



Butler County Planning Commission

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

Meeting Minutes

MEETING: Tuesday, June 11, 2019, 3:00 p.m.

ROLL CALL:

Present: Bruce Jones, *Chair*
Bernard “Buck” Rumpke, *Vice-Chair*
Kevin Cooney
Amy Updike
Beth Surber
Steven Brown

Absent: Lonnie Lewis
Dave Baker

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

AYES: Rumpke, Brown, Updike, Surber

NAYES: None

ABSTAIN: Cooney, Jones

ZONE CHANGES

FTZ 19-03 SWE LLC, A-1 to B-PUD

*Princeton Road at Walden Ponds Circle
Section 26, Town 2, Range 3
Fairfield Township*

Mr. Acuff introduced this as a small parcel of land out on the corner of Princeton Road at Walden Ponds Circle. The church that owns the property is looking to carve out a 1-acre portion of the parcel on that corner. A request for the same piece of land was brought before the board back in April 20109, but the request was to rezone from A-1 to B-1. At the time, the Planning Commission recommended denial and the zone change did not pass at the township level. The applicant is now proposing a B-PUD.

Mr. Acuff reviewed the land use plan with the board, which calls for public/semi-public use, consistent with church properties, cemeteries, and schools. Mr. Acuff indicated on the map that the building was expected to be located on the eastern side of the property, with parking on the western side.

Mr. Acuff reviewed staff comments with the board. Two of the most critical comments to be noted are stormwater management and parcel access. As is, there is not enough space on the lot to be able to detain water above ground and the regional detention basins were not designed to have additional impervious service in this area. Access is the second major concern. The Butler County Engineer's Office has said that there can be no access onto Princeton Road or Walden Ponds Circle from the 1-acre parcel. The only access to the property would be through the existing church drive and through the edge of the church parking lot.

Subject to those, and the remainder of staff comments, staff recommends denial of this project, consistent with the recommendation back in April 2019. The applicant was notified of the recommendation for denial.

Mr. Jones asked the length of the western side of the proposed 1-acre parcel. Mr. Acuff stated it was about 123 feet.

Testimony in favor: None

Testimony in opposition: None

Neutral testimony: None

The applicant was notified of staff's recommendation for denial, but was not present at this meeting.

Ms. Surber made a motion to deny **FTZ 19-03 SWE LLC, A-1 to B-PUD**. Mr. Rumpke seconded this. Motion carries 6-0.

AYES: Surber, Rumpke, Cooney, Brown, Updike, Jones

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.39

LTZ 19-04 Trustees' Text Amendments

Liberty Township

Mr. Acuff introduced this as a set of text amendment updates for the Liberty Township Zoning Resolution. Mr. Acuff summarized the changes with the board to reflect the update to the Ohio Revised Code and other updates. County staff recommends approval of these requested amendments.

Testimony in favor: Mark Elma, senior planner for Liberty Township, stated that the text amendment process began back in 2018 prior to his joining Liberty Township staff. He stated that the proposed changes would allow more flexibility for developers to be able to accommodate the requests in Liberty Township for patio-style homes.

Mr. Jones asked when the last time the land use plan was updated, to which Mr. Elma said 2013. Mr. Elma also informed the commission that there was a meeting set for the following week to begin the comprehensive plan update. The new comprehensive land use plan is expected to be completed mid-2020.

Mr. Jones asked if it was practical to do the zoning resolution amendments prior to the land use plan update, to which Mr. Elma stated that the amendments process began prior to his arrival, with the focus group meeting in August of 2018.

Mr. Jones also recommended to the township that they seek legal council with regard to the readability and language of the zoning resolution that would make it more difficult for the layperson to understand.

Testimony in opposition: Mary Papaloannou, 5067 Elm Leaf Trail, spoke against the approval of these text amendments. She stated that the focus group did not include a single resident. She expressed concern that by shortening setbacks and allowing for higher density, the neighborhood would be degraded from the original purpose of Liberty Township. She stated that the changes would allow for development that would cause her property value to drop. She strongly disagreed that these changes were what the people of Liberty Township want.

Mr. Rumpke asked her when the first time she heard of the focus group was, and she said that through other requests in Liberty Township for zone changes near her home, she became more involved and started attending meetings. That's when she learned about the focus group for the zoning resolution.

The commission asked Mr. Elma to return to the podium, where Mr. Rumpke asked about the makeup of the focus group. Mr. Elma supplied a list that Mr. Rumpke read

aloud. The list contained builders, developers, realtors, engineers, and township staff. No residents were listed.

Neutral testimony: Suzanne Bruce, 4985 Snow Valley Lane, stated she was neutral/opposed to the text amendments. She also expressed concern that the focus group was not inclusive of residents. She does not believe that the zoning resolution should be amended until the vision plan is completed in 2020. She stated that according to the current vision plan, it says that one of the goals of the township should be to preserve the existing communities and their property values. She believes that the smaller lot sizes are not in line with that vision plan.

Ms. Surber made a motion to approve **LTZ 19-04 Trustees' Text Amendments**. Mr. Jones seconded this. Motion carries 3-1.

Mr. Rumpke stated that he believes the process is being done backwards, by not including residents and by completing the text amendments prior to the land use plan update. He believes the new language will allow developers to build more dense products and he does not believe that is what the people of Liberty Township want.

Tom Papaloannou, 5067 Elm Leaf Trail, commented that people who spend \$400k on homes are now being faced with their property taxes dropping because patio homes and denser rentals will be right down the street.

AYES: Surber, Jones, Updike
NAYES: Rumpke
ABSTAIN: Cooney, Brown

RESOLUTION#: 19.40

FINAL PLATS

Carriage Hill, Section 20

*Carriage Hill Blvd
Section 2, Town 2, Range 3
Liberty Township*

Mr. Acuff introduced this as a new section of Carriage Hill. There are 21 residential units and 3 open spaces lots.

Mr. Acuff reviewed staff comments with the board and recommended approval with those comments.

Mr. Cooney made a motion to approve **Carriage Hill, Section 20**. Mr. Brown seconded this. Motion carries 6-0.

AYES: Cooney, Brown, Surber, Updike, Rumpke, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.41

Windsor Estates, Section 7

*Roden Park Drive
Section 34, Town 3, Range 3
Liberty Township*

Mr. Acuff introduced this as 29 new lots for this section of Windsor Estates.

Mr. Acuff reviewed staff comments with the board and recommended approval per those comments.

Mr. Rumpke made a motion to approve **Windsor Estates, Section 7**. Mr. Cooney seconded this. Motion carries 6-0.

AYES: Rumpke, Cooney, Brown, Surber, Updike, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.42

The Oaks at Wetherington

*Liberty Way at Tyler's Place Boulevard
Section 18, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this as nine new commercial lots on 18 acres. The lot layout remained consistent with the preliminary plat that came before the board last month. The roads within the development would remain private.

Mr. Acuff reviewed staff comments and recommended approval subject to those comments.

Mr. Cooney asked why the name of Foster Lane doesn't tie in across the street. Mitch Fry, 8796 Kunker Road, Morrow OH, stated that originally, they wanted to continue Taylor Street, but they were asked not to do that to avoid confusion for those responding to emergency calls. Taylor Street is in Liberty Township and the new stretch of street would be in West Chester Township.

Mr. Rumpke made a motion to approve **The Oaks at Wetherington**. Mr. Brown seconded this. Motion carries 6-0.

AYES: Rumpke, Brown, Cooney, Surber, Updike, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.43

REPLATS

Pisgah Park, Replat of Lots 6 & 7

*Cincinnati Columbus Road
Section 15, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this as a combination of two adjacent vacant lots. The only change to the lots is to erase the lot line separating the two and create one new larger lot.

Mr. Acuff reviewed one staff comment with the board and recommended approval with one comment.

Mr. Brown made a motion to approve **Pisgah Park, Replat of Lots 6 & 7**. Mr. Rumpke seconded this. Motion carries 6-0.

AYES: Brown, Rumpke, Surber, Updike, Cooney, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.44

Menards Crossings of Fairfield Township, Replat of Lot 9164

*Gilmore Road at Joseph Drive
Section 25, Town 2, Range 3
Fairfield Township*

Mr. Acuff introduced this as a vacant lot in front of Menards and behind Popeye's. The parcel in question has a street running down the middle. The request is to split the parcel in two along the street line, with the lot on the east and another lot on the west.

Staff has no comments on this request and recommends approval.

Mr. Rumpke made a motion to approve **Menards Crossings of Fairfield Township, Replat of Lot 9164**. Mr. Brown seconded this. Motion carries 6-0.

AYES: Rumpke, Brown, Updike, Cooney, Surber, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.45

OTHER BUSINESS

Appointment of David Fehr to OKI ICC

Appoint David Fehr as Butler County Planning Commission's representative to the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) Intermodal Coordinating Committee (ICC) for fiscal year July 1, 2019 through June 30, 2020, with Peter Z. Acuff as alternate.

Mr. Acuff explained that the OKI ICC is responsible for determining where government funding gets spent in regards to transportation improvement in the Tri-State area.

Mr. Brown made a motion to approve the **Appointment of David Fehr as OKI ICC representative**. Mr. Rumpke seconded this. Motion carries 6-0.

AYES: Brown, Rumpke, Cooney, Surber, Updike, Jones
NAYES: None
ABSTAIN: None

RESOLUTION#: 19.46

ADJOURNMENT

Mr. Cooney made a motion to adjourn, seconded by Mr. Rumpke. 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

June 11, 2019

Chair

Secretary