



Butler County Planning Commission

Government Services Center, Conference Room #1
315 High Street, Hamilton, Ohio

Meeting Minutes

MEETING: Tuesday, April 9, 2019, 3:00 p.m.

ROLL CALL:

Present: Bruce Jones, *Chair*
Bernard “Buck” Rumpke, *Vice-Chair*
Lonnie Lewis
Kevin Cooney
Steven Brown

Absent: Amy Updike
Dave Baker
Beth Surber

Staff Present: Peter Z. Acuff, Dept. of Development
Stephanie Foley, Administrative Secretary

Mr. Jones called the meeting to order with roll call at 3:00 p.m.

APPROVAL OF MEETING MINUTES

Mr. Lewis made a motion to approve the March Meeting Minutes as submitted. Mr. Rumpke seconded the motion. Motion carried 4-0.

AYES: Lewis, Rumpke, Brown, Jones

NAYES: None

ABSTAIN: Cooney

ZONE CHANGES

RZC 19-05 Oberson's Nursery, F-1 to B-2/M-2

2389 & 2362 Hamilton Cleves Road

Sections 13 & 24, Town 3, Range 2

Ross Township

Mr. Acuff introduced this as a zone change located on Hamilton Cleves Road. There are two parcels in question regarding this zone change. The properties include the old drag strip on SR 128, and the square property to the north. The area is currently zoned F-1 for a floodplain, but there is some B-2 zoning nearby with a storage unit facility, and a B-1 zoned gas station close by.

The presence of the river and aquifers also plays a role in this request. Mr. Acuff introduced a map that depicts the time of travel zones on the area, which explain how many years a chemical spill would take to flow through the aquifer and make it to the wells. The lower portion of the southern property is within a 1-year zone, meaning that area would be more heavily restricted as to what kind of uses can take place there.

The future land use plan calls for planned general business for the two parcels. Although not required, the applicant did submit a site plan to indicate what the plans for the land would be. The applicant plans to use the northern property for his building and parking. The northwest corner of the southern property would be used for topsoil processing, and the remainder of the lower parcel would be used for storage of trees and machinery.

Since the building will be located on that top property, the request is to zone that parcel B-2. Taking into account that the topsoil processing would only take place on the lower portion of the property, staff recommends that the southern parcel have split zoning, rather than a total rezone. The top portion would be changed to M-2, which will allow for the topsoil processing up to the time of travel zone. Staff recommends the lower portion remain F-1. This would protect those time of travel zones, and still allow the landscaping company to utilize the property.

Mr. Acuff reviewed staff comments with the board and recommended modified approval of this zone change.

Mr. Brown asked about the property encroaching the river. Mr. Acuff stated that since the river does shift over time, a portion of the property does encompass the river.

Mr. Jones asked if staff was comfortable with the topsoil processing near the riverbank. Mr. Acuff stated that he was.

Testimony in favor: Chad Oberson, 3939 River Road, Fairfield OH, stated that the property is 98 acres. He is currently on 22 acres and he needs to expand. He has other locations in West Chester and Oxford, and being scattered is more difficult. He

stated that the bulk of what he does is landscape contracting and tree growth. He handles large projects, not residential, and that requires large machinery and space. The building on the northern parcel will be storage for machinery, with the topsoil processing behind that on the lower parcel. The rest of the property will be used for plant growth. He stated that he will only have approximately 40 employees and that the property won't have any retail use, so there won't be customers coming and going from the business. Mr. Oberson stated that the business would be consolidated onto this property from the other locations, but they would retain the land.

Mr. Rumpke asked if he stores chemicals at his site. He stated that he has one cabinet that contains insecticides and herbicides, but not in large quantities.

Testimony in opposition: None

Neutral testimony: None

Mr. Acuff stated that he reached out to Mr. Oberson about the modification in the zoning recommendation and he said that Mr. Oberson had no objection.

Mr. Oberson stated on the record that he is fine with the recommendation because he knows the importance of the time of travel zones.

Mr. Brown made a motion to approve **RZC 19-05 Oberson's Nursery, F-1 to B-2/M-2** inclusive of staff comments and recommendation. Mr. Cooney seconded this. Motion carries 5-0.

AYES: Brown, Cooney, Lewis, Rumpke, Jones

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.22

FTZ 19-02 SWE LLC, A-1 to B-1

Princeton Road at Walden Ponds Circle

Section 26 & 18, Town 2, Range 3

Fairfield Township

Mr. Acuff introduced this as a zone change for a parcel in Fairfield Township. The site is the location of a church and they are looking to split off an acre in the southwest corner to transfer to SWE LLC. Mr. Acuff stated that he believes the SWE LLC is a subsection of Sherwin Williams, but he has not gotten any other details.

Mr. Acuff reminded the board of a case that came through a few months ago with the neighboring church to the right. The request was approved by the board, but it did not get approved at the township level.

The master plan for the property is public/semi-public use, which includes churches, schools, and government facilities.

Mr. Acuff reviewed staff comments with the board. He stated that since this is the second request of this nature this year, he recommends that the township review the land use plan to determine if the current plan is still appropriate for the area. The Engineer's office will not permit any new driveway access onto Princeton Road or Walden Ponds Circle. The property would only be accessible through the current church parking lot, which may affect the tax exempt status of the church. Additionally, there is no proposed plan to mitigate the storm water management of the new facility. Per those and the remaining comments, staff recommends denial subject to those comments. The township and the applicant were both made aware of the denial recommendation.

The applicant was not present at the meeting.

Testimony in favor: None

Testimony in opposition: None

Neutral testimony: None

Mr. Brown made a motion to recommend denial of **FTZ 19-02 SWE LLC, A-1 to B-1**. Mr. Cooney seconded this. Motion carries 5-0.

AYES: Brown, Cooney, Rumpke, Lewis, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.23

FINAL PLATS

The Overlook Landominiums, Phase 4, Block B

*Muhlhauser Rd
Section 3, Town 2, Range 2,
West Chester Township*

Mr. Acuff introduced this as the next building at The Overlook. He said it would be one building with five residential units. There will also be 1 lot of common space.

Mr. Acuff reviewed staff comments and recommended approval per those comments.

Mr. Lewis made a motion to approve **The Overlook Landominiums, Phase 4, Block B**. Mr. Rumpke seconded this. Motion carries 5-0.

AYES: Lewis, Rumpke, Cooney, Brown, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.24

ADJOURNMENT

Mr. Rumpke made a motion to adjourn, seconded by Mr. Lewis. 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 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, 2019

Chair

Secretary