



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING:

Tuesday, April 9, 2013, 3:00p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Kevin Cooney, Vice-Chair
Tom Barnes
Steven Brown
G. Coe Potter
Shirley Wiant

Absent: Lynn Nevel

Staff present: Peter Z. Acuff, Planning Administrator
Lee Margraf, Administrative Secretary, Dept. of Development
Amy Cameron, Butler Soil & Water Conservation District
Kevin Fall, Butler Soil & Water Conservation District
Constance Kepner, Water & Sewer Department
Eric Pottenger, Butler County Engineers Office

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

APPROVAL OF MINUTES:

March 26, 2013 Minutes

Mr. Potter made a motion to approve the January 8, 2013 Meeting Minutes as submitted. Mr. Barnes seconded the motion. Motion carried.

AYES: Potter, Barnes, Brown, Bullington

ABSTAIN: Cooney

NAYES: None

Ms. Wiant arrived at 3:05p.m.

PRELIMINARY PLATS:

**Chamberlain Subdivision
Sections 17 & 18,
Section 32, Town 4, Range 3
Hanover Township**

Mr. Acuff showed an aerial image of the property and said this is the same property that we looked at back in December which was tabled at that point to resolve some issues and now it is back for review this month.

Mr. Acuff indicated where the property is located and said the proposal is for 15 new residential lots along a new public street to be constructed and he highlighted some of the changes from the last time this was presented to the Planning Commission.

Mr. Acuff highlighted staff conditions, including drainage report issues, street improvements necessary and the requirement to mark the capacity of each main and reserve septic field on the final plat, and said this is a tricky site for onsite septic at best but is feasible and staff does recommend approval of this preliminary plat.

Mr. Potter asked Mr. Acuff if there is any consideration about the end of the street relative to the ability to turn around.

Mr. Acuff replied there is a note in the staff report for them to create a temporary turn-around easement at the end.

Mr. Bullington asked approximately how much compacted fill would be put in the roadway area.

Mr. Eric Pottenger, Butler County Engineers Office, said they do not have construction drawings yet so he can't say.

Mr. Cooney made a motion to approve the preliminary plat for Chamberlain Subdivision, Section 17 & 18, Town 4, Range 3, Hanover Township as submitted and subject to staff conditions. Mr. Brown seconded the motion. Motion approved 6 – 0.

AYES: Cooney, Brown Wiant, Potter, Barnes, Bullington

NAYES: None

RESOLUTION: # 13.14

**Madison Estates
Section 22, Town 3, Range 3**

Liberty Township

Mr. Acuff showed an aerial image of the property and described its location and said this is a preliminary plat that was approved back in 2009 and is due to expire in June 2013 so they brought it before us seeking re-approval for a five (5) year extension on the plat.

Mr. Acuff showed a plat map of the property and said it is a fairly straight forward plat proposing 47 lots and stubs out to the south and the east and to the west. They are proposing to have a sanitary lift station here to connect out to Hankins Road.

Mr. Acuff touched on the high lights of the staff report and said they do not know if there is drain tile out there and there are a lot of small streams in it so they are assuming there is drain tile and must be confirmed prior to construction to have that tile removed. Mr. Acuff said street improvements and sidewalks need to be in accordance with Butler county standards and specifications including use of five foot (5') sidewalks instead of the previous standard of four foot (4') wide sidewalks or ask for a waiver. Mr. Acuff said staff does recommend approval subject to staff comments.

Mr. Bullington asked if the staff is requiring five foot (5') sidewalks as none of the subdivision has been started.

Mr. Acuff said that is correct. He added the previous waivers of sidewalk width that have been approved came for later sections in subdivisions where previous sections were already built and done, however this would require the current standard of five foot (5') sidewalk width.

Ms. Etta Reed, Bayer & Becker, 6900 Tylersville Road, West Chester Township, said she has a question with regard to the five foot (5') sidewalk requirement, it was our understanding that as long as they had a preliminary plat that was current and remains current, they could follow the old typical section, such as the four foot (4') walk, no under drains under the pavement, and if they were to ever let the preliminary plat expire, at that point they would be required to follow the new Subdivision Regulations, and we would like clarification on that.

Mr. Pottenger said that is a practice we have been using for the roadway standards, and he knows the Townships have been requiring the five foot (5') walks and our comments are usually once the preliminary expires that a new upgrade to the new standards is done.

Ms. Reed said they want to make sure they are on the same page and confirm what they are required to do.

Mr. Acuff told Ms. Reed he would look into that.

Mr. Bullington made a motion to approve the re-approval of preliminary plat for Madison Estates, Section 22, Town 3, Range 3, Liberty Township including staff conditions. Mr. Potter seconded the motion. Motion carried 6 – 0.

AYES: Bullington, Potter, Barnes, Brown, Cooney, Wiant

NAYES: none

RESOLUTION#: 13. 15

**Lakota Woods
Section 16, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial image of the property for this preliminary plat and indicated the location of the property in Liberty Township and said the first phase for Lakota Woods has already been approved and they submitted this month for final approval for phase two and after research the preliminary plat had expired a few years ago so we have a re-approval of the preliminary plat and the next agenda item will be the final for Section Two.

Mr. Acuff showed the plat made of the original proposal for Section Two and said a number of the staff comments were minor issues to be resolved by the final plat of which they have been resolved and making sure that when the next section comes through the notes are there. Mr. Acuff said since the previous plat has expired the subdivision will need to meet current Subdivision Regulations and we will work with the Engineers Office to figure out what that is going to look like based on there being existing construction. He added that staff does recommend approval subject to the conditions listed.

Mr. Brown made a motion to approve the preliminary plat for Lakota Woods, Section 16, Town 3, Range 3, Liberty Township subject to staff conditions. Mr. Cooney seconded the motion. Motion carried 6-0.

AYES: Brown, Cooney, Barnes, Potter, Wiant, Bullington

NAYES: None

RESOLUTION #: 13.16

FINAL PLATS:

**Lakota Woods Section 2,
Section 16, Town 3 Range 3
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is the final plat for Lakota Woods, Section Two, and is the eastern portion of Lakota Woods up against Cincinnati-Dayton Road and is just shy of 16.5 acres and they are proposing 25 new lots and the layout is straight forward and there are notes on the plats no driveway access to Linn Road or Cincinnati-Dayton Road and there was a comment from Liberty Township there is a Board of Zoning Appeals decision regarding a landscape and mounding easement along Cincinnati-Dayton Road frontage and must be recorded as part of the record plat and the 20 foot landscape and mounding easement for lots 38 through 50 and any changes to that will need approval from Liberty Township's Board of Zoning Appeals Also, they've required a soil compaction test for lots 44 and 45; and there is an old pond on the site and staff wants to make sure things are filled in properly before the sites are constructed there and staff does recommend approval for this subject to staff conditions.

Ms. Wiant made a motion to approve the final plat for Lakota Woods, Section Two, Section 16, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Brown seconded the motion. Motion carried 6-0.

AYES: Wiant, Brown, Potter, Cooney, Barnes, Bullington

NAYES: None

RESOLUTION #: 13.17

**The Streets of West Chester, Replat of Lots 57 & 65
Section 27, Town 3, Range 2
West Chester Township**

Mr. Acuff showed an aerial image of the property and said this is on the east side of Route 75 in West Chester Township. The replat presented today is for the next section of townhome lots and there are five (5) lots here, five (5) lots over here and is a fairly straight forward replat. The Township has noted that it is consistent with the approved PUD plan; Water & Sewer platting fees are due and reviews fees are due, but other than that Staff does recommend approval subject to staff comments.

Mr. Bullington made a motion to approve The Streets of West Chester, Replat of Lots 57 & 65, Section 27, Town 3, Range 2, West Chester Township subject to staff conditions. Ms. Wiant seconded the motion. Motion carried 6 – 0.

AYES: Bullington, Wiant, Barnes, Potter, Cooney, Brown

NAYES: None

RESOLUTION #: 13.18

ZONE CHANGES:

WCTZ 13-01

Group Health Associates (Baumhower Property)
R1-A to C-PUD
West Chester Township

Mr. Acuff showed an aerial image of the property being considered for a zone change and noted its proximity to State Route 747 and Tylersville Road in West Chester Township.

Mr. Acuff said this property came before the Planning Commission a couple months back before the proposed Kroger is on the hiatus for now and this is just south of the proposed Kroger site and the proposal for this parcel is to rezone it to a commercial PUD to permit construction of a

two-story medical office building with a future expansion site back to the east here (pointed to on map). Staff has reviewed this and is generally in favor of it with the staff comments provided, of which he highlighted a few of them. Mr. Acuff said staff does recommend approval.

Mr. Bullington asked, regarding the ODOT (Ohio Department of Transportation) Traffic Study, does this not need that.

Mr. Acuff asked Mr. Bullington if he meant the traffic study for the property to the north – he does not know how much this property was considered in that traffic study and does not know if there would be something separately required.

Mr. Jay Smith, with Duke Realty Corporation, 4555 Lake Forest Drive, Suite 400, Cincinnati, Ohio, said they are the developer of the property and have actually done a separate traffic study just for this specific parcel and submitted that to ODOT for approval and he believes the site plan that you see here was incorporated in the original study for Kroger but since that development is no longer being considered, we did a separate study and gave it directly to ODOT for approval and we are hoping to get that approval by the end of this week.

Mr. Bullington asked Mr. Smith if he is the applicant as well.

Mr. Smith replied yes, we are the developer, will be the owner of the facility and Group Health Associates will be our tenant and he has a representative from Group Health that is here today if you have any questions about the services that they will provide.

Unknown speaker said what they are proposing here is a 50,000 square foot development that is expandable by 20,000 square feet and has access on the north end of the property at a future signalized intersection. Currently, the traffic study that was submitted has that as being unsignalized, and we are hoping to work out a situation with ODOT that we can get a traffic signal warranted based upon their 50,000 square feet if and when the property to the north is developed and our anticipation is that we would coordinate with that developer and a signal would likely be warranted at that point. We are also in discussions with the property owners to the south of this, to allow us to have access to his driveway and that driveway is a right-in/right-out and is really a secondary access for us and that is where we have our services are located on that side of the building. This speaker said he had spoken with the developer for the property to the east of this, name and company name inaudible, and we do have a revised plan that submitted that has some additional green and buffering and he also had some concerns about lighting and signage on the east face of the building and he believes they have addressed those concerns and will continue to work with the Township.

This same speaker said the County Engineers' office has recommended that we take the access drive and shift it completely to the east side of the property and we feel this is a more appropriate location for that driveway and do not feel there will be significant cut-through traffic in the development and the property to the south of us has access to another traffic signal to the south and the property that is north of this will have access to a traffic signal to the north property line so there really is not a significant reason for traffic to be cutting through the development. He added there was some discussion about the sidewalks through the site as well, and we do have sidewalk out on State Route 747 and feel we have addressed the pedestrian traffic on the site and will continue to have discussions with the Township as far as those issues relative to the site.

Mr. Jim Kliengers, Kleingers Group, 6305 Centre Park Drive, West Chester Township, Ohio, said they are the engineers, surveyors and planners for this development, and said they feel this is an appropriate transitional use for the commercial property to the house and also the CPUD across the road to the west and we recommend approval.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Comments: None

Mr. Brown made a motion to approve the zone change for WCTZ 13-01, Group Health Associates (Baumhower Property), R1-A to C-PUD, West Chester Township as submitted and subject to staff comments. Ms. Wiant seconded the motion. Motion carried 6 – 0.

AYES: Brown, Wiant, Barnes, Potter, Cooney, Bullington

NAYES: None

RESOLUTION#: 13.19

STZ13-01
Caden's Cover LLC
A-1 to B-3
St. Clair Township

Mr. Bullington stated St. Clair Township has withdrawn this case at this time so this will not be heard today.

ADJOURNMENT:

Mr. Barnes made a motion to adjourn, seconded by Ms. Wiant. 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 9, 2013

Chair

Secretary

Lee Margraf
