

LIBERTY TOWNSHIP ZONING COMMISSION
February 28, 2022
5:30 p.m.
MEETING MINUTES

The Zoning Commission was called to order at approximately 5:30 p.m. by Mr. Holger. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Forest Holger, Mr. James Dobrozsi, Mr. Michael Ward and Mr. Mike Stater. Also, in attendance was Bryan Behrmann, Director of Planning and Zoning and Karla Chaney, Zoning Specialist.

Mr. Holger reviewed the hearing procedures and performed a group swearing in.

Mr. Bradshaw was running late and joined the Board at approximately 5:45pm.

Mr. Holger called for the first case.

Mr. Behrmann presented the staff report and PowerPoint Presentation for case ZC22-004, Jose Castrejon, McGill Smith Punshon Inc., was requesting a Major Modification to The Village North MU-PUD and Preliminary PUD Plan.

Mr. Holger asked if there were any questions for staff.

Mr. Dobrozsi asked if the Board recommend approval of the Preliminary PUD plan would every building return to the Zoning Commission for approval. Mr. Behrmann replied if the Zoning Commission recommends approval, the case moves to the Trustees for a final decision and if the Trustees grant approval each component would be required to return to the Zoning Commission for Final PUD approval.

Mr. Stater inquired about the buffer along the west side of the property. Mr. Behrmann replied the westside is adjacent to the golf course and a cross section was not provided. Mr. Stater asked how tall is the buffer along the north side of the property. Mr. Behrmann replied the buffer is three feet tall with trees and other vegetation. Mr. Stater asked Mr. Behrman to identify the locations of the retention areas and if they would have a water feature. Mr. Behrman pointed out the locations of the retention areas and stated that a water feature was one of the recommendations made by staff.

Mr. Holger asked if the area to the west was predominately golf course. Mr. Behrmann replied yes, the area near the townhomes is the golf course and the drainage area further south is adjacent to the memory care facility.

Mr. Holger asked to hear from the applicant.

George Flynn (9378 Kemper Grove Lane, Loveland, OH) thanked the Board for moving the meeting time to 5:30 to accommodate his team. Mr. Flynn stated his team had held physical and virtual meetings with the residents of Four Bridges to address their concerns. Mr. Flynn explained the modification to the original PUD plan meets the current Liberty Township Comprehensive Plan. He stated his team believed the 2018 plan was uninviting, too dense, lacked parking and was a poor use of green space. Mr. Flynn stated the retention areas will have water features and other park like amenities. He explained his team is working with the BCEO for an easy access to the VOA park for residents walking and biking.

Michael Copfer, (4901 Hunt Road, Cincinnati OH) represented Hills Communities. Mr. Copfer stated the southeast apartment building would have a roof top terrace overlooking the green space and have views of VOA park. The terrace area will be equipped with a clubroom, full bathroom, full kitchen and other areas for entertaining. He stated the apartment buildings will have courtyard amenities including a salt water pool, fitness center, club house and other high-end amenities. The buildings will include high end finishes with a minimum of 50% brick or stone on all elevations, curved arches and hardi panels.

Mr. Stater asked Mr. Copfer is there was any commercial uses planned for the first floor of any of the apartment buildings. Mr. Copfer replied no, all residential buildings.

Mr. Dobroszi asked Mr. Copfer if the lowest level of the buildings would be used for parking. Mr. Copfer replied yes, the second floor and up would be residential units. Mr. Dobroszi asked Mr. Copfer what data did he use to determine if the building would be sustainable for years to come. Mr. Copfer replied medical employment, wait list at Savoy and Palmera communities, the number of people commuting to the area and other demographics.

Mr. Dobroszi asked Mr. Flynn what order or thought process was put into laying out this new plan. Mr. Flynn replied his team agreed with Mr. Dobroszi the original plan was very tight, was under parked and the apartments appeared crammed together. Mr. Flynn explained first they opened up the apartment area creating a larger courtyard ambience, the second thing the buildings along the roadway created a tunnel effect so the buildings were pulled back which increased parking and added landscaping giving the development a more suburban feel. Mr. Flynn shared a proposed entry way, with landscaping, outdoor seating and other amenities. Mr. Dobroszi felt a connector to the park was critical. Mr. Flynn agreed and stated his team is working with the BCEO to provide two safe connections to VOA park.

Mr. Stater asked Mr. Flynn if his team had planned a Dora District. Mr. Flynn replied not yet but possible in the final development plan.

Mr. Ward asked Mr. Flynn about the upper northwest corner seems very dense, and the driveway size too small. Mr. Flynn replied his team was asking for lead way to redesign the townhomes area to allow for more on street guest parking.

John Bear, (3940 Olympic Blvd., Erlanger KY) represented Fisher Homes. Mr. Bear began his presentation with the history of Fisher Homes. He stated there will be 11 patio home on 55' lots,

homes will be 100% brick wrapped on all elevation, are geared toward empty nesters and provide a low maintenance convenient lifestyle.

Mr. Dobroszi asked Mr. Bear how deep are the lots. Mr. Bear replied 110'. Mr. Dobroszi asked what the front yard setback would be for the patio homes. Mr. Bear was not able to answer.

Mr. Bear stated there would be 47 three-story townhomes on fee simple lots, 12 will have rear entry garages and 35 front entry garages. He explained there will be a 14' alley way between the buildings and the distance from garage to garage will be 24'.

Mr. Dobroszi asked where the guest would park for the rear entry units. Mr. Bear explained guest parking will be provided along the streets. Mr. Flynn replied they were redesigning the parking for the townhomes.

Mr. Bradshaw asked with apartment parking proposed at 1.97 spaces per unit, how many spaces are located on the first floor parking. Mr. Copfer replied there are 72 units in a courtyard building with 71 parking spaces on the inside of the first floor, 48 units with 46 parking spaces on the inside of the first floor and the remaining building has surface parking.

Mr. Dobroszi asked for the breakdown of one bedroom and two bedroom units. Mr. Copfer replied 1/3 of the units are one bedroom and the remaining 2/3 are two bedrooms.

Mr. Flynn requested lead way on the condition #6 to redesign the layout of the townhomes to provide adequate guest parking along the street. Mr. Flynn stated he was working with the fire department on condition #7, with a 30' wide span across the creek and was also working with the fire department on condition #18 on the adequate access and turn radius for the tower truck.

Mr. Bradshaw asked Mr. Flynn about the public and private streets. Mr. Flynn explained there is proposed public street that connects Butler Warren Road and Liberty Way, it would be built to public standards and they would work with the Townships on the maintenance. Mr. Bradshaw noted the public street ran along the township line and was concerned with the maintenance of the roads.

Mr. Holger asked if there were any questions for the applicant.

Mr. Holger asked if anyone would like to speak as a proponent of this case.

Dave Gronostaj (8349 Sweet Briar Ct., Liberty Township, OH) stated he was in support of the new plan. He felt the modified plan was a more reasonable layout than previously proposed and the traffic lights concerns were being addressed. He stated he has concerns with the drainage along Butler Warren Road that drains down and dumps onto the HOA property. Mr. Gronostaj believes a gas station would devalue the development.

Joe Miner (8259 Sweet Briar Ct., Liberty Township, OH) stated he was the new Four Bridges HOA president. Mr. Miner said from a HOA prospective Mr. Flynn's team has been very proactive and spoke in support of the new design and its high end look. From an owner prospective the new

design it much cleaner, less dense and maintains the high-end look and feel. He stated he was neutral on the gas station, felt if it is done correctly with the high end look it should not cause any concerns.

Mr. Holger asked if anyone would like to speak as an opponent of this case. There were none.

Mr. Holger asked if anyone would like to make a neutral comment on this case. There were none.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Ward seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger asked if there was any discussion.

Mr. Dobroszi asked the Board if they felt the gas station and fuel pumps could be reversed so they were not located out front. Mr. Bradshaw stated the building would have to be turned around and the rear of the building would be visible from the street.

Mr. Holger stated the applicant agreed to all items on the Notice of Decision, we have clarified item #6 and the developer and his team will come up with a solution to accommodate, item #7 the applicants have worked with the fire department to install a 30' wide single access drive and the proposed sidewalk crossings have been upgraded. Mr. Holger has concerns with the location of the amphitheater due to the memory care facility but appreciated the amphitheater was located away from the north property line. Mr. Holger asked staff if the decibels should be limited at this time. Mr. Behrmann replied at this time an amphitheater was not referenced but if proposed on the final plan the noise levels should be addressed. Mr. Holger stated the plan was well laid out and a lot of information was provided.

Mr. Bradshaw has concerns with the public versus private streets. In addition to the maintenance issues, there is a lot parking for the residential on the public road which could be a major thoroughfare.

Mr. Ward agreed with Mr. Bradshaw the streets should be private.

Mr. Ward felt the northwest corner was too dense and there could be issues with the fire truck accessing the area. Mr. Dobroszi explained the design engineer will be required to design the area to make sure the fire truck can maneuver the streets. Mr. Behrmann replied the fire department will require a wheel path report for approval.

Mr. Stater questioned having a retail grocery store in the West Chester area and a convenience store with gas pumps within walking distance in Liberty Township may be overkill. Mr. Stater stated if we pulled the convenience store out of Liberty Township it would reduce the commercial square footage to 25% which is the minimum for PUD development. Mr. Holger expressed he agreed with Mr. Miner from the HOA if the convenience store is built properly it would be an asset to the area.

Mr. Stater acknowledged the neighbors have drainage issues and suggested that a 4x6 area be dug out to address the problem however that would be an agreement between the HOA and the developer. Mr. Flynn stated his team will work with the BCEO.

Mr. Behrmann recommended adding one Fuel/Convenience Store and Microbrewery to the permitted uses listed in Condition #1.

Mr. Holger asked for a motion on the case.

Mr. Dobrozsi made a motion to **RECOMMEND APPROVAL** of Case ZC22-004 as recommended by staff with modifications to Condition #1, adding one Fuel/Convenience Store and Microbrewery to permitted uses and Condition #6 all townhomes shall be designed to accommodate at least two vehicles parked outside of the building. Mr. Bradshaw seconded. Upon the call of the roll. Mr. Dobrozsi – yes; Mr. Bradshaw - yes; Mr. Ward – yes; Mr. Holger – yes; Mr. Stater – yes. The motion passed.

Mr. Dobrozsi made a motion to **APPROVE** the minutes and Notices of Decisions from the January 24, 2022 meeting. Mr. Stater seconded the motion. Upon call of roll: Mr. Dobrozsi – yes; Mr. Stater – yes; Mr. Ward – abstain; Mr. Holger – abstain; Mr. Bradshaw - yes. The motion passed and the request was approved.

Mr. Holger made a motion to elect Mr. Dobrozsi as chairman of the Liberty Township Zoning Commission for 2022. Mr. Stater seconded. Upon call of the roll: Mr. Holger – yes; Mr. Stater – yes; Mr. Ward – yes; Mr. Dobrozsi – yes; Mr. Bradshaw – yes. The motion passed.

Mr. Stater made a motion to elect Mr. Dunn as vice-chairman of the Liberty Township Zoning Commission for 2022. Mr. Ward seconded. Upon call of the roll: Mr. Stater- yes; Mr. Ward – yes; Mr. Dobrozsi – yes; Mr. Holger – yes; Mr. Bradshaw – yes. The motion passed.

Mr. Behrmann stated there were cases set for the March 21, 2022 meeting agenda.

Mr. Holger made a motion to adjourn. Upon call of the roll, the motion passed unanimously and the **ZONING COMMISSION MEETING ADJOURNED.**

Respectfully submitted,

Forest Holger, Chairman

Bryan Behrmann, Secretary