



Butler County Planning Commission

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

Meeting Minutes

MEETING: Tuesday, May 14, 2019, 3:00 p.m.

ROLL CALL:

Present: Bernard "Buck" Rumpke, *Vice-Chair*
Lonnie Lewis
Amy Updike
Beth Surber
Steven Brown

Absent: Bruce Jones, *Chair*
Kevin Cooney
Dave Baker

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

Mr. Rumpke 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 April Meeting Minutes as submitted. Mr. Brown seconded the motion. Motion carried 3-0.

AYES: Lewis, Brown, Rumpke

NAYES: None

ABSTAIN: Updike, Surber

ZONE CHANGES

MTZ 19-01 Morgan Township Zoning Text Amendments

Morgan Township

Mr. Acuff introduced this as a package of text amendments to Chapter 7, 7A and 7B. Morgan Township is in the process of updating the text amendments as a whole. This request is just for a portion.

Mr. Acuff reviewed some of the requested changes and staff comments with the board, and recommended approval.

Testimony in favor: Dale Marshall, Zoning Administrator for Morgan Township, addressed some of staff's comments. He informed the board that he had reviewed the comments from staff with the township's attorney, Jack Grove, and all were verified as acceptable.

Testimony in opposition: None

Neutral testimony: None

Ms. Updike made a motion to approve **MTZ 19-01 Morgan Township Zoning Text Amendments** inclusive of staff comments. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Updike, Lewis, Brown, Surber, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.25

WCTZ 19-04 Robert Geiger, R-PUD to R-1A

7455 Cincinnati Dayton Road

Section 24, Town 3, Range 2

West Chester Township

Mr. Acuff introduced this as a single parcel on Cincinnati Dayton Road. This property previously came through the Planning Commission a few years ago, but the project did not move forward. The request is to return the zoning to what it was before. The proposed land use is manor single family, which is large parcels of land with low density. This zoning calls for 1-2 acre lots with detached single family housing. The intent is to split the property into two lots with a shared driveway onto Cincinnati Dayton Road.

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

Testimony in favor: Robert Geiger, applicant for the project, stated that he has already had soil tests performed and sent to the health department. He stated that he has the approval for the septic.

Mr. Brown asked about the purpose of the shared driveway. Mr. Acuff stated that due to the location of the property in relation to the curve of Cincinnati Dayton Road, the driveway access has been pulled as far away from it as possible.

Testimony in opposition: None

Neutral testimony: None

Mr. Brown asked if there would be any kind of maintenance agreement for the shared drive. Mr. Acuff stated that the maintenance agreement would be handled within the deeds for each of the two lots.

Mr. Brown made a motion to recommend approval of **WCTZ 19-04 Robert Geiger, R-PUD to R-1A**. Ms. Surber seconded this. Motion carries 5-0.

AYES: Brown, Surber, Lewis, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.26

LTZ 19-03 Todd Homes/Clawson, R-1 to B-2

5852 Princeton Glendale Road

Section 22, Town 2, Range 2

Liberty Township

Mr. Acuff introduced this as a request to rezone a handful of properties. There are currently two different zonings on the properties, and the applicant wishes to change the zoning to cover the entirety of each parcel. The township land use plan requires at least 20% business component in that area, and the proposed zone change would achieve that and more.

Mr. Acuff stated that a B-PUD would provide the property owner, county, and township more flexibility. Staff is not opposed to a B-2 district, but a B-PUD would be preferred. Staff stated that public sewer is not currently available to the site. Staff recommended approval of the zone change per all comments.

Testimony in favor: Todd Hall, managing member of Todd Homes, stated that the property already has B-2 zoning on it, and there is B-2 zoning across the street as well.

Mr. Brown asked if there was public sewer close by. Mr. Hall stated that the property behind his has already been through the Planning Commission and gotten approval. If that property develops, Mr. Hall will be connecting to the sewer through there.

There are also three other sources for sewer in the area. None of the sewer comes up to the property lines, so there would have to be offsite work to bring the sewer to the location.

Testimony in opposition: None

Neutral testimony: None

Ms. Surber commented that since part of the property also has B-2 zoning and it fits into the land use plan for the township, she is in favor of the change.

Ms. Surber made a motion to recommend approval of **LTZ 19-03 Todd Homes/Clawson, R-1 to B-2**. Ms. Updike seconded this. Motion carries 5-0.

AYES: Surber, Updike, Lewis, Brown, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: **19.27**

PRELIMINARY PLATS

Ross Trails, Section 5, Block B

Robina Drive

Section 29, Town 3, Range 2,

Ross Township

Mr. Acuff introduced this as the next section of Ross Trails with 41 new lots on 41 acres coming off Sunny Acres Drive.

Mr. Acuff reviewed staff comments with the board. There are some environmental issues, both water and endangered species to be made aware of as development progresses. With those and the other comments listed in the staff report, staff recommends approval.

Mr. Brown made a motion to approve **Ross Trails, Section 5, Block B**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Brown, Lewis, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: **19.28**

Westfall Preserve

*RE Smith Blvd
Section 11, Town 2, Range 2,
West Chester Township*

Mr. Acuff introduced this as 102 proposed residential lots on a little under 75 acres. There is a floodplain that runs through the property so the high portion of the site would hold the 102 lots. There are a number of lots that will have to be removed from the floodplain before development can occur, but the applicant has already been in contact with the county floodplain manager on those requirements.

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

Mr. Acuff addressed a question from the audience regarding how much fill would be required to bring the select lots up out of the flood plain. About a foot and a half would be the estimated raise required.

Mr. Lewis asked if the traffic would all be brought out to RE Smith Blvd. Mr. Acuff stated that RE Smith Blvd was the only access point to the site.

Mr. Rumpke asked if the developer would like to make a comment. Michael Cady, of Grand Communities, stated he didn't have anything to add but he was open for questions from the board.

Mr. Rumpke asked if the open space would be used for farming or for open space. Mr. Cady said it would be used as open space.

Mr. Rumpke asked what the average price would be for the houses in that area. Mr. Cady said it would be a range between mid-\$200k and mid-\$300k.

Ms. Surber made a motion to approve **Westfall Preserve**. Mr. Brown seconded this. Motion carries 5-0.

AYES: Surber, Brown, Lewis, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.29

The Oaks at Wetherington

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

Mr. Acuff introduced this as a property south of Liberty Center and west of Cabela's. The plan is to split the two parcels in question up into nine lots for future

development. The large lot on the west is planned to be residential condos, a handful of the other lots are planned for commercial use, and the remainder will be used for roads and retention ponds.

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

Mr. Rumpke clarified that all the proposed streets are private. Mr. Acuff confirmed that they are.

Mr. Rumpke asked if there was anybody representing the developer. Mitch Fry, 8796 Kunker Road, Morrow, OH 45152, addressed some questions from the board.

Mr. Rumpke asked if Mr. Fry was aware of what commercial businesses might be going into those locations. Mr. Fry said that at this point, there were only two lots currently slated for potential land sale, and the intent is to follow up, pending approval of the planning commission, with a final plat submission.

Mr. Lewis made a motion to approve **The Oaks of Wetherington**. Mr. Brown seconded this. Motion carries 5-0.

AYES: Lewis, Brown Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.30

FINAL PLATS

Carriage Hill, Section 23

Carriage Hill Blvd

Section 2, Town 2, Range 3

Liberty Township

Mr. Acuff introduced this as the southwest corner of the neighborhood. The four-plexes being proposed are relatively new to the area. There are 17 new residential units along a private drive.

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

Mr. Rumpke asked Mr. Acuff if the four lots represent a connected 4-unit house. Mr. Acuff stated that there would be a shared driveway that comes up the middle. Mr. T.C. Rogers explained to staff that the units are attached in a single row.

Mr. Rumpke asked if the culdesac that access would come from is a private road, and Mr. Acuff stated it was. Mr. Rumpke then asked if the area will have an HOA.

Staff said there would be an HOA, and that there were two more sections planned of the same product in the rest of the area.

Mr. Brown asked if the drive to the rear lots will be accessed by the front two lots as well, or if their access would come off the street directly. Mr. Acuff stated that the closer lots should have their own access to the street.

Mr. Rumpke asked about the expenses of maintaining the driveways and the private drive. Staff said that would be hashed out in the HOA agreements.

Mr. Brown made a motion to approve **Carriage Hill, Section 23**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Brown, Lewis, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.31

Vista Verde, Section 4

Harvest Avenue

Section 9, Town 2, Range 3

Liberty Township

Mr. Acuff introduced this as the extension of Harvest Avenue coming up through and connecting to the area to the north. There will be 21 new lots in the area that will connect the two already existing neighborhoods to the northeast and southwest of the property.

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

Mr. Rumpke asked about a square on the left of the property that has a shared driveway. Staff informed the board that lots 108 and 111 will have their own driveways, and lots 109 and 110 have the option to either share a driveway or have their own separate driveways. These are flag lots, so they have either option available to them.

Mr. Rumpke asked about lot 121 and its purpose. Mr. Acuff stated that it is a designated open space lot primarily aimed at stormwater management for the area.

Mr. Lewis made a motion to approve **Vista Verde, Section 4**. Mr. Brown seconded this. Motion carries 5-0.

AYES: Lewis, Brown, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.32

REPLATS

R Brickner Subdivision, Replat of Lot 1 and 2.351 Acres

Howard Road

Section 33, Town 3, Range 1

Morgan Township

Mr. Acuff introduced this as two lots located just north on the southern county line. The proposal includes an acreage parcel and a tiny sliver of land. The request is to combine those into one larger lot.

Mr. Acuff reviewed a single staff comment, being that health department approval must be obtained for a septic system on the new lot. Staff recommended approval subject to that comment.

Mr. Brown made a motion to approve **R Brickner Subdivision, Replat of Lot 1 and 2.351 Acres**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Brown, Lewis, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.33

Rossgate, Replat of Lots 1, 10, and Part Lot 2

Rossgate Court

Section 27, Town 3, Range 2

Ross Township

Mr. Acuff introduced this combination of three lots into one for marketing/commercial purposes. Lot 10 was part of a previous combination.

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

Mr. Rumpke asked if the zoning was the same on all the lots. Mr. Acuff said it was, and he believed it was all business zoned.

Ms. Updike made a motion to approve **Rossgate, Replat of Lots 1, 10, and Part Lot 2**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Updike, Lewis, Surber, Brown, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.34

Treillage, Replat of Lots 178 & 185

*West Observatory Street
Section 12, Town 2, Range 2
West Chester Township*

Mr. Acuff introduced this as a combination of a small triangular portion of land onto lot 185, and renumbering the lot.

Mr. Acuff had only one comment is an advisory to take precautions for shrink/swell soil components. With that comment, staff recommended approval.

Mr. Brown made a motion to approve **Treillage, Replat of Lots 178 & 185**. Ms. Surber seconded this. Motion carries 5-0.

AYES: Brown, Surber, Lewis, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.35

Windrift, Replat of Lots 105, 121, and Part Lot 106

*9746 & 9749 Lupine Drive
Section 14, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this as a land swap between two adjacent owners. There is a wall built between the properties, and after a survey, it was found that the wall is located on a neighbor's property. The proposal is to swap the land that the wall sits on between those properties to the correct owner of the wall, and to combine in a small triangular lot to the north of the western lot into one new larger lot.

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

Mr. Brown questioned the part lot 106 of the proposal. Mr. Acuff explained that the triangular lot to the north was previously split by the property owner to the far north. That property owner is not involved in this transaction.

Mr. Lewis made a motion to approve **Windrift, Replat of Lots 105, 121, and Part Lot 106**. Ms. Surber seconded this. Motion carries 5-0.

AYES: Lewis, Surber, Brown, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.36

bv

Schumacher Commerce Park, Replat of Lots 43-45

*6184 Schumacher Park Drive
Section 16, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this combination of 3 lots into a single property. The property is already owned by the same company and functioning.

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

Mr. Brown made a motion to approve **Schumacher Commerce Park, Replat of Lots 43-45**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Brown, Lewis, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.37

Village of West Chester, Replat of Lots 49-51 and 0.513 Acres

*8930 Cincinnati Dayton Road
Section 28, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this as the Presbyterian Church in West Chester looking to combine four lots into a single larger lot. Three of those lots are included on a previously recorded village plat, while the fourth lot (0.513 acres to the southwest) is outside of that recorded plat. According to the Auditor's office, the combination cannot cross that line because it is defined as a separate taxing district, despite there not being a village of West Chester.

The options are to either combine the three lots and leave the last one as is, or the Church can have the village lots vacated, which will allow all four lots to be combined.

Mr. Acuff reviewed the remaining staff comments and recommended approval per all comments.

Mr. Rumpke asked if the board approves the request, will the smaller acreage remain separate. Mr. Acuff explained that it would, unless the applicant chooses to vacate the village lots. At that point, they would become township lots and all four can be combined together.

Mr. Rumpke asked about the process of vacating the lots. Mr. Acuff stated that he believes it is similar to the process to vacate a subdivision lot.

Mr. Brown made a motion to approve **Treillage, Replat of Lots 178 & 185**. Mr. Lewis seconded this. Motion carries 5-0.

AYES: Brown, Lewis, Surber, Updike, Rumpke

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.38

ADJOURNMENT

Mr. Brown 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

May 14, 2019

Chair

Secretary