



# Butler County Planning Commission

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Government Services Center, Conference Room #1  
315 High Street, Hamilton, Ohio

## Meeting Minutes

**MEETING:** Tuesday, June 14, 2016, 3:00 p.m.

### ROLL CALL:

Present: Charles Bullington, Chair  
Kevin Cooney, Vice Chair  
David Baker  
Steven Brown  
G. Coe Potter  
Beth Surber

Absent: Bernard "Buck" Rumpke  
Shirley Wiant

Staff Present: Peter Z. Acuff, Dept. of Development  
David Fehr, Dept. of Development  
Eric Pottenger, Butler County Engineers Office  
Constance Kepner, Butler County Water & Sewer  
Beth Downs, Butler Soil and Water Conservation District

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Meeting opened at 3:00 p.m.

Minutes of the April and May meetings were not available for review.

### **ZONE CHANGES:**

#### **FTZ 16-01: StoryPoint**

Gilmore Road, north of Hamilton Mason Road; R-PUD to B-PUD  
Section 25, Town 2, Range 3  
Fairfield Township

Mr. Acuff introduced the case, describing the location of the property and the requested change in zoning from a residential PUD to a business PUD. He stated that the zone change was in support of a planned senior living facility, including assisted living and memory care.

Mr. Acuff directed the commissioners' attention to staff comments, noting that the first comment mentions showing the location of the site more specifically so as to ensure that future road construction plans are accounted for. He also commented that the amount of parking shown on the plan is significantly less than the stated zoning minimums for the proposed uses and that the Township should closely examine the parking requirements for this use and perhaps require a variance. Engineering and utility details need to be provided, and an agreement needs to be negotiated with the City of Hamilton to accept sanitary sewer flows.

Mr. Acuff noted that the staff report states that County staff recommends approval, but given the number of outstanding issues with the request, postponing a decision may be the best course of action. Ultimately, it is the Planning Commission's decision.

Mr. Bullington called for the applicant to present. Sean Suder, Graydon Head and Ritchie, 511 Walnut Street, Cincinnati, 45202, representing the developer, rose to speak. He introduced other members of the project team in attendance today.

Mr. Suder commented that the parking needs for a project such as this tend to be less than one might expect as there is a low population density and residents are older, with some unable to drive. There are employees that drive, but a minimal amount.

Mike Simko, representing StoryPoint, took the podium to introduce the project. He stated that StoryPoint is both a developer and operator, looking to invest in the community for the long haul. He showed renderings of the site and described the features of the project (120 units of independent living and 42 units of enhanced) and demand for services provided.

Mr. Brown asked what the total number of units was. Mr. Simko replied 204 units.

Mr. Potter asked about the site location issues raised in the staff report.

Megan Cyr, from The Kleingers Group, stated that they have been working with Matt Loeffler from BCEO regarding the proposed realignment of Gilmore Road. Mr. Potter asked if the south line of the project is the same as Hamilton Mason Road or not. Ms. Cyr replied no. She highlighted the location of the project in relation to a wetland on the aerial photograph. She also commented that minor site adjustments may have to be made to the location of the retention basins based on the future road alignment alternatives.

Mr. Potter commented that when the developer comes back with the final PUD could there be set-aside areas for parking based on the difference between the proposed and required parking areas. Mr. Fehr replied that this will go to just Fairfield Township for final approval and the County Planning Commission will not see this again.

Mr. Brown asked if the applicants had data from existing properties on parking demand. Mr. Simko responded that they have the numbers but not readily available today. Mr. Brown expressed his concern that with 204 units, weekend visitors, and staff the parking could be tight.

Ms. Surber asked if there were plans for any of the surrounding unused land on the larger parcel. Mr. Acuff replied that the County has not seen any plans for additional development.

Greg Smith from The Oberer Company stated that they are actively marketing the remainder of the property and recognize that any future user will have to be compatible with the residential neighborhood to the west, the church to the north, and the proposed senior living facility.

Mr. Bullington called for public comments – none heard.

Mr. Potter moved to recommend approval of FTZ 16-01, StoryPoint, subject to staff comments. Mr. Brown seconded the motion. Motion passed unanimously.

AYES: Potter, Brown, Cooney, Baker, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.32**

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**LTZ 16-05: MVG Liberty**

8000 Liberty Way, O-1 & O-2 to B-PUD  
Section 7, Town 3, Range 3  
Liberty Township

Mr. Acuff reminded the Planning Commission that this case had been introduced the previous month and tabled to provide the applicant with additional time to resolve staff concerns, particularly with traffic. A revised plan was submitted, but traffic concerns remain; the applicant has requested that the postponement be continued.

Mr. Potter moved to postpone consideration of LTZ 16-05, MVG Liberty, per the applicant's request. Mr. Cooney seconded the motion. Motion passed unanimously.

AYES: Potter, Cooney, Brown, Baker, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.33**

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**WCTZ 16-01: Brandicorp/BCTID**

Liberty Way at Cox Road, A-1 to C-PUD  
Section 12, Town 3, Range 2  
West Chester Township

Mr. Acuff described the location of the property subject to the zone change request and noted that the project is directly adjacent to the property involved in the previous zone change case LTZ 16-05. Similar concerns exist with potential traffic impacts on both sites.

Mr. Acuff noted that he had received an email from the applicant, requesting that the Planning Commission postpone consideration of the zone change request.

Mr. Cooney moved to postpone consideration of WCTZ 16-01, Brandicorp/BCTID, per the applicant's request. Mr. Brown seconded the motion. Motion passed unanimously.

AYES: Cooney, Brown, Baker, Potter, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.34**

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**WCTZ 16-02: Lucke Property (El Rancho Grande)**

US 42 and Fields Ertel Road, Major Change to C-PUD  
Section 14, Town 3, Range 2  
West Chester Township

Mr. Acuff described the location of the four parcels subject to the zone change request and mentioned that there is a current PUD plan in place for office/retail. The applicant is seeking a major modification to the PUD to construct a single restaurant use on the site.

Mr. Acuff directed the commissioners' attention to staff comments, noting staff concerns about signage, parking, stormwater management, and access to US 42. County staff does recommend approval of the zone change, subject to staff comments.

Mr. Bullington called for public comments – none heard.

Ms. Surber asked what the restaurant is and how large it would be. Mr. Acuff replied that it will be a 6,400 square foot El Rancho Grande. Ms. Surber expressed concern that the orientation of the restaurant on the site and reduced visibility could lead to poor business.

Doug Smith from McGill Smith Punshon took the podium and addressed concerns of the Commission and staff, explaining the location of the sign, a potential rain garden in the center of the parking area, and the layout of the building and outdoor seating area.

Mr. Brown moved to recommend approval of WCTZ 16-02, Lucke Property. Mr. Baker seconded the motion. Motion passed unanimously.

AYES: Brown, Baker, Cooney, Potter, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.35**

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**RZC 16-01: County-Initiated Text and Map Amendment**

Include Unincorporated Area of St. Clair Township under County Rural Zoning Authority

Mr. Fehr described the request received by the County from the St. Clair Township Trustees to include the township under County zoning authority as a cost-saving measure and to provide a better level of service. He further described the existing zoning situation in the County and Township and provided historical background. The Township trustees have passed a resolution requesting that the County Commissioners to place an initiative on the ballot in November to ask the residents of St. Clair Township whether Township zoning should be abolished and County zoning adopted in its place. As part of the process, the County Zoning Resolution and Map need to be amended to show what would be in place for St. Clair Township if the ballot measure succeeds.

Mr. Bullington asked if the Township could take zoning authority back in the future if they wished. Mr. Fehr replied that it would be possible.

Mr. Baker asked what the savings to the Township would be. Mr. Fehr answered that the cost of zoning enforcement staff would be an immediate savings, and the Township would gain better service from County administration.

Mr. Bullington called for public comments – none heard.

Mr. Cooney moved to recommend approval of case RZC 16-01. Ms. Surber seconded the motion. Motion passed 5-0-1.

AYES: Cooney, Surber, Brown, Potter, Bullington

NAYES: None

ABSTAIN: Baker

**RESOLUTION#: 16.36**

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## **PRELIMINARY PLATS:**

### **Carriage Hill (Winding Creek), Section Fourteen**

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff described the plat for this sixteen-acre section of the Carriage Hill subdivision and reviewed the report of County staff. Subject to the comments in the report, County staff recommends approval of the plat.

Mr. Brown made a motion to approve the preliminary plat for Carriage Hill, Section Fourteen, subject to staff comments. Ms. Surber seconded the motion. Motion carried.

AYES: Brown, Surber, Cooney, Baker, Potter, Bullington

NAYES: None

### **RESOLUTION#: 16.37**

### **Sidewalk Waiver Request for Carriage Hill, Section Fourteen**

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff reminded the Commission about the Subdivision Regulations requirement for sidewalks in new developments and the previous waivers granted for other sections of the Carriage Hill subdivision. The waiver request for Section Fourteen is consistent with previous sections.

Mr. Acuff noted that, due to a revision in the preliminary plat, the sidewalk shown did not extend to the cul-de-sac; he added the comment that the six-foot sidewalk should extend to the lot line between Lots 375 and 376.

Mr. Cooney made a motion to approve the sidewalk waiver request for Carriage Hill, Section Fourteen, subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Cooney, Brown, Baker, Potter, Surber, Bullington

NAYES: None

### **RESOLUTION#: 16.38**

## **FINAL PLATS:**

### **Carriage Hill (Winding Creek), Section Thirteen**

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff described the sixteen-lot final plat for this section of the subdivision. Subject to the addition of some notes on the plat and other typical comments in the staff report, County staff recommends approval of the plat.

Mr. Brown asked about the narrow strip of land extending from the subdivision out to State Route 4. Mr. Acuff responded that it is an artifact of past lot splits and that the strip of land will be split off before recording the plat.

Mr. Brown made a motion to approve the final plat of Carriage Hill, Section Thirteen, subject to staff comments. Mr. Baker seconded the motion. Motion carried.

AYES: Brown, Baker, Cooney, Potter, Surber, Bullington

NAYES: None

### **RESOLUTION#: 16.39**

### **Market Place, Section Two** (recorded as *Hutzelman Square at West Chester Village*)

Section 11, Town 2, Range 3

West Chester Township

Mr. Acuff described the location of this single-lot commercial plat along State Route 747 in West Chester Township. Subject to the clarification of a shared parking area on the plat and additional comments in the staff report, County staff recommends approval of the plat.

Mr. Cooney made a motion to approve the final plat of Market Place, Section Two, subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Cooney, Brown, Baker, Potter, Surber, Bullington

NAYES: None

### **RESOLUTION#: 16.40**

### **Millikan Subdivision, Replat of Lots 3 & 4**

Section 10, Town 3, Range 2

West Chester Township

Mr. Acuff showed the location of the plat in West Chester Township along US 42 and reviewed the brief comments of County staff.

Mr. Cooney made a motion to approve the replat of Millikan Subdivision, Replat of Lots 3 & 4, subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Cooney, Brown, Baker, Potter, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.41**

**Brenner Woods, Section Eight, Replat of Lots 164 & 165 (Thaman Revision)**

Section 8, Town 3, Range 2

West Chester Township

Mr. Acuff presented the replat to the Commission, explaining that the plat combines two adjacent residential lots into a single buildable lot. He reviewed County staff comments and noted that staff recommends approval of the replat.

Mr. Brown made a motion to approve the replat of Brenner Woods, Section Eight, Lots 164 & 165, subject to staff comments. Mr. Baker seconded the motion. Motion carried.

AYES: Brown, Baker, Cooney, Potter, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.42**

**Menards Crossings of Fairfield Township, Replat of Lots 561, 562, and 8899**

Section 25, Town 2, Range 3

Fairfield Township

Mr. Acuff described the replat, which combines two existing Township lots and incorporates them into the overall Menards Crossings subdivision. The plat would also dedicate public right-of-way along Princeton and Gilmore Roads and relocate an access easement across Lot 8899. He reviewed staff comments and noted that staff recommends approval.

Mr. Potter made a motion to approve the replat of Menards Crossings of Fairfield Township, Lots 8899 and Township Lots 561 & 562, subject to staff comments. Ms. Surber seconded the motion. Motion carried.

AYES: Potter, Surber, Cooney, Baker, Brown, Bullington

NAYES: None

**RESOLUTION#: 16.43**



**Lodders Floral Ridge, Replat of Lots 49 & 50**

Section 34, Town 4, Range 2

Hanover Township

Mr. Acuff described the replat as a relocation of a division line between two existing residential lots in Hanover Township. After reviewing revisions submitted to the County, County staff recommends approval of the plat subject to the payment of the Health Department review fee.

Mr. Brown made a motion to approve the replat for Lodders Floral Ridge, Lots 49 & 50, subject to staff comments. Mr. Potter seconded the motion. Motion carried.

AYES: Brown, Potter, Cooney, Baker, Surber, Bullington

NAYES: None

**RESOLUTION#: 16.44**

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**ADJOURNMENT**

Mr. Potter made a motion to adjourn seconded by Mr. Brown. All in favor. Meeting adjourned.

These minutes represent a summary of these proceedings and do not purport to be the entire record. A complete transcription of these proceedings was taken from an audio tape under supervision of the Secretary and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio  
June 14, 2016

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Chair

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Secretary