

**Butler County Department of Development
Planning Commission
Hamilton, Ohio**



Meeting Minutes

MEETING: Tuesday, April 12, 2011; 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Kevin Cooney, Vice-Chair
Steven Brown
Lynn Nevel
G. Coe Potter

Absent: Shirley Wiant
Christopher Flaig
Joseph Tucker

Staff Present: David Fehr, AICP, Planning Director
Lee Margraf, Administrative Secretary
Kevin Fall, Butler Soil & Water Conservation District
Constance Kepner, Butler County Water & Sewer Department
Eric Pottenger, Butler County Engineer's Office
Ryan Smith, Butler Soil & Water Conservation District

APPROVAL OF MINUTES:

March 8, 2011 Minutes

Mr. Potter made a motion to approve the March 8, 2011 Meeting Minutes as submitted.
Mr. Brown seconded the motion. Motion carried.

AYES: Potter, Brown, Nevel, Bullington

ABSTAINED: Cooney

NAYES: None

ZONE CHANGES:

FTZ11-01, Cincinnati Christian Schools, Inc.

Change from A-1 (Agricultural) to R-PUD (Residential Planned Unit Development)
Fairfield Township

Mr. Fehr showed an aerial image of the property and said this zone change application is for Cincinnati Christian Schools, Inc., located in Fairfield Township and they are requesting a change from the A-1 (Agricultural) to R-PUD (Residential Planned Unit Development) District. A packet was mailed to each of the Planning Commission Board members with the application information.

Mr. Fehr said the property in question is outlined in blue on the aerial and indicated its proximity to Morris Road (left side of image) which runs north to south and indicated where the existing buildings are located toward the south.

Mr. Fehr showed the current Fairfield Township Zoning Map and said this property is color coded green, which is the A-1 District and to the north, east and west is coded yellow which is Residential zoning and then to the south is additional A-1 Agricultural Zoning.

Mr. Fehr showed the Fairfield Township Land Use Plan and said this property is this blue area indicated on the map and the Township's Land Use Plan calls for the property to be public and semi-public in uses, which includes schools, churches, libraries, government facilities and the like.

Mr. Fehr showed the proposed Master Plan for The American Freedom Park provided by the Applicant.

Mr. Fehr passed around a full-sized drawing for the Board members to review up close and said it is the same drawing that was mailed out.

Mr. Fehr showed various aerial photographs, submitted by the applicant, of the property with the proposed project drawings (drawings on one side and aerial image on the other side) as viewed from different angles, including the proposed new additions to the building, and the rerouting of circulation pattern for the school buses and parking, several athletic facilities including a baseball field, football field with running track and additional parking.

Mr. Fehr showed an image to present a better idea as to the topography of the area indicating Morris Road towards the left tending to be on the high side of the property and it lowers in elevation towards Mill Creek on the east side of the property.

Mr. Fehr said the Staff Comments are in the packet and the applicant is here and would like to make a presentation and there are several residents who would like to speak as well and offered to answer any questions the Planning Commission members may have.

Mr. Bradley Adams, VSWC Architects, 414 Reading Road, Mason, Ohio, said he is the applicant and representing Cincinnati Christian Schools, 7474 Morris Road, Hamilton, Ohio, 45011, on this project.

Mr. Adams said they were hired by the school to design a master plan for their future needs and it was a challenging site.

Mr. Adams said there is about 100 feet from Morris Road side all the way to Mill Creek. They were charged with basically four (4) items to address:

1. Future Expansion of existing buildings
2. Site Circulation Improvements and parking on site
3. On-campus Athletic Features
4. Other Site Features – including storm water management, retaining walls as necessary for the new work, improved lighting, new landscaping, and to create the Freedom Veterans Memorial, a tribute to American soldiers

Mr. Adams said they are proposing an additional 24,000 square feet of classroom space. Currently there are about 265 parking spaces on site and this plan shows about 512 spaces. One of the major issues is the traffic circulation on site as there is only one egress/ingress of Morris Road and they are proposing an additional one to remedy the traffic stacking on Morris Road.

Mr. Adams said they propose an entrance drive at the southeast corner and an exit drive in the northeast corner so that allows all of the cars to stack within the site and they have also tried to separate the parent drop off from the bus drop off, which was in front of the old school and they only have eight to ten (8-10) buses so it is not a huge issue. With the change in circulation it was necessary to increase the amount of parking spaces for when they have a large event and it will improve the circulation from Morris Road.

Mr. Adams said the proposed plan includes a new baseball field, a stadium (seats 1,000 spectators) and allows for some future expansion and the field is supposed to be a synthetic field with both a soccer and football configuration as a multi-use field and a running track for field events. The plan calls for a softball field in the northeast corner and with the baseball field there are dug-outs and fences, and all the stuff that normally comes with a field. At the field level there will be a field house (location pointed to on the map) to house locker rooms and restrooms for the players during games as well as equipment storage.

Mr. Adams said the way the site works is the field is level and terraces up the hill and the parking would be at multiple levels and pointed to the locations of the press box and public restrooms.

Mr. Adams said this project is named "The American Freedom Park" and the school has a very strong desire to honor Veteran's and the fight on terrorism and this zigzag configuration will have some sort of gateway memorial. As you traverse the hillside there will be some sort of monument or dedication and this is where the project got its' name from.

Mr. Adams said they are adding a new drive on to Morris Road and there is an existing retention basin up there and we plan on reshaping it and expanding it and there would be additional catch basins (pointed to on map).

Mr. Adams said other improvements would include new landscaping and stadium light poles on the playing fields.

Mr. Bullington asked what the difference is in elevation from the existing school building to the football field area down below.

Mr. Adams said it is approximately 85 feet.

Mr. Bullington asked if there would be retaining walls somewhere in there other than the ones by the stadium.

Mr. Adams said even with the zigzag there are going to be a few, one here, another along this property line and another here (pointed to on the map) and the tallest retaining wall would be about six (6) to seven (7) foot and the lowest would be zero (0) to three (3) feet.

Mr. Bullington said there is a bridge over Mill Creek and asked if that is a foot bridge.

Mr. Adams said yes it is a foot bridge because the property is split by Mill Creek so that bridge would allow them access to the other side where they would use it as a practice field and the bridge would be wide enough for a gator or lawnmower.

Mr. Brown asked the applicant what the basic size is of the detention.

Mr. Adams said a calculation is not clear yet.

Mr. Brown said his concern is with the flow of Mill Creek and will that other detention basin be of any help.

Mr. Adams said the lines here indicate the flood way and the flood plain and we will try to keep all of our new development out of that area.

TESTIMONY IN FAVOR: Dave Musson, 4011 Tolbert Road, Trenton, Ohio

Mr. Dave Musson said he is a Board Member for Cincinnati Christian Schools, and his children are enrolled there.

Mr. Musson said this is a very challenging site to work on and one item is about traffic flow with only one (1) entrance, traffic backs up on Morris Road.

Mr. Musson said neighbors are concerned about it growing so fast, but it will likely take 20 years to complete the project and this is a very long term project, about 20 years.

Mr. Musson said he is aware of the concerns neighbors have about the flood plain issues, lighting issues and traffic issues for this project.

TESTIMONY IN OPPOSITION: Mr. Dan Keith, 7788 Morris Road, Fairfield Township; Mr. David Love, 3776 Schroeder Drive, Mr. Mark Bonert, 7474 Keeneland Drive, Fairfield Township

Mr. Dan Keith said they have been good neighbors and their building is on soil that he donated to the property and he helped flatten the land with his backhoe, but he has a concern for traffic and is already concerned about the amount of traffic they have already and concerns about the proposed new drive will be about 50 feet away from his pool. He is also concerned about the public address system, stadium lights shining in his yard and the headlights shining in his back window from event attendees and can not imagine an expansion including the 1,000 seat stadium.

Mr. Keith said the lower area has a history of flooding and neighbors have had damage to property including pools and sheds from water damage out back there and he is concerned about future flooding.

Mr. Keith said in talking with a realtor and getting an appraisal, he was told the value of his property will go down substantially.

He added that he is not opposed to kids playing but he is very frustrated and pleaded with them not to do this project.

Mr. Keith said the neighbors got together and signed a petition, 180 signatures, of people who are in opposition of this project.

Mr. Bullington thanked Mr. Keith for his time and reminded everyone that this item is to do a zone change to an R-PUD, Residential Area Planned Unit Development, and the architect has laid out the entire facility and you can see the blue lines on the map, they call that a "Blue line Stream" and there are areas around that which are prone to flooding and this development won't stop that because that is happening right now. As this project proceeds, they would add impervious materials, such as black top or concrete where water does not percolate into the soil – they would size that basins so that it holds the proper amount of water – and these three (3) basin may not be large enough, and he can not say today they will or will not, but he has faith in the Soil Conservation District doing their due diligence and checking the calculations at the point of the preliminary plan and also with a PUD, the preliminary plan is subject to change from time to time as they may want to move things or make things a little differently. As far as the drive way, separating it will actually help the traffic because you will not have people coming in and out in a close proximity and also the way they designed the driveway it will work more efficiently by having the buses go around and dropping off in a different area and lastly, he is sure that Morris Road is somewhere on a list for Ohio-Kentucky-Indiana (OKI) Council of Governments to be widened at some point – but who knows how long that is going to be.

Mr. David Love, said he has environmental concerns and lives in the corner lot there and all of that vegetation there behind his house that follows up along the creek has done a lot to protect them from damage when the creek floods and in the flood of 2001 he lost a swimming pool, a lawn tractor, power equipment in his barn and a Camaro that was parked in his front driveway.

Mr. Love showed the Planning Commission a couple of photographs and said he took one last Saturday when the creek was coming up and pictures of the flooding in 2001 and wanted to share them as a reminder.

Mr. Mark Bonert said his property is located at the top of the aerial image (shown) and shared his concern about the proposed stadium light poles and because his property is level with the school he is concerned about how close the project will be to his property and the lights will be shining right above his back deck on Friday nights. He has the biggest stake in all of this because he is surrounded by all of this and Keeneland Drive is 550 feet long and is real short and he put the road in for them so they could get in back there and he has been working with Cincinnati Christian Schools since the get go and they worked out an arrangement but they have never put anything in writing and they did say they would only use this for emergency and delivery but it is not – because it has worked out for them and worked out for us, but if this changes he will have nothing but being blocked in and it will be bad.

Mr. Bonert said someone said they would stay away from the flood zone, and that makes good common sense, but his concern is how close the project will come to his property. Mr. Bonert said he is concerned about the proposed lights, noise, public address system and there being multiple fields.

Mr. Bonert said at one of the meetings with Cincinnati Christian Schools someone asked if these fields will be rented out and they did say yes, and he feels this would mean constant games going on with a stadium that seats 1,000.

Mr. Bonert invited the members of the Planning Commission out to see his property before they make a decision and see how his property would be buried in there.

NEUTRAL TESTIMONY: None

Public portion if this meeting closed.

Mr. Potter asked what the legal description of acreage is.

Mr. Adams replied 31-plus acres.

Mr. Potter said his initial response, and the reason why he asked about the acreage is that he is aware of another development with this type of intensive use with the same concerns and it is on one-hundred (100) acres. His initial look at this is they are putting a lot of stuff in to a site, whether it is a flat site or one with all the contours.

Mr. Potter said he feels the architects comments are certainly appropriate relative to the difficulty in developing this site with this type of intensity – so not only is it intensive use, but it is intensive use on a site that appears to have an awfully lot of problems even prior to putting this on, so he has majors concerns.

Mr. Bullington said he would agree with Mr. Potter, there is a lot going on in the plan and it is a very ambitious plan – they are virtually using every square foot of the property and given that it is a long-term process, primarily because of the monetary component, he is not as concerned about the lighting or the flooding as he is concerned about the noise around the adjacent area he does feel the parking situation would be better.

Mr. Bullington said as far as Mr. Bonert's concerns, he does agree that Mr. Bonert would be land-locked in there.

Mr. Bonert asked how wide the entrance will be – will it be double wide or for one single car.

Mr. Bullington said it appears to be at least two to three (2-3) lanes wide coming in and probably upward where it makes that bend it starts the parking lot and is actually three (3) lanes wide to wherever the drop off point is, that gives the facilities for the buses to go around and not be locked in with the parking.

Mr. Potter said for the sake of information for the people in the audience, if the Planning Commission members are to approve this zone change, it does not mean they are approving this plan; all it says is that a Planned Unit Development (PUD) can be done on this site. Now, one of the reasons why he made the comment that he did, if it does pass this Board for rezoning, his comments are if it comes back to actually get the Planning Commission's approval for the PUD itself, he will not have a very good reaction to this plan and so if it moves through today's process, and through the process of rezoning that is one thing; but then it will have to go through the process of the actual PUD and he would not like for the petitioner to get the impression from him that he would be in favor of this amount of intensive use on it.

Mr. Fehr said this is actually for Fairfield Township so it would be up to their Zoning Commission and their Trustees to do the final approval.

Mr. Bullington said he would like to reiterate Mr. Potter's comments and does not necessarily agree with the proposed plan. The time to address the issues on this plan is at the time of the preliminary plan stage, assuming that it would be approved by Fairfield Township.

Mr. Bullington made a motion to approve the request for a zone change for FTZ11-01, Cincinnati Christian Schools, Fairfield Township. Mr. Nevel seconded the motion. Motion failed.

AYES: Bullington, Nevel

NAYES: Potter, Cooney, Brown

ABSTAIN: none

Resolution: # 11.09

PRELIMINARY PLATS:

Lanes Landing, Section 2
Section 16, Town 3, Range 3
Liberty Township

Mr. Fehr said this property is located in Liberty Township and is a reapproval of an expired preliminary plat. Mr. Fehr showed an aerial view and identified the property (outlined in blue).

Mr. Fehr said Street D is a final plat which will be shown a little bit later on the agenda but this is the overall preliminary Street D, Autumn Oak Drive extending up and eventually connecting to Street F out to Linn Road and there is also a proposed connection to Bahama Drive which is an existing street and one additional cul-de-sac.

Mr. Fehr said staff comments are in the packet and highlighted items #9, 17 and 18.

Mr. Fehr said, Regarding lots 56, 59 and 62 (the thin panhandles) the intent is the existing property owners would want to sell off some of the back of their property to the developer and then they in turn would get access to put future home sites in there at some later date. Liberty Township requires a Variance in order to do that so the way they worded the preliminary is, those panhandle parcels are not approved at this time, but they might be approved if a Variance is granted by Liberty Township, and this will make more sense when you look at the final plat.

Mr. Fehr said staff does recommend reapproval of this expired plat subject to the 19 items in the staff comments.

Mr. Nevel made a motion to approve the preliminary plat for Lanes Landing, Section 2, Section 16, Town 3, Range 3, Liberty Township. Mr. Brown seconded the motion. Motion carried.

AYES: Nevel, Brown, Potter, Cooney, Bullington

Resolution # 11.10

FINAL PLATS:

Woodberry, Block C, Part 1
Section 19, Town 2, Range 3
Fairfield Township

Mr. Fehr said this property is located in Fairfield and showed an aerial map of the area and the property's location in proximity to Hamilton-Mason Road, and the location of the main entrance into the subdivision.

Mr. Fehr said the detention basins have already been installed (during the initial phase) and identified where they are located on the map.

Mr. Fehr said they have met all of the preliminary staff comments and staff does recommend approval subject to bond.

Mr. Bullington asked where the emergency flood route is.

Mr. Pottenger said for the lots they would be on the far north side and pointed to it on the map. He added there is a fairly small channel along these lots that kind of splits between what is being platted to the north which is existing and also the area to the south as well.

Mr. Fehr added the street acts as part of the flood route.

Mr. Brown made a motion to approve the final plat for Woodberry, Block C, Part 1, Section 19, Town 2, Range 3, Fairfield Township, subject to bond. Mr. Cooney seconded the motion. Motion carried.

AYES: Brown, Cooney, Nevel, Potter, Bullington

NAYES: None

Resolution#: 11.11

Lanes Landing, Section 2
Section 16, Town 3, Range 3
Liberty Township

Mr. Fehr said this is for Lanes Landing, Section 2, but this is for final plat approval and they are asking for final plat approval on Street D and once again this is an extension of Autumn Oak Drive, which runs north to south, and that will be stubbed in a future phase and lots will run off of that street and one (1) cul-de-sac street running to the west.

Mr. Fehr showed an aerial image of the property to further explain the request and said the developer is in a time crunch with the home builder and since they were not able to get variances on those panhandles, they have worked out an agreement with Mr. Jon West, Liberty Township, and what they decided to do it is to plat this as one giant lot, which does meet Liberty Township Zoning, so they can get these lots sold to the home builder and meet their time requirement. Once they get approval from Liberty Township we will probably see Lot 56 back again as a replatted lot.

Mr. Potter asked if it would be in this format.

Mr. Fehr replied probably similar to this format, but due to the time crunch, this was a compromised plan worked out between the Township and the developer to keep it on track and staff is fine with this arrangement and does recommend approval subject to bond.

Mr. Bullington said it is no longer Street D and asked is it now Woodmere Court.

Mr. Fehr said that is correct, they did not put a Street name on there so they will have to go back and revise that.

Mr. Nevel made a motion to approve the final plat for Lanes Landing, Section 2, Section 16, Town 3, Range 3, Liberty Township, subject to bond. Mr. Brown seconded the motion. Motion carried.

AYES: Nevel, Brown, Potter, Cooney, Bullington

NAYES: None

Resolution#:11.12

Ross Estates, Section 2, Block C
Section 3, Town 3, Range 2
Ross Township

Mr. Fehr showed an aerial image of the property and said this property is located in Ross Township and is an extension of Schueler Drive and Black Road is just off the screen (pointed to on map).

Mr. Fehr said what they are proposing is that Schueler Drive be extended and have a knuckle, and then point towards the north and loop around and they are only asking for approval on seven (7) lots on the street today.

Mr. Fehr showed a drawing and said this is the existing Schueler Drive, a knuckle and then a stub street and they have met all of the staff requirements, and all stormwater detention was already installed in previous phases and all of the stormwater facilities are downstream. Staff does recommend final approval subject to bond.

Mr. Cooney made a motion to approve the final plat for Ross Estates, Section 2, Block C, Section 3, Town 3, Range 2, Ross Township, subject to bond. Mr. Potter seconded the motion. Motion carried.

AYES: Cooney, Potter, Nevel, Brown, Bullington

NAYES: None

Resolution#: 11.13

OTHER BUSINESS:

None

ADJOURNMENT:

Mr. Nevel made a motion to adjourn. Mr. Potter seconded the motion. 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 by Lee Margraf and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting same and must be prepaid.

Hamilton, Ohio
April 12, 2011

Chair

Secretary

Lee Margraf