



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session – December 1, 2015

The Board met in regular session pursuant to adjournment of the November 24, 2015, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the November 17, 2015, November 19, 2015 and November 24, 2015 meetings were read and approved.

- 15-1960 A resolution was adopted to approve the Promotion of Michael Gates from Water Distribution Worker I to the position of Water Distribution Worker II within the Water and Sewer Department. Vote: Unanimous
- 15-1961 A resolution was adopted to approve Appointments and Reappointments to the Criminal Justice Board of Warren County. Vote: Unanimous
- 15-1962 A resolution was adopted to approve and authorize the President of the Board to enter into a Scope of Services and Equipment Agreement with Woodhull, LLC on behalf of Warren County Information Technology Department. Vote: Unanimous
- 15-1963 A resolution was adopted to enter into Agreement with Chad M. and Kimberly R. Woltmann for Water Service to property at 2671 Socialville-Fosters Road. Vote: Unanimous

- 15-1964 A resolution was adopted to authorize Warren County Board of County Commissioners to Cooperate with the Hamilton County Board of County Commissioners to prepare and submit an Application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute Contracts as required. Vote: Unanimous
- 15-1965 A resolution was adopted to authorize Warren County Board of County Commissioners to submit an Application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute Contracts as required. Vote: Unanimous
- 15-1966 A resolution was adopted to approve and authorize President of the Board to enter into a Joint Agreement with Hamilton County relative to Construction and Maintenance of Improvements to the Fields Ertel Road and Lebanon Road/Columbia Road Intersection. Vote: Unanimous
- 15-1967 A resolution was adopted to enter into a Memorandum of Understanding with the Ohio Department of Administrative Services on behalf of the Warren County Board of Elections. Vote: Unanimous
- 15-1968 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 15-1969 A resolution was adopted to enter into Street and Appurtenances Security Agreement with BMB Ltd, an Ohio Partnership for installation of certain improvements in Greenfield Reserve Subdivision situated in Deerfield Township. Vote: Unanimous
- 15-1970 A resolution was adopted to enter into Erosion Control Bond Agreement for BMB Ltd, an Ohio Partnership for completion of improvements in Greenfield Reserve situated in Deerfield Township. Vote: Unanimous
- 15-1971 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with BMB Ltd, an Ohio Partnership for installation of certain improvements in Greenfield Reserve situated in Deerfield Township. Vote: Unanimous
- 15-1972 A resolution was adopted to approve the following Record Plats. Vote: Unanimous
- 15-1973 A resolution was adopted to Rescind Resolution #15-1350 regarding an Amended Certificate and a Supplemental Appropriation within Fund #455 for Phase II Road Resurfacing. Vote: Unanimous

- 15-1974 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 15-1975 A resolution was adopted to accept an Amended Certificate and approve a Supplemental Appropriation into Juvenile Detention Addition & Renovation Fund #496. Vote: Unanimous
- 15-1976 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Child Support Enforcement Agency Fund #263. Vote: Unanimous
- 15-1977 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Juvenile Probation Fund #101-2500. Vote: Unanimous
- 15-1978 A resolution was adopted to approve Appropriation Adjustments within Adult Probation Fund #101-1223. Vote: Unanimous
- 15-1979 A resolution was adopted to approve Appropriation Adjustment within Juvenile Court Fund #101-1240. Vote: Unanimous
- 15-1980 A resolution was adopted to approve Appropriation Adjustments within Telecommunications Department Funds #101-2812 and #101-2810. Vote: Unanimous
- 15-1981 A resolution was adopted to approve an Appropriation Adjustment within Motor Vehicle Fund #202. Vote: Unanimous
- 15-1982 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273. Vote: Unanimous
- 15-1983 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 15-1984 A resolution was adopted to approve Combined Preliminary Plan and Planned Unit Development Stage 2 Plan for Highlands at Heritage Hill in Union Township. Vote: Unanimous
- 15-1985 A resolution was adopted to Deny the Rezoning Application of Margaret and Daniel Cunningham, owners of record, to rezone 87.9 acres from Rural Residence "R-1" to Mixed Use Neighborhood Zone "MXU-N" in Turtlecreek Township. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Grossmann - nay
- 15-1986 A resolution was adopted to approve Modification of Map Amendments to the Official Warren County Zoning Map Pursuant to Ohio Revised Code Section 303.12. Vote: Unanimous

15-1987 A resolution was adopted to approve Cash Advance from General Fund #101 into Prosecutor's Crime Victim Grant Fund #245. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Susan Spencer, Personnel Officer, was present to introduce new hires from the last quarter of 2015.

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:15 a.m. to discuss new hires within Facilities Management and compensation for department heads pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 9:38 a.m.

ADMINISTRATIVE HEARING

THE HIGHLANDS AT HERITAGE HILL COMBINED PRELIMINARY PLAN AND PUD STAGE 2 IN UNION TOWNSHIP

The Board met this 1st day of December 2015, to consider the combined preliminary plan and PUD Stage 2 in Union Township for The Highlands at Heritage Hill.

Commissioner Young administered the oath to all those present desiring to speak during the hearing.

Daniel Geroni, Regional Planning Commission, presented the attached PowerPoint presentation providing background for the project, the entrance location from Columbia Road, the open space plan and also reviewed the proposed amenities for the subdivision and the conservation easement.

Mr. Geroni presented a letter from the City of Lebanon stating the requirements needed in order to cross the scenic railroad tracks.

There was discussion relative to the wastewater treatment options for the subdivision. Mr. Geroni stated the developer is proposing two options:

1. Neighborhood sanitary system which would require review and approval by the Ohio EPA
2. Traditional septic or mound system which would require review and approval by the Warren County Combined Health District.

There was discussion relative to the ability of the City of Lebanon to provide sanitary sewer services to the subdivision.

Scott Stonier, Highland Development Partners, stated that when they contacted the City of Lebanon to discuss the availability of sanitary sewers and were told that it was too costly to extend sewers to the development.

Mike Williams, Highland Development Partners, stated that the City of Mason has stated they will provide sanitary sewers to the subdivision but they will not reach the property for another 5 – 10 years.

Mr. Geroni then presented the Regional Planning Commission Executive Committee's recommendation to approve the combined preliminary plan and PUD Stage 2 in Union Township for The Highlands at Heritage Hill subject to 13 conditions.

Chris Brausch, Sanitary Engineer, confirmed that Warren County does not have sanitary sewers anywhere in the vicinity of this development. He also confirmed that the City of Lebanon has sewer lines adjacent to this development within the Lebanon Industrial Park.

There was discussion relative to the concept of wastewater treatment plants servicing a regional area rather than just a single political subdivision.

Commissioner Grossmann requested David Gully, County Administrator, to schedule a work session with both the City of Lebanon and the City of Mason to discuss the options to get sanitary sewers to this development.

Upon further discussion, the Board resolved (Resolution #15-1984) to approve the combined preliminary plan and PUD Stage 2 in Union Township for The Highlands at Heritage Hill subject to 13 conditions.

Doug Koenig, President of the Warren County Airport Authority, was present for the 2015 State of the Warren County Airport.

Mr. Koenig introduced the Airport Authority Board members and presented the attached PowerPoint presentation stating the following:

1. Financials of the Warren County Airport Authority
2. A Map of the current airport view
3. Current issues
 - a. ODOT will now pay ½ of FAA local share
 - b. Warren County Prosecutor's Office can no longer represent the Airport Authority
 - c. "Through the Fence" Operation
 - d. Westheimer trees
 - e. Taxiway Repair
 - f. Night approach runway 19

Bruce McGary, Assistant Prosecutor, discussed the pending action against Mr. Westheimer to remove trees from his property that are encroaching on airspace.

There was discussion relative safety improvements needed at the airport as follows:

1. Taxiway repairs – Mr. Koenig stated that the FAA will not fund any of the current taxiway repairs due to the need for it to be relocated. He stated the need to spend \$218,000 to repair the existing taxiway until the FAA will fund the relocation in approximately 8 years.
2. Runway overlay and widening – Mr. Koenig stated that is no funding for the runway overlay and widening from the FAA until 2017 – 2018.

Al Wolfson, Secretary/Treasurer of the Warren County Airport Authority, discussed funding for the runway and the added expense in order to meet the new specifications from the FAA.

There was discussion relative to liability if Warren County does not make their improvements and waits until the FAA provided the necessary funding.

Mr. McGary stated that the only thing that can have consequences is if the runway does not meet minimum standards.

Commissioner Young questioned the necessity of Warren County to upfront the runway repairs and be reimbursed from the FAA at \$150,000 per year.

Mr. Koenig stated that repairing the taxiway at \$218,000 is more of a priority than the runway repairs in his opinion as a pilot.

Commissioner Young stated the following:

1. He is in favor of repairing the existing taxiway
2. Does the Board want to upfront the runway repairs?
3. Is there any special allocation that can be used to relocate the taxiway?

Mr. Wolfson stated that there will not be any special allocation available to Warren County for the relocation of the taxiway until after the runway repairs reimbursement has been completed.

There was discussion relative to reimbursement if Warren County relocates the taxiway and completes the overlay and widening of the runway at the same time.

Mr. Wolfson stated that Warren County could be reimbursed \$150,000 per year for the project.

David Gully, County Administrator, stated that the Warren County Port Authority may fund the combined project with the obligation to repair the debt from the future Fixed Base Operator payments and the FAA reimbursement of \$150,000 per year.

There was discussion relative to the economic development impact that the Warren County Airport provides to Warren County.

There was then discussion relative to the project cost reduction with the entire project being completed at one time rather than piece by piece.

Upon further discussion, the Board requested Mr. Gully to work with the Warren County Port Authority and the Airport Authority to discuss financing for the necessary projects.

PUBLIC HEARING

REZONING APPLICATION OF MARGARET AND DANIEL CUNNINGHAM, OWNERS OF RECORD, TO REZONE 87.9 ACRES FROM RURAL RESIDENCE "R-1" TO MIXED USE NEIGHBORHOOD ZONE "MXU-N" IN TURTLECREEK TOWNSHIP

The public hearing to consider the rezoning application of Margaret and Daniel Cunningham, Owners of Record, to rezone approximately 87.9 acres located at 2820 W. State Route 63 in Turtlecreek Township from Rural from Residence "R-1" to Mixed Use Neighborhood Zone "MXU-N" was convened this 1st day of December 2015, in the Commissioners' Meeting Room.

Michael Yetter, Zoning Supervisor, presented the attached PowerPoint presentation stating the applicant, location, property size, Future Land Use Map for the area. He discussed the topography of the property and that the flood plain does not affect this property. He then stated that the applicant is requesting to rezone to a mixed use neighborhood zone that would include both residential (single family, duplex, and multi-family) and commercial and industrial usage.

Mr. Yetter then stated that the current zoning allows 1 residential unit per 2 acres.

If there is discussion relative to approval, Mr. Yetter stated he will review any staff recommended conditions of approval.

There was additional discussion relative to surrounding zoning and the maximum permitted residential units.

Mr. Yetter reviewed the permitted uses and also the zoning of the surrounding properties including Otterbein- Lebanon and Charleston Wood Subdivision. He then acknowledged receipt of a letter from the Turtlecreek Township Trustees stating their objection to the rezoning application based upon a lack of detail in the development plans.

There was discussion relative to the rarity of receiving a development plan during the initial rezoning as well as the ability to review the conceptual plan at the time of submittal.

Matt Obringer, Regional Planning Commission, stated they do not see any major issues with the rezoning of this property. It is their preference that there are some conditions tied to it such as sewer availability.

Commissioner Young questioned how the Regional Planning Commission staff stated they do not have any major issues with the rezoning application, however, the Warren County Regional Planning Commission Executive Committee recommended denial.

Mr. Obringer stated that the RPC Executive Committee had a split vote with the majority recommending denial.

Commissioner Young stated his confusion relative to the recommendation the staff is presenting vs. the decision of the Executive Committee.

Mr. McGary, Assistant Prosecutor, stated that Ohio law and our Warren County Rural Zoning Code requires the Board to consider the recommendation of the Executive Committee of the Regional Planning Commission and the Rural Zoning Commission. He stated that the Zoning Supervisor solicits comments from various departments and agencies and Mr. Yetter has shared those comments.

Commissioner Young stated his concern with the RPC staff not presenting the Executive Committee recommendation and instead presented staff recommendations. He also stated disappointment with the Zoning staff not clearly presenting the decision of the Rural Zoning Commission to deny the request.

Mr. Yetter stated that the Rural Zoning Commission voted to deny the rezoning application.

Commissioner Grossmann stated that the property owner desires to rezone the property. He then questioned if this request is consistent with surrounding zoning.

Mr. McGary stated that it is not. He stated that the surrounding property to the west has sanitary sewer services from Butler County and are zoned PUD. He stated that this property and all other properties adjacent to this property do not have sanitary sewer service.

There was discussion relative to the development of the property relative to sanitary sewer availability and also concerns with the higher density request.

Margaret Cunningham, property owner, stated that change is coming to the area and her desire to be prepared. She stated that the intention is not to keep this property forever and they are thinking of what the long term best compatible use of the property. She stated that there is no plan in place for a public sewer at this time but they would ultimately like to see it develop compatible to the adjacent property, Otterbein- Lebanon.

Mrs. Cunningham stated that they have been approached by the Lebanon Bike Trail, which they are in favor of, and would like to develop the property that would allow denser clusters of housing that allow the open/green space of the bike trail to be utilized.

Mrs. Cunningham stated they do not have specifics for a development plan. She stated that the adjacent property owners would have ample time to comment on any proposed development plan at a future meeting, if this zoning is approved. She reviewed the attached talking points with the Board stating the reasons the Board should consider approval of their rezoning application along with the sanitary sewer options for the property. She reviewed the staff recommendations presented by the Rural Zoning Commission and stated she does not want to be required to preserve the woods as stated. She stated that the Emerald Ash Borer has other plans for the area. She stated her desire to be a constructive part of change for the area and requested the Board to approve their rezoning application.

Greg Hammer, adjacent property owner, requested the Board consider the density of Turtlecreek Township as a whole when determining the question of rezoning. He then stated that ODOT has no funds available to study or widen SR 63 and stated a concern that, if approved, adjacent properties to this may desire to rezone as well. He stated that this property is zoned R-1 for a reason and unless infrastructure improvements such as road widening and sanitary sewer are brought to the area, he is opposed to this rezoning application.

Don Schrimplin, adjacent property owner, stated that if this rezoning application is approved it will affect his quality of life. He stated he applauds the Cunninghams for being proactive but feels this property should be zoned R-1 and used as a buffer to the Otterbein development. He stated that the question the Board must ask is "is this property in a strategic enough location for what they are requesting" and he stated his opinion that it is not.

Mark Cunningham, son of the property owners, stated that the nature of the land has changed from the Charleston Woods development. He stated that this property is beginning to be surrounded by developments and they desire to be ready when the opportunity arrives.

There was discussion relative to the allowable uses on this property if approved.

Mrs. Cunningham stated that this rezoning application is their way of requesting permission to make a development plan.

Commissioner South questioned if the property owners have considered any type of modification to their rezoning application or has any desire for a continuation of the public hearing to consider modifying their request.

Mr. Cunningham stated that if the Board denies their request, they may come back with a different plan. She then stated she doesn't know what a continuation would do for them as they still will not know how surrounding areas will develop. She stated she is not interested in another zoning classification.

Mr. Hammer stated his desire for the application to wait to see how the adjacent property develops and come back with a plan once that is determined.

Mr. McGary reviewed the things the Board must consider when determining a zoning decision.

Commissioner Grossmann stated he generally favors the rights of property owners as paramount unless there is a demonstrable adverse effect to adjacent property. He then stated that without this being a PUD, anyone could develop the area for any permitted use.

Mr. McGary stated that the Board has discretion to approve or deny the application.

Commissioner South stated she is torn with this decision. She stated she has a difficult time voting in favor of a rezoning application that the Regional Planning Commission, Rural Zoning Commission and the Turtlecreek Township Trustees are opposed to.

Commissioner Young thanked the applicant and the opposing adjacent property owners for their civility in this matter. He stated his opinion that property owner rights are paramount; however, this Board is in charge of the vision of what the area should look like. He stated that at some point, this will no longer be farmland and stated his fear of changing the zoning now and 400 apartments are developed prematurely. He then stated he cannot support this rezoning application.

Commissioner Grossmann stated he will vote for this application based upon property owner rights. He stated his preference for a PUD but he cannot force it.

Mr. Grossmann made a motion to approve the rezoning application. Mrs. South seconded the motion and upon call of the roll, Commissioners Young and South voted nay.

Mrs. South made a motion to deny the rezoning application. Mr. Young seconded the motion and upon call of the roll, Commission Grossman voted nay with Commissioners South and Young voted yea (Resolution #15-1985).

PUBLIC HEARING

CONSIDER A MAP TO THE OFFICIAL WARREN COUNTY RURAL ZONING CODE
(GATEWAY – SOUTH)

The public hearing to consider a map amendments to the Official Warren County Zoning Map (Case #2015-05 - Gateway South) was convened this 1st day of December 2015, in the Commissioners Meeting Room.

Michael Yetter, Zoning Supervisor, presented the map with the proposed amendments and stated the Regional Planning Commissions Executive Committee and the Rural Zoning Commission both recommend approval. He stated that this amendment includes the parcel owned by the Cincinnati Zoo and representatives are here to speak on their behalf. He stated that all of the property owners and adjacent property owners have been notified of these map amendments. He then clarified that only the property owners with the map amendments were notified of the Rural Zoning Commission public hearing.

LaSheila Tayler (Parcel 12341000021 - La Sheila Chambers), stated that she owns 3.09 acres within the map amendment and desires for her property to remain zoned MXU-N. She stated that she was told at a previous meeting that if she did not want her property rezoned, it would be removed. She stated her opposition and questioned why it was not removed from the amendment after she stated her previous objection.

Mr. Yetter stated that with the adjacent property being rezoning, she does not have sufficient acreage required for a mixed use neighborhood development.

Upon discussion, the Board stated their desire to remove the property from the map amendment.

Mark Fischer, VP Planning at the Cincinnati Zoo, stated the zoo's desire to move the cheetah breeding facility to this property and desire to submit for a permit in the spring.

June McClure, adjacent property owner, stated her concern with a cheetah facility being across the street from her residential property. She then stated safety concerns as well as the inability to sell her home due to the adjacent cheetah facility.

Bruce McGary, Assistant Prosecutor, clarified that the Board is considering a map amendment today, not the relocation of the cheetah breeding facility. He stated that the facility does not have approval to be built as they must obtain a conditional use permit from the Board of Zoning Appeals and notices will be provided to adjacent property owners at that time in order to raise any objections.

Mr. Fischer explained the safety and security of the facility and the extra lengths the Cincinnati Zoo provides in excess to the standards required by the Ohio Department of Agriculture.

There was discussion relative to the number of wild animal attacks in the State of Ohio.

Upon further discussion, the Board closed the public hearing and approved the map amendment to the Warren County Rural Zoning Code with the deletion of Parcel 12341000021 - La Sheila Chambers.

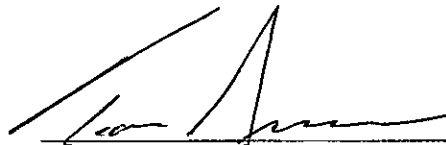
The Board reconvened the public hearing upon notice of a property owner that desired to speak.

Mike Hill, 5501 Hamilton Road, stated his concern with the proposed map amendment and questioned his ability to remove his property from the application.


Upon further discussion, the Board amended the previous motion and resolved (Resolution #15-1986) to approve a modification of the map amendments to the Official Warren County Rural Zoning Map pursuant to Ohio Revised Code Section 303.12 with the removal of Parcel 12341000021 (La Sheila Chambers) and Parcel 12331000020 (Michael and Monica Hill) from the map amendment.

Upon motion the meeting was adjourned.

David G. Young, President

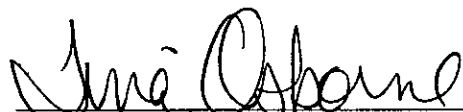


Tom Grossmann



Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on December 1, 2015, in compliance with Section 121.22 O.R.C.



Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

The Highlands at Heritage Hill
Combined Preliminary Plan
& Planned Unit Development Stage 2 Plan

WARREN COUNTY

BOARD OF COUNTY COMMISSIONERS

Dec 1, 2015



Project Overview

Zoning	PUD
Acreage	127.5 acres (PUD), 131.6 (Subdivision)
SF Lots	43 lots
Density	0.34 Units/Acre
Open Space	39 acres (30% of total area)



Regional Vicinity

1 inch = 0.39 miles
1 inch = 2,100 feet
Continuity updated
by Warren Co. GIS



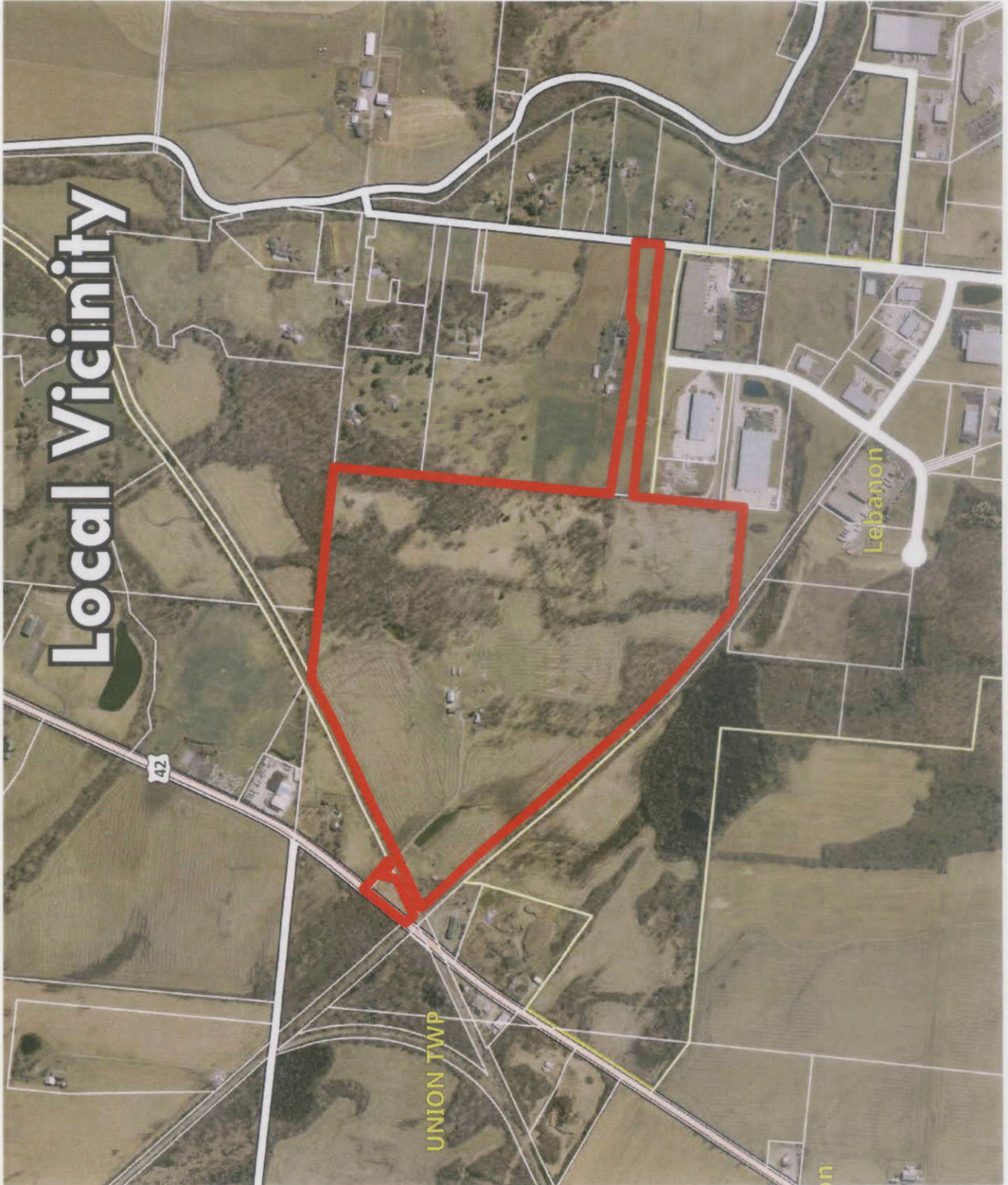


Local Vicinity

Rapp_Property_Perimeter



1 inch = 0.12 miles
1 inch = 660 feet
* Continuously updated
by Warren Co. GIS



Combined Stage 2/ Preliminary Plan



Warren County
Regional Planning
Commission



The Highlands at Heritage Hill
Combined Preliminary and PUD Plan

Preliminary
Plan
Boundary



PUD
Stage 2
Boundary



1 inch = 0.079 miles
1 inch = 410 feet

*Continuously updated
by Warren Co. GIS

Open Space

	Total Open Space (Acres)	Percent of Total
Proposed Open Space	38.8	29.6 %
Required Open Space	31.8	25 %
Proposed Active Space	6.4	5 %
Required Active Space	9.9	7.8 %

Amenities



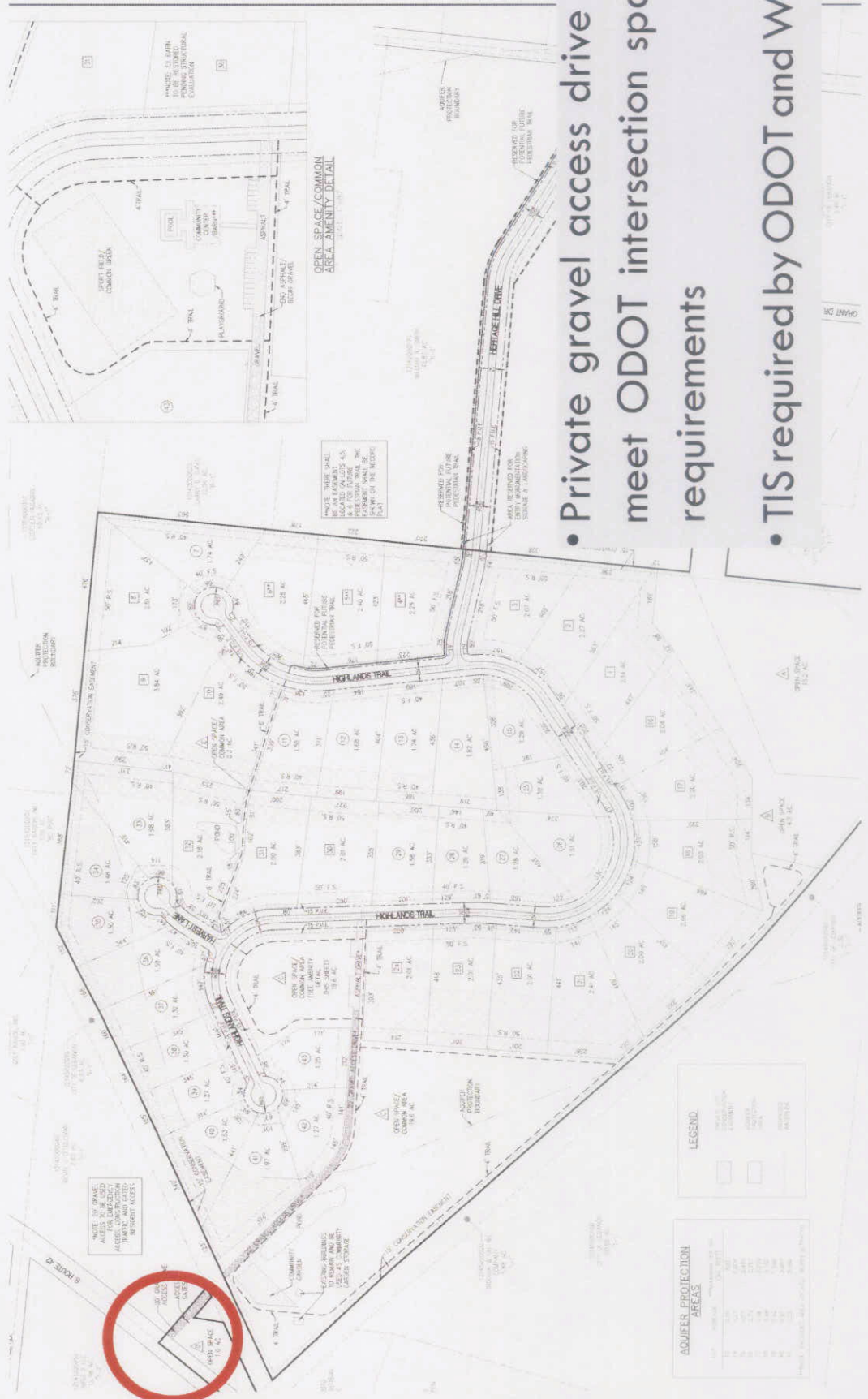
- Amenities proposed by applicant.
- Details required at Stage 2.
- Required at 75% build-out

Conservation Easements

- Shall not be cleared
- Shall be noted on plat
- Will use language from Exhibit B

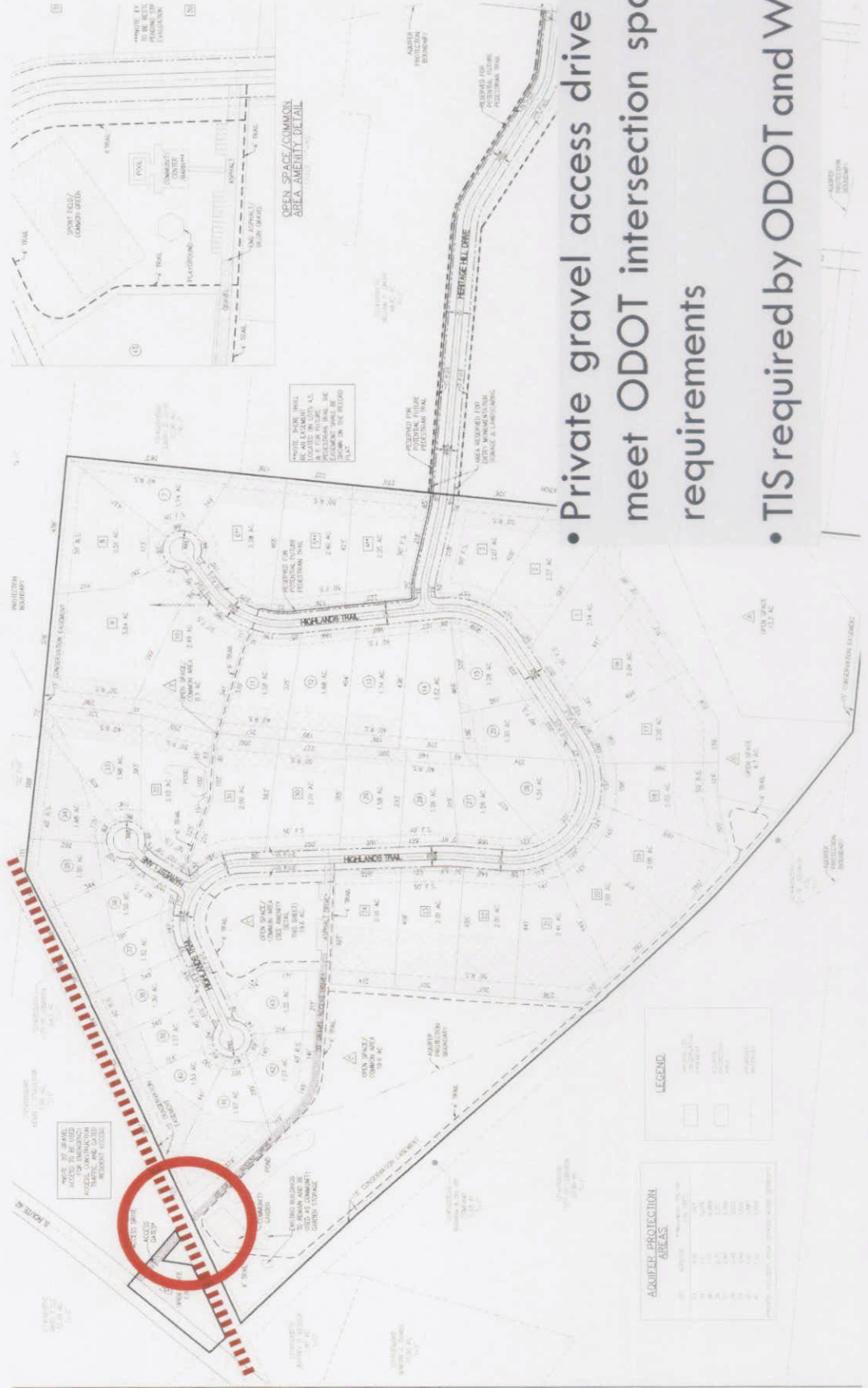


Intersection Spacing



- Private gravel access drive shall meet ODOT intersection spacing requirements
- TIS required by ODOT and WCEO

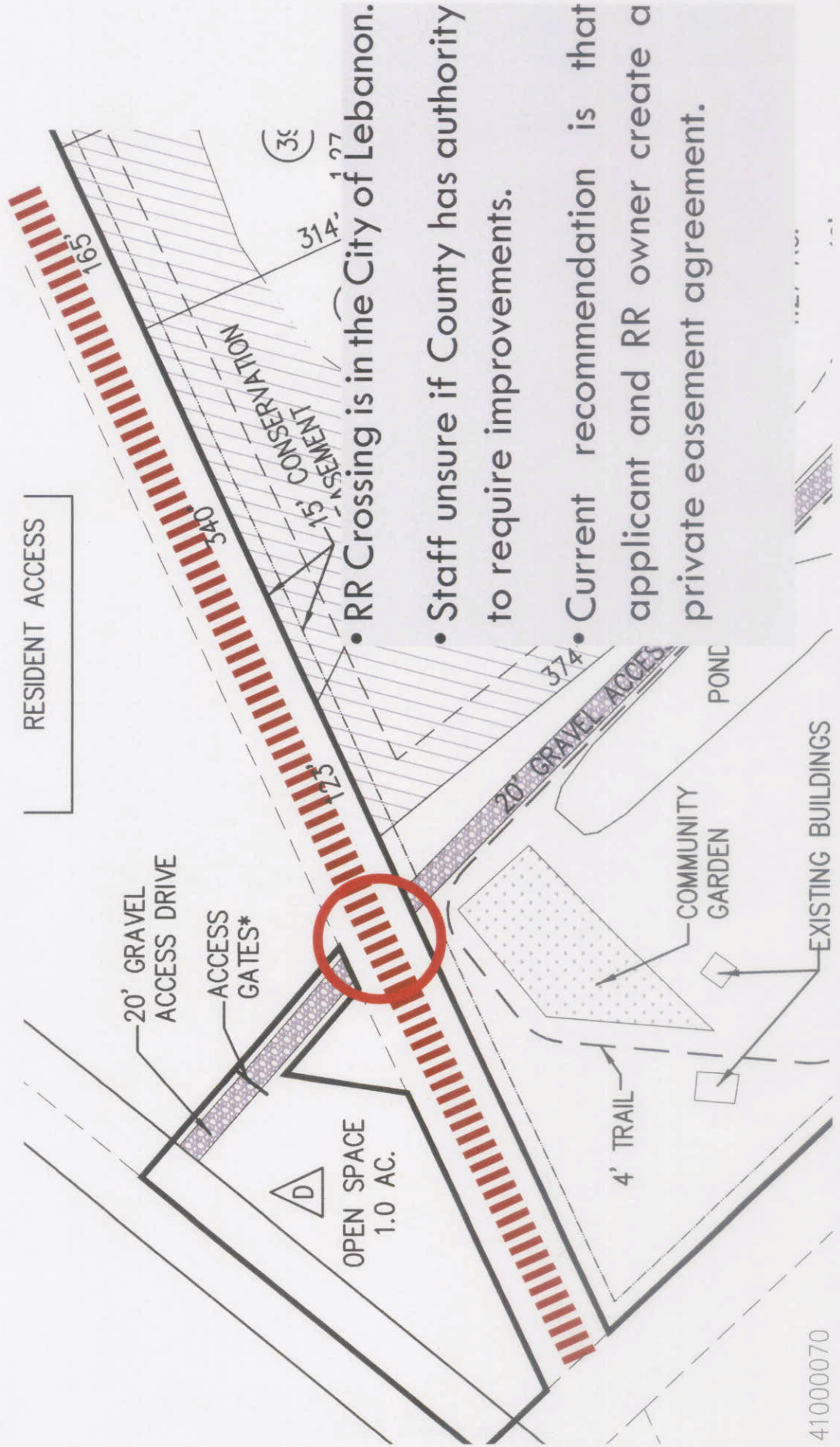
RR Crossing



• Private gravel access drive shall meet ODOT intersection spacing requirements

• TIS required by ODOT and WCEO

RR Crossing



- RR Crossing is in the City of Lebanon.
- Staff unsure if County has authority to require improvements.
- Current recommendation is that applicant and RR owner create a private easement agreement.

Wastewater Treatment

Option 3

- Neighborhood Sanitary System that partially treats wastewater
- Neighborhood Sanitary System continues to be privately maintained
- Partially treated water discharged to a municipal or County sanitary sewer

Line connecting to an outside sanitary sewer system.



Recommendation

Approve the Highlands at Heritage Hill PUD Stage 2 Site Plan subject to the following conditions:

1. The PUD Stage 3 Final Plan shall fully conform to all development standards presented in the Stage 1 development standards and generally conform to the PUD Stage 2 Site Plan.
2. Entryway monumentation and signage shall meet all requirements of RZC Section 3.6 except that the maximum gateway sign area is 32 sq. ft. per PUD Stage 1 standards.
3. Stage 3 Final Site Plan shall meet all requirements of RZC Section 3.405 "Buffering and Screening Requirements".
4. Stage 3 Final Site Plan shall indicate the location of the 15 ft. conservation easement along the perimeter of the property in which mowing and clearing shall be prohibited and natural vegetative screening shall be allowed to grow.

5. The maximum impervious surface on Lots 33-41 shall not exceed the coverage indicated in the table on Sheet 3 of the submission.
6. The applicant shall incorporate a disclosure statement in the covenants and restrictions for all phases of the PUD disclosing that the subdivision is adjacent to:
 - 1) a property that holds a class II composting license; and, 2) an industrial park that has an inactive rail spur that may be reactivated in the future. The disclosure statement shall be accompanied by a map that identifies the location of these properties.
7. The requirements of the WCEO and ODOT shall be satisfied prior to final plat approval.
8. The applicant shall conduct soil tests to determine the suitability of onsite wastewater treatment systems, and shall meet all requirements of the Warren County Combined Health District or the Ohio EPA (as applicable) prior to receiving PUD Stage 3 or final plat approval. Approval of any onsite treatment systems shall not preclude the possibility of connecting to an external sanitary sewer system at a future time.

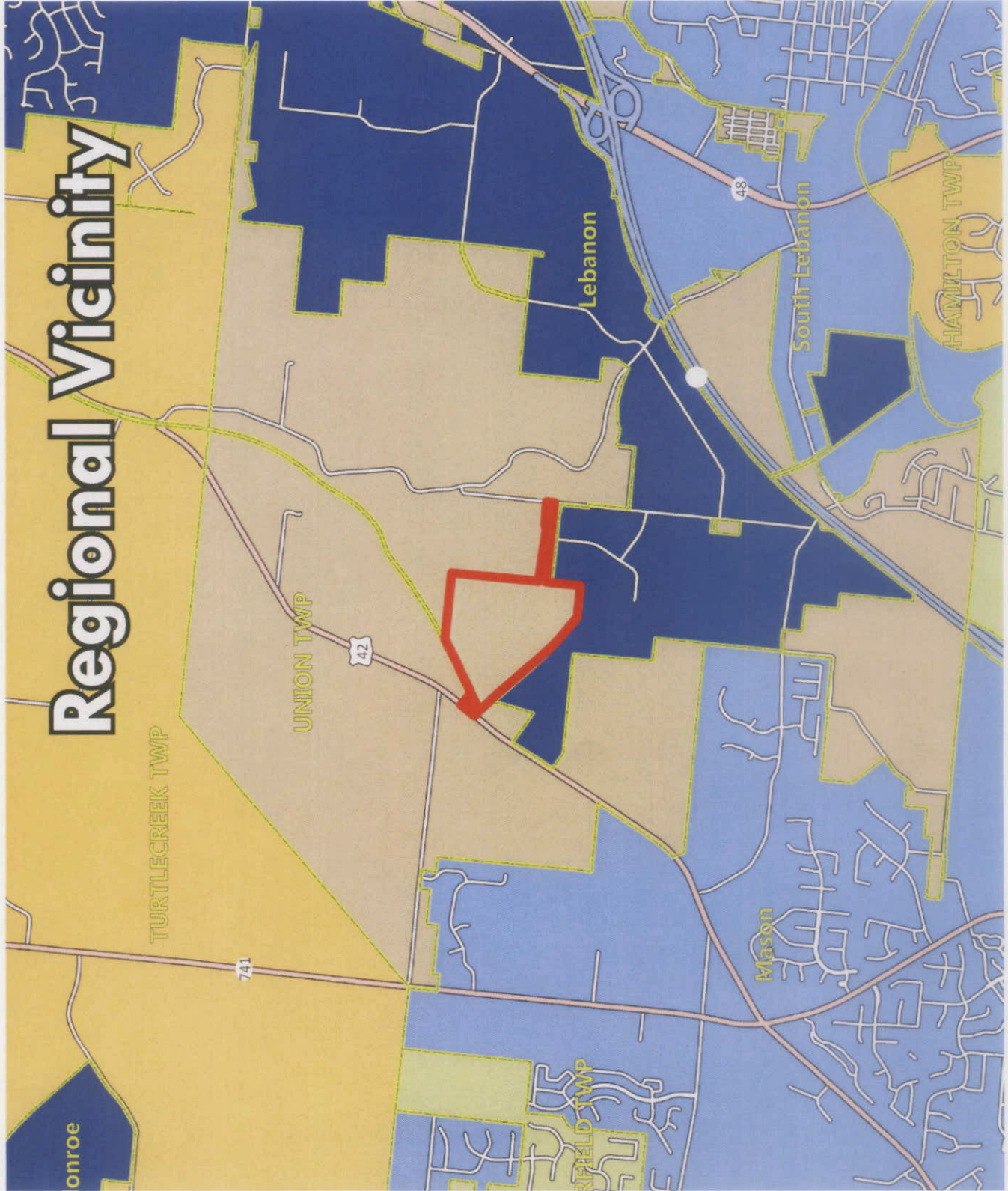
9. Open space amenities shall include a pool, community center, playground, sports field/common green, community garden, fishing pond, and mulch trail (whose width shall conform to dimensions on sheet 3 of the submission) in the approximate locations represented in the Combined Plan submission.
10. The location of the private conservation easements on residential lots and the 15 ft. conservation easement around the perimeter of the PUD boundary shall be indicated on the final plat. A note on the final plat shall state that no clearing or mowing of existing wooded areas shall be permitted in these conservation easements in accordance with Exhibit B.
11. The area reserved for a potential future pedestrian trail along Heritage Hill Drive and Highland Trail shall be shown on the final plat and PUD Stage 3 Plan.
12. The private access drive shall be gated and restricted to resident access and emergency vehicle access only. It shall be paved with a hard surface material found acceptable to the Warren County Engineer's Office.

13. The proposal shall comply with all technical requirements of the Warren County Sanitary Engineer's Office.



Regional Vicinity

1 inch = 0.39 miles
1 inch = 2,100 feet
Continually updated
By Warren Co. GIS





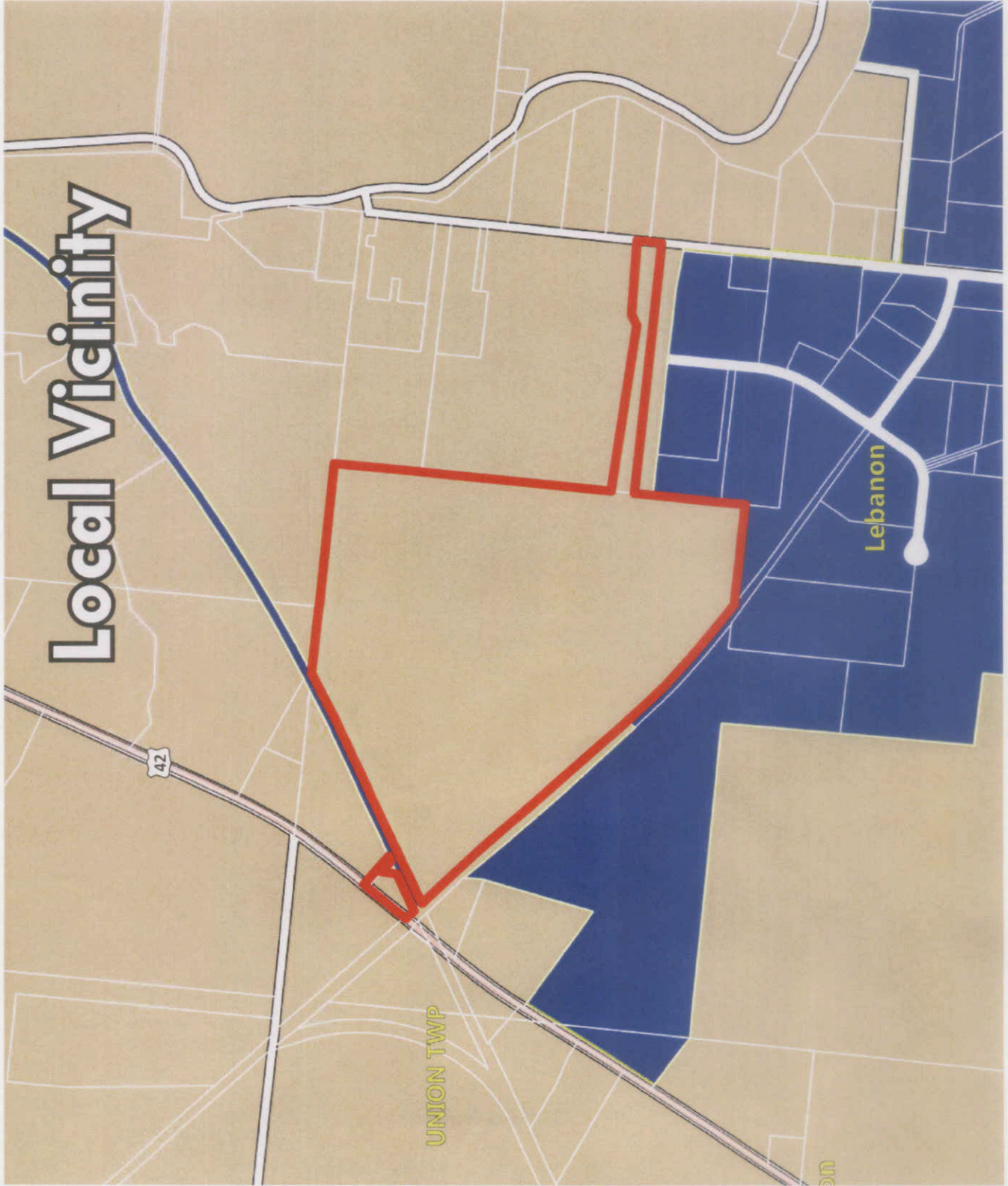
Local Vicinity

Rapp_Property_Perimeter



1 inch = 0.12 miles
1 inch = 660 feet

* Customarily used
by Warren Co. GIS



Warren County Commissioners

“State of the Airport” for

December 2015



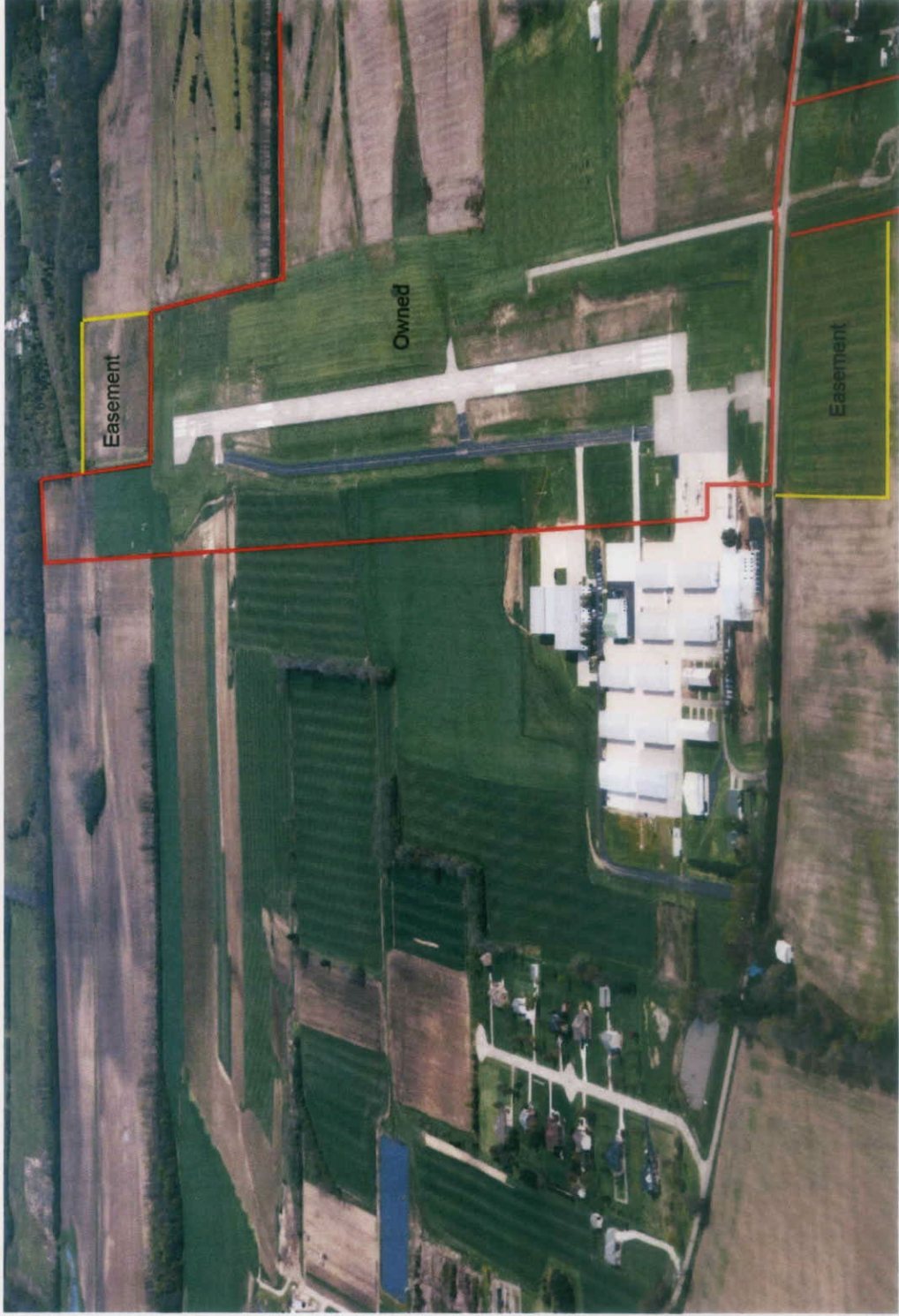
Today's Agenda

- Introductions
- Financials
- FAA / ODOT Safety Issues
- Other Airport Area Issues
- Wrap Up

Financials

- An FAA funded Ohio Airports Focus Study
 - Classified the airport as a GA1 airport - the highest general aviation classification. The study said the economic impact of the Warren County Airport was \$13,700,000
- Annual Operating Budget :
 - \$73,300
- Annual Income Generated by Airport
 - Property Taxes: (\$ 70,584)
 - Sales Taxes: (\$30,779)
 - Farming Rental (~\$5,000)

Current Airport View



Current Airport View (Issues)

Safety Improvements



Future Projects



Case No.	2015-07 Rezone to "MXU-N"		1.
Applicant/Owner Agent	Margaret G. & Daniel B. Cunningham		
Township	Turtlecreek		
Property Location	Address	2820 W. Rt. 63 Lebanon, Oh. 45036	
	Legal	Same	
	PIN	12-18-300-014-0, 12-18-300-017-0, and 12-18-300-008-0	
Property Size	30.423, 52.545 and 5.001 acres (87.9) Frontage 1001'		
Future Land Use Map (FLUM) Designation	Agricultural-Vacant-Rural Residential		
Current Zoning District	"R1" Single Family Residential (2-acre density)		
Proposed Land Use	"MXU-N" for residential and mixed use		
Existing Land Use	Agricultural-Vacant and Residential		

2015-07

Margaret G. and
Daniel B. Cunningham

2820 W. Rt. 63

87.9 acres
Turtlecreek Twsh.

12-18-300-014-0, 12-18-300-017,
and 12-18-300-008-0

Rezone from:
"R1"

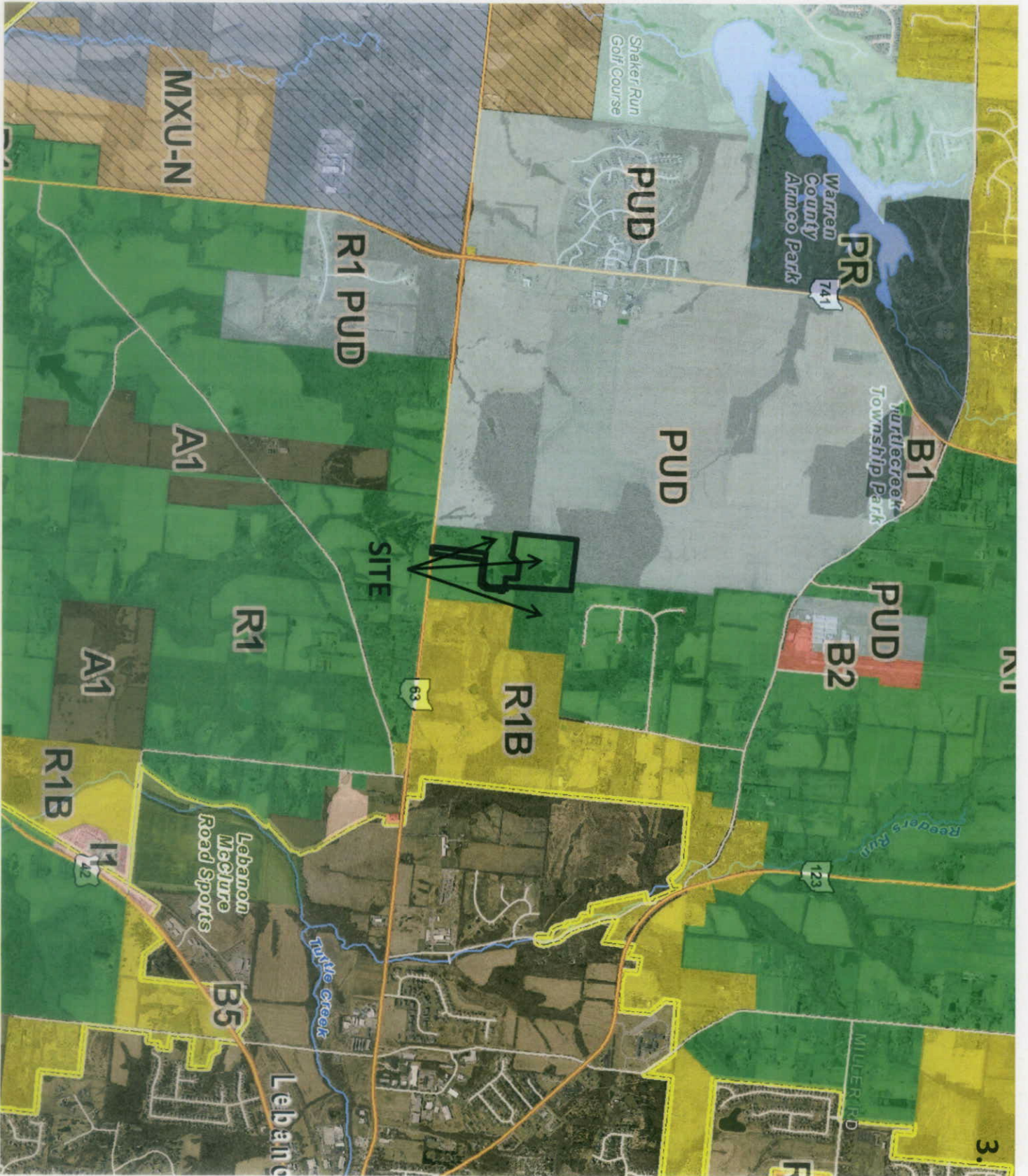
Single Family Residential
(2-acre Density)

To:
"MXU-N"
Mixed Use Neighborhood

Aerial Map



Vicinity and Zoning Map



2015-07

Margaret G. and
Daniel B. Cunningham

2820 W. Rt. 63

87.9 acres
Turtlecreek Twsh.

12-18-300-014-0, 12-18-300-017,
and 12-18-300-008-0

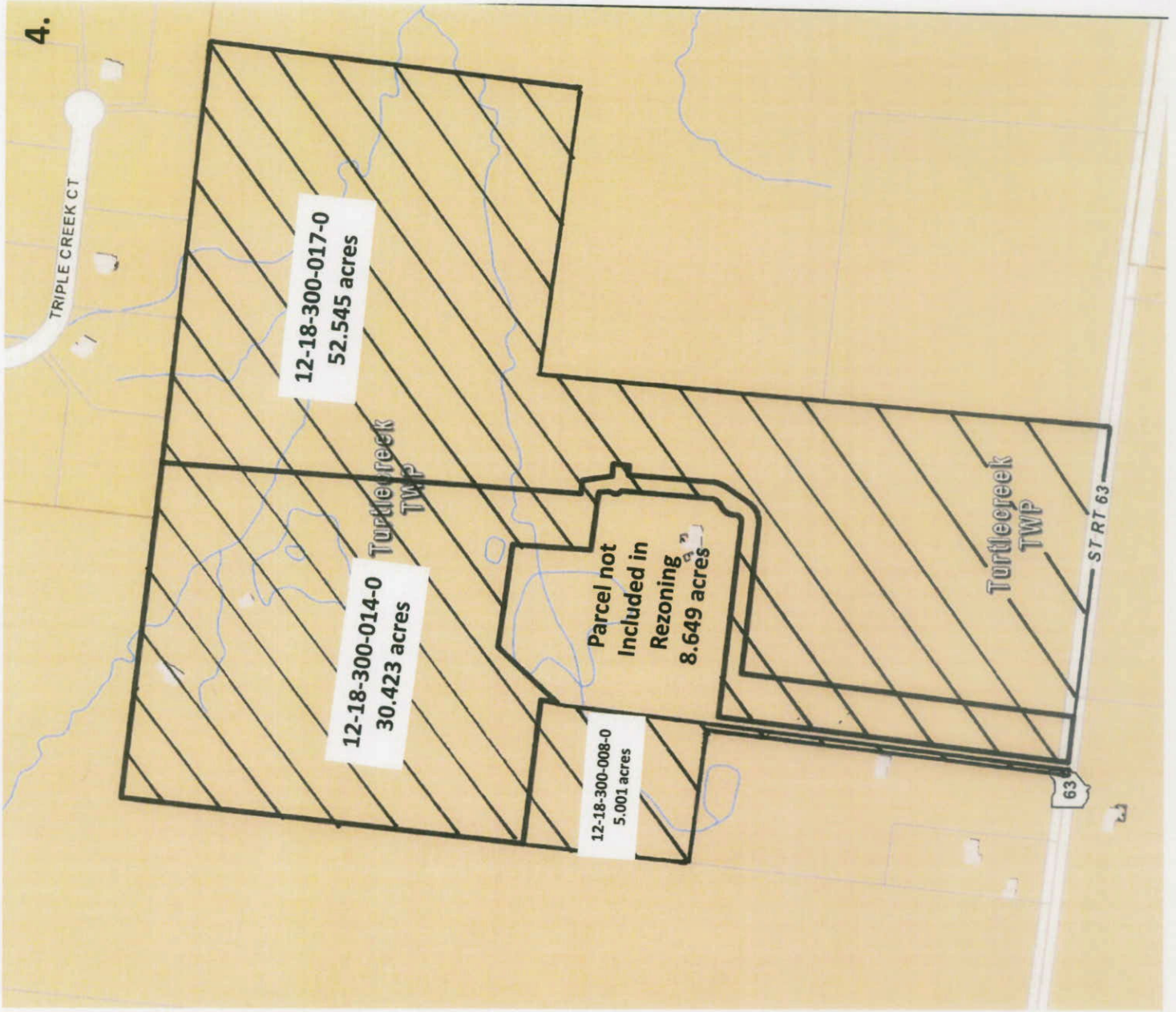
Rezone from:
"R1"

Single Family Residential
(2-acre Density)

To:

"MXU-N"
Mixed Use Neighborhood

Parcels Map



2015-07

**Margaret G. and
Daniel B. Cunningham**

2820 W. Rt. 63

**87.9 acres
Turtlecreek Twsh.**

**12-18-300-014-0, 12-18-300-017,
and 12-18-300-008-0**

**Rezone from:
"R1"**

**Single Family Residential
(2-acre Density)**

**To:
"MXU-N"**

Mixed Use Neighborhood

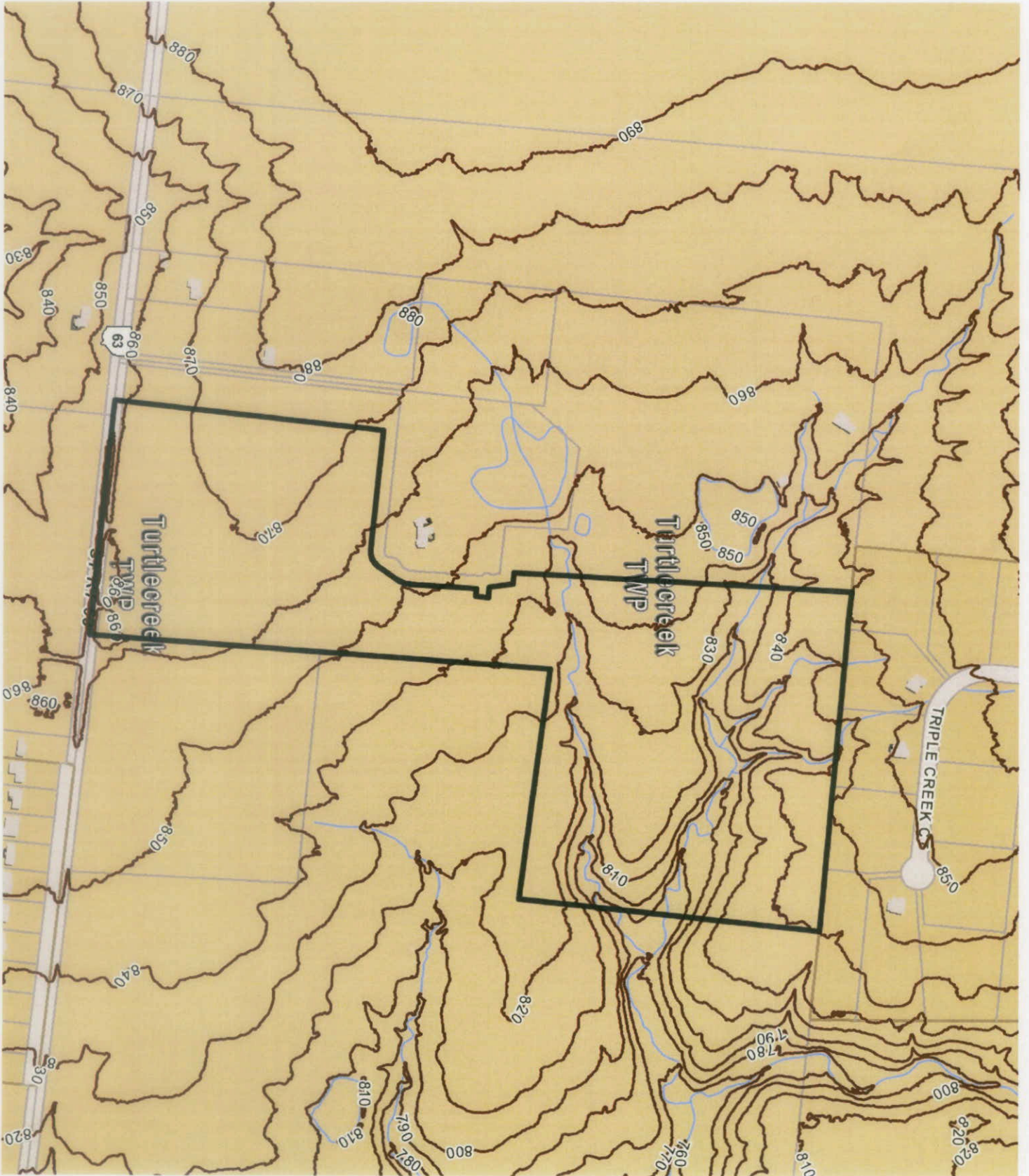
Zoning Map

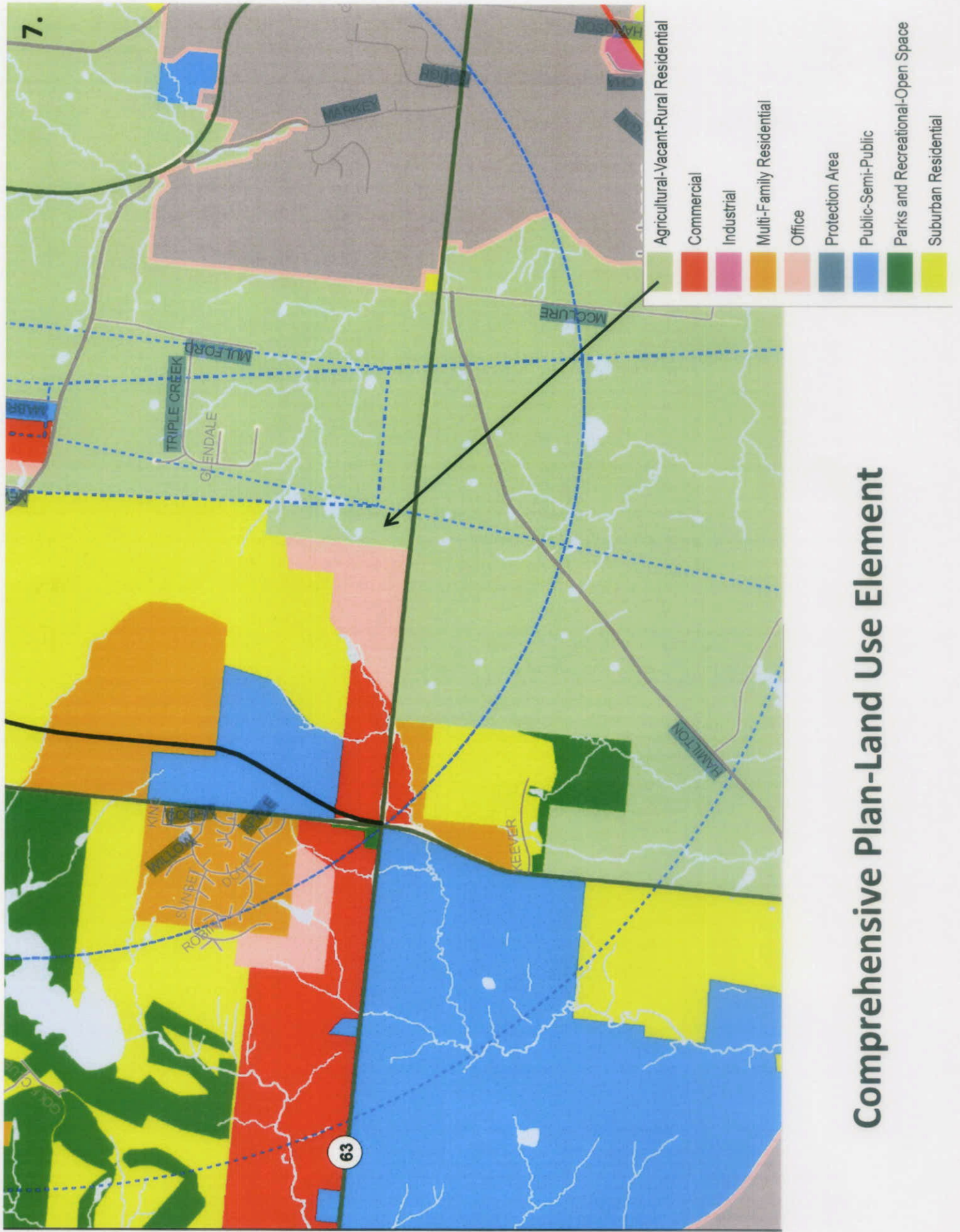


Flood Map



Topo Map





Comprehensive Plan-Land Use Element

Mixed-Use Neighborhood



Permitted Uses

- ❖ Single-Family
- ❖ Duplex
- ❖ Live/Work Units
- ❖ Townhouses
- ❖ Upper Story Residential
- ❖ Multi-Family
- ❖ Small Scale Retail and Limited Manufacturing

Mixed-Use Neighborhood

	Single Family	Duplex & Townhomes	Structures more than 4 units
Density	4 u/ac	4.2 u/ac	6 u/ac
Min. House Size	1,200 sq ft	1,200 sq ft	1,200 sq ft
Front Setback	35 ft	35 ft	35 ft
Side Setback	15 ft	15 ft	15 ft
Rear Setback	30 ft	30 ft	30 ft
Max Height	35 ft	35 ft	35 ft

Zone Comparison

	R1	MXU-N
Density	0.5 u/ac	4 u/ac
Min. House Size	1,200 sq ft	1,200 sq ft
Front Setback	50 ft	35 ft
Side Setback	Total of 50 feet with a minimum side of 20 feet	15 ft
Rear Setback	50 ft	30 ft
Max Height	35 ft	35 ft

Staff Recommendations

1. That prior to site plan review, a Traffic Impact Analysis is conducted and the recommended improvements are installed concurrent with building permit approval or as determined by the Warren County Engineer's Office.
2. That development of the site is compliant with the future Architectural Review Board standards for residential and non-residential uses.
3. That development is concurrent with the provision of central sanitary sewer. Minor subdivisions are exempt from this condition.
4. That the development for the site is connected to Union Village and properties to the east by vehicular and pedestrian access, and comply with the recommendations for the Lebanon Turtlecreek Trails Initiative.
5. That development complies with the Warren County Airport Overlay District.
6. That development of the site is in a mixed-use manner that is consistent with neo-traditional and new-urbanism principles; the principles outlined in Exhibit A; and Section 2.407.6 of the Warren County Rural Zoning Code.
7. That development of the site requires Concept Plan Review before the RPC and Site Plan approval by the BOCC.

EXHIBIT A: RECOMMENDED DESIGN PRINCIPLES

- Mix of residential units and types in an integrated manner/design.
- Mix of uses (Residential, office, retail, etc) in an integrated manner/design.
- Internal activity nodes (mixed housing and uses).
- Variety of open space including parks, greens, squares, and plazas.
- Center denser housing and nodes of activity on greenspace.
- Preserve central wooded area and make it the central focal point of the development.
- Preservation of vegetative buffers to maintain a transition zone between surrounding properties.
- Preservation of environmentally sensitive areas.
- Preserve and carefully design development around views and vistas.
- Avoid/limit open space to the rear of lots.
- Internal connectivity between all subareas and amenities by means of trails and shared use paths.

continued

- Pedestrian and bike connections to surrounding properties consistent with 'Gateway Plan – West' and 'Lebanon-Turtlecreek Trails Initiative.'
- Internal road connectivity and avoidance of cul-de-sacs.
- Alternatives to the cul-de-sac including loops, eyebrows, cul-de-sacs with landscaped islands, and closes.
- Streets that are narrow and calm traffic with other similar techniques.
- Multiple road connections to surrounding properties and thoroughfares.
- A lot pattern that creates a sense of neighborhood and place.
- Buildings oriented to the street and designed to complement the center or neighborhood. Front loaded garages should be avoided within a mixed-use development.
- Side yards that are small.
- Architecture that is compatible with mixed-use, integrated development.

Talking Points for Re-Zoning Request

- Three generations of our family have enjoyed the rural character of our farm since 1971. But the area around us is developing and will continue to develop. We have accepted this. The very rural lifestyle in our immediate area is disappearing, or at least changing. This is a “train that has left the station”, and is not primarily attributable us or to this request.
- What we are asking is zoning for our property that is more similar to and equitable with surrounding properties, most notably Union Village. Standards for density have already changed. MXU-N is also more compatible with the recently approved bike trail plan. The planned route goes through our property and we see this as a good fit with MXU-N but not with a large-lot-only development.
- What is the wrong with the current zoning?
 1. The nature of our land (some open fields, some wooded with ravines) doesn't lend itself to this as well as to denser clusters and larger areas of green space allowed in MXU-N.
 2. It doesn't mesh as well with bike trail plans.
 3. It is wasteful – large lots gobbles up open land faster (for a given number of residences).
 4. There are already many farms that have been cut up this way, because it is easier, not because it is better. For those who want large lots, plenty are still available.
- We don't plan to develop immediately. We want to keep our current lifestyle for as long as practical. We aren't setting a date but estimate 8-12 years. Why request a zoning change now?
 1. We care about what happens to our farm and the area in the long run. We are trying to do what we can now to set it up for the best possible future use. We want more and better options than the current zoning allows. It is not reasonable for our property to be held to different standards than adjoining land.
 2. Also, the bike trail is on a different timeline than the rest of our plans for our property. Applications for approvals and funds are already underway. We are very much in favor of this plan and don't want to hold up this effort.
- What about sewer? We have held discussions with Warren County, the City of Lebanon, and Butler County (see other handout). We are optimistic that this can be worked out and see this as part of the next phase of our planning. There is a bit of a chicken and egg dilemma here.
- We understand that with MXU-N any future specific plans for development will have additional approval steps and in many ways more restrictions and requirements than our current zoning. The Warren County planning staff has also proposed some conditions that we are willing to voluntarily accept (see their report) as they seem to be in the best interest of the community.

2820 St. Rt. 63 Sewer Options

For development other than large lot single family homes to occur on this land there would need to be sewer access, probably to one of the public sewer systems (although other options exist).

We have had preliminary discussions with:

1. Warren County (Chris Brausch, Sanitary Engineer), the default option for this area. They indicated that they would probably prefer to offer this to Lebanon (though this is not an official decision, since we did not ask for one).
2. City of Lebanon (Scott Brunka, Deputy City Manager). They expressed interest in this opportunity. This was the plan for the development of the property to our east (now owned by Dr. Jitt) that did not go forward. So Scott already had a good idea what it would take to accomplish this, and is confident first of all that it is technically feasible, with two route options: along Rt. 63 and along the creek. It would potentially be a good opportunity for the city financially, and could also serve any development which occurs on the property to our east, and potentially the surrounding area. Additional approval steps are obviously needed when it is time for development to go forward, but this currently looks like the best option.
3. Butler County, which plans serve Union Village, which our property adjoins to our west. This may be possible, but does not appear to be an attractive option unless their fee structure changes. However, we did talk to them in order to explore all options.