middleton-How many feet are between Simons Lane and the new driveway?

Mark Browning-Twenty-five feet. We will be adding a new tree line between Simons Lane and the new driveway.

Jeff Freiburger, 1498 West Meadowbrook Drive -How are we supposed to see to get out on 28?

Mark Browning-There will be low landscaping near 28.

Matt Powers-Will the drive be level with State Route 28? Will it be brought up and where will you get the material?

Mark Browning-There is plenty of material on the existing site.

Jeff Freiburger, 1498 West Meadowbrook Drive-How will we see if the drive is level with 28?

Mark Browning-I didn't say perfectly level, but we will be bringing it up.

Nancy Middleton-I see no buffers for the three-story building. When will the second phase start?

Mark Browning-We don't know when it would start. We would have to have another plan for that before we could approach the three-story building. The nursing home is the primary phase.

Scott Chasteen-What are the odds of phase two not being a three-story building?

Carol Duval, Loveland Development, LLC.-It does not have to be a three-story building. That is just the maximum allowed.

Scott Chasteen- I really like the first phase. The residents of Goshen need something like this. But with the second phase, I can see where people are coming from.

Carol Duval, Loveland Development, LLC.-None of our existing buildings have three stories.

Nancy Middleton-I just can't see a three story building there.

Andy Pyott-I can't see that happening. Would they like to come for only phase one?

John Korfhagen-We are in agreement to limit the building two only two stories.

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Jim Poe-I am not ready to make a vote yet. We are dedicated to buffers. We do need something like this as Goshen continues to grow. We want things like this as well as sewer and water as long as they are not in our own back yard. On the other hand, this plan is too deep. We can't have another access to 28. This is too deep, much too deep. And as I read through this, couldn't you have come up with a better name? This is a tough decision, but I can't see running this clear back to the Township line.

Perry Ross, 6630 Simons Lane-What about my deed? No one has answered my question about my water line.

Nancy Middleton-They can't do it if it's in your deed.

John Korfhagen-We will have to address this at another time. We were not aware of this before tonight.

Nancy Middleton called for a motion to approve case 216 three times with no response from the board.

Nancy Middleton-Since there was no motion to approve, the case is dead.

John Korfhagen-You can't do that. You have to either recommend approval or denial. I am not trying to make anyone feel stupid, but I have been doing this for over twenty years. You have to make a recommendation one way or the other. You need to check with your legal council tomorrow morning.

***Jim Poe made the motion to adjourn. Andy Pyott second-motion carried.

Zoning Commission Member

Respectfully Submitted,

Sandra Graham, Secretary