

**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**



MEETING: Tuesday, October 9, 2012; 3:00 p.m.

ROLL CALL:

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

Absent: Tom Barnes
Lynn Nevel

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

APPROVAL OF MINUTES:

August 14, 2012 Meeting Minutes

Mr. Potter made a motion to approve the September 11, 2012 Meeting Minutes as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Brown, Cooney, Bullington

NAYES: None

September 11, 2012 Meeting Minutes

Mr. Brown made a motion to approve the August 14, 2012 Meeting Minutes as submitted. Mr. Cooney seconded the motion. Motion carried 5-0.

AYES: Brown, Cooney, Potter, Wiant, Bullington

NAYES: None

ZONE CHANGES:

WCTZ 12-01

Crossings of Beckett

**R-1A to C-PUD (Suburban Residential to Commercial Planned Unit Development)
West Chester Township**

Mr. Acuff said this is a rezoning case for a little over 35.5 acres on the corner of State Route 747 and Tylersville Road in West Chester Township. The applicant is requesting rezoning from Suburban Residential to Commercial PUD and has been referred to this Board by West Chester Township for our comments and recommendations back to the Township.

Mr. Acuff showed an aerial image of the property and the plan view along with a proposed site plan for developing a new Kroger Marketplace with nine (9) outlots along the road frontage and a 5-acre parcel for development in a future phase as well as a Kroger Fuel Center down in the bottom right corner of the map.

Mr. Acuff showed a plan view and said staff has reviewed this and staff comments were mailed to each Board member for review and are also in the packets. Mr. Acuff highlighted some of the staff comments, including but not limited to traffic flow concerns, and said staff does recommend approval of this rezoning request subject to staff conditions.

Mr. Tim Burgoyne, Site Acquisition and Development Director, Silverman and Company, Inc. 9545 Kenwood Road, Suite 401, Cincinnati, OH 45242 introduced himself and said they are very pleased and very excited about the development in West Chester and they are asking for the zone change for property that sits on 35.7 acres and will consist of 133,000 sq. ft. Kroger Marketplace that will feature a pharmacy, bank with drive up facilities, a Fred Meyer Jewelers store and a Kroger Fueling Center out at the entrance.

Mr. Burgoyne said the project will be developed in two (2) phases and the first phase will include the Kroger Marketplace, the fueling center and three (3) outparcels, Drive C south and also include a proposed exit to rear to Beckett Road. In Phase 2 there will be additional outparcels and everything north.

Mr. Burgoyne said they have a traffic study underway, with Bayer Becker in charge of that, and all that data has been sent to Columbus and the development will be subject to Ohio Department of Transportation's and Butler County's recommendations.

Mr. Burgoyne said they are working with the property owner to the south about access. Mr. Burgoyne said as far as the fueling center goes, Kroger has designed this and they build these fueling centers all over the place and are very, very careful to review how the fueling trucks get in and out, the traffic, and said he is very confident that the fueling center will function very well and they are very good at it and they want to avoid congestion and traffic in and out of the store. He added they expect all outlots to be accessed from the rear drive.

Mr. Burgoyne said he met with the County almost a year ago about the riparian area and the stream and we are working with them on natural plantings to improve the situation and to avoid erosion.

Mr. Bullington asked if there are any provisions for retention or detention.

Mr. Burgoyne said Phase 1 will be here (pointed to on map) and Phase 2 will be in this area (pointed to) and we are leaving this area open. He added that Phase 2 will comply with all of the C-PUD Requirements and it will really be market driven but we have adequate room in Phase 2 to provide additional detention and we will do best practices.

Mr. Bullington said if he reads this right, Drive D will be part of Phase 1.

Mr. Burgoyne replied yes, that is part Phase 1, but once you get to the east property line; this is actually not part of the zone change. We met with the Township and they want the road and everyone thinks it makes sense, otherwise coming up Beckett Road you would need to make three (3) left turns to get into the place but they prefer the property not be rezoned commercial because they want to maintain the residential zoning along here and we're also working with them to add access to the private drives so the residential people could have access and do their shopping without having to get out on the road, but that property to the south is not part of the zone change and will remain under R-1 zoning.

Mr. Bullington asked if that would be installed as Phase 1.

Mr. Burgoyne replied yes.

Mr. Brown asked if he understands this, there is going to be access provided to that lot to the south.

Mr. Burgoyne said the property right now is under contract to be developed and we are working with both the Township and with the developer to create an easement.

Mr. Brown asked if Kroger is aware of the additional traffic flow from that or do they have any idea how much traffic there will be there.

Mr. Burgoyne said we took the proposed use and included that in our traffic study so it is included, and we cannot guarantee that that is what is actually going to go there because we don't own the property, but it is an intense-enough use that it should work for something else instead, and we included those numbers in our analysis, but that is for them to say not him.

Mr. Brown asked Mr. Burgoyne if he knew where about that would come in.

Mr. Burgoyne said they are still working on that and they have actually installed two (2) left-turn lanes so that it doesn't get backed up and they are very concerned that traffic functions properly in and off the development and internal circulation as well.

TESTIMONY IN FAVOR: None

TESTIMONY IN OPPOSITION: None

NEUTRAL TESTIMONY: None

Mr. Potter made a motion to approve WCTZ 12-01, Crossings of Beckett, R-1A to C-PUD (Suburban Residential to Commercial Planned Unit Development), West Chester Township subject, to staff conditions. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Brown, Cooney, Bullington

NAYES: None

RESOLUTION #: 12.54

WCTZ 12-02

**Cascades at Union Centre
CBD/C-PUD to SP-PUD (Central Business District/Commercial Planned Unit
Development to Special Purpose Planned Unit Development)
West Chester Township**

Mr. Acuff said this is another rezoning request in West Chester Township and is 5 ½ acres down off of Union Centre Boulevard just across from West Chester Library.

Mr. Acuff showed an aerial image of the property and said the proposal is to rezone the property from Central Business District/Commercial Planned Unit Development to Special Purpose Planned Unit Development, primarily for the purpose of including residential and retail space.

Mr. Acuff showed the proposed site plan which includes a four-story residential building with retail space on the first floor in the northeast corner and the parking to the west.

Mr. Acuff said staff has met to review this and the only comment is to add a note on the final plan indicating high water tables are in the area and is the responsibility of the builder to take precautions to ensure it stays dry. Mr. Acuff said staff recommends approval of this rezoning.

No applicant was present to speak.

Mr. Fehr gave a little background of the property and said they met with these folks for about six to eight months and the concept is to try and create a downtown feel in West Chester Township and that is why you can see the buildings put towards the street to give that “street” feel and they approached us about some incentives to do a parking garage and we do not do economic development for that small a retail area but we are hoping that at some point in the future we could get rid of all that surface parking in the future because it doesn’t really fit with a downtown feel but right now there is not enough development to justify a parking garage, so right now the surface parking is there but with hopes that some point it might get to a parking structure.

Mr. Bullington said with 279 residential parking spaces and 182 units, he was concerned about the availability for parking.

Mr. Acuff said the applicant shows a ratio of 1.4 spaces per unit, with the assumption some may live alone or own just one (1) vehicle.

Mr. Brown voiced his concern for the possibility that residents’ would park extra vehicles in the retail parking slots and how would it impact the retail areas.

Mr. Fehr said we are assuming it would be signed “Retail Parking Only” and the developer would have to police that. He added he did not believe they wanted any retail there but the Township sort of pushed them into getting the retail there to get some street life and activity going on over there.

Mr. Acuff said the proposed retail space is 4,700 square feet.

Mr. Fehr said that's about the size of a coffee shop – it isn't a huge retail center at all.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Cooney made a motion to approve WCTZ 12-02, Cascades at Union Centre, CBD/C-PUD to SP-PUD (Central Business District/Commercial Planned Unit Development to Special Purpose Planned Unit Development), West Chester Township, subject to staff comments. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Cooney, Brown, Wiant, Potter, Bullington

NAYES: None

Resolution #: 12.55

PRELIMINARY PLATS:

**Kyles Station Meadows, Section Nine,
Section 10, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial image of the property and said this is for the final section of Kyles Station Meadows and proposes 26 lots on 12 acres (highlighted in yellow) and then showed a topographic map.

Mr. Acuff highlighted some of the staff comments in the Board members' packets and said staff recommends approval.

Mr. Brown made a motion to approve the preliminary plat for Kyles Station Meadows, Section Nine, Section 10, Town 3, Range 3, Liberty Township, subject to staff conditions. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Brown, Wiant, Potter, Cooney, Bullington

NAYES: None

Resolution #: 12.56

**Kyles Station Meadows, Section Nine,
Sidewalk Width Waiver – Reduce from 5 feet to 4 feet
Section 10, Town 3, Range 3
Liberty Township**

Mr. Acuff said the applicant is requesting a waiver of the sidewalk width as the majority of this subdivision has been constructed with the four foot (4') sidewalks and they have requested a waiver to reduce the five foot (5') standard requirement to four foot (4') to match up with the existing sidewalks. He added the County staff does recommend approval.

Mr. Brown made a motion to approve the requested sidewalk waiver and reduce it from the standard five foot (5') to four foot (4') width for Kyles Station Meadows, Section Nine, Section 10, Town 3, Range 3, Liberty Township. Mr. Potter seconded the motion. Motion carried 5-0.

AYES: Brown, Potter, Wiant, Cooney, Bullington

NAYES: None

Resolution #: 12.57

FINAL PLATS:

**Greenview North, Section Four, Replat of Lots 203 & 204,
Section 13, Town 4, Range 2
Hanover Township**

Mr. Acuff showed an aerial image of the property and said it is on the northwest side of Hamilton, the very eastern portion of Hanover Township, and the owner of the existing residence here on marked Lot #035 owns the adjacent lot, Lot #036, as well and wishes to combine the two (2) lots together and believes they want to put in a pool here so they are looking to combine two (2) lots and make it new lot, Lot #230.

Mr. Acuff said County staff has reviewed the plans and they have met all of our comments except one (1) in the description there are some minor corrections required.

Mr. Potter made a motion to approve the final plat for Greenview North, Section Four, Replat of Lots 203 & 204, Section 13, Town 4, Range 2, Hanover Township, subject to staff comments. Mr. Cooney seconded the motion. Motion carried 6-0.

AYES: Potter, Cooney, Brown, Wiant, Bullington

NAYES: None

RESOLUTION #: 12.58

**Grace Meadows, Phase 2A,
Section 36, Town 3, Range 2
West Chester Township**

Mr. Acuff showed an aerial map of the property and said this is the final plat for Grace Meadows, Phase 2A, West Chester Township, and they are proposing 13 residential lots and one open space lot on 8.5 acres and this covers only the southern portion here, an extension of Eleventh Hour Lane up to the creek that runs through here.

Mr. Acuff showed a site plan of the property and said there will be 13 lots with one (1) open space lot with an extension of the road to the north.

Mr. Acuff said staff gave comments to the applicant and they submitted a revised plat map with a number of corrections made on it, and he highlighted a few of the comments not yet completed.

Mr. Bullington said the flood route on the map does not indicate which direction it flows.

Mr. Acuff showed where the drainage easements are located and said there is an arrow on the plan but it is difficult to see and runs out toward the street.

Mr. Kevin Fall, Butler Soil & Water Conservation, said the crest of the hill is actually between Lots 40 and 41 and that is why there is a drainage easement going north and that runs to the stream and runs diagonally across the properties and the other drains down along the road drainage that leads to the basin.

No further questions.

Mr. Brown made a motion to approve the final plat for Grace Meadows, Phase 2A, Section 36, Town 3, Range 2, West Chester Township, subject to staff comments. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Brown, Wiant, Potter, Cooney, Bullington

NAYES: None

RESOLUTION #: 12.59

**Gano Subdivision, Replat of Lots 27, 28, 34 & 35
Section 20, Town 3, Range 2
West Chester Township**

Mr. Acuff said this replat was tabled last month because of a carport located to the south of the house in the middle and with the new property proposed between Lots 73 and 74, the carport did not meet the side setback requirements for West Chester Township. We sent those comments back to the Township and got a call about a week and a half ago from Mr. Back, the owner, and he sent along pictures to verify the carport has been dismantled. The Township has visited the property and has confirmed the carport is gone and so it is back on the agenda for review today.

Mr. Acuff said staff recommends approval and if it is approved today, he will contact the Engineer and have him remove a note on the plat referring to the existing carport.

Mr. Potter made a motion to approve the final plat for Gano Subdivision, Replat of Lots 27, 28, 34 & 35, West Chester Township, subject to staff comments. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Potter, Brown, Wiant, Cooney, Bullington

NAYES: None

Resolution #: 12.60

ADJOURNMENT:

Mr. Potter 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
October 9, 2012

Chair

Secretary

Lee Margraf