



Butler County Planning Commission

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

Meeting Minutes

MEETING: Tuesday, May 11, 2021, 3:00 p.m.

ROLL CALL:

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

Absent: Dave Baker

Staff Present: Peter Z. Acuff, Dept. of Development
Marcia Rosado, Administrative Secretary

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

APPROVAL OF MEETING MINUTES

Mr. Lewis made a motion to approve the April 13, 2021 Meeting Minutes. Ms. Updike seconded the motion. Motion carried 5-0.

AYES: Lewis, Updike, Cooney, Surber, Jones

NAYES: None

ABSTAIN: None

ZONE CHANGES

LTZ 21-06, Callaway Place, RA-1 to MU-PUD
Liberty Township

Mr. Acuff described this as a parcel on SR 747 in Liberty Township south of Kyles Station with Harbor Town Village to the west and Vista Verde to the south. He stated that the proposed use of the property is for mixed use with commercial properties on the outlots facing SR 747 and a mix of duplex, townhomes and single family

housing. He stated that access would be from Osprey Pointe Drive and SR 747 for the duplexes and townhomes and from Eldon Drive for the single family homes.

Mr. Acuff reviewed staff comments with the board and recommends approval subject to those comments.

Questions:

Mr. Jones asked if the plan meets the 25% requirement. Mr. Acuff stated he did not know but the applicant has a presentation that they would giving.

Mr. Lewis asked about the previous application. Mr. Acuff stated that the previous applicant did not meet the land use plan and this application is completely different.

Applicant:

Brad Austing
M/I Homes

Mr. Austing made a presentation to the board stating that M/I currently operates 21 communities in the area with several in Butler County. He stated that this proposal includes 12 single family homes, attached villas and townhomes all with 2 car garages plus 2 spaces for parking. He stated that there are 3 major outlots that make up the 25% requirement that Schumacher would keep and develop. He stated that the properties will be for sale only with an HOA, not rental properties.

Mr. Austing stated that there are buffers between the surrounding properties with Oakview at 50 yards, Osprey Pointe at 50 yards and Fair Oaks 75 yards away. He also stated that they had a *Zoom* meeting with the neighbors and the most controversial issue was Osprey Pointe becoming a through street.

Questions:

Mr. Rumpke asked if the buffer continues all the way to street. Mr. Austing stated it is all the way to the street.

Mr. Rumpke asked where street parking is located. Mr. Austing stated that parking will be prohibited on the south side of Osprey Pointe Drive and there will be intermittent parking throughout.

Mr. Rumpke asked if the 4 units are attached to each other. Mr. Austing stated that they share a common wall but each have their own fee simple lot.

Mr. Rumpke asked if the landscaping shown on the plan is required or just drawn in. Mr. Austing indicated that the trees are required by zoning so they will be planted.

Mr. Rumpke asked if the density of 4.74/acre includes all acreage or just high density part.

Mr. John DelVerne from Bayer Becker stated that it was figured on net of public right of way and that residential density is net of those areas. He stated that they took the 33.3 acres and subtracted the 1.89 acres of right of way and the public street to get the net density.

Mr. Rumpke asked how far apart the buildings are. Mr. Austing stated that there is 10 feet between the townhomes and the villas.

Mr. Rumpke asked the representative from Liberty Township, Mark Elma what the suggested density for MU-PUD is. Mr. Elma stated he did not know but the comprehensive plan is adjusted on the fly and this is in the realm of that plan. Mr. Rumpke asked if in the 2020 comprehensive plan this property was earmarked to be MU. Mr. Elma stated that in 2013 it was a different zoning category. Mr. Rumpke asked Mr. Elma what Liberty Township is looking for on this area of SR 747. Mr. Elma stated that they reduced commercial a little bit with higher residential inside and commercial on SR 747.

Mr. Rumpke asked if there are going to be rules about being able to rent out the units. Mr. Austing stated that that would be against the ORC and he speculates that if someone purchases a \$300,000 townhome the cost would probably prohibit rentals. Mr. Austing stated the base price for a townhome is \$300,000 and base price for a villa would be \$330,000.

Testimony in favor: None

Testimony in opposition: None

Neutral testimony: None

Mr. Jones made a motion to recommend approval of **LTZ 21-06, Callaway Place, RA-1 to M-PUD** subject to staff comments. Seconded by Ms. Surber. Motion carried 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **21.27**

WCTZ 21-03, Thornton's, Major Change to C-PUD
West Chester Township

Mr. Acuff described this as a site on Liberty Way east of Cox Road near VOA Park. He stated the previous approval was for 3 lots, Lot 3 has been developed as a medical facility, Lot 2 was proposed to be a hotel and Lot 1 was to be restaurant. Mr. Acuff stated that the applicant would like to change the PUD for Lot 1 to construct a Thornton's gas station/convenient store.

Mr. Acuff reviewed staff comments with the board and recommends approval subject to those comments.

Questions:

Mr. Jones asked if there is access from Veterans Blvd. and Liberty Way. Mr. Acuff stated that it would be right in only from Liberty Way and right in only from Veterans Blvd. going north. Mr. Acuff stated that he believes that SR 129 and Cox Road will have a roundabout and will connect to Veterans Blvd. so there would be access from there also.

Mr. Jones stated that it is directly across from VOA Park and not aesthetically good and could be a hazard with people trying to cross the street.

Ms. Surber asked if the proposed widening of Liberty Way will provide enough setback for the pump islands. Mr. Acuff stated that they may have to do a lot split to get the setback required.

Mr. Rumpke asked if there were already two dedicated lots. Mr. Acuff stated yes.

Mr. Jones asked what the proposed use is for Lot 2. Mr. Acuff stated it was proposed for a hotel.

Applicant:

Mr. Patrick Warnement
The Kleingers Group
6219 Centre Park Dr.
West Chester, Ohio 45069

Mr. Warnement stated that Thornton's is in agreement with the staff comments and welcomed any other questions.

Questions:

Mr. Rumpke asked Mr. Warnement if the Thornton's on Tylersville Road would be impacted by this one. Mr. Warnement stated that this one would be in addition to the Tylersville location. Mr. Rumpke asked if it would be the same as the station on Tylersville Road. Mr. Warnement stated it would be a newer design, more like the one located at SR 747 and Crescentville Road.

Ms. Surber stated that the roundabout would alleviate some of the traffic on Liberty Way.

Mr. Jones stated that it is problematic when we do not have the whole picture of the reconfiguration of the roundabout.

Mr. Warnement stated that they worked with the county to design the right in and right out configuration.

Mr. Jones stated that it is a strained area already but also a gasoline desert, the speed limit is 45 could be a lot of accidents and a safety concern.

Testimony in favor: None

Testimony in opposition: None

Neutral testimony: None

Mr. Jones made a motion to recommend approval of WCTZ 21-03, Thornton's, Major Change to C-PUD subject to staff comments. Seconded by Mr. Rumpke. Motion carried 4-1-1.

AYES: Rumpke, Surber, Updike, Lewis

NAYES: Jones

ABSTAIN: Cooney

RESOLUTION#: 21.28

PRELIMINARY PLAT

Hughes Retreat

Section 26, Town 3 Range 3

Liberty Township

Mr. Acuff described this as 20 acres between two stubs of Devon Drive. It is proposed to be 26 new residential lots.

Mr. Acuff reviewed staff comments with the board and recommends approval subject to those comments.

Mr. Cooney made a motion to recommend approval of **Hughes Retreat**, subject to staff comments. Mr. Lewis seconded. Motion carried 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 21.29

FINAL PLAT

Carriage Hill, Section 25

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff stated this is 27 lots on 5.5 acres along SR 747 abutted by the 4 plex units.

Mr. Acuff reviewed staff comments with the board and recommends approval subject to those comments.

Questions:

Mr. Rumpke asked Mr. Acuff what the density would be. Mr. Acuff stated it would be consistent with Section 23 and 24, at about 4 lots per acre.

Mr. Cooney made a motion to recommend approval of **Carriage Hill, Section 25** subject to staff comments. Seconded by Mr. Lewis. Motion carried 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 21.30

Westfall Preserve, Section Three

Section 2, Town 2, Range 3

West Chester Township

Mr. Acuff described this as 42 lots on 16.25 acres off Smith Road near SR 747. He stated that it had recently been taken out of the flood plain. He also stated that 2/3 of the site will remain undeveloped.

Mr. Acuff reviewed staff comments with the board and recommends approval subject to those comments.

Questions:

Mr. Lewis asked if egress is to Smith Road. Mr. Acuff stated that it is.

Ms. Updike asked if it is necessary to release the flood plain information to the buyer. Mr. Acuff stated he did not know what the realtor obligation is but it will be indicated on the plat. He further stated that they will be slab homes 1-1/2 feet above flood elevation.

Mr. Lewis made a motion to recommend approval of **Westfall Preserve, Section Three** subject to staff comments. Second by Ms. Surber. Motion carried 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 21.31

OTHER BUSINESS

Bylaws Amendments – Second Reading

Mr. Acuff read the proposed amendments to the Bylaws.

Discussion: Mr. Cooney asked if it needs to read re-scheduled meetings also. It was decided that a rescheduled meeting would in effect be a regular meeting.

Mr. Jones made a motion to adopt the proposed amendments to the Bylaws. Seconded by Mr. Rumpke. Motion carried 6-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 21.32

ADJOURNMENT

Mr. Jones made a motion to adjourn, seconded by Mr. Lewis. Motion carries 6-0.
Meeting adjourned 4:22 PM.

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

NAYES: None

ABSTAIN: None

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
May 11, 2021

Chair

Secretary