



Butler County Planning Commission

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

Meeting Minutes

MEETING: Monday, April 17, 2017, 3:04 p.m.

ROLL CALL:

Present: David Baker
Steve Brown
Charles Bullington
Kevin Cooney, Vice Chair
Bernard "Buck" Rumpke
Shirley Wiant

Absent: G. Coe Potter
Beth Surber, Chair

Staff Present: Peter Z. Acuff, Dept. of Development
Lee Margraf, Dept. of Development
Eric Pottenger, Butler County Engineers Office

Mr. Cooney called the meeting to order at 3:03 p.m.

APPROVAL OF MEETING MINUTES:

February 14, 2017 Meeting Minutes

Mr. Baker made a motion to approve the Meeting Minutes from the February 14, 2017 meeting as submitted. Mr. Rumpke seconded the motion. Motion carried 6-0.

AYES: Baker, Rumpke, Wiant, Brown, Bullington, Cooney

NAYES: none

ABSTAIN: None

March 14, 2017 Meeting Minutes

Mr. Rumpke made a motion to approve the Meeting Minutes from the March 14, 2017 meeting as submitted. Mr. Brown seconded the motion. Motion carried 5-0-1.

AYES: Rumpke, Brown, Baker, Bullington, Cooney

NAYES: None

ABSTAIN: Wiant

ZONE CHANGES: None

WCTZ 17-05

New Life Church, R-1 to C-PUD

Section 22, Town 3, Range 2

West Chester Township

Mr. Acuff showed an aerial image of the property and said this Board saw this property before, four (4) residential sites currently zoned R-1 back in January 2017 proposed as a zone change from R-1 to B-2 Commercial District, at the request of the County staff and the West Chester Township Staff the applicant has come back and is asking for a zone change to C-PUD Commercial application on the site.

Mr. Acuff showed a plat map of the proposed site and identified where the buildings, storm water ponds, parking lots, and where two (2) new entrances will be located.

Mr. Acuff highlighted staff comments, including the recommendation to preserve some of the tree line between the different uses to allow some transition along Cincinnati-Dayton Road.

Mr. Acuff said staff recommends approval subject to staff comments.

The applicant was invited to make a presentation, however they declined.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Rumpke asked about staff comment Item #6, if the wall was a free-standing wall or an elevation wall and Mr. Acuff replied he believes it is a retaining wall.

Mr. Brown made a motion to approve the zone change for WCTZ 17-05, New Life Church, R-1 to C-PUD, Section 22, Town 3, Range 2, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 6 – 0.

AYES: Brown, Wiant, Baker, Rumpke, Bullington, Cooney

NAYES: none

RESOLUTION #: 17.22

RTZ 17-01

Medical Marijuana Text Amendment

Reily Township Zoning Resolution

Reily Township

Mr. Acuff stated this is a request submitted by Reily Township Trustees and the Township Zoning Commission they are exercising their options under State of Ohio law, to ban the cultivation, processing and operation of marijuana dispensaries relative to medical marijuana and ban those activities in the Township. He noted a letter in the Board packets from the Township Trustees dated March 15, 2017 of a resolution they passed and their proposed zoning language to be included in Article Five (5) of the Reily Township Zoning Regulations.

Mr. Acuff said County staff has reviewed It; he highlighted staff comments/recommendations and stated staff suggests including this in Article Six (6) of the Township Zoning Resolution and does recommend approval of the proposed text amendment to the Reily Township Zoning Resolution relative to marijuana cultivation subject to the two (2) staff recommendations listed.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Brown moved to recommend approval of the zone change RTZ 17-01: Medical Marijuana Text Amendment to Zoning Resolution, Reily Township Zoning Resolution, proposed text amendments subject to staff comments discussed. Mr. Wiant seconded the motion. Motion approved 6 – 0.

AYES: Brown, Wiant, Baker, Rumpke, Bullington, Cooney

NAYES: None

RESOLUTION#: 17.23

PRELIMINARY PLATS:

Sanctuary of Liberty, Section Two, Block B

Section 33, Town 3, Range 3

Liberty Township

Mr. Acuff showed an aerial image and plat map of the proposed six (6) lots on 5+ acres. Mr. Acuff showed a plat map and highlighted staff comments.

Mr. Acuff said staff recommends approval subject to staff comments.

Mr. Rumpke inquired as to how the applicant qualifies the road(s) to become public roads and to what is the process to go from being a private road to a public road. Mr. Eric Pottenger, Butler County Engineers' Office, replied and provided details on the process from its starting point which was approved as a residential PUD as a condition of private roads; where the developer had to apply to Liberty Township zoning for the modification and explained the next several steps in the process to where it gets finalized by the Township Trustees indicating their willingness to be responsible for the maintenance of the roads and prior to the final recording of the plat the developer would have to submit a dedication for a right-of-way; it would go before this Planning Commission, the County Commissioners for their approval of the final plat and dedication plat; and eventually be transferred to the Liberty Township Road Inventory system for further maintenance and he added they get final Administration authorization from the zoning process via the Township and that indicates the Township's willingness to accept these streets from private to public streets. Mr. Pottenger gave further details on the Engineer's punch list to the developer for this prior to the final dedication plat approval – so the county is not proposing maintenance bonds on them unless the Township feels they are needed.

No further questions.

Mr. Rumpke made a motion to approve the preliminary plat for Sanctuary of Liberty, Section Two, Block B, Section 33, Town 3, Range 3, Liberty Township, subject to staff comments. Ms. Wiant seconded the motion. Motion carried 6 - 0.

AYES: Rumpke, Wiant, Brown, Baker, Bullington, Cooney

RESOLUTION #: 17.24

FINAL PLATS

Carriage Hill, Section Twelve

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff showed an aerial image of the property and showed a plat map of the proposed 17 lots on 13 acres. Mr. Acuff said when the preliminary plat came through a few years ago there was a driveway on an adjacent parcel encroached on this lot here (pointed to on map) which is very small and the applicant has stated the encroachment will be removed and taken care of by the applicant.

Mr. Acuff highlighted additional staff comments and stated staff does recommend approval of the final plat subject to staff comments.

Mr. Rumpke asked if the underground utilities were approved already, Mr. Acuff said that generally is done between the preliminary plat and final plat but done so at the developer's risk and it is typical for work to be done on the underground prior to the final approval.

Mr. Rumpke made a motion to approve the final plat for Carriage Hill, Section Twelve, Section 2, Town 2, Range 3, Liberty Township subject to staff comments. Mr. Baker seconded the motion. Motion approved 6 – 0.

AYES: Rumpke, Baker, Brown, Wiant, Bullington, Cooney

RESOLUTION#: 17.25

The Overlook, Phase 1B

Section 3, Town 2, Range 2
West Chester Township

Mr. Acuff showed an aerial image and plat map of the property proposal of five condominium lots and open space on one-third (1/3) acre on the previous site of the former White House Restaurant in West Chester Township. Mr. Acuff said staff does recommend approval subject to the two (2) staff comments listed.

Mr. Baker made a motion to approve the final plat for The Overlook, Section 1B, Section 3, Town 2, Range 2, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 6 – 0.

AYES: Baker, Wiant, Brown, Rumpke, Bullington, Cooney

NAYES: None

RESOLUTION #: 17.26

Fairfield Ridge, Section Six, Block A

Section 26, Town 2, Range 3

Fairfield Township

Mr. Acuff showed an aerial image of the property and said the request is a proposal for 19 lots on 6+ acres and showed a plat map of the property. Mr. Acuff highlighted staff comments based on a revised plat submitted and said staff does recommend approval subject to those staff comments.

Mr. Rumpke inquired about the detention water and Mr. Acuff stated there was a pond nearby in the northwest corner and a drainage easement along the existing creek. Mr. Pottenger added if there is water at the cul-de-sac; there is an emergency overflow and detention has been directed there and taken care of.

Mr. Brown moved to recommend approval of the final replat of Fairfield Ridge, Section Six, Block A, Section 26, Town 2, Range 3, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried 6 – 0.

AYES: Brown, Wiant, Baker, Rumpke, Bullington, Cooney

NAYES: None

RESOLUTION#: 17. 27

OTHER BUSINESS:

**Amend Butler County Thoroughfare Plan
State Route 129 extension to Liberty Way**

Mr. Acuff said this amendment adds a line of text to the existing Thoroughfare Plan Map (as shown) at the request of the County Engineers Office in order to provide the inclusion for the extension of State Route 129 to the east, past Interstate Route 75 and Cox Road, and then coming down to Liberty Way just north of the Voice of America Park.

Mr. Acuff provided a little more detail on the extension and the proposal is at the request of the Butler County Engineers Office to show that future road there; as the area develops in the future this will show the desire to implement that road extension in the future with the hope it will help alleviate some of the traffic concerns in the area.

Mr. Brown asked if the area shown on the map is the actual placement of the proposal road extension and Mr. Acuff replied it may revise slightly, however, this is the general area and added it won't likely go any further east than the existing Cox Road.

Mr. Brown made a motion to amend the Butler County Thoroughfare Plan State Route 129 Extension at Liberty Way as proposed by the Butler County Engineers Office. Mr. Rumpke seconded the motion. Motion approved 6 – 0.

AYES: Brown, Rumpke, Wiant, Baker, Bullington, Cooney

NAYES:

RESOLUTION#: 17.28

ADJOURNMENT

Ms. Wiant made a motion to adjourn seconded by Mr. Rumpke. 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

April 17, 2017

Chair

Secretary