



Butler County Planning Commission

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

Meeting Minutes

MEETING: Tuesday, November 12, 2019, 3:00 p.m.

ROLL CALL:

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

Absent: 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 3:06 p.m.

APPROVAL OF MEETING MINUTES

Mr. Rumpke made a motion to approve the October Meeting Minutes with one correction. Mr. Brown seconded the motion. Motion carried 6-0.

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

NAYES: None

ABSTAIN: Surber

ZONE CHANGES

WCTZ 19-06 The Lofts at Union Centre, CBD to R-PUD

6230 Allen Road

Section 27, Town 3, Range 2

West Chester Township

Mr. Acuff introduced this as a property requesting a change to a residential planned unit development. The land use plan calls for downtown regional center. This project is proposing six buildings with 300 rental units. All the buildings have interior parking on the ground floor, as well as proposed parking along all the private streets.

Mr. Acuff reviewed staff comments with the board. One such comment was to recommending the change from 90 degree parking on Village Center Avenue to parallel parking, and also to move the stub street to the end of Village Center Avenue. Subject to all staff comments, staff recommends approval.

Testimony in favor: David Wittekind, of InLine Development, is acting as a consultant on this project. He described the facility and the willingness of the applicant to comply with staff comments.

Russ Garber, M&A Architects, described site amenities. Etta Reed, Bayer Becker, explained that there was a loss of 51 spaces after the switch, which brought the facility below the required number of spaces, per code. However, the township has given permission to make the change to allow Village Center Avenue to act more as a through way.

Testimony in opposition: None

Neutral testimony: None

Mr. Rumpke made a motion to approve **WCTZ 19-06 The Lofts at Union Centre, CBD to R-PUD**. Mr. Jones seconded this. Motion carries 7-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: **19.73**

FTZ 19-06 Trustees' Text Amendments

Fairfield Township

Mr. Acuff described this as a lengthy document updating the Fairfield Township Zoning Resolution.

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

Testimony in favor: Chuck Goins, Fairfield Township Zoning Administrator, stated that with guidance from the township trustees, the Planning & Zoning department has initiated a review and update of the current resolution. There have been minimal updates since 2008, and the staff has been reviewing the proposed changes for a year and a half. Township staff reviewed the proposed changes with guidance from the township's law director.

Testimony in opposition: None

Neutral testimony: None

Mr. Cooney made a motion to approve **FTZ 19-06 Trustees' Text Amendments**. Mr. Rumpke seconded this. Motion carries 7-0.

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

NAYES: None

ABSTAIN: None

RESOLUTION#: 19.74

MTZ 19-02 Burns & Allen, A-1/B-2 to B-3

5022 & 5024 Cincinnati Brookville Road

Section 25, Town 3, Range 1

Fairfield Township

Mr. Acuff described the request as a zone change for two adjacent parcels. One is owned by Mr. Allen and the other is owned by the estate of the deceased Mr. Burns. The property is currently zoned A-1 in the rear and B-2 up towards Cincinnati Dayton Road. The current land use plan calls for business planned industrial area along the roadway with agricultural to the rear. The request is to rezone both parcels entirely to B-3.

Mr. Acuff reviewed staff comments with the board. One comment was to hold the B-3 zoning just south of the blue line stream, and leave the rest of the parcel on the other side of the stream as agricultural. Subject to that and all other staff comments, staff recommend approval of this zone change.

Testimony in favor: Dale Marshall, Morgan Township Zoning Administrator, stated that the applicants were willing to cooperate with staff comments. Based on the location of the property, Morgan Township is attempting to open up a little bit along Shandon because this area is the only one the township has for any type of business development.

Testimony in opposition: None

Neutral testimony: None

Mr. Brown made a motion to approve **MTZ 19-02 Burns & Allen, A-1/B-2 to B-3**. Mr. Updike seconded this. Motion carries 6-0.

AYES: Brown, Rumpke, Brown, Lewis, Surber, Jones

NAYES: None

ABSTAIN: Updike

RESOLUTION#: 19.75

LTZ 19-09 Crescent Moon, RA-1 to R-PUD

4902 Cincinnati Dayton Road

Section 16, Town 3, Range 3

Fairfield Township

Mr. Acuff described this as a parcel just against the border of the city of Monroe. The proposed land use is for estate residential, which calls for larger lots. The adjacent property is developed very densely. The proposal is for 36 new residential lots. Access would be through the city of Monroe.

County staff reviewed comments and recommended approval per those comments.

Testimony in favor: Shane DeLong, RVP Engineering, stated that sewer would be coming in from the southwest corner of the property. It is currently stubbed off already. The water line will come from across Cincinnati Dayton Road. The city of Monroe has requested a valve connection with the ability to open the valve in the event of an emergency. The applicant did acknowledge that the request does not fall within the land use, but it would be very difficult to market the larger lots with the surrounding neighborhoods catering to much smaller lot sizes.

Testimony in opposition: None

Neutral testimony: None

Mr. Cooney made a motion to approve **LTZ 19-09 Crescent Moon, RA-1 to R-PUD**. Mr. Rumpke seconded this. Motion carries 7-0.

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

RESOLUTION#: 19.76

FINAL PLATS

Legacy Ridge, Section One

*Section 36, Town 3, Range 2
West Chester Township*

Mr. Acuff introduced this as a parcel of about 11.5 acres, with 23 proposed lots.

Mr. Acuff expressed concern about disturbing the forested area within the hundred year flood plain, which includes lots 10-14. The soils present have steep slopes with a high slippage potential. Mr. Acuff reviewed additional staff comments and recommended approval per all comments.

Mr. Jones asked staff to clarify what “slippage” means in this instance. Mr. Acuff stated that the characteristics of the soils and the steepness of the slopes make the area prone to landslides. The foundation in these areas are not going to be as stable as would be in other areas. There is buildable area in the front of those lots, but staff believes that the back of those lots would not be a very good place to build.

Ms. Surber asked if homeowners are advised of the buildability of the lot when they purchase it. Mr. Acuff stated that they have not seen the HOA documents yet, so they are not sure, but county staff will see those prior to the plat being sent to the commissioners for signature.

Commissioner Rogers asked if lot 16 was on a higher elevation, and what the slope of the common drive for that lot would be. Eric Pottenger, Butler County Engineer’s Office, stated that the purpose for the common drive was the limited frontage of the lots. He stated that the slope is listed on the drawings but he cannot recall the exact number. He did say that the slope was not a factor for the shared drive.

Mr. Jones inquired about verbiage that can be placed in the plat to protect the homeowners from being able to build in the back of those concerning lots (10-14). Staff stated that there isn’t anything standard, but the board is welcome to input a comment in with their recommendation.

Mr. Jones stated that in the absence of something more substantive regarding the protections, he recommends that the board forego addressing this case at this point in time.

Mr. Jones made a motion to table **Legacy Ridge, Section One** to next month. Mr. Lewis seconded this. Motion carries 7-0.

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

RESOLUTION#: 19.77

Carriage Hill, Section 24

*Section 2, Town 2, Range 3
Liberty Township*

Mr. Acuff introduced this as 22 new lots. These will be on public roads and private drives.

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

Mr. Brown made a motion to approve **Carriage Hill, Section 24**. Mr. Cooney seconded this. Motion carries 7-0.

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

RESOLUTION#: 19.78

OTHER BUSINESS

Mr. Acuff proposed that David Fehr be appointed to continue to serve as representative on the OKI Board of Directors.

Mr. Jones made a motion to approve **appointment of David Fehr to the OKI Board of Directors**. Mr. Cooney seconded this. Motion carries 7-0.

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

RESOLUTION#: 19.79

ADJOURNMENT

Mr. Jones 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

November 12, 2019

Chair

Secretary