



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING: Tuesday, January 8, 2013, 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Tom Barnes
Steven Brown
G. Coe Potter
Shirley Wiant

Absent: Kevin Cooney, Vice-Chair
Lynn Nevel

Staff present: Peter Z. Acuff, Planning Administrator
Lee Margraf, Administrative Secretary, Dept. of Development
Kevin Fall, Butler Soil & Water Conservation District
Constance Kepner, Water & Sewer Department
Eric Pottenger, Butler County Engineers Office

Mr. Bullington called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES:

None

ZONE CHANGES:

**LTZ13-01
Preliminary PUD for Carriage Hill
R-PUD/B-PUD to R-PUD/MU-PUD (Single family, multi-family, and mixed use)
Liberty Township**

Mr. Acuff said this is a preliminary PUD and a requested zone change for Carriage Hill and we've been working over the last year or so on the residential portions of the extreme eastern part in Winding Creek Subdivision and this is currently split zoned between R-PUD/B-PUD and they wish

to expand the R-PUD area a little bit and change the B-PUD to mixed use. Mr. Acuff showed an aerial image of the property and indicated its proximity to Princeton Road State Route 747 and Millikin Road.

Mr. Acuff showed a plat map of the area to be rezoned and said the dashed line is a demarcation, to the west of the line is B-PUD and to the east is R-PUD and they are looking to expand the R-PUD toward the west and the frontage along S.R. 747 would be the Mixed Use PUD and this is generally consistent with Liberty Township's Land Use Plan. Mr. Acuff said there will be a multi-family down on the southwest corner, and then develop this area with residential lots of different sizes and there will be pedestrian trails networked in the open space and such.

Mr. Acuff said County Staff reviewed this and the majority of comments come from the County Engineers Office. Mr. Acuff highlighted some of the items in the staff comments and said this is approval for the recommendation back to Liberty Township regarding the overall planning and development at the request of the zone change and said we will see the preliminary plat when it comes through, but as for now staff does recommend approval.

The applicant, Mr. Randy Terry, introduced himself and said he is the owner and developer of Carriage Hill, and introduced Mr. Jose Castrejon, land planner from McGill Smith Punshon.

Mr. Terry gave a brief history, including information from a 2009 market study of the project and shared an overall vision of some of the features to Carriage Hill preliminary development plan and shared an aerial image of the property as well as a proposed plat map. He said of the 400 acres they are preserving approximately 90 acres of open space to create a desirable community and privacy along with a park feature.

Mr. Castrejon said the whole concept of the market study and this property is to create a community that has some linkage and connectivity with the surrounding areas as well as internally, and find a way to utilize the open space for the community as a method to connect the pods of housing both internally and externally. Mr. Castrejon showed a map of the proposed 3 miles-plus path system and noted it will interlink pedestrians from and to other areas, including nearby schools and take into consideration future development. Mr. Castrejon said they realize that graphically these path systems at the preliminary level are showing the intent and location, and once they get to the final development they will align the path systems where they need to be to maximize safety and provide accessibility and minimize disturbance to any environmental areas

Mr. Castrejon said there will be a good balance between products with densities that are appropriate to the Land Use Plan and they also have a variety of neighborhoods that provide access to the commercial from the "empty nesters" to the bigger type lots.

Mr. Castrejon said if anyone has questions about the details he offered to answer them and addressed some of the comments of the County staff, including but not limited to working with the county on a traffic study; they are having dialog with the Township already to come to some solutions and they realized that environmental issues from flood plain studies are of concern and they have been working on that from the beginning to minimize disturbance to the environment and they are also working with the county about the roundabouts and the road system requirements.

Mr. Terry said the change from the B-PUD to Mixed use, being our primary setting is residential environment, the new zoning of a mixed use offers a much better balance of transitioning from the

commercial business component into the residential and is much more suitable for this type of community development and better zoning for this location.

No questions posed to Mr. Terry or Castrejon.

TESTIMONY IN FAVOR OF: None

TESTIMONY IN OPPOSITION OF: None

NEUTRAL TESTIMONY: None

Mr. Bullington said in his opinion it is well-laid out project and offers flexibility but this is just a zone change not a plat state and it was mentioned by the applicant they are working through a lot of details on that.

Mr. Potter said he would hope the engineer and applicant can see there be a functional roundabout compared to some others he has seen.

Mr. Potter made a recommendation to approve LTZ13-01, Preliminary PUD for Carriage Hill R-PUD/B-PUD to R-PUD/MU-PUD (Single family, multi-family, and mixed use) Liberty Township as submitted. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Barnes, Brown, Bullington

NAYES: None

RESOLUTION: #13.01

PRELIMINARY PLATS:

**Liberty Town Square (tabled from December 2012),
Section 13, Town 3, Range 3
Liberty Township**

Mr. Acuff said this preliminary plat is for phase I for a mixed use development on 63 acres and is located at the corner of Liberty Way and Interstate 75 in Liberty Township. This was on the agenda last month and tabled to resolve some of the concerns and is back today.

Mr. Acuff said information on this was mailed to each of the Board members and a copy is in front of each member today.

Mr. Acuff showed an overall view plat of the phase 1, with the proposed buildings outlined in blue and the proposed parking outlined in red.

Mr. Acuff said the applicant is asking for preliminary approval today to improve the layout as shown here and there are a number of issues that are being discussed, including but not limited to

roadways, utilities and sewers, and some questions as to what is public and what is private. Mr. Acuff said Staff Comments in the binders and highlighted some of the comments.

Mr. Acuff said Etta Reed, Beyer & Becker is here and can give more background on the project.

Ms. Etta Reed, Bayer & Becker introduced herself and gave a brief background on the project all the way back to 2008 when this property was rezoned B-PUD and was approximately 110 acres and will contain approximately 1.2 million square feet of retail, 435 condominiums, a hotel and a fitness center. Ms. Reed said this property had a lot of streams and one (1) wetland and they have already applied for and obtained the 401 and 404 permits from Ohio Environmental Protection Agency (OEPA) and the Army Corps of Engineers and are currently working on irrigation plans.

Ms. Reed said this project will contain what they call a “New Community Authority”, which is a quasi-public body which will own and maintain the parking garages, the interior road ways and the majority of roadways and will be comprised by a governing body which will include county officials as well as development representatives to maintain all of the onsite infrastructure. Ms. Reed said landscaping is a big component with this development and presented an image of the proposed landscape including trees, entrances, cross roads, a courtyard and pointed out the open space which is very pedestrian friendly including two (2) open space parks.

Ms. Reed said towards the west end of the development will be the “square” which is an active area with a cinema, a hotel and some outside dining and seating areas and water features for community activities.

Ms. Reed said they are asking for a variance of the detention because they wish to put the detention underground under garage B and C in essentially a basement. They will need a variance approval from the Planning Commission as the Subdivision Regulations do not allow underground detention and they have submitted it to OEPA and OEPA has signed off on the water quality aspect of doing it underground. Ms. Reed offered to answer any questions.

Mr. Bullington said they will look at the water detention as a separate issue.

Ms. Reed said that is correct.

Mr. Bullington asked what the time line is for the first section.

Ms. Reed said they will start removing trees in March with an opening in spring of 2015 and the whole thing will open at the same time – not just a portion.

Mr. Brown asked if the detention is part of phase 1.

Ms. Reed replied yes, the detentions that will take place at garage B & C will take care of Phase I of the development and as they move forward they will have to add additional detention.

Mr. Bullington asked if the parking garages will be metered.

Ms. Reed said she did not believe so. If you have ever been to their other sites, they do have signage in the development to let you know how many parking spaces are available in each lot so when you pull in you will know where parking is available so you won't waste your time driving around in a garage that is already full.

Ms. Wiant made a motion to approve the preliminary plat for Liberty Town Square, Section 13, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Brown seconded the motion. Motion carried 5 – 0.

AYES: Wiant, Brown, Potter, Barnes, Bullington

NAYES: None

Resolution # 13.02

**Storm Water management Variance
Liberty Town Square
Section 13, Town 3, Range 3
Liberty Township**

Mr. Bullington said there is a request for a Variance for the storm water management for this project which is basement water basically.

Mr. Acuff said approval of the variance would allow the storm water retention on this site to be underground.

Mr. Bullington made a motion to approve the request for a variance as mentioned for Liberty Town Square, Section 13, Town 3, Range 3, Liberty Township. Mr. Potter seconded the motion. Motion carried 5 – 0.

AYES: Bullington, Potter, Barnes, Wiant, Brown

NAYES: None

Resolution # 13.03

FINAL PLATS:

**The Streets of West Chester, Replat of Lot 55
Section 27, Town 3, Range 3
West Chester Township**

Mr. Acuff said this is the next phase of developments at the Streets of West Chester and showed an aerial image of the property and said this replat is creating 6 lots similar to the other lots here (pointed to on map). The only comment by County staff is that the water and sewer platting fees are due for the six (6) lots and it has been reviewed and staff recommends approval.

Mr. Potter made a motion to approve the replat for The Streets of West Chester, Replat of Lot 55, Section 27, Town 3, Range 3, West Chester Township. Ms. Wiant seconded the motion. Motion carried 5-0.

AYES: Potter, Wiant, Brown, Potter, Barnes, Bullington

NAYES: None

RESOLUTION #: 13.04

OTHER BUSINESS:

Appoint David Fehr as the Butler county Planning Commission Representative for the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments.

Ms. Wiant made a motion to appoint David Fehr as the Butler county Planning Commission Representative for the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments. Mr. Potter seconded the motion. Motion carried 5 – 0.

AYES: Wiant, Potter, Barnes, Brown, Bullington

NAYES: None

RESOLUTION #: 13.05

ADJOURNMENT:

Mr. Cooney made a motion to adjourn, seconded by Ms. Wiant. All in favor. 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 by Lee Margraf and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting.

Hamilton, Ohio
January 8, 2013

Chair

Secretary

Lee Margraf