



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

Meeting Minutes

MEETING: Tuesday, May 11, 2010; 3:00 p.m.

ROLL CALL:

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

Absent: Lynn Nevel

STAFF PRESENT: David Fehr, Planning Director
Joseph Schmidt, Senior Planner
Doug Dirksing, Butler Soil & Water Conservation District
Eric Pottenger, Butler County Engineer's Office

Mr. Fehr introduced Ms. Shirley Wiant, the newest member of the Butler County Planning Commission Board.

APPROVAL OF MINUTES:

April 13, 2010

Mr. Potter made a motion to approve the April 13, 2010 minutes as submitted. Mr. Tucker seconded the motion. Motion carried.

AYES: Potter, Tucker, Cooney, Flaig, Wiant, Brown, Bullington

NAYES: None

ZONE CHANGES:

WCTZ10 – 01

Dennis King

Change from R-3 (Transitional Residence District) to B-2 (General Business District)

West Chester Township

Mr. Fehr said this zone change is in West Chester Township and the request is from R-3 to B-2.

Mr. Fehr made reference to the aerial photograph shown and said the property is approximately 2.2 acres and outlined in black on the map and is located on U.S. Route 42 which is Cincinnati-Columbus Road. Current use of the property is a single-family house which is a rental unit.

Mr. Fehr said to the north and south on the same side of the road is existing businesses and to south of the property is an existing park and baseball field.

Mr. Fehr showed a zoning map of the area and pointed out this property and said along U.S. Route 42 to the north is M-1 District, Light Industrial, and property to the south and across the street is zoned B-2. To the rear of this property is also zoned R-3 and the applicant wishes to rezone this property to the same (red) color for B-2 so the red would be extended to that property also.

Mr. Fehr said according to the West Chester Township Long Range Comprehensive Plan, they are proposing that this entire corridor (as pointed to on map) along U.S. Route 42 be proposed for General Retail Business use so the existing residence would not be in conformance with the Township's Long Range Plan and the rezoning would actually bring the property into compliance with the Township Long Range Plan.

Mr. Fehr said this is straight zoning, there are no conditions attached to it as we might have with a PUD and Staff is recommending approval of the rezoning because the plan does meet the West Chester Township Long Range Plan.

Mr. Bullington asked what the area is in between that and the property there on the previous slide.

Mr. Fehr said it is just road right-of-way.

Mr. Dennis King, 7870 East Kemper Road, Suite 100, Cincinnati, OH 45249, said the owners live out of state and they wish to allow for business use.

Mr. Potter said because property ownership went to the center of the road that it appears that some of these old right-of-ways have been given up quite possibly.

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Mr. Pottenger, Butler County Engineers Office, said yes, those are State of Ohio property.

Mr. Potter said in the past, not at this level but other times, we have had petitioners for a project that would then give that portion to the State and asked if the parcel that Mr. Bullington spoke of is owned by the State.

Mr. Pottenger said yes, the State already owns it. The orange strip on the zoning map that borders the red area is owned by the State.

IN FAVOR: None

IN OPPOSITION: None

NEUTRAL COMMENTS: None

Mr. Potter made a motion to approve zone change WTZ 10—01, Dennis King. Mr. Tucker seconded the motion. Motion approved.

AYES: Potter, Tucker, Cooney, Flaig, Brown, Wiant, Bullington

NAYES: None

Resolution # 10.16

PRELIMINARY PLATS:

**Liberty's Falling Water, Sections 4B & 5,
Section 3, Town 2, Range 3
Liberty Township**

Mr. Fehr said there is a letter from the Applicant asking to table this plat to next month's meeting. The current property owner and the property owner to the south are working out some issues as far as utilities which were not resolved by today's meeting so they are asking for this to be tabled one (1) month.

Mr. Tucker made a motion to table the preliminary plat for Liberty's Falling Water, Sections 4B & 5, Section 3, Town 2, Range 3, Liberty Township to the June 2010 Butler County Planning Commission meeting. Ms. Wiant seconded the motion. Motion carried.

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AYES: Tucker, Wiant, Flaig, Cooney, Brown, Potter, Flaig

NAYES: None

Resolution # 10.17

**The Knoll's of Liberty Estates, Section 2, Block C,
Section 31, Town 3, Range 3
Liberty Township**

Mr. Fehr said this property is located in Liberty Township and to the south is the Butler Regional Highway and the property is outlined in blue on the aerial photograph shown. It is the last section of the subdivision and there is an existing street that is stubbed into the property and basically there will be a cul-de-sacs off of the stub in three (3) locations (as pointed to on aerial photograph).

Mr. Fehr showed the preliminary plat and showed the existing stub street then off of the stub street there will be three (3) cul-de-sacs and it is due to the topography of the area and there is no good reason to take the street and stub it to the east.

Mr. Fehr said a copy of Staff Comments was included in the packets and highlighted items 7, 8, 9 and 13.

Mr. Fehr said staff does recommend approval of this preliminary plat subject to all 13 items in the Staff Comments.

Mr. Bullington asked about the sanitary sewer easement in item 12.

Mr. Fehr said his understanding is down in this area (pointed to on map) they want the easement to be a little bit larger so that in the future they may eliminate a lift station for the sewer main through there so the plat says a 30-foot easement and the Water and Sewer Department needs a 50-foot easement and the reason they need it so large is because there are some grading issues there and they will have to watch the slopes there and need a little extra room to work in there.

Mr. Bullington said but it puts the easement right at the rear building line.

Mr. Patrick Merten, J-II Development, 500 Wessel Drive, Fairfield OH, 45014, said they will have to get a variance to modify that rear setback line but we are ok with the 50-foot as recommended.

Mr. Bullington said if he understands Mr. Merten correctly, he would then get a variance for that 50-foot setback line.

Mr. Merten said yes they will do what is necessary so that is not an issue.

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Mr. Fehr said it is not an additional 20 feet added on the 50-foot – the building line and the sewer easement line will be the same.

Mr. Tucker made a motion to approve the preliminary plat for The Knoll's of Liberty Estates, Section 2, Block C, Section 31, Town 3, Range 3, Liberty Township, subject to Staff Comments. Mr. Flaig seconded the motion. Motion carried.

AYES: Tucker, Flaig, Cooney, Brown, Wiant, Potter, Bullington

NAYES: None

Resolution # 10.18

**The Knoll's of Liberty Estates, Section 2, Block C,
Section 31, Town 3, Range 3
Liberty Township
Request to extend preliminary plat approval period from two (2) years to
three (3) years**

Mr. Fehr said the Applicant has requested to extend preliminary plat approval period from two (2) years to three (3) years based on economic conditions.

Mr. Potter made a motion to approve the request to extend the preliminary plat approval period as requested for preliminary plat for The Knoll's of Liberty Estates, Section 2, Block C, Section 31, Town 3, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Tucker, Flaig, Cooney, Brown, Bullington

NAYES: None

Resolution # 10.19

**Glenview Farm Estate at Foxborough, Phase 1C,
Section 6 & 12, Town 2, Range 2,
West Chester Township**

Mr. Fehr showed an aerial map of the area and said the property is located along Hamilton-Mason Road in West Chester Township and is just west of State Route 747 (Princeton Glendale Road) and involves two (2) pieces of ground, both are outlined in blue in the photograph and there would be an extension of Keltner Drive and then there would be an entrance onto Hamilton-Mason Road (pointed to on the map).

Mr. Fehr said we have seen this preliminary plat before and it is a re-approval of the preliminary plat that expired and they are asking for reapproval.

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Mr. Fehr said the catch basins here have already been installed, Keltner Drive up to this point exists so that road will continue, four-way intersection comes out to Hamilton-Mason Road across from Highpoint Boulevard.

Mr. Fehr said Staff Comments are in the Planning Commission members' packets and highlighted item 8, 9 and 7 , under item 7 there is a condition that all construction traffic use the temporary construction drive on Hamilton-Mason Road as we do not want the construction traffic going through the existing subdivision and dropping mud and debris on the streets.

Mr. Fehr said items 10, 11 and 12 have to do with West Chester Township. This is a PUD so there are some additional esthetic landscaping requirements by the Township and will be reinforced on the preliminary plat.

Mr. Fehr said staff does recommend approval of this preliminary plat subject to Staff Comments.

Mr. Cooney made a motion to approve the reapproval of preliminary plat for Glenview Farm Estate at Foxborough, Phase 1C, Section 6 & 12, Town 2, Range 2, West Chester Township, subject to Staff Conditions. Ms. Wiant seconded the motion. Motion carried.

AYES: Cooney, Wiant, Tucker, Potter, Flaig, Brown, Bullington

NAYES: None

Resolution# 10.20

FINAL PLATS:

**Liberty Woods Estates,
Section 1, Replat Lot 11 & part Lot 12,
Section 27, Town 3, Range 3
Liberty Township**

Mr. Fehr said this is actually a replat for Liberty Woods Estates in Liberty Township and the existing homeowner owns this lot (pointed to on map) and at some point in the past they had purchased this triangular-piece of ground from the neighbor and assumes because of their driveway being right on the property line so they own both of those pieces and are asking for a replat to combine them both into one lot and staff is recommending approval of this replat.

Mr. Tucker made a motion to approve the final plat for Liberty Woods Estates, Section 1, Replat Lot 11 & part Lot 12, Section 27, Town 3, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Tucker, Wiant, Cooney, Potter, Flaig, Brown, Bullington

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NAYES: None

Resolution #10.21

Sutton Place Subdivision

Section 3, Replat Lot 7 and Section 2, Replat Lot 8
Section 9, Town 2, Range 2,
West Chester Township

Mr. Fehr showed an aerial map of the area and said this property is located in West Chester Township and is in an industrial area and the property is outlined in blue and consists of two (2) existing lots (lots 7 and 8) of an already-approved subdivision. Mr. Fehr indicated where the existing access street is located, which is Sutton Place.

Mr. Fehr said the Applicant would like to take a portion of Lot 7 and a little bit of Lot 8 and create a new lot.

Mr. Fehr showed a drawing of the existing lot lines and showed where the new lot (Lot 12) would be located and it is about 3.2 acres and there are no other changes to any of the existing easements and the area shaded to the back of the drawing is all flood plain and has to have a drainage easement on the replat also and staff does recommend approval of this replat.

Mr. Bullington asked about the 5-foot drainage easement on Lot 12 and asked if it drains towards the left.

Mr. Fehr said it would drain from left to right on this drawing.

Mr. Bullington said so it would drain towards Sutton Place.

Mr. Fehr said no, it would go the opposite way and that was the old property line so they are vacating that drainage easement and moved to the north edge of Lot 12.

Mr. Flaig made a motion to accept final plat for Sutton Place Subdivision, Section 3, Replat Lot 7 and Section 2, Replat Lot 8, Section 9, Town 2, Range 2, West Chester Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Flaig, Cooney, Wiant, Tucker, Brown, Potter, Bullington

NAYES: None

Resolution #10.22

DRAFT/FOR REVIEW**OTHER BUSINESS****Downtown Bethany Vision Plan 2010**

Liberty Township

Mr. Fehr said he got involved early on with Mr. Andrew Meyer from Liberty Township and gave a brief background on the plan.

Mr. Fehr said this was a process that the Township took on and was done in-house by their staff and said they really did a nice job. The Township did a Comprehensive Plan update not too long ago but was not able to get in depth on a lot of details so out of the Comprehensive Plan they wanted to get into more details for the Bethany area which is more or less the downtown area of the Township.

Mr. Fehr said this has been adopted by both the Zoning Commission and the Township Trustees at public meetings already and the Township would like to make this part of the official Comprehensive Plan and that is why they are bringing this here today and are asking that this plan be adopted by the Butler County Planning Commission today. Mr. Fehr said if anyone would like to speak in favor or against the plan he would like to give people the opportunity to do so.

No one spoke in favor or in opposition of the plan.

Mr. Meyer, Senior Planner, Liberty Township, provided information on the purpose of this plan, the planning process, how they put the plan together and what the results of the plan are.

Mr. Meyer said the origins of the downtown area of Bethany does not have any identifiable town center and at one time Bethany had numerous businesses, general stores, it became the post office and the Township Town Hall as well as a number of churches and the overall goal is bring Bethany back to its role as being a town center and a place where Liberty Township residents can point to as their downtown where they can gather and meet.

Mr. Meyer said the plan was done in house and they worked with a large Steering Committee made up of area residents, developers, land owners, business owners and representatives of the community institutions and Mr. Fehr served on that Committee. The Committee came up with four (4) overall goals and specific objectives to accomplish these goals.

Plan Goals

- Establish an identity for Downtown Bethany and promote that identity through a cohesive vision or aesthetic.
- Provide for proper transition between the commercial corridor and adjacent residential uses.
- Create a connected and walkable Downtown Bethany.
- Find ways to promote businesses in the Downtown Bethany area.

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Plan Objectives

- Establish a Bethany Business Association / Business Incubator
- Evaluate existing zoning regulations and zoning district boundaries
- Develop a decision making framework for handling historic properties – what measures to take to protect certain properties, and under which situations to enact these measures
- Investigate avenues, both public and privately driven, to accomplish the desired vision for Downtown Bethany
- Create a Mission Statement for the Downtown Bethany Area Plan

Mr. Bullington asked about the water detention, etc. for small sites and would an application like that be done regionally where they all contribution then further down stream somewhere or would be it still be accomplished site by site.

Mr. Meyer said doing it regionally is a good idea but facilitating that in practice through easements and such gets complicated and they are very much open to working on a regional solution but in the mean time the current development will have to be done piece by piece.

Mr. Bullington said it looks well thought out and asked Mr. Meyer if the Township wants this included as part of the Township's Land Use Plan and then want it as an appendix to the Land Use Plan or part of the Land Use Plan.

Mr. Meyer said they are asking for approval as an addendum to their Comprehensive Plan.

Mr. Tucker made a motion to accept the Downtown Bethany Visions Plan 2010 as submitted by Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Tucker, Wiant, Flaig, Cooney, Brown, Potter, Bullington

NAYES: None

Resolution# 10.23

ADJOURNMENT:

Mr. Tucker made a motion to adjourn. Ms. Wiant seconded. All in favor. Meeting adjourned.

DRAFT/FOR REVIEW

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
May 11, 2010

Chair

Secretary

Lee Margraf