



Butler County Planning Commission

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

Meeting Minutes **DRAFT**

MEETING: Tuesday, January 10, 2017, 3:00 p.m.

ROLL CALL:

Present: David Baker
Kevin Cooney, Vice Chair
Steven Brown, (delayed arrival)
G. Coe Potter
Bernard "Buck" Rumpke
Beth Surber

Absent: Charles Bullington, Chair
Shirley Wiant

Staff Present: Peter Z. Acuff, Dept. of Development
Lee Margraf, Dept. of Development
Constance Kepner, Butler County Water & Sewer

Mr. Cooney called the meeting to order at 3:00 p.m.

APPROVAL OF MEETING MINUTES:

December 13, 2016 Meeting Minutes

Mr. Rumpke made a motion to approve the Meeting Minutes from the December 13, 2016 meeting as submitted. Mr. Potter seconded the motion.

AYES: Rumpke, Potter, Cooney

ABSTAIN: Baker, Surber

ZONE CHANGES:

RZC 16-02: Somerville Zoning Map Amendments

Milford Township

Mr. Acuff showed the proposed Zoning Map around the area of Somerville Village, Milford Township and stated the Rural Zoning Commission initiated this amendment back on December 12, 2016 after the residents of Somerville voted to dissolve the village corporation and become part of Milford Township.

Mr. Acuff gave a brief history of the process going back to March of 2016 when the residents voted to dissolve the village corporation; and that area is now part of Milford Township. A public meeting/open house was held at the Somerville fire station on November 9, 2016 to share the proposed map with the Township Trustees and was open to the public. Somerville did not have zoning regulations however Milford Township does fall under Butler County Zoning Regulations. The Township Trustees felt it was a good plan and were on board with it. In the past, Somerville never had zoning regulations but now as a part of the larger Township, the Township Trustees and Butler County staff felt it was a good idea to extend zoning authority over the village boundaries and include it in the Butler County Zoning Regulations.

Mr. Acuff said to move forward with instituting zoning in Somerville, the Planning Commission will need to make a recommendation back to the Rural Zoning Commission; who will meet on January 17, 2017 and will review it again; then it goes on for final review by the County Commissioners. Mr. Acuff noted most of the area within the former village boundaries is Residential district while the area surrounding the former village boundaries are Agricultural and that was taken into consideration when amending the zoning map. He added County staff recommends approval of the amendments without comments.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Potter asked about the village boundary and if it exists anymore, and Mr. Acuff said the boundary still exists for taxing purposes and they did not change the parcel numbers, but the black line on the map means nothing to this board but is relevant from a taxation perspective only.

Mr. Potter made a motion to approve Rural Zoning Commission 16-02, Somerville Zoning Map Amendments, Milford Township as presented. Mr. Baker seconded the motion. Motion carried 5-0.

AYES: Potter, Baker, Surber, Rumpke, Cooney

RESOLUTION #: 17.01

LTZ 17-01: Zoning Map Amendments

RA-1 to R-1 (Multiple properties)
Liberty Township

Mr. Acuff said this is a packet of amendments submitted by Liberty Township regarding multiple properties within the Township and back in the fall of 2016 there was a Text Amendment that came through that eliminated the ability for A-1 and RA-1 zoned properties to subdivide below 20,000 square feet.

Mr. Acuff said there were a handful of properties potentially negatively impacted by this proposal so the Township took it upon themselves to contact those land owners and offered them a one-time initiative to rezone those RA-1 district properties to R-1 district zoning to allow them to subdivide. He showed an aerial map of the area and asked Mr. Juengling, Liberty Township, to elaborate on the changes.

Mr. Andy Juengling, Senior Planner, Liberty Township, 7162 Liberty Centre Dr., Ste A, Liberty Township, OH 45069, introduced himself and provided more details on the recent text amendments and the proposed map amendments and stated it would impact 50 parcels across the Township. Six property owners covering 11 parcels were interested in the change of zoning classification. Mr. Juengling showed the 2013 Liberty Township Comprehensive Vision Plan and said the properties highlighted in black are those affected by this change. Mr. Juengling offered to answer any questions.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Ms. Surber moved to recommend approval of LTZ 17-01, Zoning Map Amendments, RA-1 to R-1 (multiple properties), Liberty Township as presented. Mr. Rumpke seconded the motion. Motion approved 5 – 0.

AYES: Surber, Rumpke, Baker, Potter, Cooney

RESOLUTION#: 17.02

LTZ 17-02: Trustees’ Text Amendment

Liberty Township

Mr. Acuff said there’s another packet of amendments staff received from Liberty Township and are text amendments regulating some additional uses and clarifying some uses within the Township Zoning Resolution. Mr. Acuff said staff recommends approval of the changes with no comments and invited Mr. Juengling to elaborate on the text changes proposed.

Mr. Juengling said these text amendments define some of the uses, and the two main areas of uses and defining those uses include, “Live Sex Act Businesses” in response to the recent sexual encounter businesses which have been in the news lately and staff worked with our legal counsel to make sure it was clearly defined in the resolution and we developed a definition that was all-encompassing. It was determined these uses are not protected under the First Amendment, so we are looking to define that in the Township Resolution and prohibit it in all zoning districts. The second area we looked to define was “Institutional Care Facilities”, spurred by the emerging trend for long term care facilities which are not clearly defined in the Zoning Resolution, which includes but is not limited to hospice, addiction treatment facilities, mental health treatment, and rehab treatment facilities, so we wanted to make sure it was clearly defined and would make those a Conditional Use in our B-2 and O-2 districts; and allowable in PUD districts and would be subject to review in those particular PUDs by our Zoning Commission and Township Trustees. Mr. Juengling offered to answer any questions.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

No questions from the Planning Commission.

Mr. Baker moved to recommend approval of LTZ 17-02 Trustees’ Text Amendments, Liberty Township, as submitted. Ms. Surber seconded the motion. Motion approved 5 – 0.

AYES: Baker, Surber, Rumpke, Potter, Cooney

RESOLUTION#: 17.03

WTZ 17-01: Trustees’ Text Amendments

Wayne Township

Mr. Acuff stated the proposed text amendments presented by Wayne Township are in the Planning Commission binders and highlighted the changes – and reminded the board the majority of these amendments were previously approved by the Planning Commission in December 2014, however it didn't go back to the Trustees level but are bringing it back along with an addition to Section 22.107 regarding height of ground signs will be limited to six feet (6') tall.

Mr. Acuff highlighted staff comments and said staff does recommend approval of the various text amendments for Wayne Township Zoning Resolution subject to staff comments.

No applicant present.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Rumpke moved to recommend approval of WTZ 17-01, Trustees' Text Amendments to Zoning Resolution, Wayne Township subject to staff comments. Mr. Baker seconded the motion. Motion approved 5 – 0.

AYES: Rumpke, Baker, Surber, Potter, Cooney

RESOLUTION#: 17.04

WCTZ 17-01: Keefe Property, Lot 1 (Chick-fil-A)

Major Change to C-PUD
7604 Trailside Drive
Section 18, Town 3, Range 2
West Chester Township

Mr. Acuff showed an aerial image of the property and stated this is a major change to an existing Commercial PUD in West Chester Township. Mr. Acuff showed a plat map of the proposed development of a new Chick-fil-A restaurant and gave details on the proposal. Mr. Acuff highlighted the one staff comment from the County Engineers Office, and subject to that comment staff, does recommend approval.

Applicant, Mr. Allan Wiley, GBC Design, 565 White Pond Drive, Akron, OH, introduced himself and offered to answer any questions from the Planning Commission.

Mr. Rumpke asked if the size of the parking area complies with the size of the building and Mr. Wiley replied yes.

Ms. Surber said looking at the layout of the site, the parking looks inadequate to her based on her experience at other Chick-fil-A traffic and parking.

Mr. Wiley responded and said with the drive thru lanes stacking parallel with Liberty Way on this site you'll enter on Trailside Drive or Outfitters and there will be signs to direct drive-thru traffic to the north and it allows stacking of two (2) drive-thru lanes 'dual order stations and have implemented additional order takers on the outside with computer tablets and will do face-to-face ordering to help speed up the congestion and with peak times, such as lunch time, they will have an outside cash register to keep the flow moving so the only activity at the window will be picking up of food and then leaving. He added 65% - 70% of their business is drive-thru and they know how to get the cars in and out as fast as they can.

Mr. Cooney asked how this space compares to the Chick-Fil-A drive-thru on Tylersville Road.

Mr. Wiley said he does not know but most of them have dual-queuing stations.

Mr. Rumpke described the Tylersville Road operation stating it has a single ordering station and they put a person outside when it gets busy; and they send two (2) lanes around the building. He added that if the applicant thinks it's going to work, then it is going to work.

Ms. Surber asked about the orientation of the building and asked if they will share parking space. Mr. Wiley replied, no, Chick-Fil-A is "self-parking" on the lot.

Mr. Acuff stated there is a lot of parking to the north and his understanding is they will split the lot. Mr. Wiley stated West Chester Township requires them to split the lot.

Mr. Cooney stated his concern is the traffic, and particularly by Trailside Drive and Tyler's Place Boulevard which is already a traffic nightmare and wanted to voice his concerns.

Ms. Surber asked Mr. Acuff if he knew what the original site plan traffic concerns were to which he replied he did not know.

Mr. Wiley commented there is current pavement on the west side of the Mattress building so he didn't think it was planned that way; and Mr. Cooney said this is wasn't what was originally planned. Unknown speaker said it was a restaurant without a drive-thru.

Mr. Tim Dawson, West Chester Township gave some background information on the regional traffic impact study when the Cabela's store was finalized and approved and said he does not recall any additional traffic studies requested by County Engineer's Office for this use.

Mr. Acuff said it was his understanding no new traffic impact studies were requested, but rather to review comments from previous studies and take those into consideration.

Mr. Cooney stated his point of view is this is going to increase traffic from what was originally planned as he does not recall any proposed drive-thru when it originally came through the original study – and added he is not arguing it, just making a point.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Rumpke moved to recommend approval of WCTZ 17-01: Keefe Property, Lot 1 (Chick-Chick-Fil-A), Major Change to C-PUD, 7604 Trailside Drive, Section 18, Town 3, Range 2, West Chester Township subject to staff comments. Mr. Baker seconded the motion. Motion approved 5 – 0.

AYES: Rumpke, Baker, Surber, Potter, Cooney

RESOLUTION#: 17.05

Mr. Brown arrived at 3:25pm.

WCTZ 17-02: Cooper Meadows Self-Storage

R-PUD to C-PUD

9841 Columbus Cincinnati Road

Section 14, Town 3, Range 2

West Chester Township

Mr. Acuff showed an aerial image of the property and said the land owner is requesting a zone change to C-PUD and have stated they can't get any residential activity so they are requesting to change to commercial to allow self-storage use on the site. Mr. Acuff showed a plat map of the project, gave details on the proposed self-storage facility. He stated the Township Land Use Committee met within the past few weeks and determined this proposed use is compliant with their Land Use Plan as a light use retail use; he also stated staff originally recommended denial based on the perspective it did not appear to be compliant with the Land Use Plan, however, based upon the Township's determination that it is consistent with the Land Use Plan, County staff will support the Township's view and recommend approval of the zone change and we do

recommend close scrutiny on the design of it to ensure it blends in with the surrounding residential and to ensure there is adequate screening around it because it backs up to some houses. Mr. Acuff highlighted staff comments and said staff recommends approval.

No applicant present.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Ms. Surber moved to recommend approval of WCTZ 17-02: Cooper Meadows Self Storage, R-PUD to C-PUD, 9841 Columbus Cincinnati Road, Section 14, Town 3, Range 2, West Chester Township subject to staff comments. Mr. Baker seconded the motion. Motion carried 6 – 0.

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

RESOLUTION#: 17.06

WCTZ 17-03: New Life Chapel

R-1 (Suburban Residence) to B-1 (Neighborhood Business)
8643–8671 Cincinnati Dayton Road
Section 22, Town 3, Range 2
West Chester Township

Mr. Acuff stated this is a straight zone change and showed an aerial image of the four (4) vacant residential properties and said the church is looking to rezone the land in order to build a new church on the site and potentially some ancillary businesses. Mr. Acuff showed a plat map of the proposed development, highlighted staff comments, including the County Engineers Office recommendation to rezone it to B-PUD, and said, subject to the staff comments, staff does recommend approval.

Mr. Michael Seeger, Civil Engineer for New Life Chapel, 203 W. Loveland, Loveland, OH introduced himself and said they are working with the applicant to meet West Chester Township’s zoning requirements for the intended land use and the Township has listed this property as being a Neighborhood Business (B-1 use) and he provided more details on the proposed development and stated they are working on the change to allow the applicant the ability to potentially have some out parcels in the future, if the church chooses to do that and to have it match with the Township Land Use Plan.

Mr. Rumpke asked Mr. Seeger how he felt about the recommendation to rezone it to B-PUD and Mr. Seeger replied, being that they will comply with the Township and follow Mr. Dawson’s

recommendation, and we aren't asking to do anything contrary to what zoning allows, we will comply with everything the Township has asked for and we thought going to B-1 would be a more fitting process for the church property and that is what we are going through and working with the Township to match the zoning code.

Mr. Tim Dawson, Township Planner, West Chester Township, 9113 Cincinnati-Dayton Road, West Chester, OH 45069 introduced himself and said he met with the applicant numerous times and they did discuss Commercial Planned Unit Development numerous times trying to make that work for both the client as well as the Township, but in discussions this is the route the applicant chose to pursue, so we did discuss the Planned Unit Development but they chose to rezone to B-1 zoning for where the church will be for the principal permitted use.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Rumpke moved to recommend approval of WCTZ 17-03: New Life Chapel, R-1 (Suburban Residence) to B-1 (Neighborhood Business), 8643–8671 Cincinnati Dayton Road, Section 22, Town 3, Range 2, West Chester Township subject to staff comments. Mr. Potter seconded the motion. Motion approved 6 – 0.

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

RESOLUTION#: 17.07

WCTZ 17-04: Rinck Farm II

B-2 General Business to M-1 Light Industrial
8521 Princeton Glendale Road
Section 10, Town 2, Range 2
West Chester Township

Mr. Acuff showed an aerial image of the property and said this is a rezoning and mentioned a couple of months ago we saw a rezoning of the larger portion (pointed to it on map) from Business to Industrial and we are looking at the eastern portion of the property to the north. Mr. Acuff gave details on the property which the majority is Industrial already and said staff recommends approval without comments.

Mr. Rumpke asked if the corner lot, where the house and barn are located, will remain B-2 and Mr. Acuff replied yes it added it is not part of this zoning.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Brown moved to recommend approval of WCTZ 17-04: Rinck Farm II, B-2 General Business to M-1 Light Industrial, 8521 Princeton Glendale Road, Section 10, Town 2, Range 2 West Chester Township as presented. Mr. Rumpke seconded the motion. Motion approved 6 – 0.

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

RESOLUTION#: 17.07

PRELIMINARY PLATS: None

FINAL PLATS: None

OTHER BUSINESS: None

ADJOURNMENT

Mr. Potter made a motion to adjourn seconded by Mr. Baker. 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

January 10, 2017

Chair

Secretary