



BUTLER COUNTY PLANNING COMMISSION
Butler County Administrative Center
315 High Street, Conference Room #1
Hamilton, Ohio

MEETING MINUTES

MEETING: Tuesday, April 14, 2015, 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Steven Brown
G. Coe Potter
Beth Surber
Shirley Wiant

Absent: David Baker
Kevin Cooney
Bernard "Buck" Rumpke

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

Meeting was brought to order at 3:02 p.m.

APPROVAL OF MEETING MINUTES:

Mr. Potter made a motion to approve the March 10, 2015 draft Meeting Minutes as submitted. Ms. Wiant seconded the motion. Motion approved.

AYES: Potter, Wiant, Bullington

ABSTAIN: Brown, Surber

NAYES: None

ZONE CHANGES:

WCTZC 15-02

West Chester Township Trustees' Zoning Text Amendments

West Chester Township

Mr. Acuff said The West Chester Township Trustees have reviewed their Zoning Resolution and have submitted their comprehensive package with text revisions and Mr. Michael Juengling, West Chester Township, is here to provide more detail on the text amendments. Mr. Acuff said county staff has reviewed the text amendments and has no comments except one; a section pertaining to parking spaces to allow a two-foot landscape section in front should allow for adequate storm water infiltration.

Mr. Juengling, Director, Economic Development at West Chester Township gave background history of the Township's Zoning Resolution as well as hitting the highlights to the submitted Executive Summary of the proposed text amendment changes to allow to do an overhaul to the code to make it more customer- and business-friendly and to clean up any inconsistencies or issues that were before the Township and streamline it where possible. .

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Potter made a motion to recommend approval for the West Chester Township Trustees' Zoning Text Amendments, West Chester Township as presented. Mr. Brown seconded the motion.

AYES: Potter, Brown, Surber, Wiant, Bullington

NAYES: None

RESOLUTION #; 15.15

WCTZ 15-03

White House Landominiums (Major Change to R-PUD)

Section 3, Town 2, Range 2

West Chester Township

Mr. Acuff gave details on the proposed development and modification to the existing Planned Unit Development (PUD) and showed an aerial image of the property formerly known as the White House Restaurant. Mr. Acuff gave some background history on the property and showed a plat map of the area and highlighted staff comments and said staff does recommend approval of the proposed development as presented subject to staff comments.

Applicant, Mr. Patrick Merten, 500 Wessel Drive, Suite 2B, Fairfield, Ohio, introduced himself and said he is here representing the owner of White House LLC, and gave more details on the history of the property as well as the proposed development and modifications to develop landominiums as the restaurant business there just is not feasible. Mr. Merten said the proposed development does

conform to the Land Use Plan as does the density is within the PUD standards. Mr. Merten said he does not know how the phases of this project will evolve or how long the restaurant will be open prior to development and offered to answer any questions.

Ms. Surber asked Mr. Merten what the anticipated price point will be and Mr. Merten replied under \$200,000.00 but that figure is not confirmed at this time.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL COMMENTS: None

Mr. Brown made a motion to recommend approval of WCTZ 15-03, White House Landominiums (Major Change to R-PUD), Section 3, Town 2, Range 2, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried.

AYES: Brown, Wiant, Potter, Surber, Bullington

NAYES: None

RESOLUTION #: 15.16

WCTZ 15-04

Lexie's Place, 7148 Cincinnati-Dayton Road, (A-1 to R-PUD)

Section 24, Town 3, Range 2,
West Chester Township

Mr. Acuff presented an aerial image of the 5.4 acre parcel for the proposed 12 lot subdivision with a single new street coming off Cincinnati- Dayton Road as a cul-de-sac. Mr. Acuff showed a plat map of the property and highlighted staff comments and concerns and said for those reasons and for non-conformance with the West Chester Township Land Use Plan staff recommends denial of the project submitted.

Applicant, Mr. Joe Allen, Civil Engineer, Development Planning, 3400 Werk Road, Cincinnati, Ohio, gave more detail on the proposed building and the developer, and said they owner of the property, the African church had plans to build a church there but that did not work out. He said they now want to sell the property and he understands they must submit a traffic study and said it is done all of the time where this was approved for a church it would have had substantially more traffic and should be considered; and the owners tried to line it up with Fox Run Drive as staff had recommended but Mr. McFarren by the owners where not interested at the time.

Mr. McFarren provided more details on the proposed dwellings and the building development. He added he feels it fits in nicely with the area.

Mr. George McFarren, McFarren Construction, 1562 Jacks Way, Cincinnati, OH 45233, gave further details of the proposed development with homes in the lower \$400,000.00 to \$600,000.00 price range.

He said he discussed the alignment with Fox Run with the property owner to the north and was denied even though he made every effort possible but was denied. He described the open space, the composition of the homes (brick & stone, no vinyl siding) and he feels it will be a nice addition to the community.

TESTIMONY IN FAVOR: Pastor Ronald Eskridge, St. Paul African Methodist Episcopal Church, 6436 Windwood Drive, West Chester Township

Pastor Eskridge said he has been pastor at St. Paul's African Methodist Episcopal Church since 2012 and gave some background on this property which the church purchased back around 2002 and said God moved them to Fairfield so now they worship in Fairfield and as a result all of their activities focus and ministries are in Fairfield and he is in favor of this and feels it would be the best use of the property and for West Chester Township.

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Potter said if this develops it appears the street to the north would be what the traffic would go out – and the property to the north will likely be developed and he wondered how that will be and asked what the Butler County Engineers Office (BCEO) thinks about this and is it the lesser of the two (2) evils.

Mr. Acuff said if this mirrors the property to the north it would create four streets in less than 1,000 feet.

Mr. Pottenger, BCEO, agreed with Mr. Potter - this is the lesser of two (2) evils and his office did not recommend approval and they feel the two (2) property owners must work together on this.

Ms. Surber asked if Cincinnati-Dayton Road is currently two (2) lanes there.

Mr. Pottenger replied and said yes it is two (2) lanes there then three (3) lanes to the north and five (5) to the south.

Mr. Surber said at some point that will have to be widened and doesn't see much opportunity for that either.

Mr. Potter said his concern is the West Chester Land Use Plan with the larger size lot required, this is going to be a PUD and if they could make these lots a little larger or something to come closer to accommodating the master Land Use Plan and if they could give access to the north he doesn't know what else could be done to try and facilitate the disposition of this property for the owners and it is unfortunate they can't work it out especially at Fox Run Drive issue as it is the largest issue at hand.

Mr. Allen said they did talk to Mr. McFarren, and he said he was not interested in selling or developing but he did agree that we could come in and provide a stub and we'd lose some land there but would be willing to do that with the Planning Commission's blessing.

Mr. Potter said of course these issues can be decided at the final PUD hearing as opposed to a zoning hearing.

Mr. Bullington said the other issue is that it doesn't comply with West Chester Township's Land Use Plan.

Mr. Potter commented it will never completely fit the mold exactly as far as the traffic is concerned and it will not work perfectly ever and it will eventually be developed and we'll have too much density and don't have the stub to the north – so is this the point we turn it down. This is not a PUD etched in stone it is a concept for the rezoning and he feels they are operating in good faith but will have and this is the time that it can get some access to the north and is probably the best time to address the traffic issues to the north.

Ms. Surber said she sees that as a whole different plan.

Mr. Potter made a motion to recommend denial of WCTZ 15-04, Lexie's Place, 7148 Cincinnati-Dayton Road, (A-1 to R-PUD, West Chester Township as submitted. Mr. Surber seconded the motion. Motion carried unanimously.

AYES: Potter, Surber, Brown, Wiant, Bullington

RESOLUTION #: 15.17

LTZ 15-04

Winding Creek/Carriage Hill

Rezoning (A-1 to R-PUD) and Major Change to Planned Unit Development

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff said this is a two-part case; a zone change from A-1 to R-PUD and then an overall modification for Carriage Hill. Mr. Acuff showed an aerial image of the property and said it is being incorporated in to overall PUD for Carriage Hill. Mr. Acuff showed a plat map of the area and highlighted staff comments and said staff does recommend approval subject to the staff comments.

Applicant, Mr. Richard Arnold, McGill, Smith, Punshon, said they have reviewed staff comments and asked for clarification on item #6 and once they confirm that they concur with staff comments.

Mr. Acuff said yes that is our standard flood plain regulations.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Brown made a motion to recommend approval of LTZ 15-04, Rezoning (A-1 to R-PUD) and Major Change to Planned Unit Development, Section 2, Town 2, Range 3, Liberty Township subject to staff comments. Ms. Wiant seconded the motion. Motion carried unanimously.

AYES: Brown, Wiant, Potter, Surber, Bullington

RESOLUTION #: 15.18

PRELIMINARY PLATS:

Winding Creek/Carriage Hill, Section Ten

Section 2, Town 2, Range 3
Liberty Township

Mr. Acuff showed an aerial image and plat map of the area and said it was an extension of the previous Section Six. Mr. Acuff showed a concept plan with zoning boundaries and said staff does recommend approval subject to staff comments which he highlighted.

Mr. Potter made a motion to approve the preliminary plat for Winding Creek/Carriage Hill, Section Ten, Section 2, Town 2, Range 3, Liberty Township, subject to staff comments. Mr. Brown seconded the motion. Motion approved unanimously.

RESOLUTION #: 15.19

Request for Sidewalk Waiver

Winding Creek/Carriage Hill, Section Ten

Section 2, Town 2, Range 3
Liberty Township

Mr. Acuff this is the Carriage Hill sidewalk styles– six foot (6') sidewalks on one (1) side of the street but not on the other, four foot (4') sidewalks on the cul-de-sacs and there are no sections of the off-road path system in this section and this is their standard design of sidewalks and they are asking for the same in this section of development.

Ms. Wiant made a motion to approval the request for a sidewalk waiver for Winding Creek/Carriage Hill, Section Ten, Section 2, Town 2, Range 3, Liberty Township as presented. Mr. Potter seconded the motion. Motion carried.

AYES: Wiant, Potter, Brown, Surber, Bullington

RESOLUTION #: 15.20

Villages of Providence, Section Four

Section 11, Town 2, Range 2
West Chester Township

Mr. Acuff showed an aerial image and plat map of the area and highlighted staff comments and said staff recommends approval of the preliminary plat subject to staff comments and Township requirements and state with regard to open space, the Township has stated the large open space area needs to be tied to one or more buildable lots and cannot stand alone as this is not a PUD and must be tied to at least one (1) house.

Mr. Potter asked how large the open space is and is there some way they can solve that – and someone is going to have to maintain that and must be allocated as to who will maintain it and is a large area.

Mr. Jeff Hayes, Applicant and owner of EDZ Investments, 7200 Daleview Road, Cincinnati, Ohio, said he is representing the owner and their intention is to make it part of a Home Owners Association (HOA) and it still will have an easement over it to be maintained by a HOA and they did not know it was a Township regulation and they will work with the Township on this.

Mr. Potter asked Mr. Hayes if they feel comfortable tying it to one or more parcels and Mr. Hayes replied yes and they can address it.

Mr. Potter asked about the open space and who will maintain it. Mr. Acuff replied the 43 acres of open space

Ms. Surber made a motion to approve the preliminary plat for Villages of Providence, Section Four, Section 11, Town 2, Range 2, West Chester Township, subject to staff comments. Mr. Brown seconded the motion. Motion approved unanimously.

AYES: Surber, Brown, Potter, Wiant, Bullington

NAYES: None

RESOLUTION #: 15.21

Market Place

Section 11, Town 2, Range 2
West Chester Township

Mr. Acuff said this is a preliminary plat for a commercial development and he showed an aerial map of the area as well as a plat map of the proposed new commercial lot (Lot 1) and the remainder of the property would be Lot 2, with private streets inside. Mr. Acuff said he met with the developer yesterday and came back with a revised plan which addresses most of the staff comments raised and staff recommends approval subject to the remaining staff comments.

Mr. Potter made a motion to approve the preliminary plat for Market Place, Section 11, Town 2, Range 2, West Chester Township subject to staff comments. Mr. Brown seconded the motion. Motion passed unanimously.

AYES: Potter, Brown, Wiant, Surber, Bullington

NAYES: None

RESOLUTION#: 15.22

FINAL PLATS:

Market Place, Section One

Section 11, Town 2, Range 2
West Chester Township

Mr. Acuff reintroduced this property as seen under Preliminary Plats and said this is the final plat for the lot labeled Section One, a 3.09 acre parcel for a childcare-type business and said staff comments have been revised since the revised plans were submitted and staff does recommend approval subject to the revised list of staff comments.

Mr. Brown made a motion to approve the final plat for Market Place, Section One, Section 11, Town 2, Range 2, West Chester Township subject to staff comments. Ms. Wiant seconded the motion. Motion passed unanimously

AYES: Brown, Wiant, Surber, Potter, Bullington

NAYES: None

RESOLUTION#: 15.23

Streets of West Chester, Replat Lots 10 & 12

Section 27, Town 3, Range 2
West Chester Township

Mr. Acuff showed an aerial image of the property and said this is the combination of two (2) lots to form five (5) new commercial lots on a little over 42 acres. This is not the Bass Pro Shop parcel this is the land between Bass Pro Shop and Barnes & Noble. Mr. Acuff showed a plat map of the split of various sized lots. Mr. Acuff highlighted staff comments and said staff recommends approval subject to those staff comments.

Ms. Wiant made a motion to approve the replat for Streets of West Chester, Lots 10 and 12, Section 27, Town 3, Range 2 subject to staff comments. Ms. Surber seconded the motion. Motion carried.

AYES: Wiant, Surber, Potter, Brown, Bullington

NAYES: None

RESOLUTION#: 15.24

Townhomes at Four Bridges, Phase IV-C

Section 8, Town 2, Range 3

Liberty Township

Mr. Acuff showed an aerial image of the property and said this is 24 lots on 7.3 acres showed a plat map of the property, including a private street. A revised plat was submitted and addressed numerous staff comments with a few remaining staff comments to be completed and subject to those staff comments staff does recommend approval.

Mr. Brown made a motion to approve the final plat for Townhomes at Four Brides, Phase IV-C, Section 8, Town 3, Range 3, Liberty Township per staff comments. Ms. Wiant seconded the motion. Motion carried.

AYES: Brown, Wiant, Surber, Potter, Bullington

NAYES: None

RESOLUTION#: 15.25

Knolls of Aspen Trails, Block A

Section 4, Town 2, Range 3

Liberty Township

Mr. Acuff showed an aerial map and a plat map of the property and said this is for 20 new residential lots on a little over ten (10) acres just east of Kyles Station. They are proposing 20 new lots in the subdivision and highlighted staff comments. Mr. Acuff said staff does recommend approval subject to compliance of staff comments.

Mr. Bullington made a motion to approve the final plat for Knolls of Aspen Trails, Block A, Section 4, Town 2, Range 3, Liberty Township per staff comments. Mr. Potter seconded the motion. Motion carried.

Ms. Etta Reed, Bayer Becker, 6900 Tylersville Road, Fairfield, Ohio, said this has been previously submitted, tabled and revised for resubmission and she gave a brief history of the property and said they are creating a second entrance to align with Creekside Meadows Drive.

Mr. Acuff said the correct layout is in the Board members' packets however an older layout was contained in the overhead projection here today and apologized.

Mr. Bullington made a motion to approve the final plat for Knolls of Aspen Trails, Block A, Section 4, Town 2, Range 3, Liberty Township subject to staff comments. Mr. Potter seconded the motion. Motion carried.

AYES: Bullington, Potter, Wiant, Surber, Brown

NAYES: None

RESOLUTION#: 15.2

Winding Creek/Carriage Hill, Section 6-A (Replat)

Section 27, Town 3, Range 2
Liberty Township

Mr. Acuff showed an aerial image and plat map of the property and said this is a replat of two (2) lots in Section 6 and said they are requesting the boundary line be shifted a bit and make the house lot a bit larger which will reduce the open space lot at the same time and the lot numbers have been revised. Mr. Acuff highlighted staff comments and said subject to them staff does recommend approval of the replat.

Mr. Brown made a motion to approve Winding Creek/Carriage Hill, Section 6-A (Replat), Section 27, Town 3, Range 2, Liberty Township subject to staff conditions. Ms. Surber seconded the motion. Motion carried.

AYES: Brown, Surber, Wiant, Potter, Bullington

NAYES: None

RESOLUTION#: 15.26

Walden Ponds Section 14, Block A

Section 20, Town 2, Range 3
Fairfield Township

Mr. Acuff showed an aerial map of the property and said this is half of the remaining section of Walden Ponds, 25 lots on 7.5 acres. Mr. Acuff reviewed staff comments and said staff recommends approval subject to the staff comments and upon receiving final approval of the PUD from Fairfield Township.

Mr. Potter applauded the “eyebrows” component in the design of the layout from a real estate marketing aspect.

Ms. Wiant made a motion to approve the final plat for Walden Ponds Section 14, Block A, Section 20, Town 2, Range 3, Fairfield Township subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Surber, Potter, Bullington

NAYES: None

RESOLUTION#: 15.27

Menard’s Crossing – Replat of Lot 8898

Section 25, Town 2, Range 3
Fairfield Township

Mr. Acuff showed an aerial image and a plat map of a single five (5) acre lot to be split in to two (2) pieces and stated all easements seen here already exist and said staff does recommend approval of the replat subject to a few minor staff comments.

Ms. Wiant made a motion for approval of the replat of Menard's Crossing, Lot 8898, Section 25, Town 2, Range 3, Fairfield Township subject to staff comments. Mr. Brown seconded the motion. Motion carried.

AYES: Wiant, Brown, Potter, Surber, Bullington

NAYES: None

RESOLUTION #: 15.28

OTHER BUSINESS:

None

ADJOURNMENT

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

Hamilton, Ohio
April 14, 2015

Chair

Secretary

Lee Margraf
