



**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

*406 Justice Drive, Lebanon, Ohio 45036*

*www.co.warren.oh.us*

*commissioners@co.warren.oh.us*

*Telephone (513) 695-1250*

*Facsimile (513) 695-2054*

**TOM GROSSMANN**

**SHANNON JONES**

**DAVID G. YOUNG**

**GENERAL SESSION AGENDA**

*May 16, 2023*

- |    |             |   |
|----|-------------|---|
| #1 |             | <i>Clerk — General</i>  |
| #2 | <i>9:00</i> | <i>Work Session—Trevor Hearn, Facilities Management Director, Relative To Warren County Master Plan Study</i> |
| #3 | <i>9:30</i> | <i>Public Hearing — Amendments to the Warren County Subdivision Regulations</i>                               |
| #4 | <i>9:45</i> | <i>Public Hearing — Amendments to the Warren County Thoroughfare Plan</i>                                     |

**The Board of Commissioners' public meetings can now be streamed live at [Warren County Board of Commissioners - YouTube](#)**

APPROVE REQUISITIONS AND AUTHORIZE COUNTY ADMINISTRATOR TO SIGN DOCUMENTS RELATIVE THERETO

BE IT RESOLVED, to approve requisitions as listed in the attached document and authorize Tiffany Zindel, County Administrator, to sign on behalf of this Board of County Commissioners.

M moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

M  
M  
M

Resolution adopted this 16<sup>th</sup> day of May 2023.

BOARD OF COUNTY COMMISSIONERS

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Tina Osborne, Clerk

/tao

cc:

Commissioners' file

**REQUISITIONS**

<b>Department</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
TEL	ERGOFLEX SYSTEMS INC	TEL ADDITIONAL DISPATCH MONITO	\$ 33,046.50
JUV	WARREN CO EDUCATIONAL SERVICE CNTR	JUV RECLAIM TRUANCY PROGRAM	\$ 35,000.00
JUV	WARREN CO EDUCATIONAL SERVICE CNTR	JUV RECLAIM PARENT SUCCESS	\$ 25,000.00
ENG	REQ BLANKET VENDOR	ENG. TEMP ENT AND WORK AGREEME	\$ 1.00
ENG	REQ BLANKET VENDOR	ENG. TEMPORARY ENTRANCE AND WO	\$ 1.00
LAW	STAPLES CONTRACT & COMMERCIAL INC	LAW OFFICE FURNITURE	\$ 2,000.00

**PO CHANGE ORDER**

<b>Department</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
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5/16/2023 APPROVED:

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Tiffany Zindel, County Administrator

**CONSENT AGENDA\***

*May 16, 2023*

*Approve the minutes of the May 9, 2023, Commissioners' Meeting.*

**PERSONNEL**

- 1. Amend Resolution #23-0403 approving hiring of Laura Russell within Children Services*
- 2. Amend pay increase for Carrie Marshall within Human Services*
- 3. Designate Family and Medical Leave of Absence to Alex Mokrycki within Telecom*
- 4. Hire Eavan Kuehnle as an Intern within Emergency Services and Michele Branham, Jody Schenkel, and Sarah Smith as Eligibility Referral Specialists II within Human Services*
- 5. Approve end of 365- day probationary period and approve pay increase for Alexander Lucas within Emergency Services and Alex Wicker within Telecom*
- 6. Accept resignation of Stacey Newdigate within Human Services*
- 7. Accept resignation of Jillian Davis within W/S and authorize posting of vacated position*

**GENERAL**

- 8. Amend Resolution #23-0249 to correct claim number referenced therein*
- 9. Approve Notice of Intent to award bid to The Aero-Mark Company for the 2023 Striping Project*
- 10. Enter into agreement with Recreation Outlets, Inc. for the FY21 Pleasant Plain Playground CDBG Project*
- 11. Advertise for bids for the 2023 Water Treatment Chemicals Project*
- 12. Approve electronic monitoring service agreement and demonstration agreement with BI Incorporated on behalf of Common Pleas*
- 13. Enter into temporary entrance and work agreements with Stephen J. Batcha and Noble L. Rye and Madison Rye relative to culvert replacement on Wilmington Road*
- 14. Approve agreement with ESC relative to Truancy and Parent Success Programs on behalf of Juvenile Court*
- 15. Approve agreement with Focus on Youth for mentoring services on behalf of Juvenile Court*
- 16. Enter into easement agreement relative to the State Route 48 and US 22 Water Improvement Project*
- 17. Declare various items as surplus and authorize disposal of said items through internet auction*
- 18. Acknowledge payment of bills*
- 19. Approve various performance bond agreements, releases, and street acceptances*
- 20. Approve final plats*

**FINANCIAL**

- 21. Approve appropriation adjustment within Prosecutor 2245 and Treasurer 110111130*

*\*Please contact the Commissioners' Office at (513) 695-1250 for additional information or questions on any of the items listed on the Consent Agenda*



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***TOM GROSSMANN  
SHANNON JONES  
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

**MINUTES: Regular Session – May 9, 2023**

*This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsuqPA> or by contacting our office.*

The Board met in regular session pursuant to adjournment of the May 2, 2023, meeting.

Shannon Jones – present

Tom Grossmann – absent

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the May 2, 2023, meeting were read and approved.

- 23-0554      A resolution was adopted to recognize the hiring of Brittney Stephens, Operations Assistant, within the Workforce Investment Board Butler, Clermont, Warren Counties. Vote: Unanimous
- 23-0555      A resolution was adopted to approve promotion of Tiffiany Alexander to the position of Water Sewer Utility Clerk III within the Water and Sewer Department. Vote: Unanimous
- 23-0556      A resolution was adopted to approve promotion of Ila Hartrum to the position of Water Sewer Utility Clerk II within the Water and Sewer Department. Vote: Unanimous
- 23-0557      A resolution was adopted to remove probationary employee Daysi Cusick, within Emergency Services Department. Vote: Unanimous
- 23-0558      A resolution was adopted to approve appointments and reappointments to the Criminal Justice Board of Warren County. Vote: Unanimous
- 23-0559      A resolution was adopted to appoint members to the Warren County Transit Advisory Committee. Vote: Unanimous

- 23-0560 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday, May 11, 2023. Vote: Unanimous
- 23-0561 A resolution was adopted to authorize and execute termination letter to ComPsych to end Employee Assistance Program (EAP) services effective July 1, 2023. Vote: Unanimous
- 23-0562 A resolution was adopted to authorize and execute letter of authority to Verisk for services related to Medicare Secondary Payer Recovery Cases relative to the Workers' Compensation Program. Vote: Unanimous
- 23-0563 A resolution was adopted to acknowledge and accept the Summary Plan Description (SPD) relative to the Buy-Up and Base Medical/Rx plan for plan year 2023. Vote: Unanimous
- 23-0564 A resolution was adopted to approve and authorize President of the Board to enter into classroom training agreements on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 23-0565 A resolution was adopted to authorize publication of Notice #2 to public of proposed action in a floodplain relative to the Fiscal Year 2023 South Lebanon – Hobart Street Sidewalk Community Development Block Grant Project and the Fiscal Year 2023 Franklin – Mackinaw Subdivision Street Community Development Block Grant Program. Vote: Unanimous
- 23-0566 A resolution was adopted to advertise notice of compliance with Title VI of the Civil Rights Act for Warren County Transit. Vote: Unanimous
- 23-0567 A resolution was adopted to authorize President of Board to sign a task lighting proposal for RJE Business Interiors on behalf of Warren County Telecommunications. Vote: Unanimous
- 23-0568 A resolution was adopted to approve agreements and addendums with various providers relative to home placement and related services on behalf of Warren County Children Services. Vote: Unanimous
- 23-0569 A resolution was adopted to approve and authorize the President of this Board to enter into a lease agreement with Pitney Bowes Global Financial Services, LLC on behalf of the Warren County Probate Court. Vote: Unanimous
- 23-0570 A resolution was adopted to approve Change Order No. 2 to the contract with Moody's of Dayton, Inc. for the construction of the 2022 Well Redevelopment Project, Purchase Order No. 22002154. Vote: Unanimous
- 23-0571 A resolution was adopted to enter into contract with Stauffer Site Services LLC for the State Route 73 at Corwin Road Forcemain Relocation Project Re-Bid. Vote: Unanimous

MINUTES  
MAY 9, 2023  
PAGE 3

- 23-0572 A resolution was adopted to amend standard details for the Warren County Water and Sewer Department. Vote: Unanimous
- 23-0573 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 23-0574 A resolution was adopted to acknowledge receipt of April 2023 Financial Statement. Vote: Unanimous
- 23-0575 A resolution was adopted to approve operating transfers from Water 5510 (Surplus) into 5583 Water Revenue Projects Fund. Vote: Unanimous
- 23-0576 A resolution was adopted to approve operating transfers from Sewer 5580 (Surplus) into 5575 Sewer Revenue Projects. Vote: Unanimous
- 23-0577 A resolution was adopted to approve supplemental appropriation into Workforce Investment Fund #2238. Vote: Unanimous
- 23-0578 A resolution was adopted to approve supplemental appropriation into Road Infrastructure Fund #4451. Vote: Unanimous
- 23-0579 A resolution was adopted to approve supplemental appropriation into Telecommunications Department Fund Rotary Fund #6631. Vote: Unanimous
- 23-0580 A resolution was adopted to approve a supplemental appropriation into Property Casualty Fund #6637. Vote: Unanimous
- 23-0581 A resolution was adopted to approve appropriation adjustment from Commissioners' General Fund #11011110 into Juvenile Probation Fund #11012500. Vote: Unanimous
- 23-0582 A resolution was adopted to approve appropriation adjustments within Warren County Garage Fund #11011620. Vote: Unanimous
- 23-0583 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund #11012210. Vote: Unanimous
- 23-0584 A resolution was adopted to approve appropriation adjustments within Sheriff's Office Fund #6630. Vote: Unanimous
- 23-0585 A resolution was adopted to approve appropriation adjustment within the Building and Zoning Department Fund #11012300. Vote: Unanimous
- 23-0586 A resolution was adopted to approve appropriation adjustments within Engineer's Office Fund #2202. Vote: Unanimous
- 23-0587 A resolution was adopted to approve appropriation adjustment within Law Library Resources Fund #2207. Vote: Unanimous

23-0588      A resolution was adopted to approve requisitions and authorize Deputy County Administrator to sign documents relative thereto. Vote: Unanimous

DISCUSSIONS

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

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:02 a.m. to discuss pending litigation with legal counsel present pursuant to Ohio Revised Code Section 121.22 (G)(3) and exited at 9:26 a.m.

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Upon motion the meeting was adjourned.

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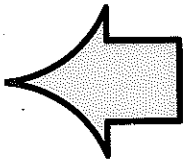
Shannon Jones, President

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David G. Young

---

Tom Grossmann



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 May 9, 2023, in compliance with Section 121.22 O.R.C.

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





**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention as required by O.R.C. Section 325.20 or any training seminar/session.

\*NAME OF ATTENDEE: Kirsten Stover DEPARTMENT: Children Services

\*POSITION: Supervisor DATE: 5/8/23

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING  CONVENTION  TRAINING SEMINAR/SESSION

PURPOSE: Ohio's 2023 Opiate & Other Drugs Conference: Leading the Way Together

LOCATION: The Hyatt Regency Columbus, 350 North High Street Delaware Foyer , Columbus, OH 43215

DATE(S): Conference:6/5-6/6/23, Hotel: 6/4-6/5/23

TYPE OF TRAVEL: (Check one)

AIRLINE  STAFF CAR  PRIVATE VEHICLE  OTHER  ( )

LODGING: The Hyatt Regency Columbus- \$210.35 x 2

ESTIMATED COST OF TRIP: Food - \$20x2 Grand Total - \$460.70

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

David Jones 5-8-23  
Signature/Title Date

BOARD OF COMMISSIONERS' APPROVAL:

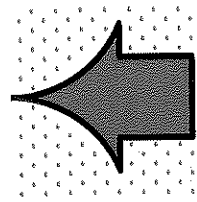
C. Michael Kilburn Date

Pat Arnold South Date

David G. Young Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_  
\_\_\_\_\_





**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention or Training Seminar/Session sponsored by an Association as required by O.R.C. Section 325.20. Additionally, authorization is required for any training seminar/session held more than 250 miles from county campus;

\*NAME OF ATTENDEE: Vickie Gray DEPARTMENT: Clerk of Courts - Title Div.

\*POSITION: Chief Deputy - Title Division DATE: 5/10/2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION       ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE:  
Summer Conference of the Ohio Clerk of Courts Association (OCCA)

LOCATION:  
Sauder Village, 22611 St Rt 2, Archbold, OH 43502

DATE(S): June 13-16, 2023

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR      PRIVATE VEHICLE       OTHER

LODGING:      Sauder Village Heritage Inn - One Room - 3 Nights

ESTIMATED COST OF TRIP:      \$ 725 (Lodging/Registration/Mileage/Meals)

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:  
[Signature]      5/10/23  
Signature/Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

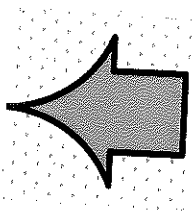
\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_





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\*NAME OF ATTENDEE: GINA KUVIN DEPARTMENT: RECORDER

\*POSITION: CHIEF DEPUTY DATE: JUNE 9, 2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION      ASSOCIATION SPONSORED TRAINING  
SEMIMAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE:  
TRAINING

LOCATION:  
EMBASSY SUITES, BLUE ASH, OHIO

DATE(S):

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR      PRIVATE VEHICLE  OTHER

LODGING:      N/A

ESTIMATED COST OF TRIP:      \$25.00

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

[Signature]      5/12/2023  
Signature/Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

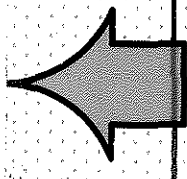
\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_





**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention or Training Seminar/Session sponsored by an Association as required by O.R.C. Section 325.20. Additionally, authorization is required for any training seminar/session held more than 250 miles from county campus;

\*NAME OF ATTENDEE: LINDA ODA DEPARTMENT: RECORDER

\*POSITION: RECORDER DATE: JUNE 9, 2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION      ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE:  
TRAINING

LOCATION:  
EMBASSY SUITES, BLUE ASH, OHIO

DATE(S):

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR      PRIVATE VEHICLE  OTHER

LODGING:      N/A

ESTIMATED COST OF TRIP: \$25.00

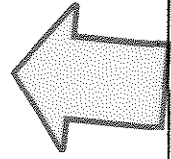
I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

*Linda Oda Recorder*      5/12/2023  
Signature/Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner      Date  
\_\_\_\_\_  
Commissioner      Date  
\_\_\_\_\_  
Commissioner      Date



\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:  
\_\_\_\_\_



**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention or Training Seminar/Session sponsored by an Association as required by O.R.C. Section 325.20. Additionally, authorization is required for any training seminar/session held more than 250 miles from county campus;

\*NAME OF ATTENDEE: LINDA ODA

DEPARTMENT: RECORDER

\*POSITION: RECORDER

DATE: JUNE 12 & 13, 2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING

CONVENTION

ASSOCIATION SPONSORED TRAINING  
SEMINAR/SESSION

TRAINING MORE THAN 250 MILES

PURPOSE:

TRAINING - ASSOCIATION TRAINING AND MEETING

LOCATION:

MARRIOTT AT THE UNIVERSITY OF DAYTON, 1414 SOUTH PATTERSON BLVD., DAYTON, OHIO

DATE(S):

TYPE OF TRAVEL: (Check one)

AIRLINE

STAFF CAR

PRIVATE VEHICLE  OTHER

LODGING:

N/A

ESTIMATED COST OF TRIP: \$80.00

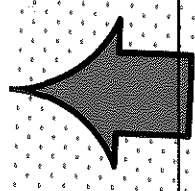
I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

*Linda Oda Recorder* 7-5-12-2023  
Signature/Title Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner Date  
\_\_\_\_\_  
Commissioner Date  
\_\_\_\_\_  
Commissioner Date



\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_

The image is a cover for a document titled "Warren County Master Plan". It features a photograph of the Warren County Courthouse, a large, light-colored building with a prominent dome and a statue on top. The building is set against a clear blue sky. In the foreground, there are trees with vibrant autumn foliage in shades of orange, red, and yellow. An American flag is visible on a tall pole to the left of the building. The title "Warren County Master Plan" is written in a white, elegant, italicized serif font, centered on a dark blue horizontal band that spans the width of the image.

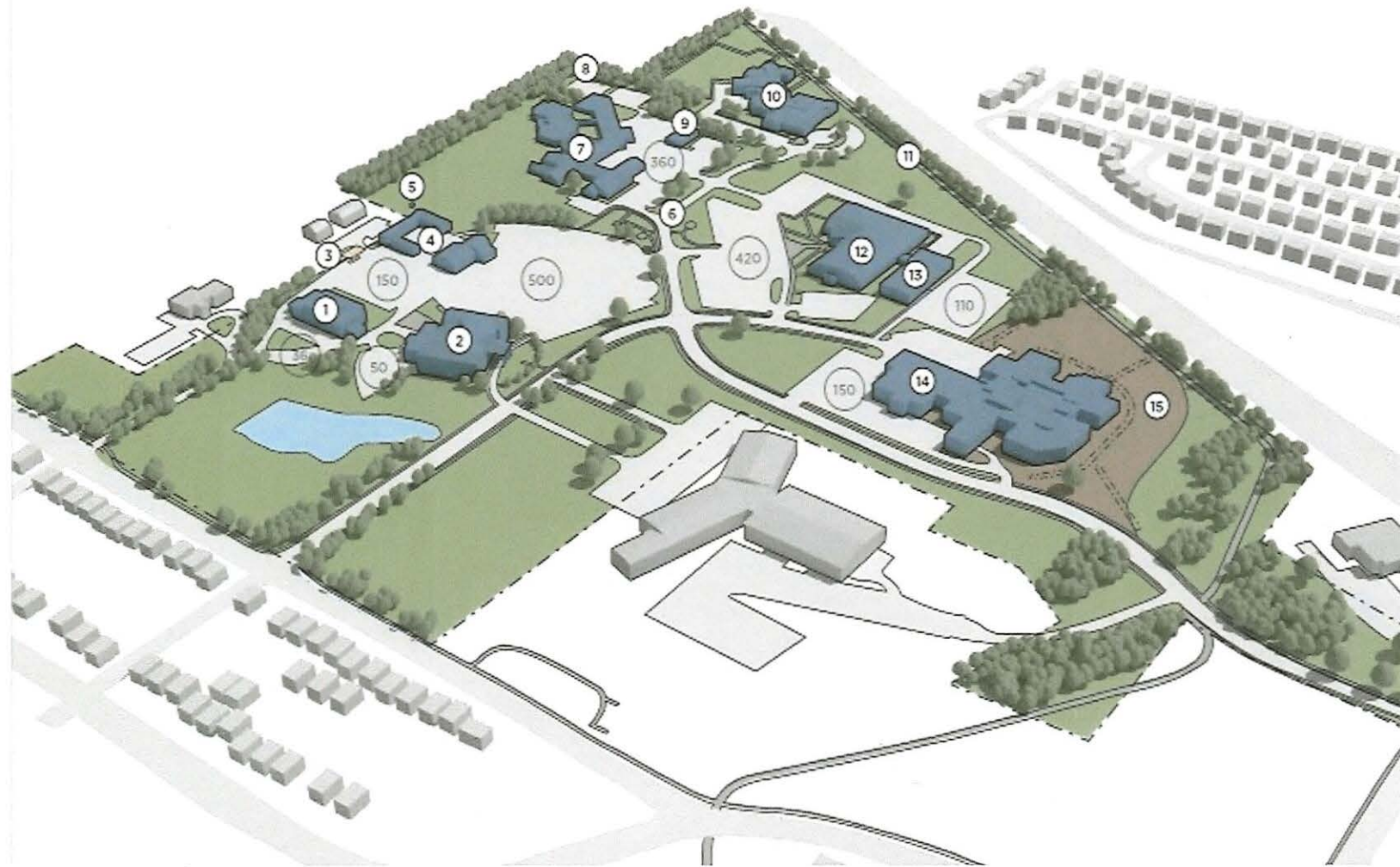
*Warren County  
Master Plan*

EXISTING

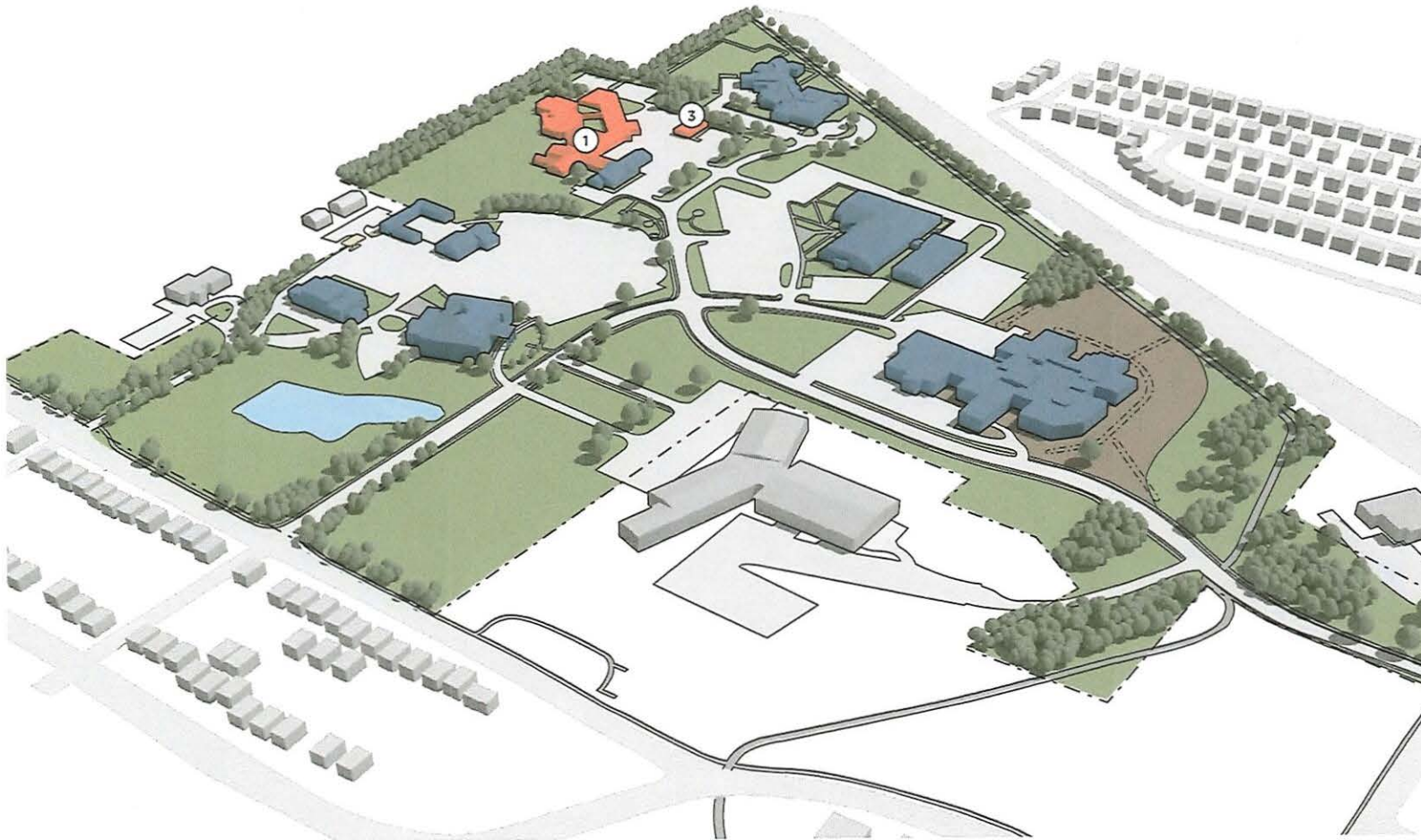
## JUSTICE DRIVE CAMPUS

- ① Health & Human Services Building
- ② Administration Building
- ③ Fueling Station
- ④ Facilities Management
- ⑤ Weather Station
- ⑥ Monuments
- ⑦ County Court Building & Old Jail
- ⑧ Impound Lot
- ⑨ SWAT Garage
- ⑩ Juvenile Justice Center
- ⑪ Bike Trail
- ⑫ Common Pleas Court Building (CPC)
- ⑬ 520 Justice Office Building
- ⑭ New Jail & Sheriff's Office
- ⑮ Drainage

Ⓢ Parking Counts



PHASE  
1A

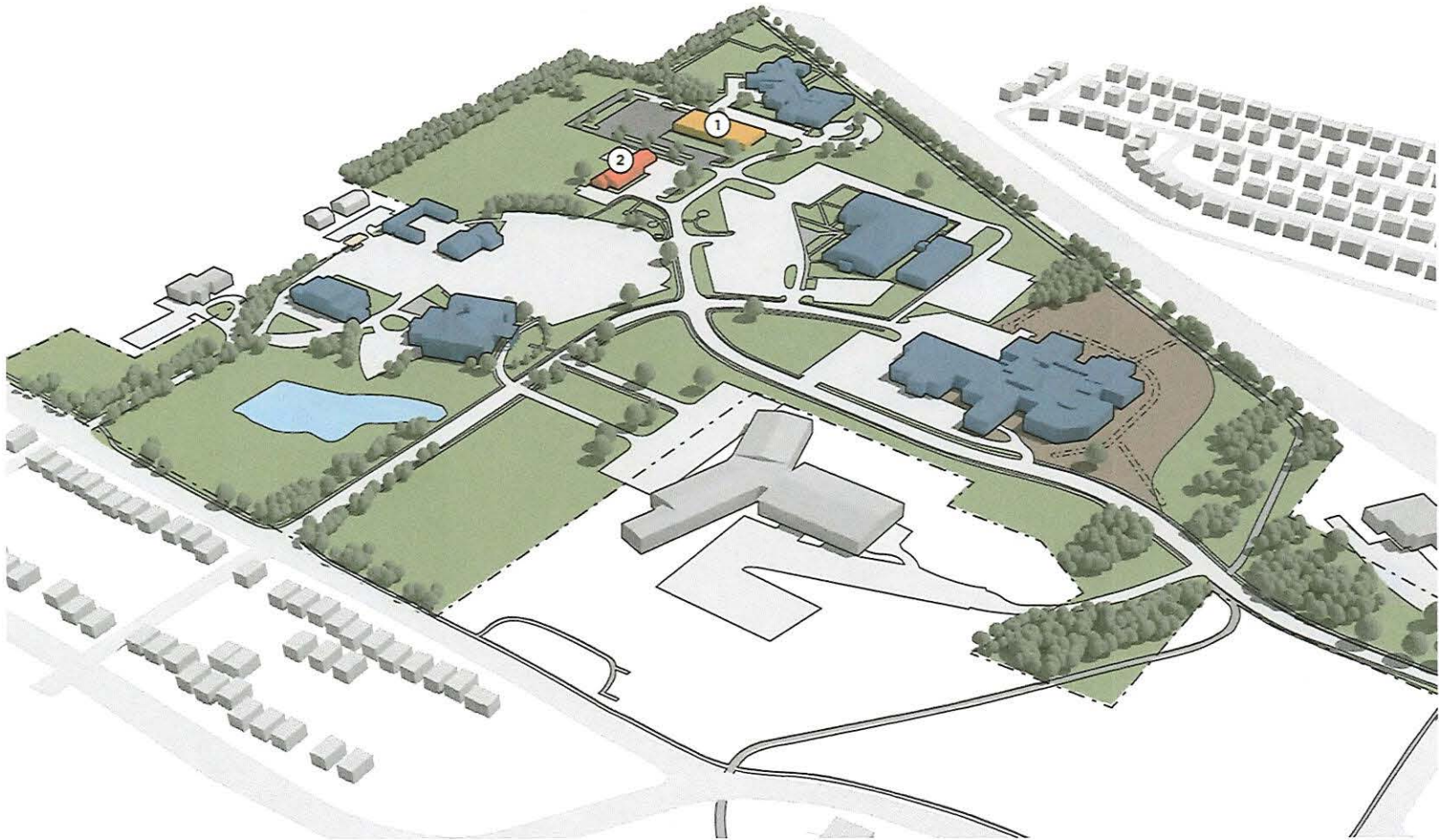


## DEMOLITION

- 1 Demolish the existing Old Jail at 880 Memorial Drive. Note that the County Court Building is to remain and existing infrastructure that feeds County Court must be maintained.
- 2 Construct a replacement SWAT garage and facility at an off-campus location. This 12,000 SF replacement facility will include SWAT vehicle storage, SWAT office and workspace, indoor and/or outdoor firearms training facilities, indoor large County vehicle storage, and secure indoor impounded vehicle storage. This step must be completed before the existing SWAT garage is demolished.
- 3 Demolish the existing SWAT garage.



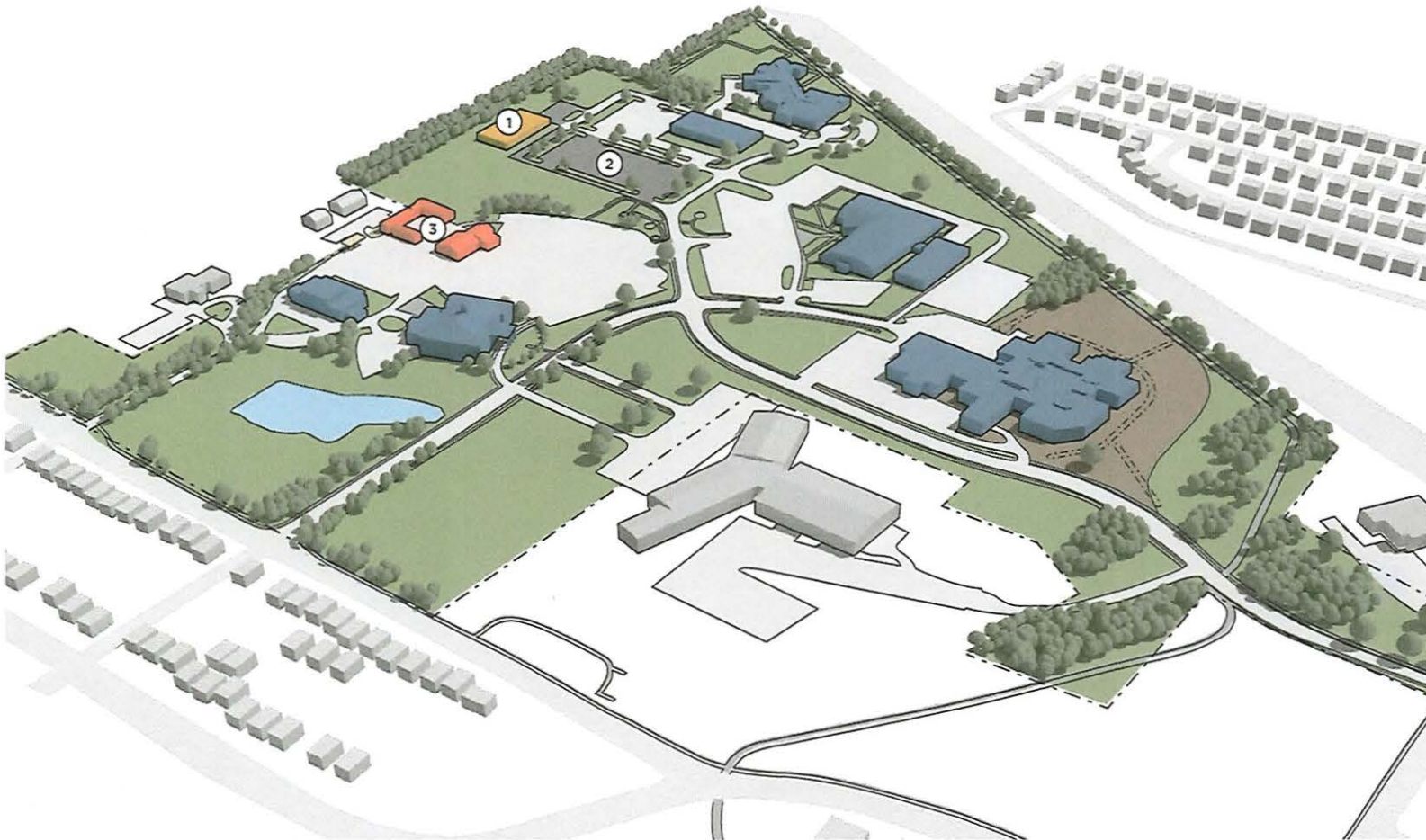
PHASE  
1B



COUNTY COURT

- ① Construct a new County Court Building and adjacent parking lot.
- ② Demolish the existing County Court Building.

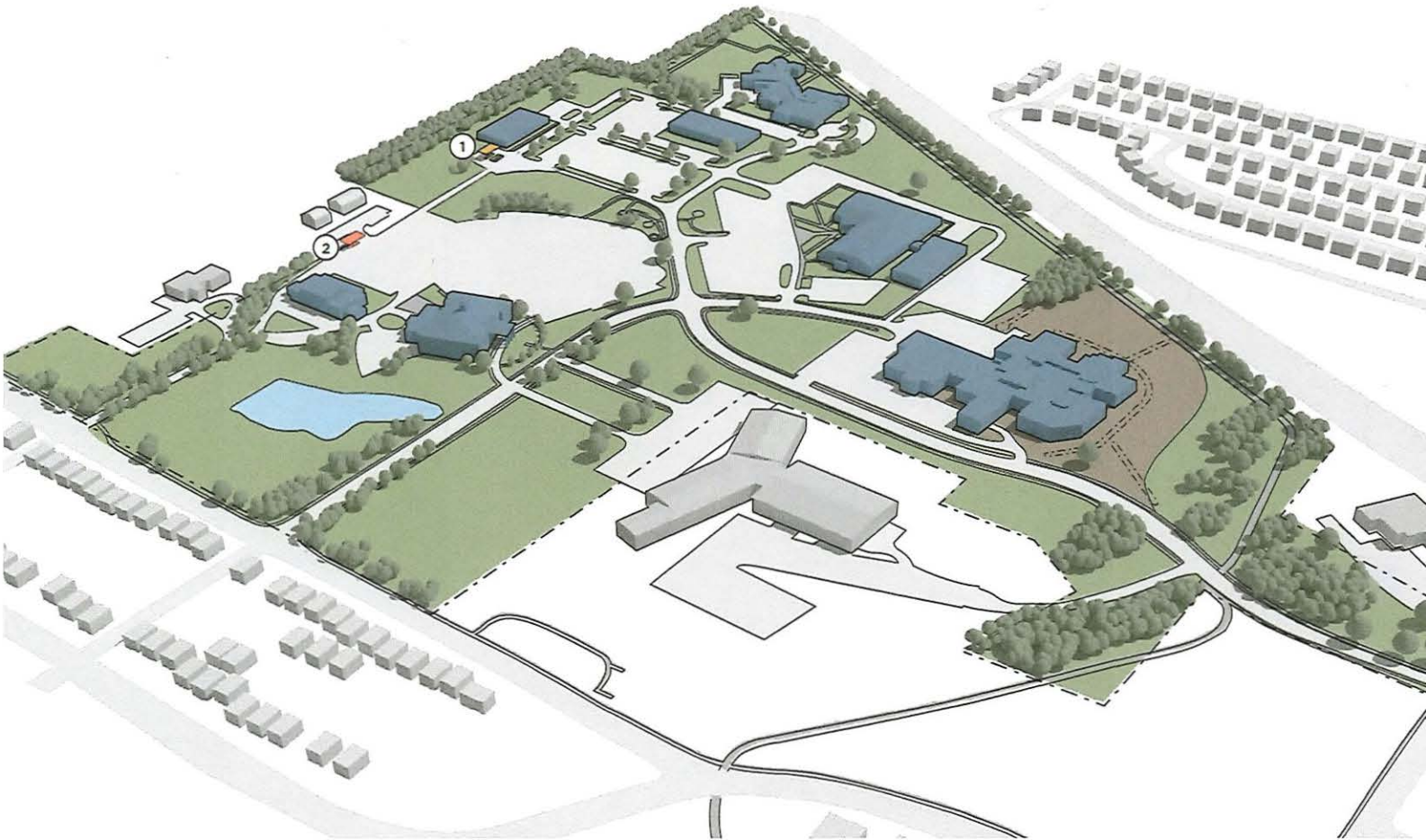
PHASE  
1C



## FACILITIES MANAGEMENT

- 1 Construct a new 18,000 SF Facilities Management building. This step must be completed before the existing Facilities Management building is demolished.
- 2 Create a new parking lot on the site of the demolished Old Jail and County Court Building.
- 3 Demolish existing Facilities Management building.

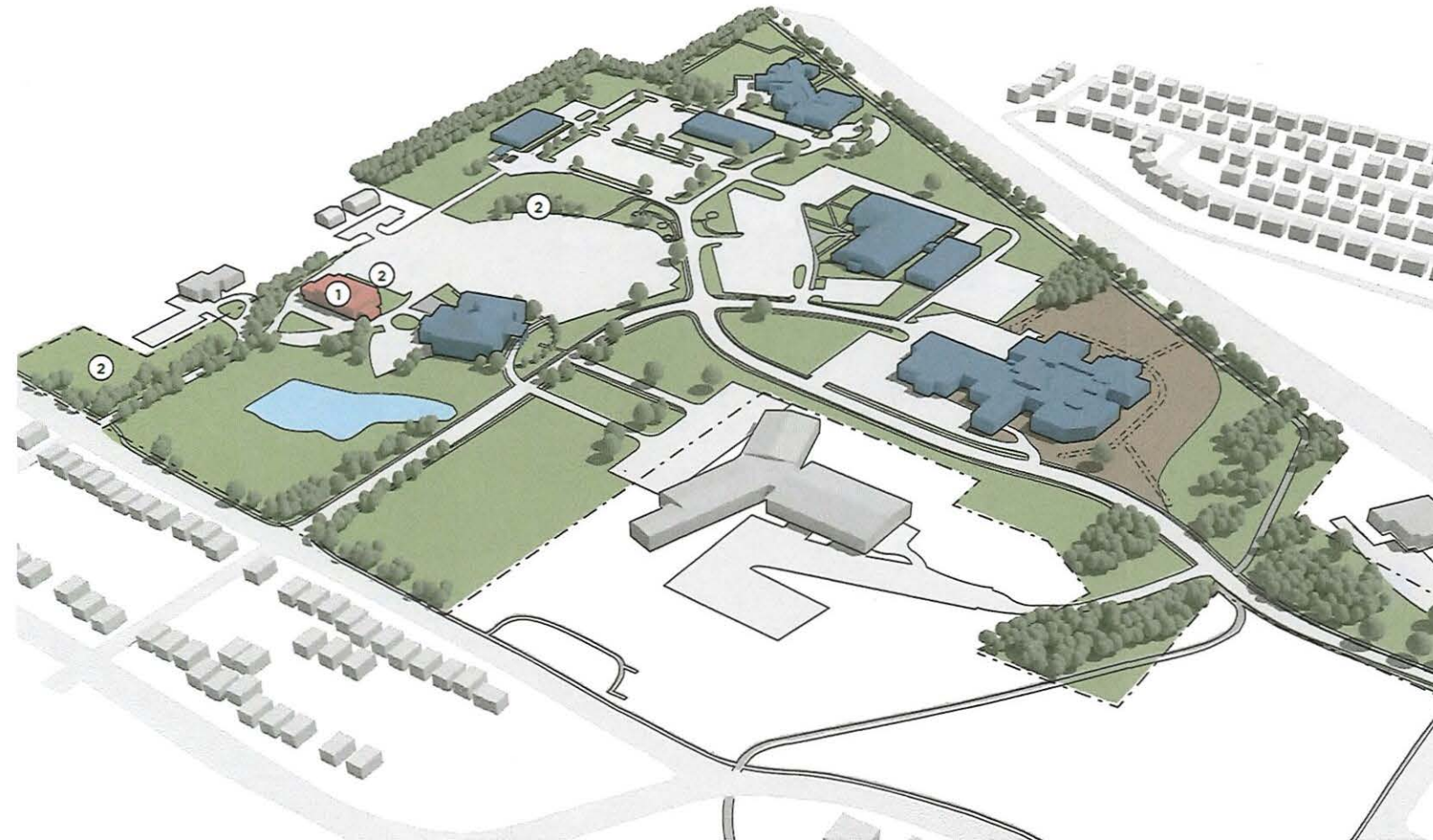
PHASE  
1D



FUEL STATION

- ① Construct a new fueling station adjacent to the new Facilities Management building.
- ② Demolish existing fueling station.

END OF  
PHASE 1



## PLAN PHASE 2

- ① Demolition of Health & Human Services Building.
- ② Creates potential building sites for a new Health & Human Services building and new Board of Elections Building.

## Phase 1

1. Demolish the old Jail and SWAT building
  - a. Leave County Court intact
  - b. Build a new tactical response and training facility off campus
2. Construct a new County Court facility, then demolish their current building
3. Construct a new Facilities Management building, then demolish their current building
4. Construct a new Fuel Station, then demolish the current station
5. Plan Phase 2 including a new Health & Human Services building and Board of Elections building.

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 23-0506

Adopted Date April 25, 2023

**SET PUBLIC HEARING CONCERNING PROPOSED AMENDMENTS TO THE WARREN COUNTY SUBDIVISION REGULATIONS**

WHEREAS, pursuant to Ohio Revised Code Section 711.10, this Board must set a public hearing to consider amendments to the Warren County Subdivision Regulations; and

WHEREAS, this Board is in receipt of a recommendation from the Warren County Regional Planning Commissioner to amend the Warren County Subdivision Regulations; and

NOW THEREFORE BE IT RESOLVED, to set May 16, 2023, at 9:30 a.m. as the date and time for the public hearing concerning proposed amendments to the Warren County Subdivision Regulations.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones -- yea

Mr. Young -- yea

Mr. Grossmann -- yea

Resolution adopted this 25<sup>th</sup> day of April 2023.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

/to

cc: RPC (file)  
Public Hearing file



# WARREN COUNTY REGIONAL PLANNING COMMISSION

**TO:** Board of County Commissioners  
**FROM:** Cameron Goschinski, Planner I  
**SUBJECT:** **Proposed Subdivision Regulation Text Amendments**

## **BACKGROUND**

An amended version of the Warren County Subdivision Regulations is being brought forward to the RPC Executive Committee this month for a request to review the following amendments. This is followed with approval by the Board of County Commissioners and certification from RPC Staff.

The Regional Planning Commission Staff are proposing twenty-one (21) text amendments to the Subdivision Regulations that address the following categories:

- Interpretation and clerical clarification
- Addition of *Lot Modification* to Section 322: Minor Subdivision
  - This concerns lot consolidations as they pertain to the Ohio Revised Code.

## **INTERPRETATION AND CLERICAL CLARIFICATION – MINOR AMENDMENTS**

The RPC Staff has updated minor amendments to the Subdivision Regulations that pertain to the replacement or removal of old language, and addition of new language for further clarification. A list of all minor amendments that are to be updated are included below under Appendix A.

## **LOT MODIFICATION**

Following advice from the Warren County Prosecutor's Office, RPC Staff will develop a new application and provide language that follows the Ohio Revised Code which pertains to lot modifications for conveyance purposes. The RPC Staff would include new language to be placed into the Subdivision Regulations Section 322: Minor Subdivisions, and develop a new application, as it pertains to lot modifications. This new application would be utilized for consolidations if the existing parcels are adjacent to each other; are not separated by a public roadway; and the acreage of the modified parcel is five acres or less.

\*The following language is to be added to Section 322: Minor Subdivision as Item F (Page 44).

### **Minor Subdivision Lot Modification**

Whenever all of the owners of a previously approved division of a parcel of land by minor subdivision process under this section ("minor subdivision lots") seeks to modify the width, lot lines or the area of one (1) or more minor subdivisions lots to increase the size of a minor subdivision lot, the minor subdivision lot modification requires the owner to submit a Minor Subdivision Lot Modification Application to the RPC for review and approval prior to recording a deed resulting in such a modification. Modification shall be reviewed if the existing parcels are adjacent to each other; are not separated by a public roadway; and the acreage of the modified parcel is five acres or less. Upon

submission of a Minor Subdivision Lot Modification Application, RPC staff shall verify that the proposed lot modification is subject to RPC review. This section shall not apply to a parcel being redefined by new survey. The following information shall be submitted:

1. A Minor Subdivision Lot Modification Application with all information required on the form along with the review fee as established; and
2. A deed for the modified parcels.

## **APPENDIX A: MINOR AMENDMENTS**

### **ARTICLE II: DEFINITIONS**

1. **Comprehensive Plan of Warren County, Ohio:** Update language to clarify that the plan was prepared by the Regional Planning Commission and adopted by the Board of County Commissioners (Page 12).
2. **Congestion of Population:** Removal of "Per Section 403 (Level of Service Standard)" language from the definition, as this standard is not utilized by the RPC (Page 13).
3. **Density:** Removal of "Net Density" language from the definition, as this standard is not utilized by the RPC (Page 14).
4. **Easement:** Removal of "grants to the owner of a separate parcel of land" language as this does not identify the geographic location of the other parcel of land, nor does this identify the easement can be granted to a separate entity/organization (Page 15).
5. **Flood Plain (100 Years):** Removal of standards from the graphic within the definition (Page 16).
6. **Lot Measurement:** Removal of this definition completely, as no further language is provided (Page 18).
7. **Open Space:** Designate open space facilities to be deemed permissive by the proper zoning authority (Page 19).
8. **Public Utility Easement:** Include language to add "sidewalks" as part of a public utility easement (Page 20).

### **ARTICLE III: PROCEDURES FOR SUBDIVISION APPROVAL**

9. **Section 308 (C):** Removal of language, as the RPC does not limit the number of final plats to be recorded by phases or on an annual basis (Page 33).
10. **Section 308 (E):** Following advice from the Warren County Prosecutor's Office, this is the removal of "purpose and intent" language from the definition for better clarification (Page 33).
11. **Section 310:** Update language from "revised" to "updated" to reflect the proper process (Page 35).
12. **Section 311:** Add language to identify amendments to a final plat which decrease the open space by 1-acre or 1% may qualify as a minor amendment from the originally approved preliminary plan (Page 35).
13. **Section 322 (F): Lot Modification.** See language above (Page 44).

### **ARTICLE IV: SUBDIVISION DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS**

14. **Section 403 (B):** There is no definition for an "Urban Township"; the language would be updated to reflect as a "Township" (Page 48).
15. **Section 406 (C):** Update old language per the ORC from "plat" to "plan" (Page 53).



**16. Section 416 (B):** There is no definition for average density. Update this language to “net density”, which has a definition and is utilized by the RPC (Page 58).

**17. Section 425 (G):** Update language to reflect design standards to panhandle lots off the bulb of a cul-de-sac for safety concerns (Page 62).

**ARTICLE V: STANDARDS FOR PLANNED UNIT DEVELOPMENTS**

**18. Section 501:** Update language to identify these standards as recommendations to the proper approving authority to be considered (Page 65).

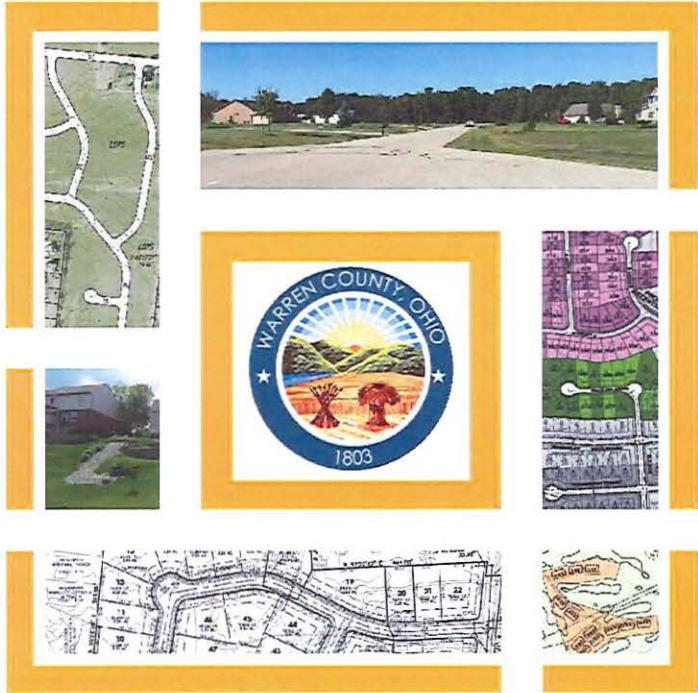
**ARTICLE VII: REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE PLAT**

**19. Section 700 (D):** Following advice from the Tax Map Department, this amends language as it pertains to certificate of notary public on plats. (Page 73).

**ARTICLE VIII: REVISIONS, ENFORCEMENT**

**20. Section 804 (B)(1):** Update old language per the ORC from “plat” to “plan”; Variances are reviewed as part of a preliminary plan, and not a minor subdivision. (Page 78).

**21. Section 804 (B)(2):** Updated language to identify RPC staff review of variances as written reports, and not recommendations (Page 78).

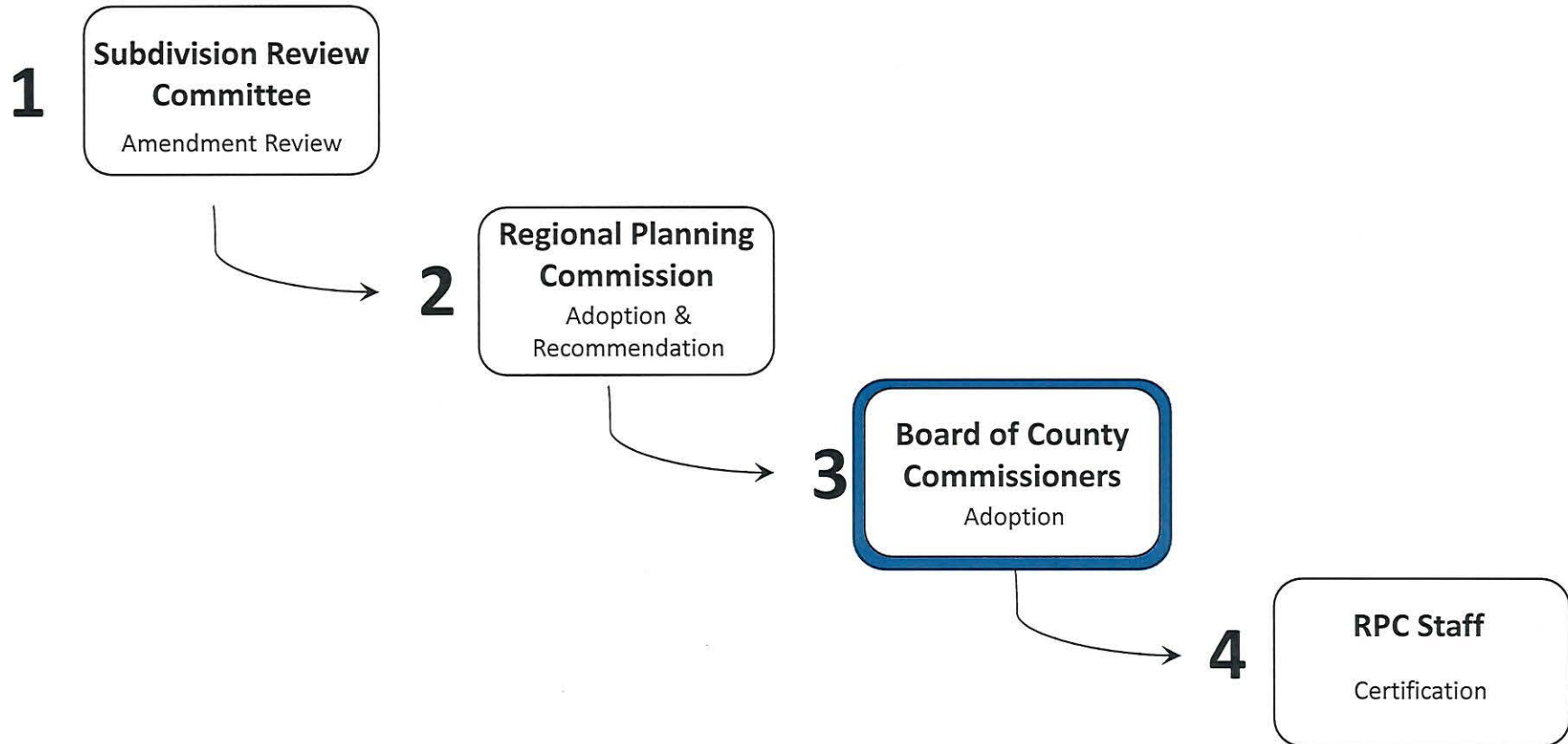


# Subdivision Regulations Update

March, 2023

# Process

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## **Purpose of Amendments**

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- 1. Interpretation and clerical clarification**
- 2. Addition of *Lot Modification* to Section 322: Minor Subdivision, concerning lot consolidations as they pertain to the Ohio Revised Code**

# **Article II**

# **Definitions**

***8 Amendments***

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## Section 201: Definitions

<p><b>Current Language</b> (Page 12)</p>	<p><b>COMPREHENSIVE PLAN OF WARREN COUNTY, OHIO</b> – A series of component documents prepared and <b>adopted by the Warren County Regional Planning Commission (RPC)</b> and various other applicable public entities which establish the goals, objectives and policies for capital improvements programming, economic development, housing, natural hazards mitigation, land use, parks and open space, sanitary sewer, water, transportation, and any other specified subject matters involving or related to use and development of land with Warren County, Ohio</p>
<p><b>Proposed Language</b></p>	<p><b>COMPREHENSIVE PLAN OF WARREN COUNTY, OHIO</b> – A series of component documents prepared by the Warren County Regional Planning Commission (RPC) and <b>adopted by the Board of County Commissioners</b>, which establish the goals, objectives and policies for capital improvements programming, economic development, housing, natural hazards mitigation, land use, parks and open space, sanitary sewer, water, transportation, and any other specified subject matters involving or related to use and development of land with Warren County, Ohio.</p>

## Section 201: Definitions

<p><b>Current Language</b> (Page 13)</p>	<p><b>CONGESTION OF POPULATION</b> – A condition to be avoided whenever practicable, due to intensity of proposed development, as determined by the Warren County Regional Planning Commission, evidenced by the risk for the creation of one (1) or more of the following conditions:</p> <p>a. Reduction of levels of service, <b>Per Section 403 (Level of Service Standard)</b> on affected roads, as determined by the Warren County Engineer; or reductions in safety on affected roads, as determined by the applicable local emergency response agencies, as applicable by jurisdiction or location.</p>
<p><b>Proposed Language</b></p>	<p><b>CONGESTION OF POPULATION</b> – A condition to be avoided whenever practicable, due to intensity of proposed development, as determined by the Warren County Regional Planning Commission, evidenced by the risk for the creation of one (1) or more of the following conditions:</p> <p>a. Reduction of levels of service on affected roads, as determined by the Warren County Engineer; or reductions in safety on affected roads, as determined by the applicable local emergency response agencies, as applicable by jurisdiction or location.</p>

# Section 201: Definitions

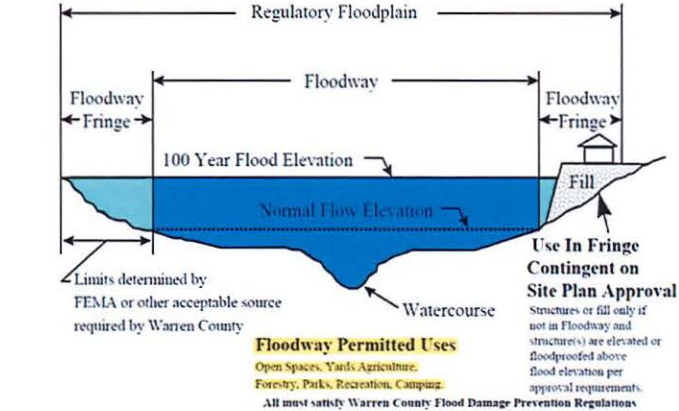
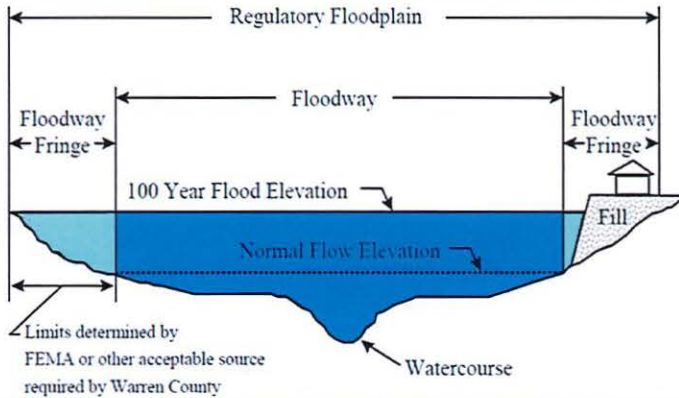
<p><b>Current Language</b> (Page 14)</p>	<p><b>DENSITY</b> – A unit of measurement; the number of dwelling units per acre of land.</p> <p>a. <b>Gross Density</b> – the number of dwelling units per acre of the total land to be developed (including interior streets).</p> <p>b. <b>Net Density</b> – the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses (excluding interior right-of-way).</p>
<p><b>Proposed Language</b></p>	<p><b>DENSITY</b> – A unit of measurement; the number of dwelling units per acre of land.</p> <p><b>DENSITY, GROSS</b> – The number of dwelling units per acre of the total land to be developed (including interior streets, natural resources, and easements).</p>



## Section 201: Definitions

<p><b>Current Language</b> (Page 15)</p>	<p><b>EASEMENT</b> – A particularly described area of exclusive or non-exclusive legal interest in, on, under, over or through a portion of a parcel of land or appurtenance thereto created by a written instrument whereby the owner of the parcel <b>grants to the owner of a separate parcel of land</b> or appurtenance thereto, or utility, the right to make lawful and beneficial use of the particularly described area.</p>
<p><b>Proposed Language</b></p>	<p><b>EASEMENT</b> – A particularly described area of exclusive or non-exclusive legal interest in, on, under, over or through a portion of a parcel of land or appurtenance thereto created by a written instrument whereby the owner of the parcel grants the right to make lawful and beneficial use of the particularly described area another person or entity.</p>

# Section 201: Definitions

<p><b>Current Language</b> (Page 16)</p>	 <p>Regulatory Floodplain</p> <p>Floodway Fringe</p> <p>100 Year Flood Elevation</p> <p>Normal Flow Elevation</p> <p>Watercourse</p> <p>Fill</p> <p>Use In Fringe Contingent on Site Plan Approval Structures or fill only if not in Floodway and structure(s) are elevated or floodproofed above flood elevation per approval requirements.</p> <p>Limits determined by FEMA or other acceptable source required by Warren County</p> <p><b>Floodway Permitted Uses</b> Open Spaces, Yards Agriculture, Forestry, Parks, Recreation, Camping. All must satisfy Warren County Flood Damage Prevention Regulations.</p>	<p>Note: Figure listed under Definition of <b>FLOOD PLAIN (100 YEARS)</b></p>
<p><b>Proposed Language</b></p>	 <p>Regulatory Floodplain</p> <p>Floodway Fringe</p> <p>100 Year Flood Elevation</p> <p>Normal Flow Elevation</p> <p>Watercourse</p> <p>Fill</p> <p>Limits determined by FEMA or other acceptable source required by Warren County</p>	

# Section 201: Definitions

<p><b>Current Language</b> (Page 18)</p>	<p>LOT MEASUREMENT – A lot shall be measured as follows:</p>
<p><b>Proposed Language</b></p>	<p><del>LOT MEASUREMENT – A lot shall be measured as follows:</del></p>

# Section 201: Definitions

<p><b>Current Language</b> (Page 19)</p>	<p><b>OPEN SPACE</b> – An open area which may be on the same lot with a building. The area may include, along with the natural environment features, swimming pools, tennis courts, any other recreational facilities that the <b>planning commission</b> deems permissive. <b>Streets, structures for habitation, and the like shall not be included.</b></p>
<p><b>Proposed Language</b></p>	<p><b>OPEN SPACE</b> – An open area which may be on the same lot with a building. The area may include, along with the natural environment features, swimming pools, tennis courts, any other recreational facilities that the <b>zoning authority</b> deems permissive.</p>

# Section 201: Definitions

<p><b>Current Language</b> (Page 20)</p>	<p><b>PUBLIC UTILITY EASEMENT</b> – The easement which adjoins the right-of-way on both sides of a street and is used for the maintenance of vehicle sight distances, the placement of stormwater drainage, sewer, water, natural gas, electric, telephone, cable television or other facilities or utilities, and for street maintenance.</p>
<p><b>Proposed Language</b></p>	<p><b>PUBLIC UTILITY EASEMENT</b> – The easement which adjoins the right-of-way on both sides of a street and is used for the maintenance of vehicle sight distances, the placement of stormwater drainage, sewer, <b>sidewalks</b>, water, natural gas, electric, telephone, cable television or other facilities or utilities, and for street maintenance.</p>

# **Article III**

## **Procedures for Subdivision Approval**

*5 Amendments*

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## Section 308: Preliminary Plan Review and Approval, (C)

<p><b>Current Language</b> (Page 33)</p>	<p>Otherwise, based upon a finding that congestion of population would result from proposed intensity of development, with input in concurrence from applicable reviewing agencies, in exercising growth management, the preliminary plan may be appropriately modified in scope, <b>limiting conditional approval to a particular phase</b>, phases of lots; or alternatively, appropriate conditions may be placed upon the pace of development, <b>limiting the number of lots recorded by final plat on an annual basis</b>. Such limitations or modifications shall be based upon findings of fact.</p>
<p><b>Proposed Language</b></p>	<p><del>Otherwise, based upon a finding that congestion of population would result from proposed intensity of development, with input in concurrence from applicable reviewing agencies, in exercising growth management, the preliminary plan may be appropriately modified in scope, limiting conditional approval to a particular phase, phases of lots; or alternatively, appropriate conditions may be placed upon the pace of development, limiting the number of lots recorded by final plat on an annual basis. Such limitations or modifications shall be based upon findings of fact.</del></p>

## Section 308: Preliminary Plan Review and Approval, (E) Review Criteria

<p><b>Current Language</b> (Page 33)</p>	<p>The application meets the standards and requirements of the Subdivision Regulations and that the Preliminary Plan proposed fulfills the <b>purpose and intent</b> of the Warren County Subdivision Regulations.</p>
<p><b>Proposed Language</b></p>	<p>The application and Preliminary Plan proposed meets the standards and requirements of the Warren County Subdivision Regulations.</p>



## Section 310: Preliminary Plan Approved Copy

<p><b>Current Language</b> (Page 35)</p>	<p>The subdivider shall submit a copy of the preliminary plan that conforms to any changes required by the Regional Planning Commission to ensure the Executive Director may review future record plats against the approved preliminary plan. The <b>revised preliminary plan</b> shall be submitted prior to the application for final plat.</p>
<p><b>Proposed Language</b></p>	<p>The subdivider shall submit a copy of the preliminary plan that conforms to any changes required by the Regional Planning Commission to ensure the Executive Director may review future record plats against the approved preliminary plan. The <b>updated preliminary plan</b> shall be submitted prior to the application for final plat.</p>

## Section 311: Final Plat Requirements, (B)(3)

<p><b>Current Language</b> (Page 35)</p>	<p>There is no change in the location of planned open space or conservation areas/easements and the total amount of such spaces planned within the overall subdivision does not decrease. Minor adjustments to road right-of-way or utility easements that impact the quantity and design of open space may qualify as a minor amendment;</p>
<p><b>Proposed Language</b></p>	<p>There is no change in the location of planned open space or conservation areas/easements and the total amount of such spaces planned within the overall subdivision does not decrease. Minor adjustments to road right-of-way or utility easements that impact the quantity and design of open space may qualify as a minor amendment; <b>A decrease in open space by one percent (1%), no greater than 1-acre, may qualify as a minor amendment from the originally approved Preliminary Plan.</b></p>

## Section 322: Minor Subdivision

**New  
Language  
(Page 44)**

### **Minor Subdivision Lot Modification**

Whenever all of the owners of a previously approved division of a parcel of land by minor subdivision process under this section (“minor subdivision lots”) seeks to modify the width, lot lines or the area of one (1) or more minor subdivisions lots to increase the size of a minor subdivision lot, the minor subdivision lot modification requires the owner to submit a Minor Subdivision Lot Modification Application to the RPC for review and approval prior to recording a deed resulting in such a modification. Modification shall be reviewed if the existing parcels are adjacent to each other; are not separated by a public roadway; and the acreage of the modified parcel is five acres or less. Upon submission of a Minor Subdivision Lot Modification Application, RPC staff shall verify that the proposed lot modification is subject to RPC review. This section shall not apply to a parcel being redefined by new survey. The following information shall be submitted:

1. A Minor Subdivision Lot Modification Application with all information required on the form along with the review fee as established; and
2. A deed for the modified parcels.

# **Article IV**

# **Subdivision Design Standards and Improvement Requirements**

*4 Amendments*

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## Section 403: Traffic Management, (B) Level of Service (LOS) Standard

<p><b>Current Language</b> (Page 48)</p>	<p>Where <b>Urban Townships</b> have adopted Traffic Impact Study requirements or access management plans that are equal to or exceed the requirements of the Warren County Access Management Regulations, the Warren County Engineer and the Warren County Regional Planning Commission will recognize these regulations.</p>
<p><b>Proposed Language</b></p>	<p>Where <b>Townships</b> have adopted Traffic Impact Study requirements or access management plans that are equal to or exceed the requirements of the Warren County Access Management Regulations, the Warren County Engineer and the Warren County Regional Planning Commission will recognize these regulations.</p>

## Section 406: Right-Of-Way, (C)

<p><b>Current Language</b> (Page 53)</p>	<p>The Regional Planning Commission shall determine the right-of-way requirements for arterial streets at the time of <b>preliminary plat</b> review.</p>
<p><b>Proposed Language</b></p>	<p>The Regional Planning Commission shall determine the right-of-way requirements for arterial streets at the time of <b>Preliminary Plan</b> review.</p>

## Section 416: Sidewalks, (B)

<p><b>Current Language</b> (Page 58)</p>	<p>The provision of sidewalks in residential subdivisions shall be in accordance with the following standards for all streets:</p> <ol style="list-style-type: none"><li>1. Sidewalks shall be required along both sides of all local streets in a subdivision where the <b>average</b> density of the subdivision is two (2) dwelling units per acre or greater.</li><li>2. Sidewalks shall be required along one side of all local streets where the <b>average</b> density of the subdivision is between one (1) dwelling unit per acre and 1.99 dwelling units per acre.</li><li>3. For subdivisions where the <b>average</b> density of the subdivision is less than one (1) dwelling unit per acre, no sidewalks are required.</li></ol>
<p><b>Proposed Language</b></p>	<p>The provision of sidewalks in residential subdivisions shall be in accordance with the following standards for all streets:</p> <ol style="list-style-type: none"><li>1. Sidewalks shall be required along both sides of all local streets in a subdivision where the <b>gross</b> density of the subdivision is two (2) dwelling units per acre or greater.</li><li>2. Sidewalks shall be required along one side of all local streets where the <b>gross</b> density of the subdivision is between one (1) dwelling unit per acre and 1.99 dwelling units per acre.</li><li>3. For subdivisions where the <b>gross</b> density of the subdivision is less than one (1) dwelling unit per acre, no sidewalks are required.</li></ol>

## Section 425: Lots, (G)

<b>Current Language</b> (Page 62)	Panhandle lots are permitted by right only around the outside of cul-de-sac bulbs, subject to meeting all applicable zoning requirements. The Regional Planning Commission on a case-by-case basis may consider the creation of such lots in other locations.
<b>Proposed Language</b>	Except as approved by the Regional Planning Commission, panhandle lots are not permitted along the bulb of a cul-de-sac and are subject to meeting all applicable zoning requirements and the following criteria: <ol style="list-style-type: none"><li data-bbox="604 938 1873 976">1. Review and consent of the township or the jurisdictional fire department and emergency services.</li><li data-bbox="604 1045 1873 1344">2. The applicant submits written justification or explanation that the proposed development within the bulb of the cul-de-sac is designed and will function in a manner that is not detrimental to stormwater management; waste management; access management; parking; public utilities; driveway placement; mail delivery; and the environment and topography. If applicable, each of these factors shall be considered by the Regional Planning Commission but no single factor controls in making a decision, nor must all the factors support the decision.</li></ol>



# **Article V**

# **Standards for Planned Unit Developments**

*1 Amendment*

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## Section 501: Objectives

<p><b>Current Language</b> (Page 65)</p>	<p>It is the intent of Article V to accommodate creative and imaginative planned unit developments and to permit the utilization of innovations in land development practices <b>which standards of these regulations may be modified if a planned unit development meets all of the following objectives:</b></p> <ul style="list-style-type: none"> <li>a. The conservation of natural features of the site.</li> <li>b. The creation of functional and diverse <b>residential</b> areas.</li> <li>c. The provision of usable and accessible community open space.</li> <li><b>d. The separation of</b> pedestrian and vehicular circulation facilities.</li> <li>e. The separation of <b>conflicting land uses.</b></li> </ul>
<p><b>Proposed Language</b></p>	<p>It is the intent of Article V to accommodate creative and imaginative planned unit developments and to permit the utilization of innovations in land development practice. <b>Recommendations to the approving authority should consider the following objectives:</b></p> <ul style="list-style-type: none"> <li>a. The conservation of natural features of the site.</li> <li>b. The creation of functional and diverse residential, <b>commercial, and/or mixed-use</b> areas.</li> <li>c. The provision of usable and accessible community open space.</li> <li><b>d. The provision of safe</b> pedestrian and vehicular circulation facilities.</li> <li>e. The separation of conflicting land uses, <b>and/or the integration of complementary land uses.</b></li> </ul>

# **Article VII**

## **Required Statements and Signatures to be Affixed on the Plat**

*1 Amendment*

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## Section 700: Required Statements (D)

Current Language (Page 73)	Proposed Language
<p><b>D. Certificate of Notary Public:</b>            State of Ohio, S.S.            Be it remembered that on this ___ day _____ of 2_____, before me the undersigned, a Notary Public in and for said State, personally came (and _____), who acknowledged the signing and execution of the foregoing plat to be their voluntary act and deed.            In testimony whereof, I have set my hand and Notary Seal on the day and date above written.            (Signature) _____            (Print Name Here)            NOTARY PUBLIC            State of Ohio            My commission expires _____</p>	<p><b>D. Certificate of Notary Public:</b>            State of Ohio, S.S.            County of _____            This certificate relates to an acknowledgement in which no oath of affirmation was required to be administered to the signer(s) under O.R.C. 147.542 (D)(1).            The foregoing instrument was acknowledged before me, a Notary Public in the County and State written above, this ___ day of _____, 2_____.            In testimony whereof, I have set my hand and Notary Seal on the day and date above written.</p> <div style="text-align: right; margin-top: 20px;">             _____              Notary Public              _____              Commission Expires:           </div>

# **Article VIII**

## **Revisions, Enforcement**

***2 Amendments***

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## Section 804: Variances, (B) Procedure, (1)

<p><b>Current Language</b> (Page 78)</p>	<p>An applicant requesting a variance to a provision of the Subdivision Regulations shall complete an application form and shall submit that application form with all necessary fees and accompanying material to the Warren County Regional Planning Commission.</p> <p>Applications for variances may be submitted with a proposed <b>Preliminary Plat</b> or <b>Minor Subdivision</b> application.</p>
<p><b>Proposed Language</b></p>	<p>An applicant requesting a variance to a provision of the Subdivision Regulations shall complete an application form and shall submit that application form with all necessary fees and accompanying material to the Warren County Regional Planning Commission.</p> <p>Applications for variances may be submitted with a proposed <b>Preliminary Plan. Subdivisions requiring a variance shall be reviewed as a Preliminary Plan.</b></p>

## Section 804: Variances, (B) Procedure, (2)

<p><b>Current Language</b> (Page 78)</p>	<p>Upon a review of the submittal and determination that the submittal is complete, the RPC staff shall place the variance on the agenda for the next Regional Planning Commission meeting. Staff shall review the request and <b>prepare a written recommendation</b>, following review and comments from appropriate offices. The <b>recommendation</b> shall accompany a copy of the application package that is forwarded to the Regional Planning Commission.</p>
<p><b>Proposed Language</b></p>	<p>Upon a review of the submittal and determination that the submittal is complete, the RPC staff shall place the variance on the agenda for the next Regional Planning Commission meeting. Staff shall review the request and prepare a <b>written report</b>, following review and comments from appropriate offices. The <b>report</b> shall accompany a copy of the application package that is forwarded to the Regional Planning Commission.</p>



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# **BACKUP SLIDES**

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## Road Frontage on Curved Streets

Township	Curved Lot Frontage (At Road Right-Of-Way) (LF)	Usable Circumference at Right-Of-Way (UC = C - 70ft ROW)	Total Number of Frontage Lots (UC/LF)
Clearcreek	R-2: 40ft	306.99ft	7
Deerfield	R-MF: 25ft (Half at cul-de-sac)	306.99ft	12
Hamilton	R-1: 35ft (At cul-de-sac) R-2: 30ft	306.99ft	8 10

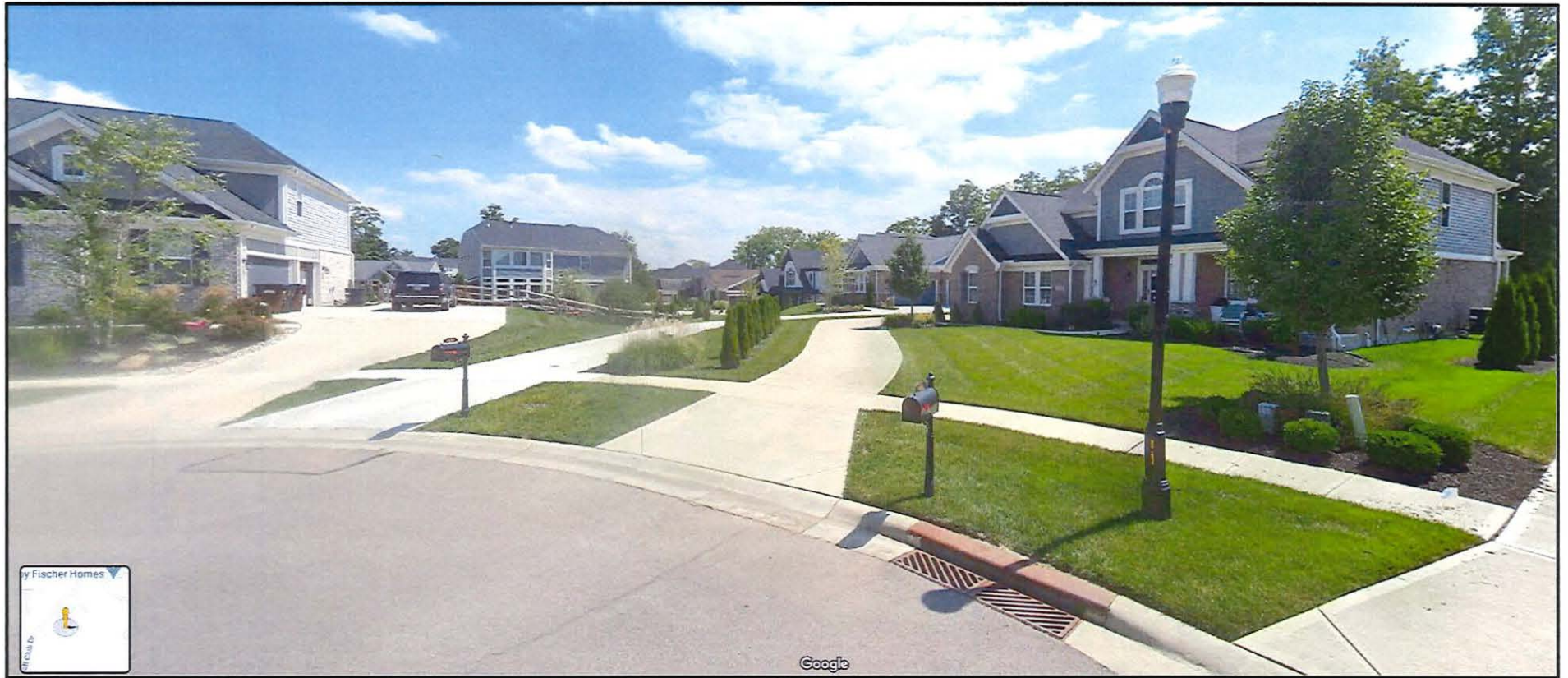
*Circumference of Lot Frontage along cul-de-sac (C) =  $2\pi (60)$*

## Lot Width at Building Setback Line

Township	Lot Width (W)	Front Yard Setback (X)	Usable Circumference at Building Setback Line (UC = C - 70ft ROW)	Total Number of Frontage Lots (UC/W)
Clearcreek	R-2: 80ft	30ft	495.487ft	6
Deerfield	R-MF: 50ft	35ft	526.903ft	10
Hamilton	R-1: 80ft	50ft	621.15ft	7
	R-2: 75ft	35ft	526.903ft	7

*Circumference of Lot Width along cul-de-sac (C) =  $2\pi(60 + \text{Front Yard Setback}(X))$*

# Example of Panhandle Lots off Cul-De-Sac Bulb



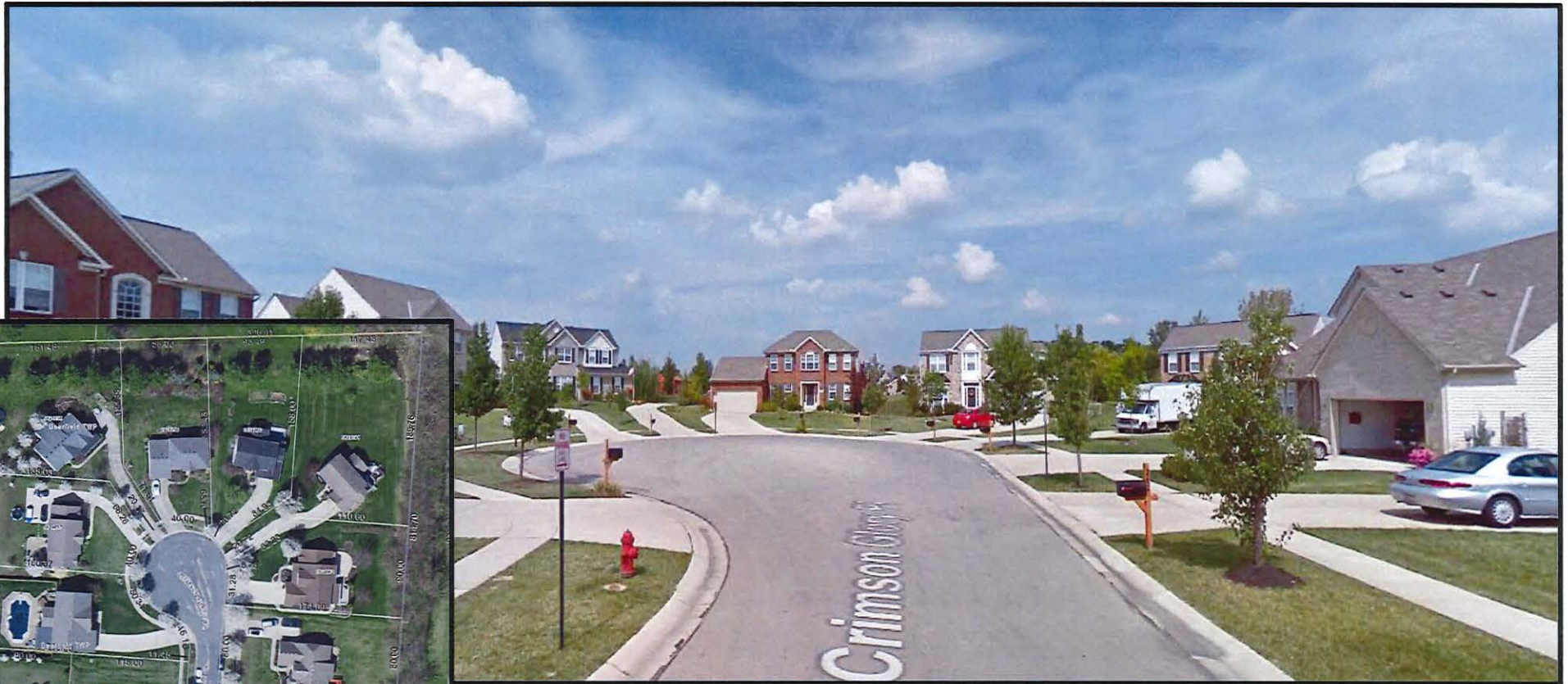
**Bittern Lane, Turtlecreek Township**

## Examples of Multiple Driveways off Cul-De-Sac Bulb



**Wood Duck Court, Hamilton Township**

# Examples of Multiple Driveways off Cul-De-Sac Bulb



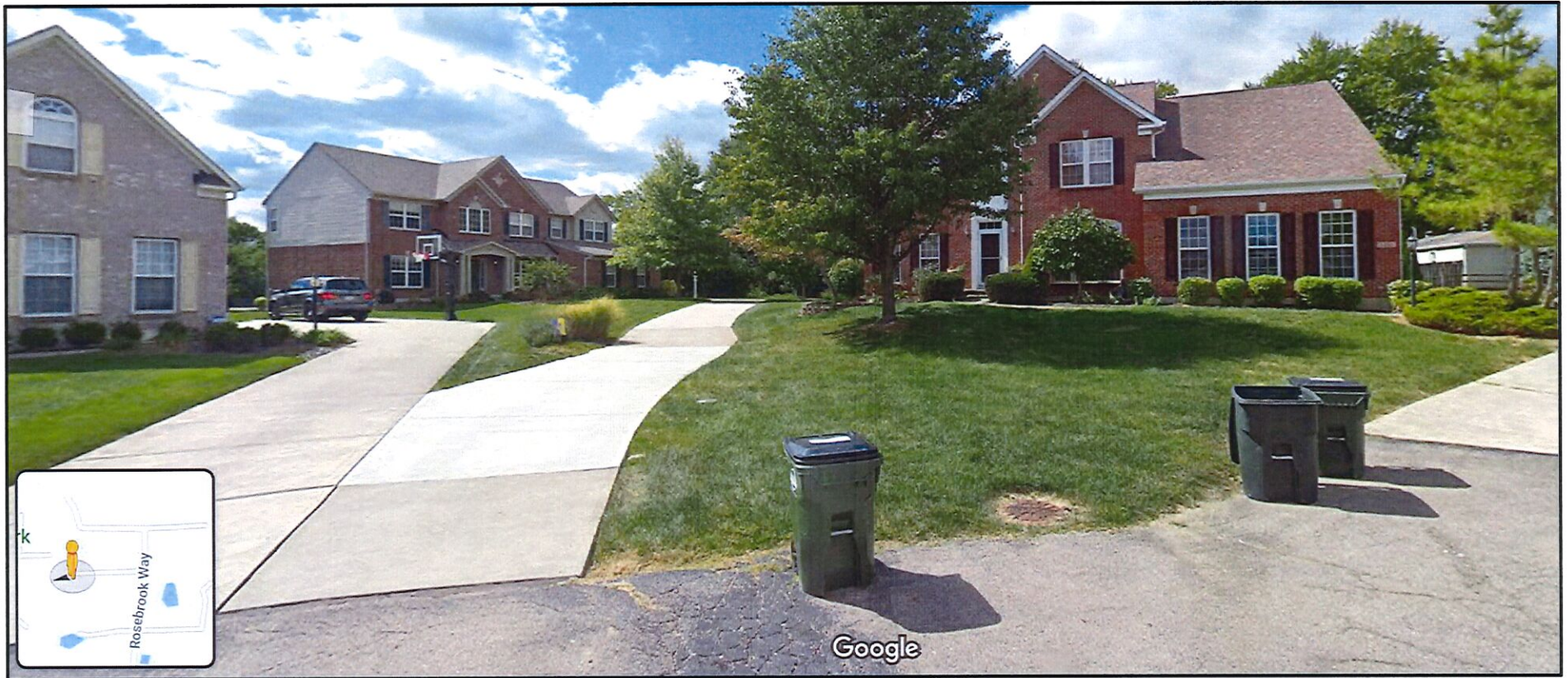
**Crimson Glory Place, Deerfield Township**

## Example of Panhandle Lots off Cul-De-Sac Bulb



**Evergreen Court, Mason**

# Example of Panhandle Lots off Cul-De-Sac Bulb



**Rosebrook Way, Mason**

## Examples of Multiple Driveways off Cul-De-Sac Bulb



**Beechtree Lane, South Lebanon**

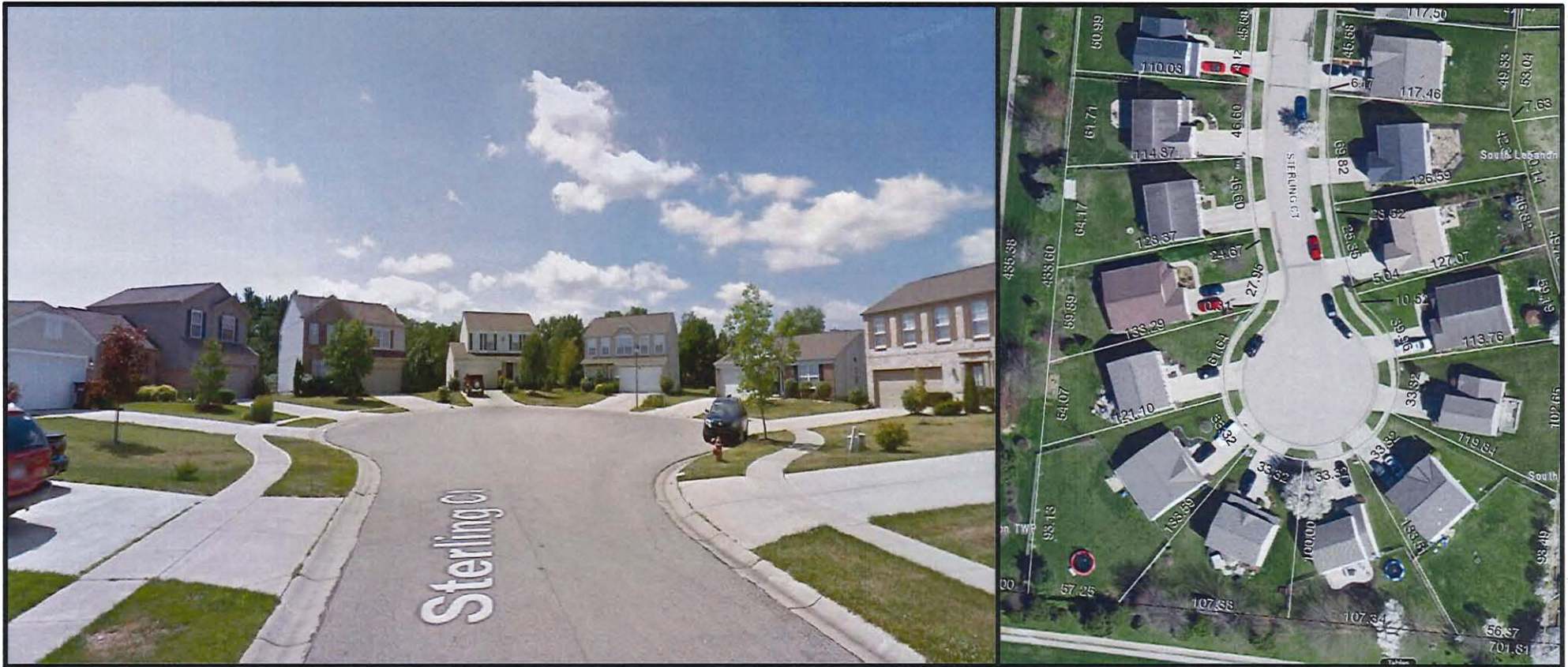


## Example of Panhandle Lots and Private Streets off Cul-De-Sac Bulb



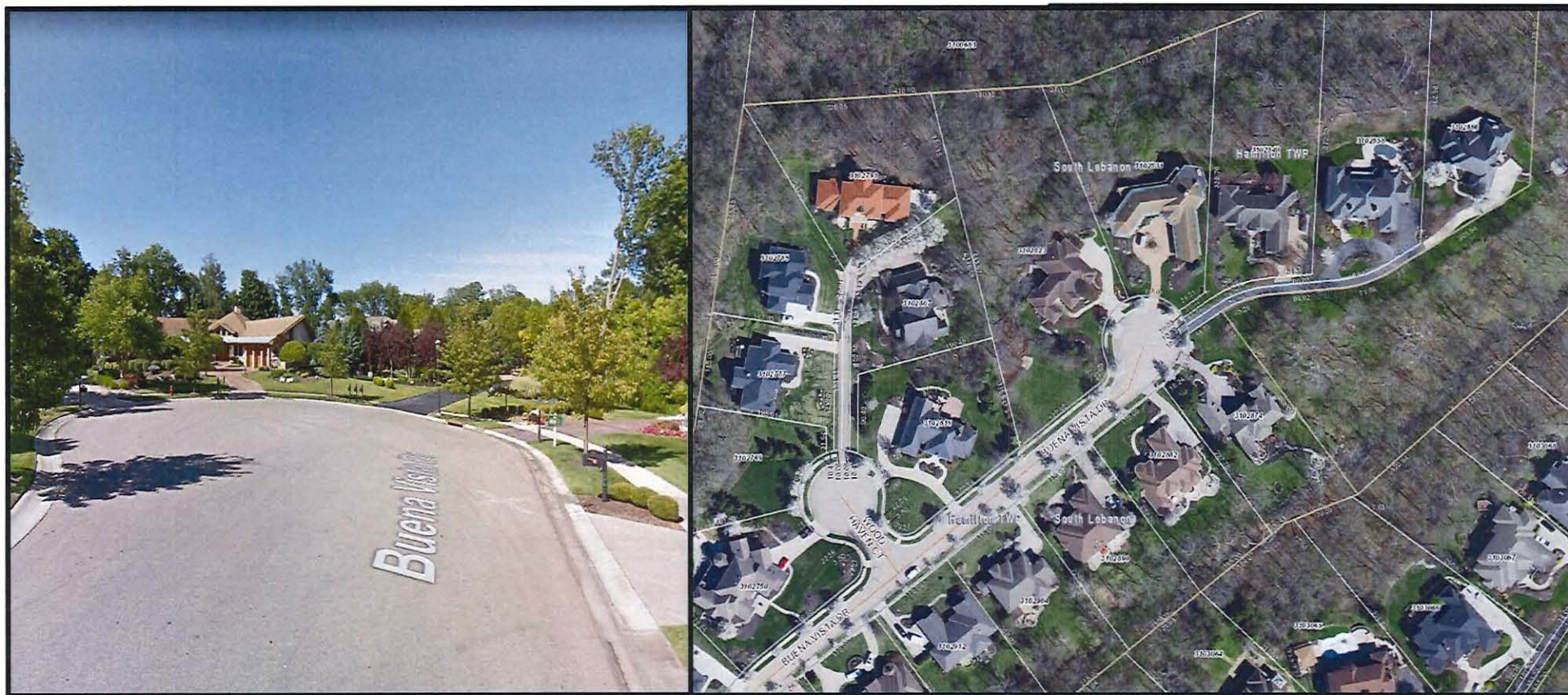
**Riverview Drive, South Lebanon**

# Examples of Multiple Driveways off Cul-De-Sac Bulb



**Sterling Court, South Lebanon**

## Example of Panhandle Lots and Private Streets off Cul-De-Sac Bulb



**Buena Vista Drive, South Lebanon**

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 23-0507

Adopted Date April 25, 2023

**SET PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE WARREN COUNTY  
OFFICIAL THOROUGHFARE PLAN**

BE IT RESOLVED, to set the public hearing to consider the attached amendments to the Warren County Official Thoroughfare Plan; said public hearing to be held May 16, 2023, at 9:45 a.m. in the Commissioners' Meeting Room, 406 Justice Drive, Lebanon, Ohio; and

BE IT FURTHER RESOLVED, to advertise notice thereof in a newspaper of general circulation, at least (10) days prior to said public hearing.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea  
Mr. Young – yea  
Mr. Grossmann – yea

Resolution adopted this 25<sup>th</sup> day of April 2023.

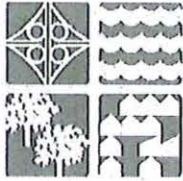
BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

/tao

cc: RPC  
RZC (file)  
Public Hearing file  
Bruce McGary  
Township Trustees  
County Engineer



# Warren County Regional Planning Commission

WARREN COUNTY ADMINISTRATION BUILDING  
406 JUSTICE DRIVE • LEBANON, OHIO 45036  
TELEPHONE (513) 695-1223

STANLEY C. WILLIAMS, EXECUTIVE DIRECTOR

## Memo

To: Warren County Board of County Commissioners  
From: Sharon Coffman, Warren County Regional Planning Commission *SC*  
CC: File  
Date: 4/12/2023  
Re: **Request for Amendments to the Warren County Official Thoroughfare Plan—  
Road Re-classification & Deletion in Deerfield & Turtlecreek Townships**

On April 11, 2023, a Public Hearing was held, and the Warren County Regional Planning Commission voted (14 aye, 1 abstain, 0 nay) to recommend modification of the Warren County Thoroughfare Plan Element of the Comprehensive Plan, in Deerfield and Turtlecreek Townships to the Warren County Board of County Commissioners subject to include the following modifications:

1. Remove the east/west future collector located on Turtlecreek Township parcels 12262000022 (Route 741 Holdings LLC) and 12273000030 (Cincinnati Zoological Society).
2. Remove the north/south future collector on the Deerfield Township portion of parcel 12262000021 (Route 741 Holdings LLC) that would extend Windemere Way to the north.
3. Retain the east/west future collector road designation on the Deerfield Township portion of parcel 12262000021 (Route 741 Holdings LLC) between Batsche Trails Blvd. and the Mason Industrial Park, as currently illustrated on the Thoroughfare Plan.

These modifications are consistent with the Warren County Engineer's Office recommendation (see attached Exhibit A).

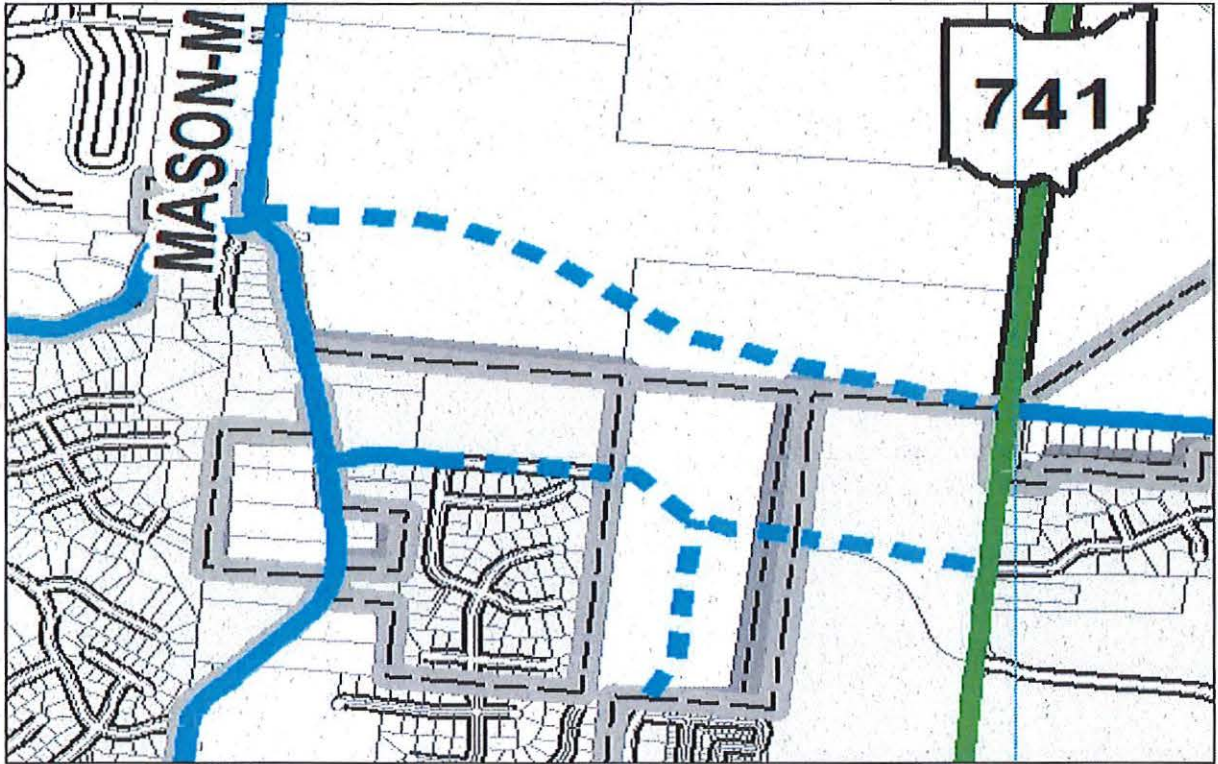
Please place consideration of this plan on your next available agenda for a public hearing.

If there are any questions you may have that we can answer in advance of the meeting, please let us know.

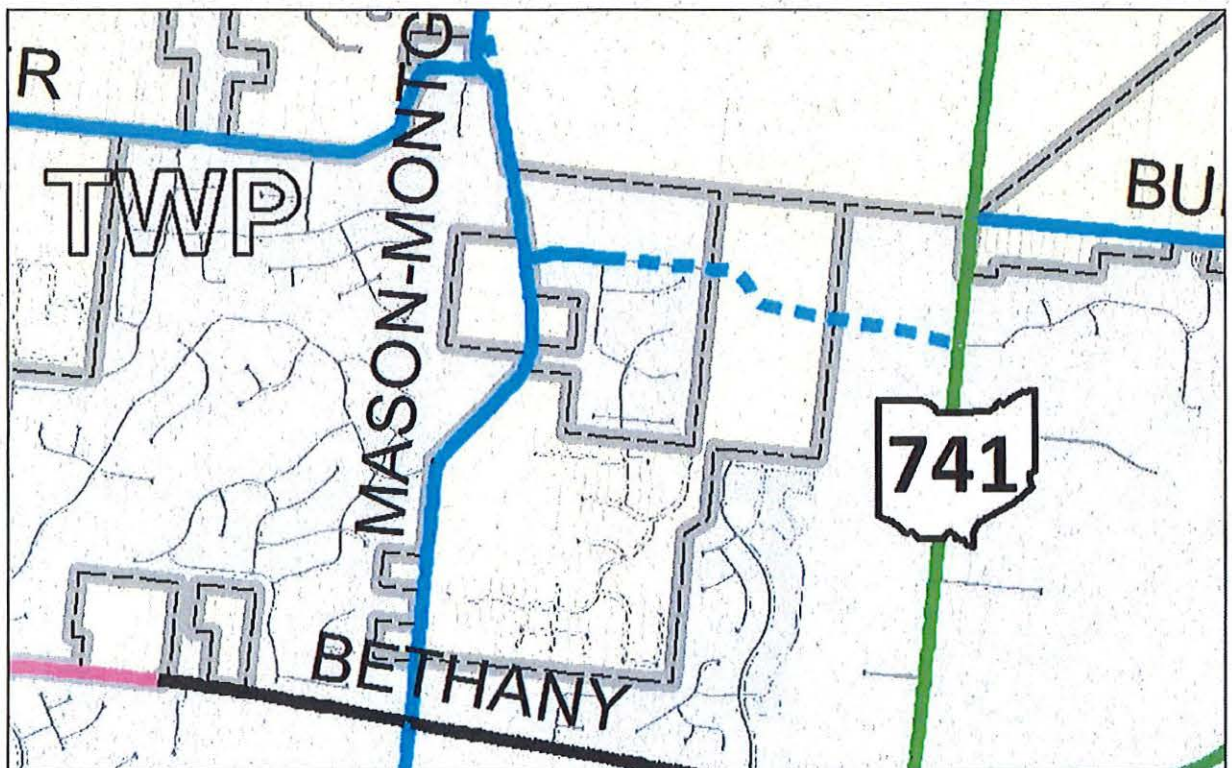


Exhibit A

Warren County Official Thoroughfare Plan - Current



Warren County RPC Board and Engineer's Office - Recommendation





**Joseph L. Trauth**

D: 513.579.6515

jtrauth@kmklaw.com

April 4, 2023

**VIA EMAIL**

Warren County Regional Planning Commission  
c/o Ms. Sharon Coffman  
406 Justice Drive  
Lebanon, OH 45036  
Sharon.Coffman@co.warren.oh.us

Re: Request to Remove Thoroughfare Plan from Parcels

Dear Members of the Planning Commission:

This letter serves as a supplement to my letter dated Mar. 20, 2023 (the "Letter") regarding my client, John Candle Homes, LLC (the "Developer"), who has a contract to purchase property located at Parcel Nos. 12-26-200-002-1 (the "Deerfield Parcel") and 12-26-200-002-2 (the "Turtlecreek Parcel"), located in Warren County (both collectively, the "Property").

Since submitting the Letter, my firm has been coordinating with Warren County Regional Planning Commission staff regarding our request. Attached as **Exhibit A** is an updated site plan reflecting the Developer's request with respect to the Property, specifically as it relates to the Thoroughfare Plan.

Based upon our discussions with the Warren County Regional Planning Commission staff, we are updating our application to request that the Thoroughfare Plan be altered such that the roadways on the Property be classified as local subdivision streets. As local subdivision streets are not controlled by the Thoroughfare Plan, **we are respectfully requesting that the Thoroughfare Plan be removed from the Property.**

It is our understanding that a local road, which is governed by the Thoroughfare Plan, is functionally similar to a local subdivision street with respect to access and mobility. Both also have comparable easements and impact on the area of development. After meeting with Warren County Regional Planning Commission staff, it is also our understanding that staff regard a local road as functionally very similar to a local subdivision street. For the reasons stated in the Letter, and as will be discussed in more detail in the hearing before the Commission, we believe that this change in road classification is better suited to serve the needs of Warren County and the Property.

Thank you for allowing us the opportunity to present to you regarding our request. We look forward to discussing this matter with you in greater detail.

**Keating Muething & Klekamp PLL**

Attorneys at Law

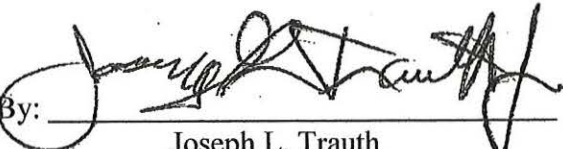
One East Fourth Street | Suite 1400 | Cincinnati, Ohio 45202

P: 513.579.6400 | F: 513.579.6457 | kmklaw.com

Warren County Regional Planning Commission  
April 4, 2023  
Page 2

Sincerely,

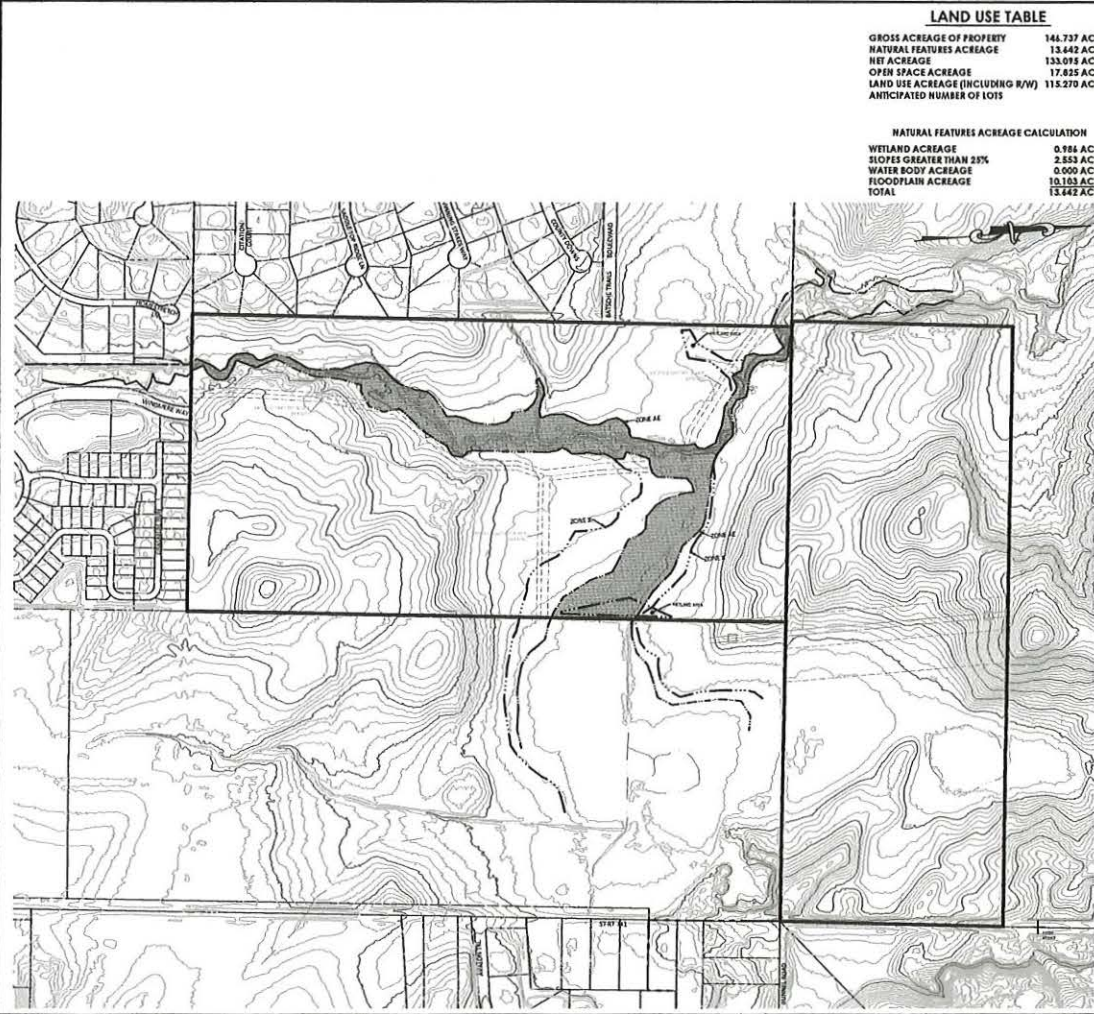
KEATING MUETHING & KLEKAMP PLL

By:   
Joseph L. Trauth

cc: Mr. Bruce McGary (via email - [bruce.mcgary@warrencountyprosecutor.com](mailto:bruce.mcgary@warrencountyprosecutor.com))



# **Exhibit A**

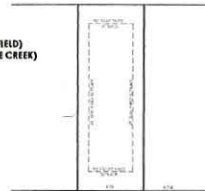


**LAND USE TABLE**

GROSS ACREAGE OF PROPERTY	144.737 ACRES
NATURAL FEATURES ACREAGE	13.642 ACRES
NET ACREAGE	133.095 ACRES
OPEN SPACE ACREAGE	17.825 ACRES
LAND USE ACREAGE (INCLUDING R/W)	115.270 ACRES
ANTICIPATED NUMBER OF LOTS	46 (23 IN DEERFIELD) (23 IN TURTLE CREEK)

**NATURAL FEATURES ACREAGE CALCULATION**

WETLAND ACREAGE	0.986 ACRES
SLOPES GREATER THAN 25%	2.853 ACRES
WATER BODY ACREAGE	0.500 ACRES
FLOODPLAIN ACREAGE	10.103 ACRES
TOTAL	13.442 ACRES



**TYPICAL LOT SIZE**  
200' x 100'

INDICATES SLOPES GREATER THAN 25%



**OHIO811.org**  
811 OR 1-800-362-2764

**MSP DESIGN**  
McGill Smith Punshon

Project Manager: SA  
 Drawn By: STG  
 Date: 08/18/14  
 Checked: JRM  
 Scale: AS SHOWN

Revised/Revised	By	Date
REVISIONS	SA	04/15/13

**REQUEST TO ALTER THE THOROUGHFARE PLAN**  
SECTION 26, TOWN 4, RANGE 3  
DEERFIELD TOWNSHIP  
SECTION 27, TOWN 4, RANGE 3  
WARREN COUNTY, OHIO

**CONCEPT PLAN**  
Project Number: 00497.50  
Drawing Scale: 1" = 200'  
Sheet Number: 2/2  
File Number: 00497

Joseph L. Trauth  
D: 513.579.6515  
jtrauth@kmlaw.com

March 20, 2023

**VIA EMAIL**

Warren County Regional Planning Commission  
c/o Ms. Sharon Coffman  
406 Justice Drive  
Lebanon, OH 45036  
Sharon.Coffman@co.warren.oh.us

Re: Request to Modify Warren County Thoroughfare Plan

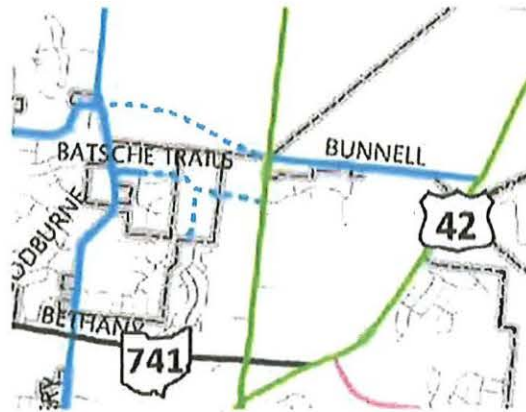
Dear Members of the Planning Commission:

Our firm represents John Candle Homes, LLC (the “Developer”), who has a contract to purchase property located at Parcel Nos. 12-26-200-002-1 (the “Deerfield Parcel”) and 12-26-200-002-2 (the “Turtlecreek Parcel”), located in Warren County (both collectively, the “Property”). The purpose of this correspondence is to discuss the Thoroughfare Plan as it relates to the Property, and the future planned collector roadways relating to the Property. As will be discussed in more detail below, changed circumstances, along with development to the areas surrounding the Property, render the proposed Thoroughfare Plan inappropriate for the Property and the health, safety, and welfare of the residents of Warren County, Ohio.

For this reason, we respectfully request that this Commission recommend an alteration to the Thoroughfare Plan, as discussed below. We look forward to your consideration of our proposal.

**I. THE PROPERTY & AREA**

Enclosed as **Exhibit A** is Figure 3.4 of the Thoroughfare Plan, which indicates that the Property is designated for several future collector roadways in Warren County. As excerpted to the right, the Thoroughfare Plan anticipates that two (2) collector roadways will intersect the Deerfield Parcel, and one will intersect the Turtlecreek Parcel.

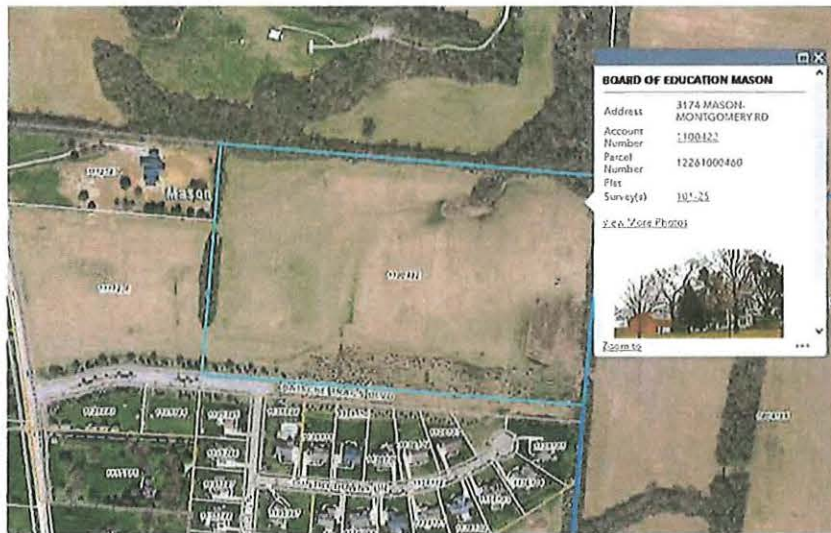


Several changes and/or developments to the area surrounding the Property have made it such that the current Thoroughfare Plan is inappropriate for the Property and the residents of Warren County, Ohio.

Keating Muething & Klekamp PLL  
Attorneys at Law  
One East Fourth Street | Suite 1400 | Cincinnati, Ohio 45202  
P: 513.579.6400 | F: 513.579.6457 | knklaw.com

First, the parcel immediately to the east of the Deerfield Parcel is zoned I-1 Light Industrial District with the City of Mason (the “Industrial Parcel”). A copy of the Mason Zoning Map is enclosed for reference as **Exhibit B**. Based upon this zoning classification, the Industrial Parcel is principally permitted and zoned for the following: (1) light industrial manufacturing; (2) automobile repair shops, including automobile body repair and painting; and (3) sexually-oriented businesses. (See Mason Codified Ordinances at § 1163.02). Pursuant to the Mason Ordinances, this permitted sexually-oriented business includes an “adult arcade,” an “adult bookstore,” an “adult motion picture theater,” a “semi-nude lounge,” or a “sex paraphernalia store.” (*Id.* at § 1189.02). These uses are all permitted as of right, and require no variance or conditional use prior to implementation. It is incredibly concerning to the undersigned that there could be a collector roadway connecting this use—which is decidedly inappropriate for families with children—to the proposed development on the Deerfield Parcel.

Second, the development of the parcels adjacent to the Property render the proposed construction of the Thoroughfare Plan impossible. Enclosed as **Exhibit C** is an aerial view of the Property and surrounding area. As the attached image reflects, the parcel immediately to the west of the Deerfield Parcel was intended to connect to the Deerfield Parcel for purposes of the Thoroughfare Plan. For reasons unknown, Batsche Trails Boulevard was never constructed to meet the Deerfield Parcel:



The stub street on this adjacent parcel is 1,100 feet from the Deerfield Parcel, and a 3-lane road joining this stub street to the Property is anticipated to cost \$1.6 Million Dollars. Because the subdivider was responsible for the construction of the stub street to meet the Deerfield Parcel, and the subdivider never constructed this street, there is no power under the Warren County Subdivision Regulations for anyone to finish the construction of the Batsche Trails Boulevard stub street. (See Subdivision Regulations at § 408(A)) (“The subdivider shall be responsible for the construction of all new streets within a subdivision.”). As the above image from the Warren County Auditor reflects, this proposed connector road is completely outside the adjacent parcel to

the north that is owned by the City of Mason Board of Education. Construction of this adjacent subdivision is complete, and the roadway was never completed and will never be completed.

## II. THE THOROUGHFARE PLAN MUST BE MODIFIED

Based upon the unique characteristics of the Property, the current configuration of roadways in Warren County, and the development adjacent to the Property, the Warren County Thoroughfare Plan is inappropriate for the Property for a number of reasons. These reasons include the following:

1. **The east/west thoroughfare proposal on the Deerfield Parcel is a road to nowhere.** As noted above, the Batsche Trails stub road is a road to nowhere. The developer of that adjacent property never completed the roadway, and there is no mechanism for Warren County to force any third party to pay for the completion of the Batsche Trails stub road. For all intents and purposes, that stub road has been abandoned under the Warren County Thoroughfare Plan.
2. **Connecting the Mason Industrial Parcel to the Deerfield Parcel is contrary to the health, safety, and welfare of Warren County.** It is the intent of our client to develop the Deerfield and Turtlecreek Township property into a healthy, safe, and positive residential community. Warren County, Ohio is attractive to families because of the excellent schools, safe neighborhoods, and internal circuitry of subdivisions that make them walkable and livable for families. The introduction of industrial development immediately adjacent to this family use, particularly where sexually-oriented business are permitted *as of right*, is contrary to the health, safety, and well-being of the residents of Warren County, particularly the children who will be growing up in the neighborhood adjacent to this industrial. This thoroughfare will also encourage semi-truck movement within a neighborhood, which is contrary to the well-being of families and children in the neighborhood. A subdivision is not the place for industrial traffic.
3. **The cost of the thoroughfare on the developer is an inappropriate exaction.** The cost of the Thoroughfare Plan is anticipated to exceed \$8 Million Dollars, if completed as currently proposed. This incredible cost—which is related to an inappropriate roadway requirement—is a type of inverse condemnation that would require significant payment to the Developer. It is not appropriate for the County to hoist this cost upon the Developer. My client is prepared to seek just compensation for this taking through a court of law if the Thoroughfare Plan is not modified.
4. **Adequate alternative routes exist adjacent to the Property.** Significantly, there are already existing and multiple good routes to I-75 based upon the current roadways. The local government has invested over \$35 Millions Dollars to improve the adjacent OH-63 to the north, and interchanges at Liberty Way to the south. These provide appropriate routes for trucks and other heavy-use vehicles to travel upon and through.

5. **Minor impact from major cost.** The proposed thoroughfare saves only a net 1/2 mile difference versus existing routes heading to the north or south. If trucks are heading north, existing routes are actually net distance shorter up I-75 than what the proposed Thoroughfare Plan proposes. Additionally, the proposed Thoroughfare Plan has a contorted connection with twists and turns, which is not a productive use of developable space. The incredible burden of the existing Thoroughfare Plan on the Property is not worth it for the limited benefit.

While there may have been a time many years ago when the Thoroughfare Plan on the Property made sense based upon the layout of the adjacent area, that time has since passed. The Thoroughfare Plan is, at least with respect to the Property, antiquated as there are current improvements to OH-63 and Liberty Way that serve the community. As it stands, the proposed Thoroughfare Plan does not serve the Warren County community. To the contrary, there are significant reasons for concern with proceeding forward with this plan, particularly with respect to the types of sexually-oriented uses that are permitted on the adjacent Industrial Parcel.

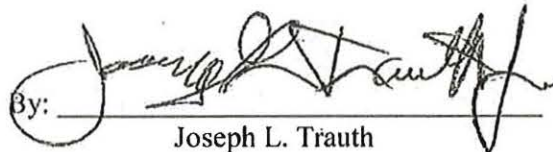
The Developer desires to connect the Property to the Warren County roadways in a way that supports the community and proposed development. To that end, attached as Exhibit D is a proposed site plan that includes proposed roadways. With these alterations to the Thoroughfare Plan, the interests of this Commission, Warren County residents, and the Developer can be harmonious.

\*\*\*

Please let us know if there is any information we can provide to you to assist, and we thank you for your time and attention to this matter.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By:   
Joseph L. Trauth

cc: Mr. Bruce McGary (via email - [bruce.mcgary@warrencountyprosecutor.com](mailto:bruce.mcgary@warrencountyprosecutor.com))

# **Exhibit A**



FIGURE 3.4

Functional Classifications:  
West Area

Legend

- COUNTY BOUNDARIES
- POLITICAL SUBDIVISIONS
- LOCAL SUBDIVISION STREETS
- MUNICIPALITIES
- TOWNSHIPS

FUNCTIONAL CLASSIFICATIONS

Existing

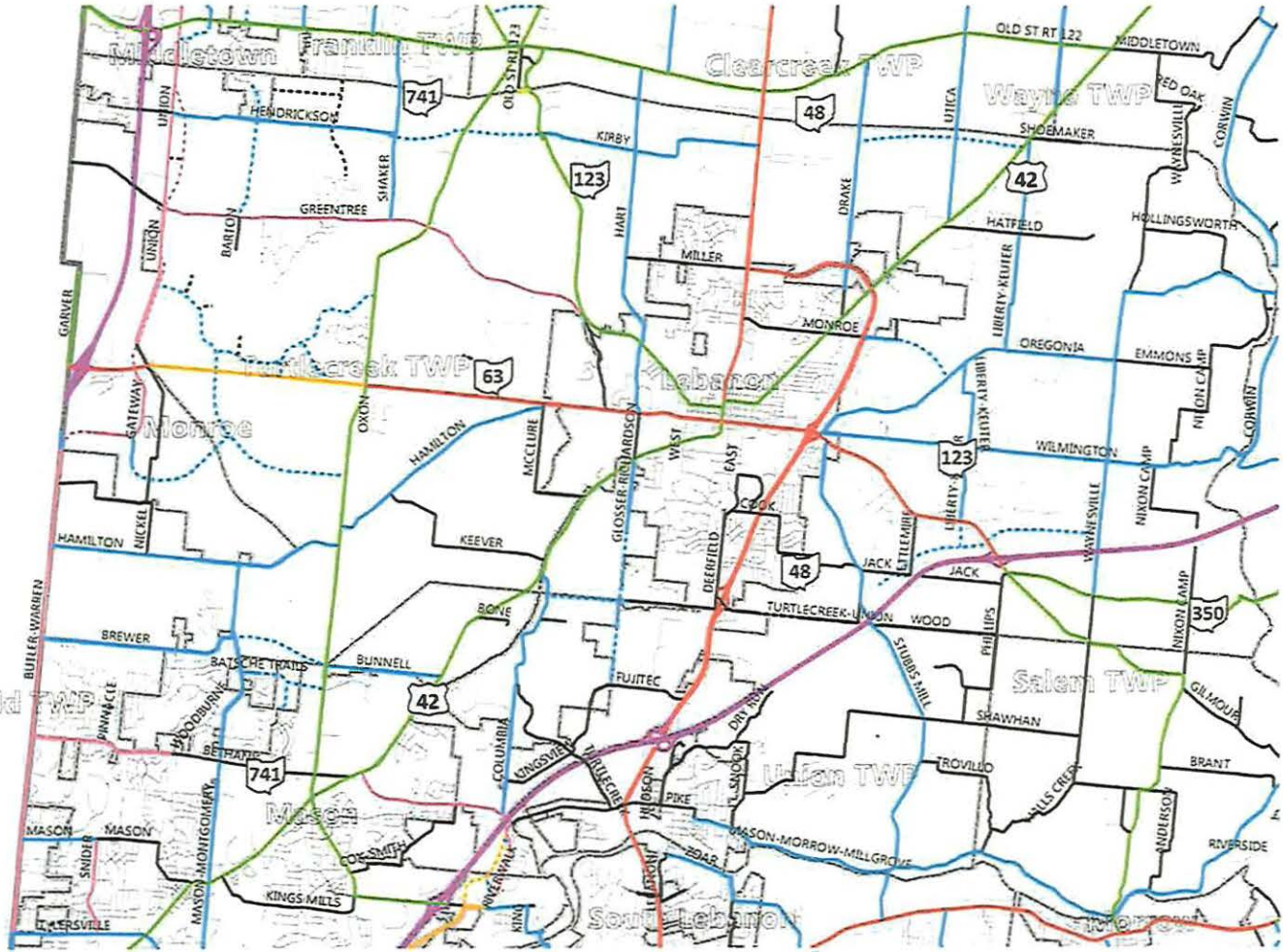
- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation

Future

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation

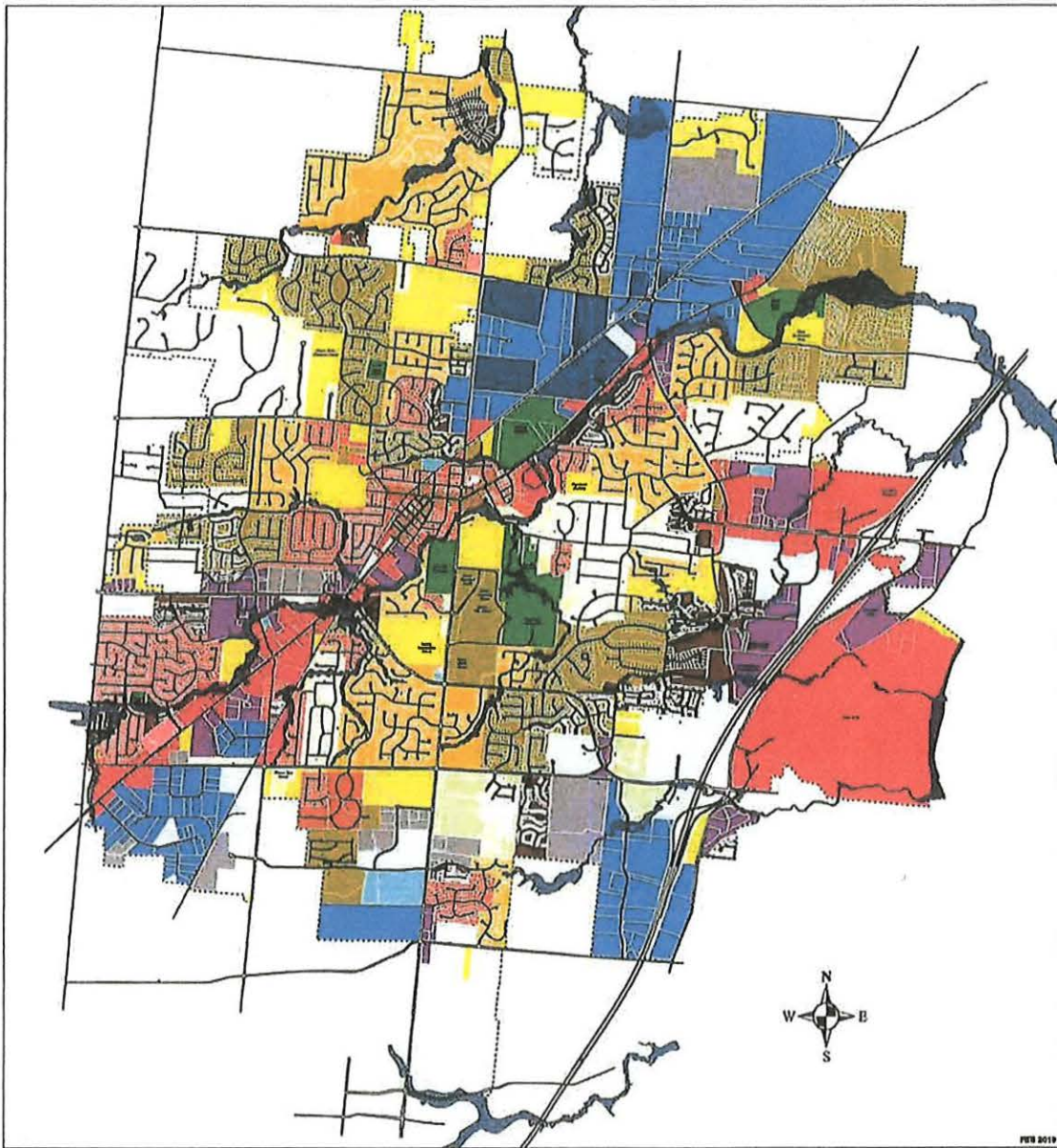
1 in = 1 mile

Butler County





# **Exhibit B**



**The City of Mason, Ohio**

B-1	BUS PUD	I-1	R-1	R-4	R-7
B-2	O-1	I-2	R-2	R-4 PUD	RES PUD
B-3	HT-1	IND PUD	R-3	R-6	Parks
B-4	Floodplain Overlay District			Downtown Overlay District	

**ZONING MAP**

SCALE  
1" = 1,000'

City of Mason  
Engineering, Building &  
Planning Department



FEB 2019

# **Exhibit C**



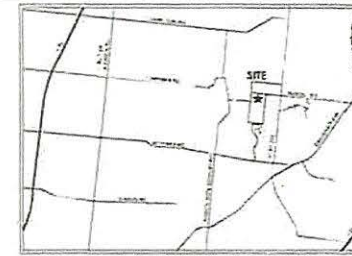
# **Exhibit D**

**GENERAL NOTES**

FARCEL No. 1224200001 (80 949 ACRES - DEERFIELD)  
 1224200002 (43 788 ACRES - TURTLE CREEK)  
 TOTAL AREA: 144 737 ACRES  
 EXISTING ZONING: DEERFIELD "R-SF" RESIDENTIAL SINGLE FAMILY  
 TURTLE CREEK "R-1" SINGLE FAMILY RESIDENTIAL  
 SANITARY SEWERS TO BE ON SITE SEPTIC AND PRIVATE  
 WATER MAINS TO BE PUBLIC AND DEDICATED TO WARREN COUNTY WATER AND SEWER DEPARTMENT  
 STREETS TO BE PUBLIC LOCALS  
 STORMWATER MANAGEMENT DESIGN AND CONSTRUCTION WILL CONFORM WITH WARREN COUNTY  
 ENGINEERS OFFICE REQUIREMENTS  
 THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON WARREN COUNTY  
 C.E.S. MAPPING AND DOES NOT REPRESENT AN ACTUAL TOPOGRAPHIC SURVEY  
 PURSUANT TO FEMA FIRM MAP PANEL NO. 37145C020E EFFECTIVE 12/17/2010 PORTIONS OF THE  
 SUBJECT PROPERTIES ARE LOCATED IN ZONE AS A ZONE X

**OWNER**  
 ROUTE 741 HOLDINGS LLC  
 47 WINTHROP ST  
 MEDFORD, MASSACHUSETTS 02155

**APPLICANT**  
 KEATING, MUEHTHING & KLEKAMP  
 ONE EAST FOURTH STREET  
 SUITE 1400  
 CINCINNATI, OHIO 45202  
 513-579-6400

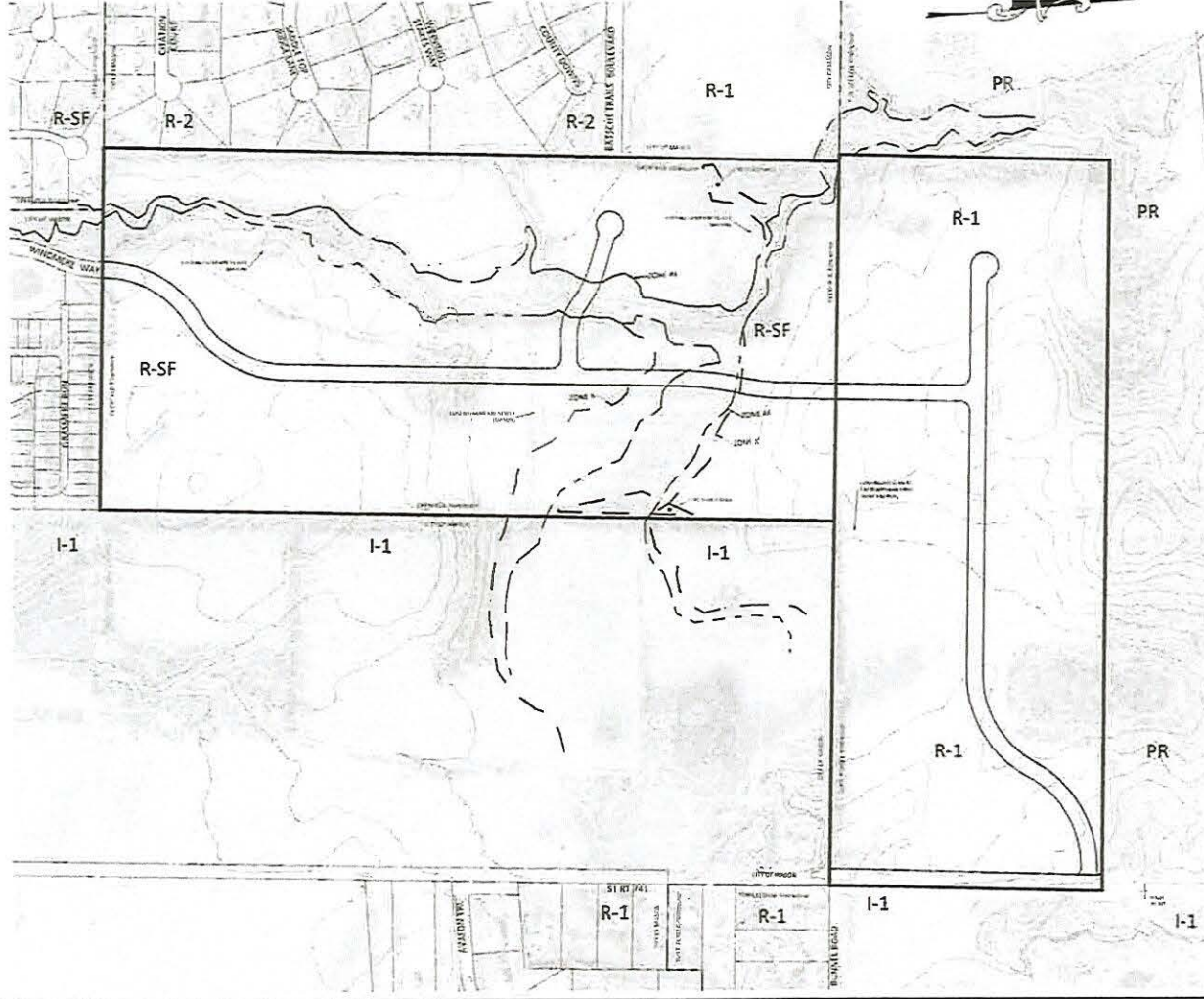


**VICINITY MAP**



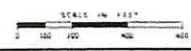
Project Manager RA  
 Designer STG  
 DWG CODE: 00474004-COINC1P1 22  
 X Ref: 00474004-COINC1P1 22

Issued/Revised	No	Date



**REQUEST TO ALTER  
 THE THOROUGHFARE PLAN**  
 SECTION 26, TOWN 4, RANGE 3  
 DEERFIELD TOWNSHIP  
 SECTION 27, TOWN 4, RANGE 3  
 TURTLE TOWNSHIP  
 WARREN COUNTY, OHIO

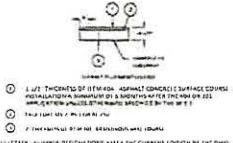
Sheet Title  
**EXISTING CONDITIONS**  
 Project Number 00497 50  
 Drawing Scale 1" = 200'  
 Sheet Number 1/2  
 File Number 00497





**TYPICAL SECTION**  
 NOT TO SCALE

MINIMUM STREET GRADE IS 0.2%  
 MINIMUM STREET GRADE IS 0.2%  
 FLOW LINES ARE TO BE SLOPED IN THE DIRECTION OF GRADE IN THE DIRECTION OF GRADE IN THE DIRECTION OF GRADE  
 THE SLOPE AND THE NUMBER OF LOTS SHALL BE AS SHOWN ON THE PLAN  
 ALL TRENCHES UNDER AND/OR WITHIN THE SET OF THE PARCEL SHALL BE BACKFILLED WITH PERMISSIBLE COMPACT GRANULAR MATERIAL. THE COUNTY ENGINEER SHALL APPROVE THE INSTALLATION OF EXIST. OR LEGAL. MATERIAL WHERE NECESSARY IS NECESSARY.



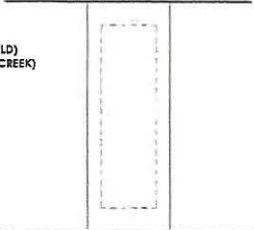
**STANDARD PAVEMENT COMPOSITION**  
 NOT TO SCALE

**LAND USE TABLE**

GROSS ACREAGE OF PROPERTY	146.737 ACRES
NATURAL FEATURES ACREAGE	13.642 ACRES
NET ACREAGE	133.095 ACRES
OPEN SPACE ACREAGE	17.825 ACRES
LAND USE ACREAGE (INCLUDING R/W)	115.270 ACRES
ANTICIPATED NUMBER OF LOTS	46 (23 IN DEERFIELD) (23 IN TURTLE CREEK)

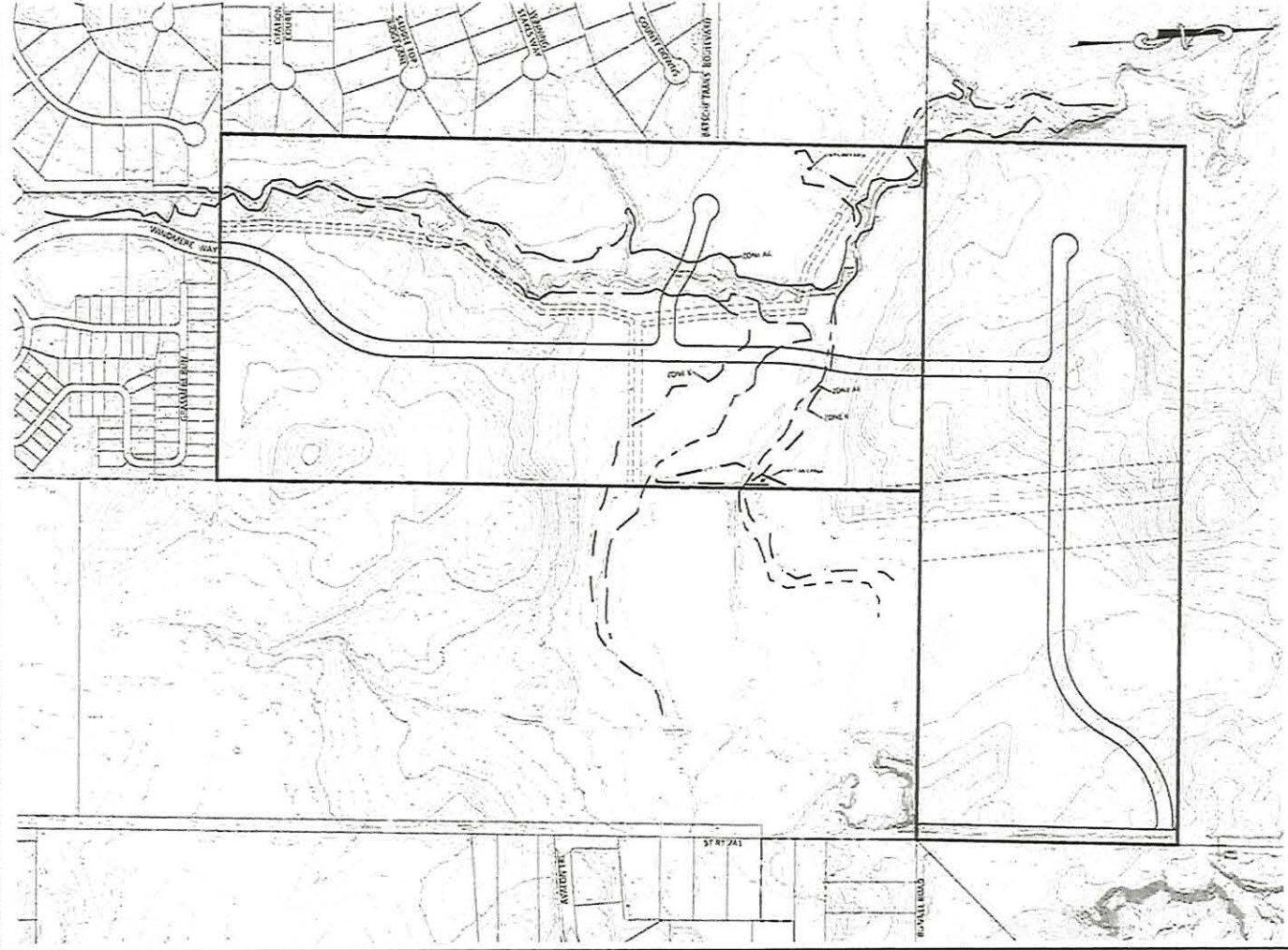
**NATURAL FEATURES ACREAGE CALCULATION**

WETLAND ACREAGE	0.984 ACRES
SLOPES GREATER THAN 25%	2.553 ACRES
WATER BODY ACREAGE	0.000 ACRES
FLOODPLAIN ACREAGE	10.103 ACRES
TOTAL	13.642 ACRES



**TYPICAL LOT SIZE**  
 SCALE 1" = 100'

INDICATES SLOPES GREATER THAN 25%



Architecture 2200 Park #1000  
 Engineering Suite 1000  
 Landscape Architecture Columbus, OH 43212  
 Planning Phone 614.734.0000  
 Fax 614.734.0000

Project Manager AG  
 Drawn By STG  
 DWG C0241004-1 (CONCEPT)  
 08/29/2016 09:20

Sheet/Revision	Date	Drawn By
1/01	08/29/2016	STG

**REQUEST TO ALTER THE THOROUGHFARE PLAN**  
 SECTION 26, TOWN 4, RANGE 3  
 DEERFIELD TOWNSHIP  
 SECTION 31, TOWN 4, RANGE 3  
 TURTLE TOWNSHIP  
 WARREN COUNTY, OHIO

Sheet Title

**OHIO811.org**  
 Before You Dig  
 811 OR 1-800-362-2764  
 OHIO'S UNIVERSAL NUMBER FOR PUBLIC UTILITIES  
 (DO NOT USE FOR ANY OTHER PURPOSE)

**CONCEPT PLAN**  
 Project Number 00497.50  
 Drawing Scale 1" = 200'  
 Sheet Number 2/2  
 File Number 00497



Lelle Hedding • Kristin Malhotra • Julie Seitz – Board of Trustees  
Dan Corey – Fiscal Officer  
Eric Reiners - Administrator

April 18, 2023

Warren County Board of Commissioners

Re: Request to Modify Warren County Thoroughfare Plan

Dear Board of County Commissioners,

John Candle Homes, LLC has contracted to purchase Parcel No. 12-26-200-002-1 in Deerfield Township, for a new single-family residential development. This proposed development is consistent with Deerfield Township's Zoning and Comprehensive Plan for that area.

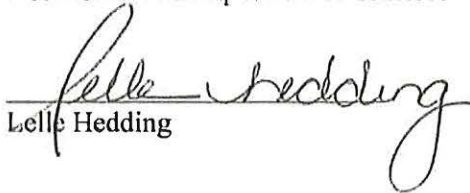
The developer has made a request to modify the Warren County Thoroughfare Plan, to prevent an east/west collector from running through the proposed residential neighborhood.

We respectfully ask that the developer's Request to Modify Warren County Thoroughfare Plan be granted, per their March 20, 2023 outline to the Warren County Regional Planning Commission (see attached). Deerfield Township does not desire to see a major thoroughfare connector placed through a residential neighborhood.


We are happy to answer any questions or discuss the matter at your convenience.

Sincerely,

Deerfield Township Board of Trustees

  
Lelle Hedding

\_\_\_\_\_  
Julie Seitz

  
\_\_\_\_\_  
Kristin Malhotra





# THOROUGHFARE

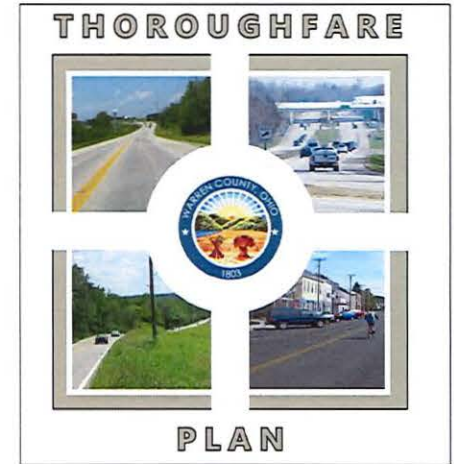
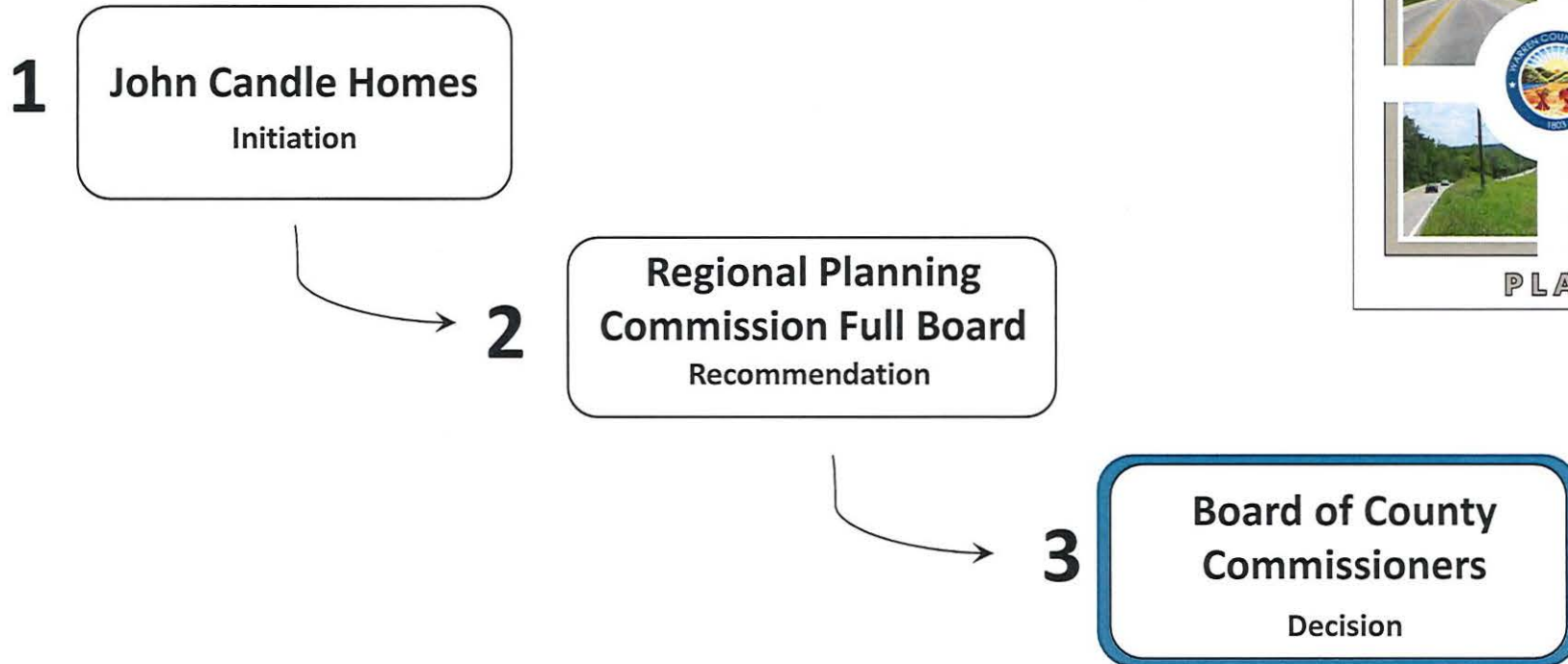


# PLAN



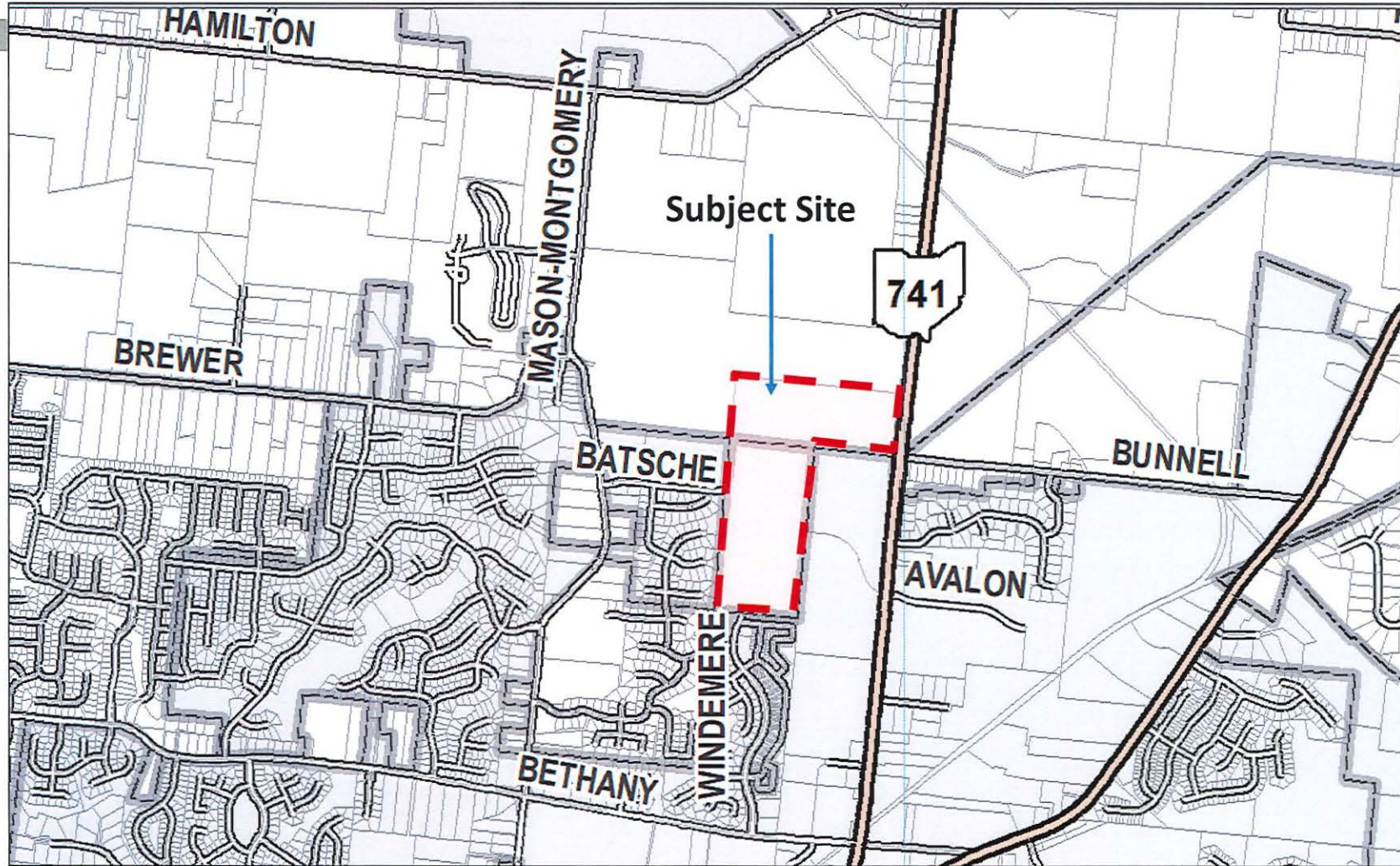
## PROPOSED AMENDMENTS WARREN COUNTY THOROUGHFARE PLAN

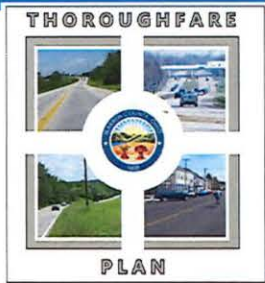
# Process





# Subject Site





## REQUESTED AMENDMENTS-MAP Functional Classification Map (Section 3)

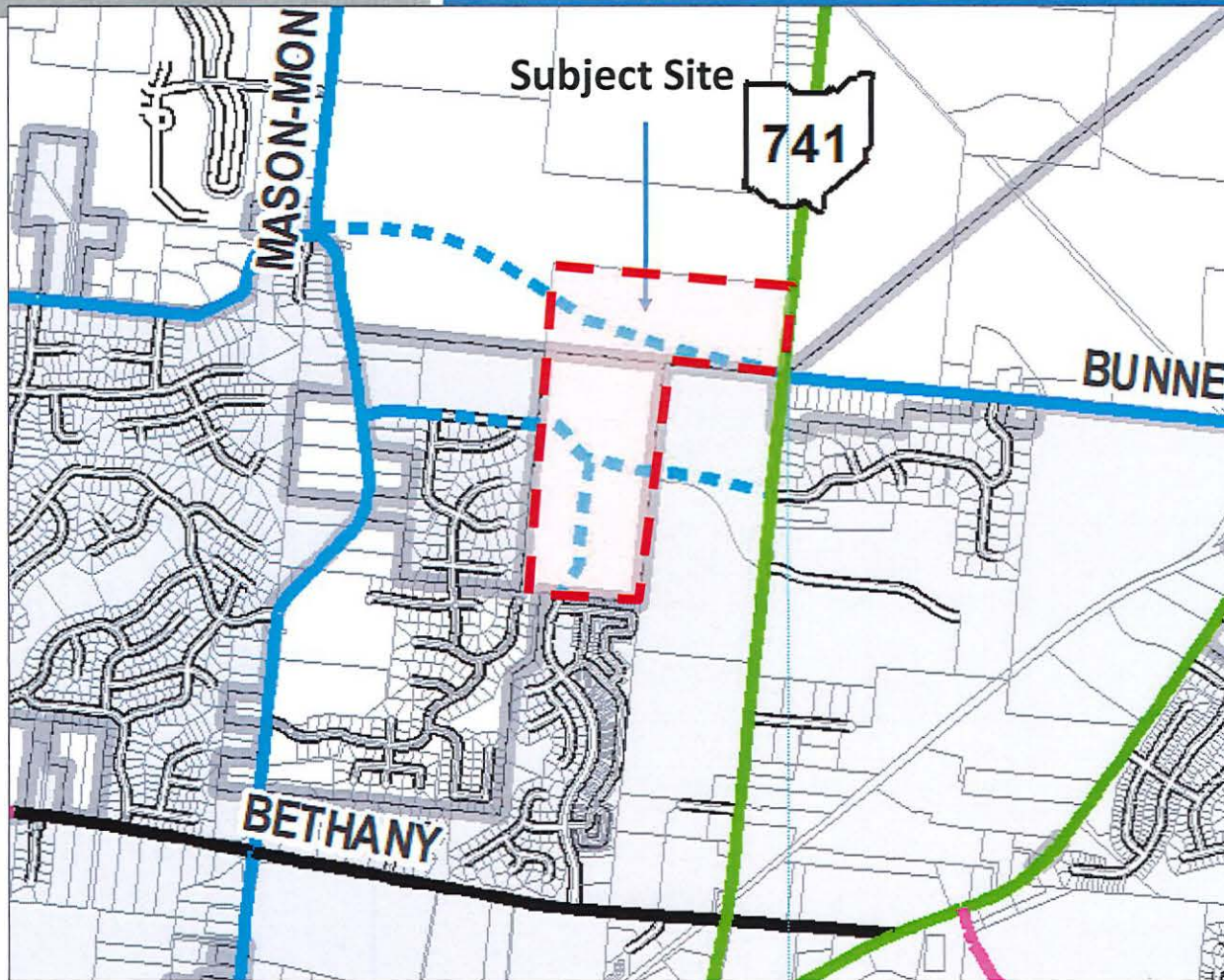
Remove future Thoroughfare Plan roadways from the subject site.



- FUNCTIONAL CLASSIFICATIONS**
- Existing**
- Collector
  - Interstate
  - Local Road
  - Major Collector/Distributor
  - Primary Arterial
  - Primary Collector/Distributor
  - Secondary Arterial
  - Vacation
- Future**
- - - Collector
  - - - Interstate
  - - - Local Road
  - - - Major Collector/Distributor
  - - - Primary Arterial
  - - - Primary Collector/Distributor
  - - - Secondary Arterial
  - - - Vacation



# Current Thoroughfare Plan



## FUNCTIONAL CLASSIFICATIONS

### Existing

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation

### Future

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation



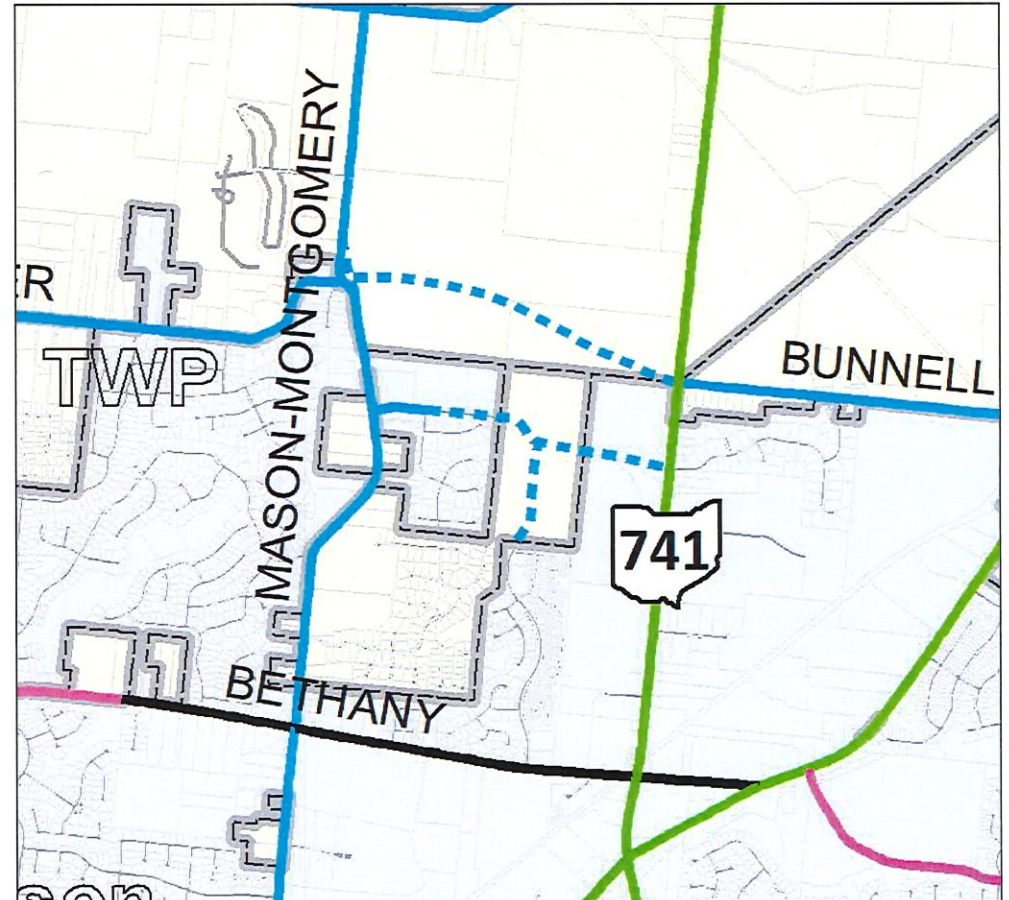
## Current

Warren County Thoroughfare Plan identifies the following future Collector Roads along the subject property.

- 1. East-West Connections:** Two Future Collector roads, both connect Mason-Montgomery to State Route 741.

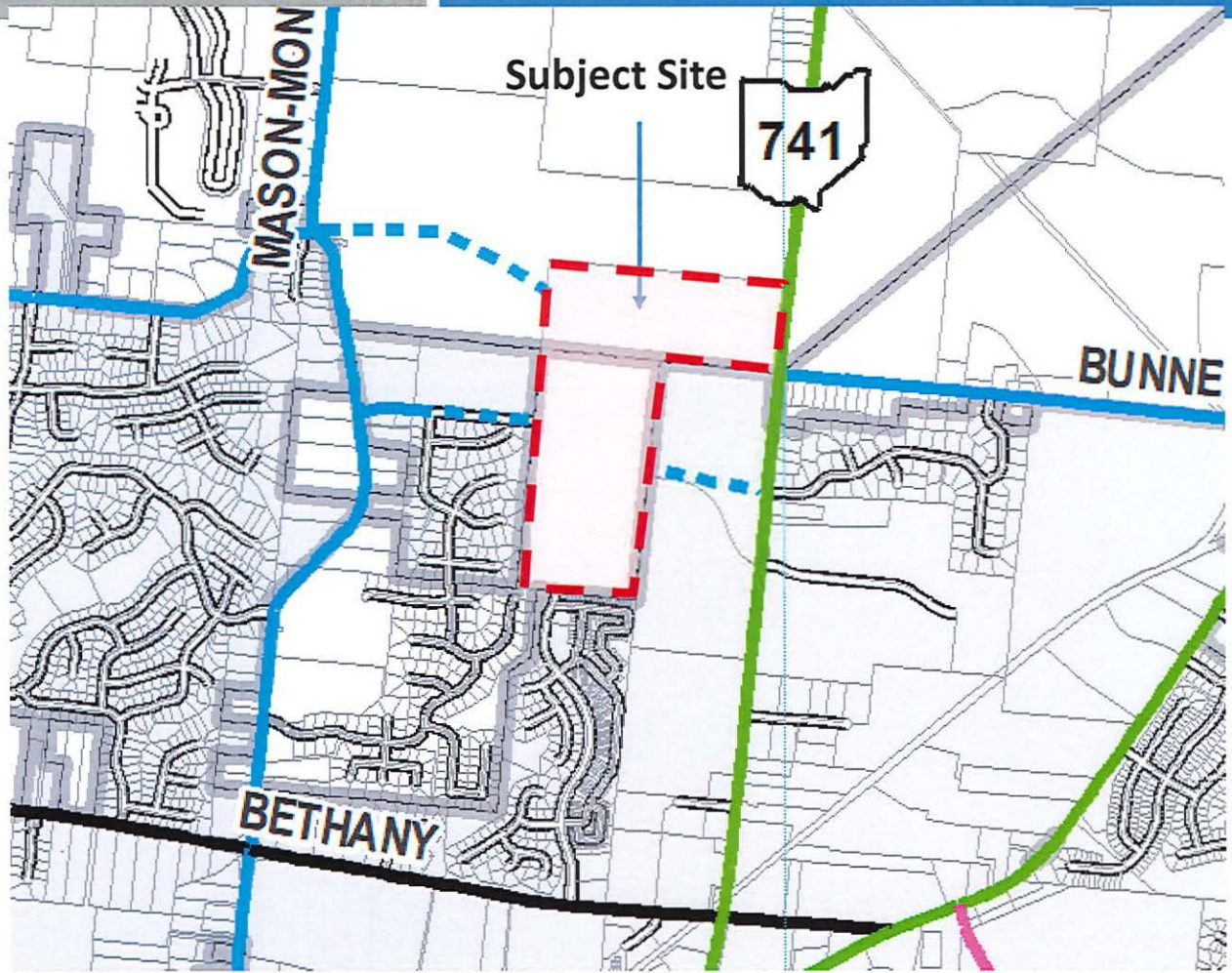
One within the Turtlecreek portion & the other within the Deerfield portion.

- 2. North-South Connection:** North-South Collector which extends north from Windemere Way in the City of Mason.





# Applicant's Proposal



## FUNCTIONAL CLASSIFICATIONS

### Existing

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation

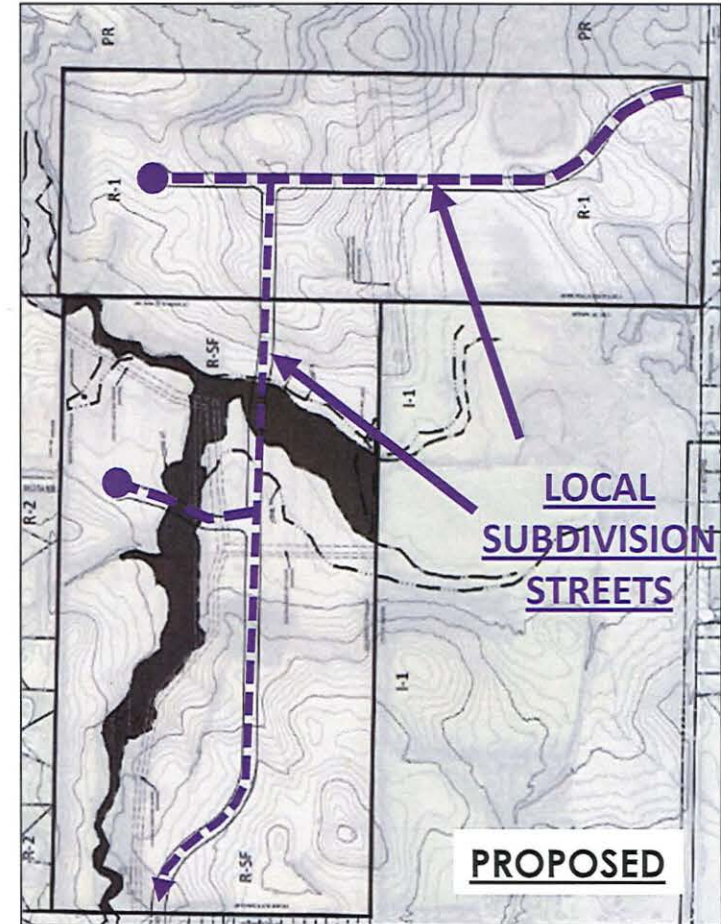
### Future

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation



## REMOVE THE PLANNED COLLECTOR ROADS.

- Local Subdivision Streets are proposed, connecting the northern portion to State Route 741, and on the southern portion to Windemere Way.
- Proposed local subdivision streets subject to RPC subdivision review.
- Future local subdivision streets are not illustrated on the Thoroughfare Plan.







# Jurisdictions

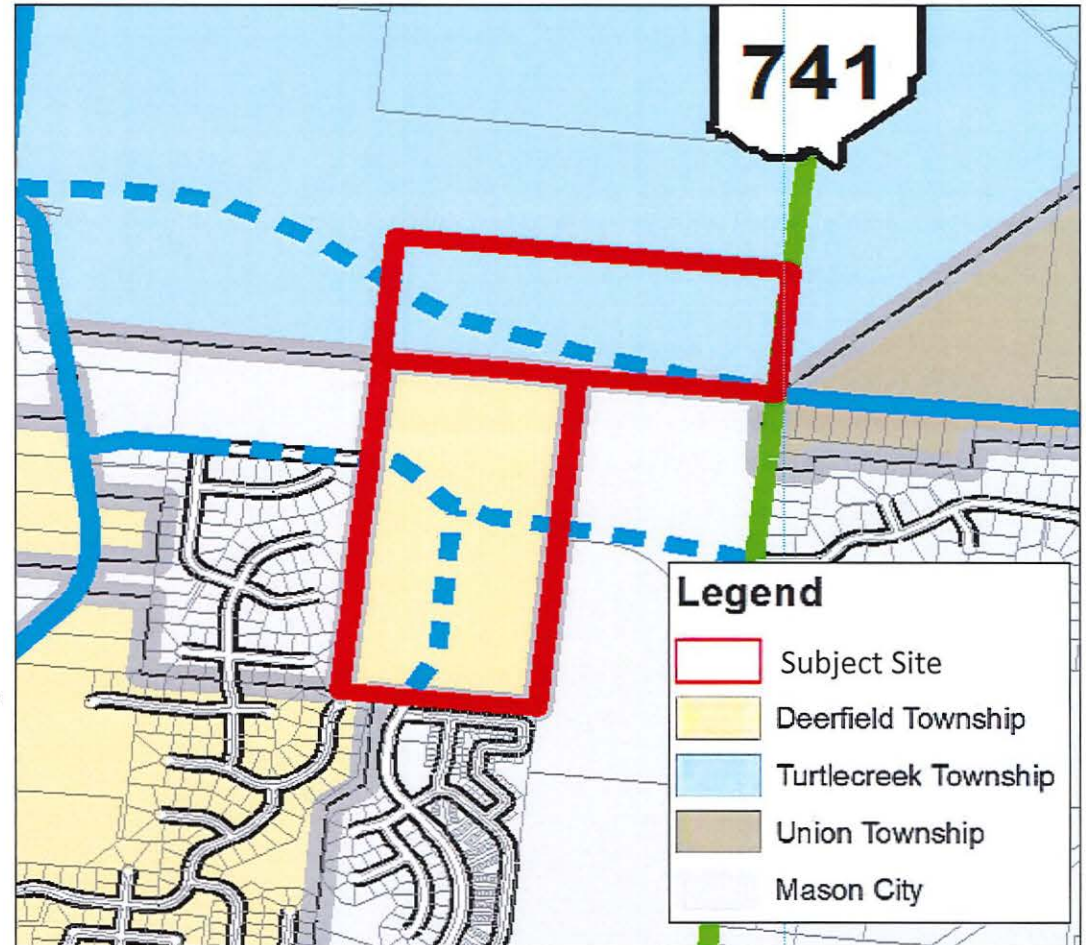
## Jurisdictions

- City of Mason
- Turtlecreek Township
- Deerfield Township.

**Southern Portion:** Deerfield Township

**Northern Portion:** Turtlecreek Township,

Warren County Zoning





# Zoning

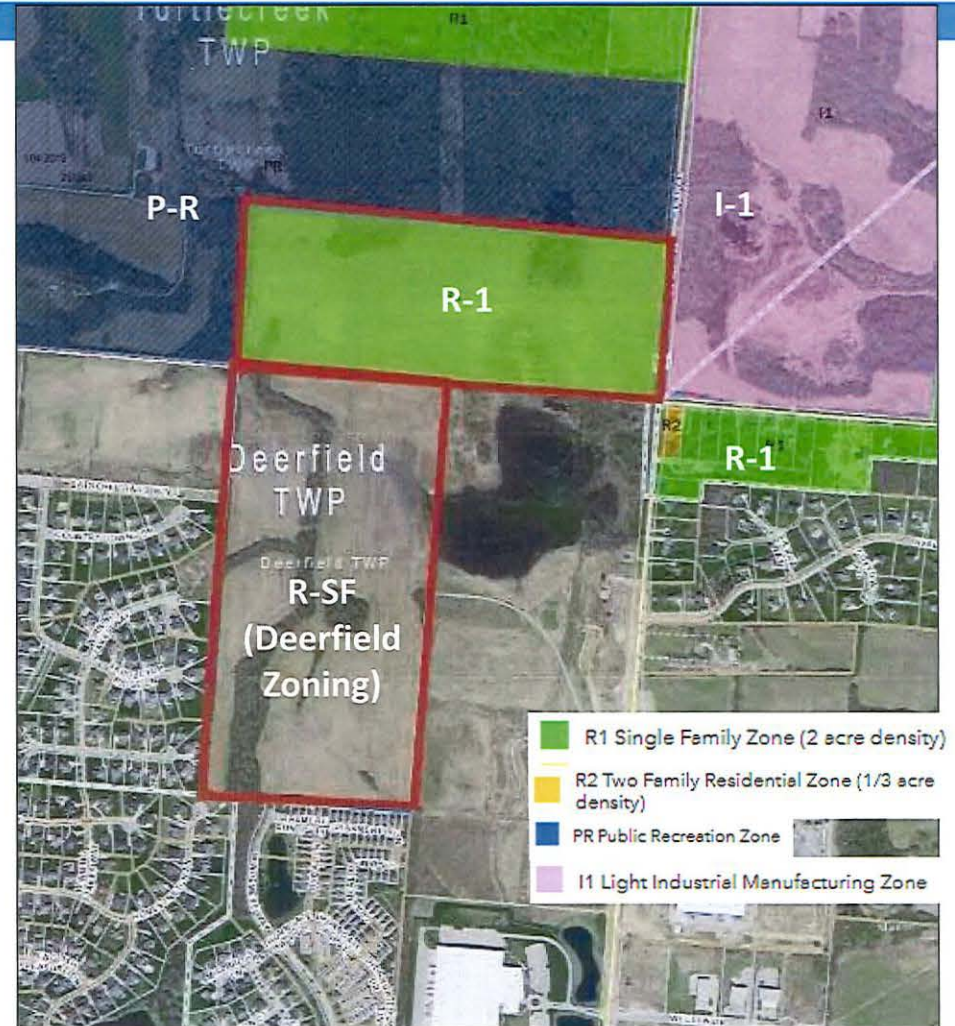
## Warren County Zoning

### Northern Portion (Turtlecreek Township):

Single Family Zone (R-1)— one unit per two acres.

Surrounding zoning - Turtlecreek Township

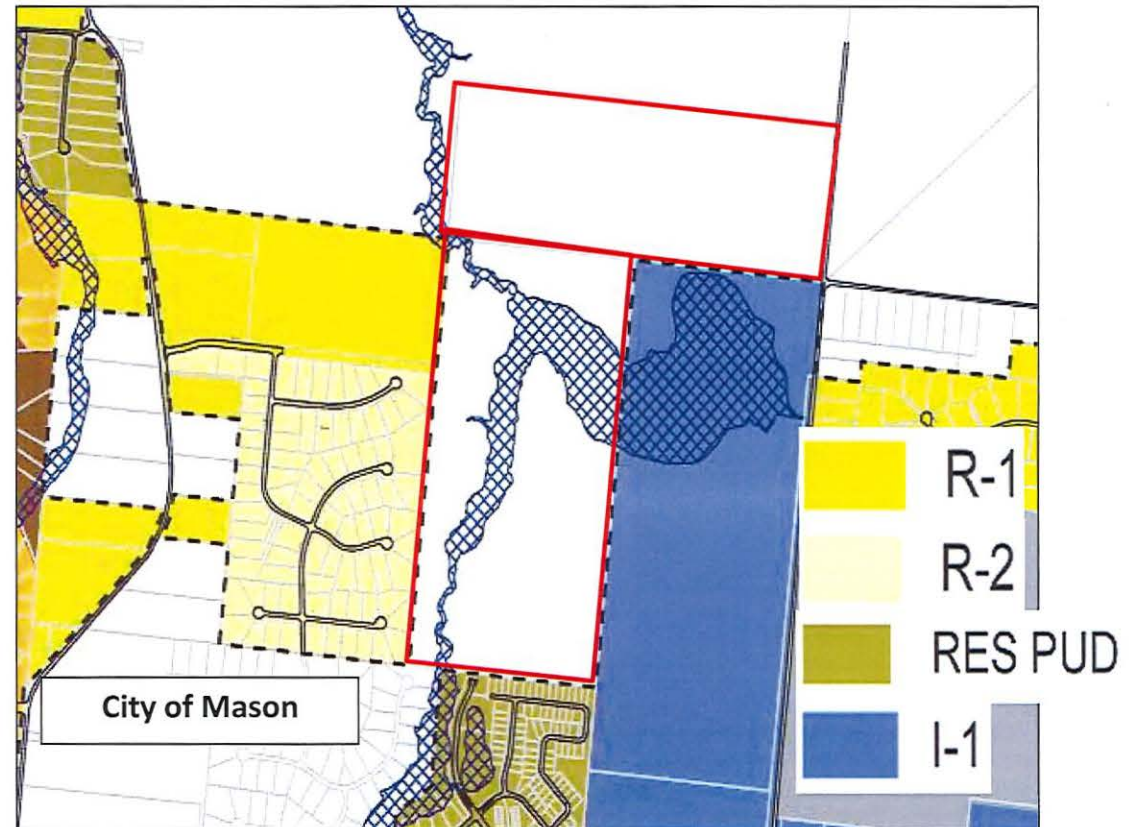
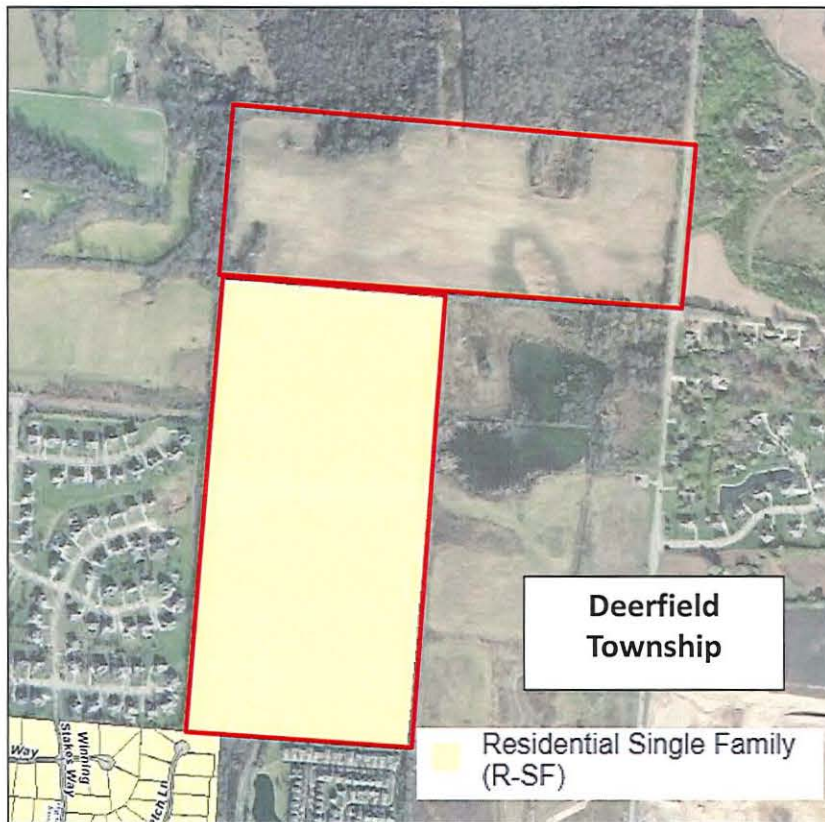
1. Public Recreation (P-R) Zone
2. Light Industrial Manufacturing Zone ( I-1).





# Zoning

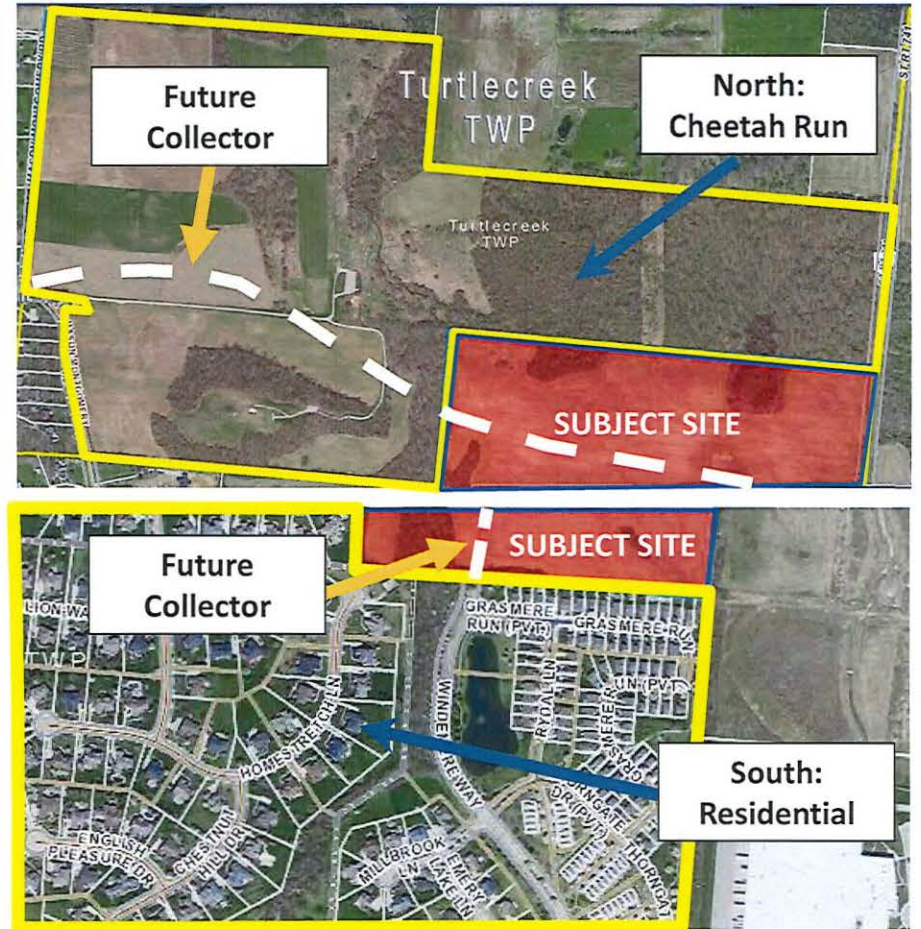
## Zoning – Deerfield Township & City of Mason





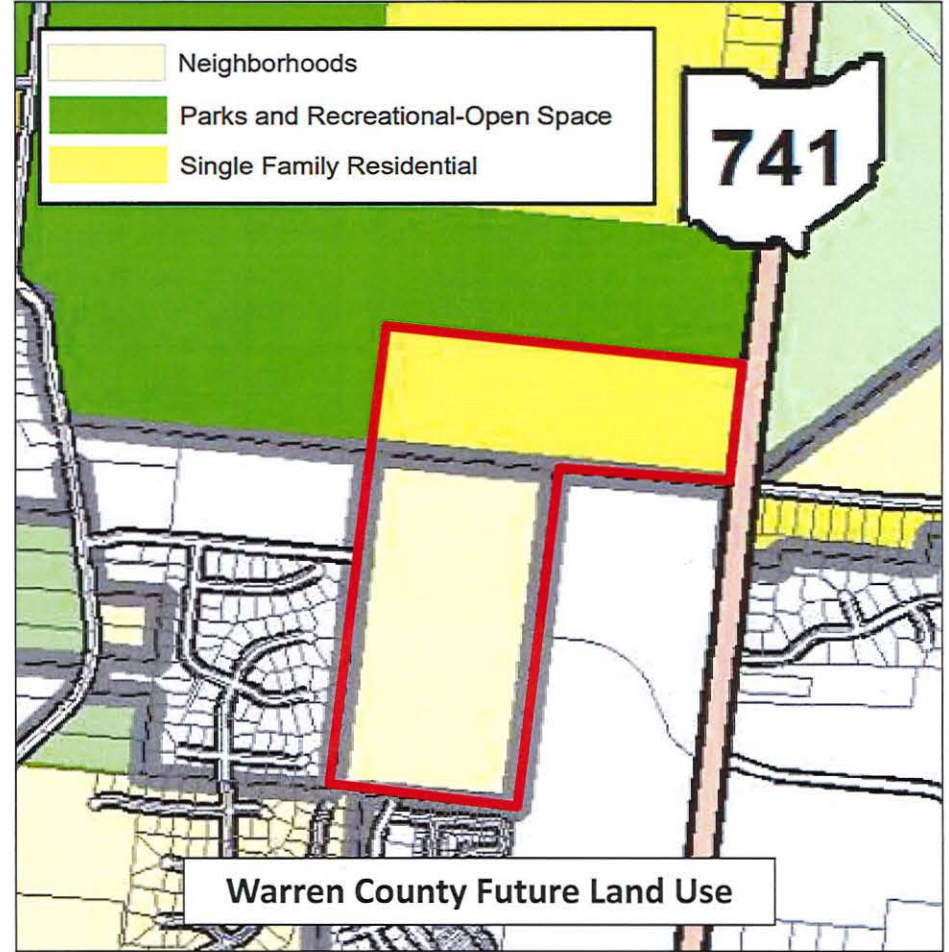
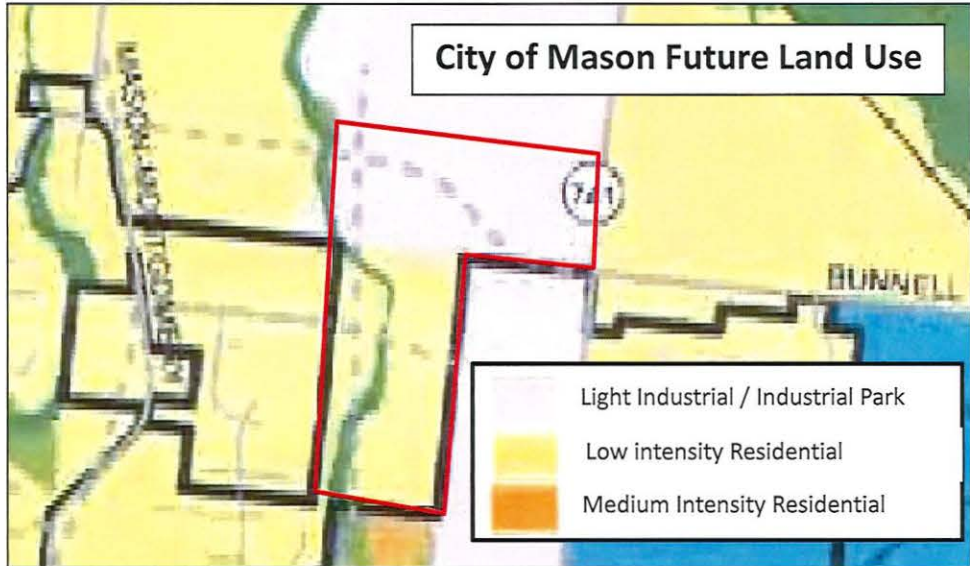
# Surrounding Land Uses and Future Collector Locations

	Surrounding Uses	Zoning/Jurisdiction
North	Cincinnati Zoo Cheetah Run	PR - Public Recreation (Turtlecreek TWP)
South	Residential	RES PUD (Mason)
East	Vacant	I-1 (Mason)
West	Residential/Vacant	R-1 & R-2 (Mason)





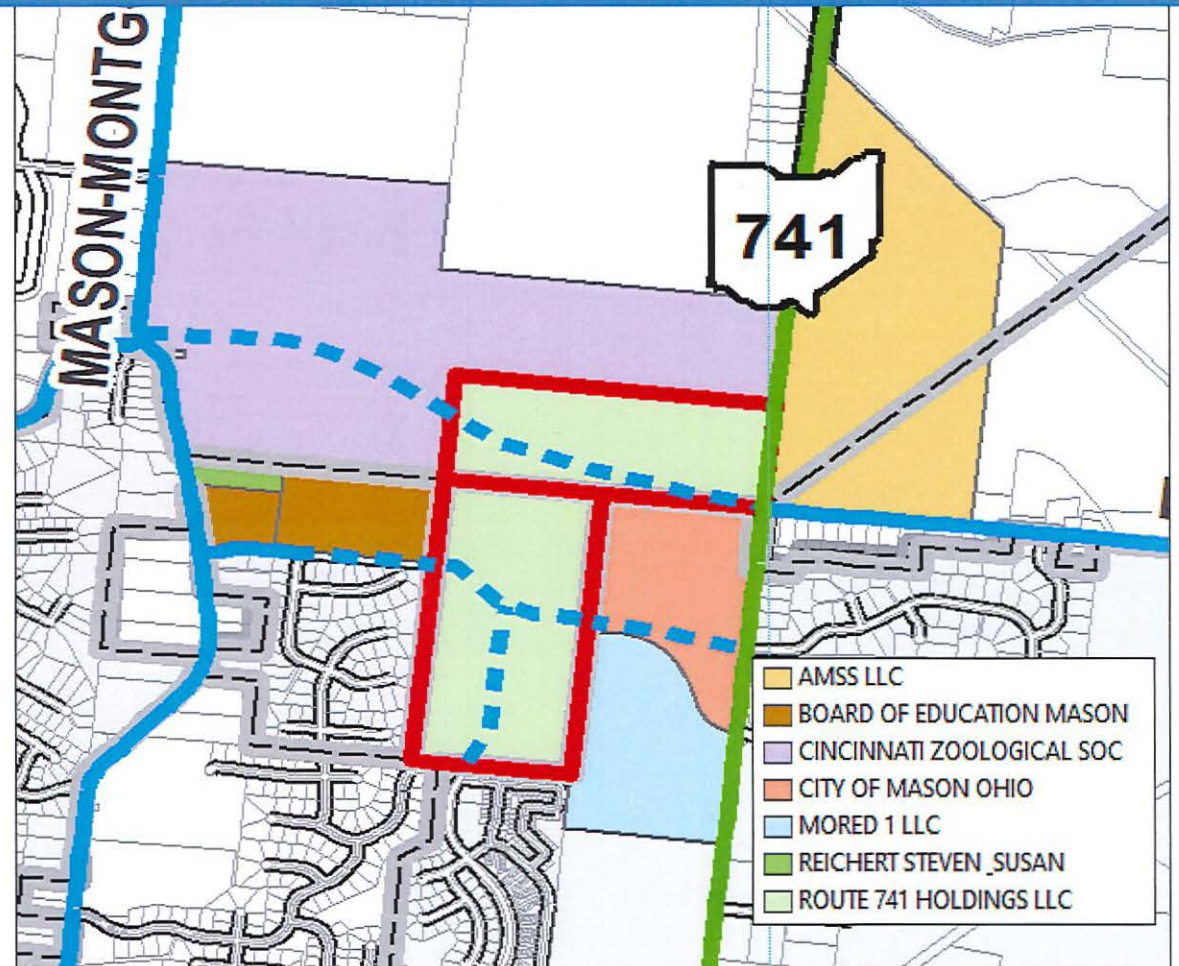
# Future Land Use





# Ownership

- North:** Cincinnati Zoological Soc
- East:** City of Mason and MORED 1 LLC
- South:** Residential Development (Thorngate at Windemere)
- West:** Mason Board of Education





# Ownership

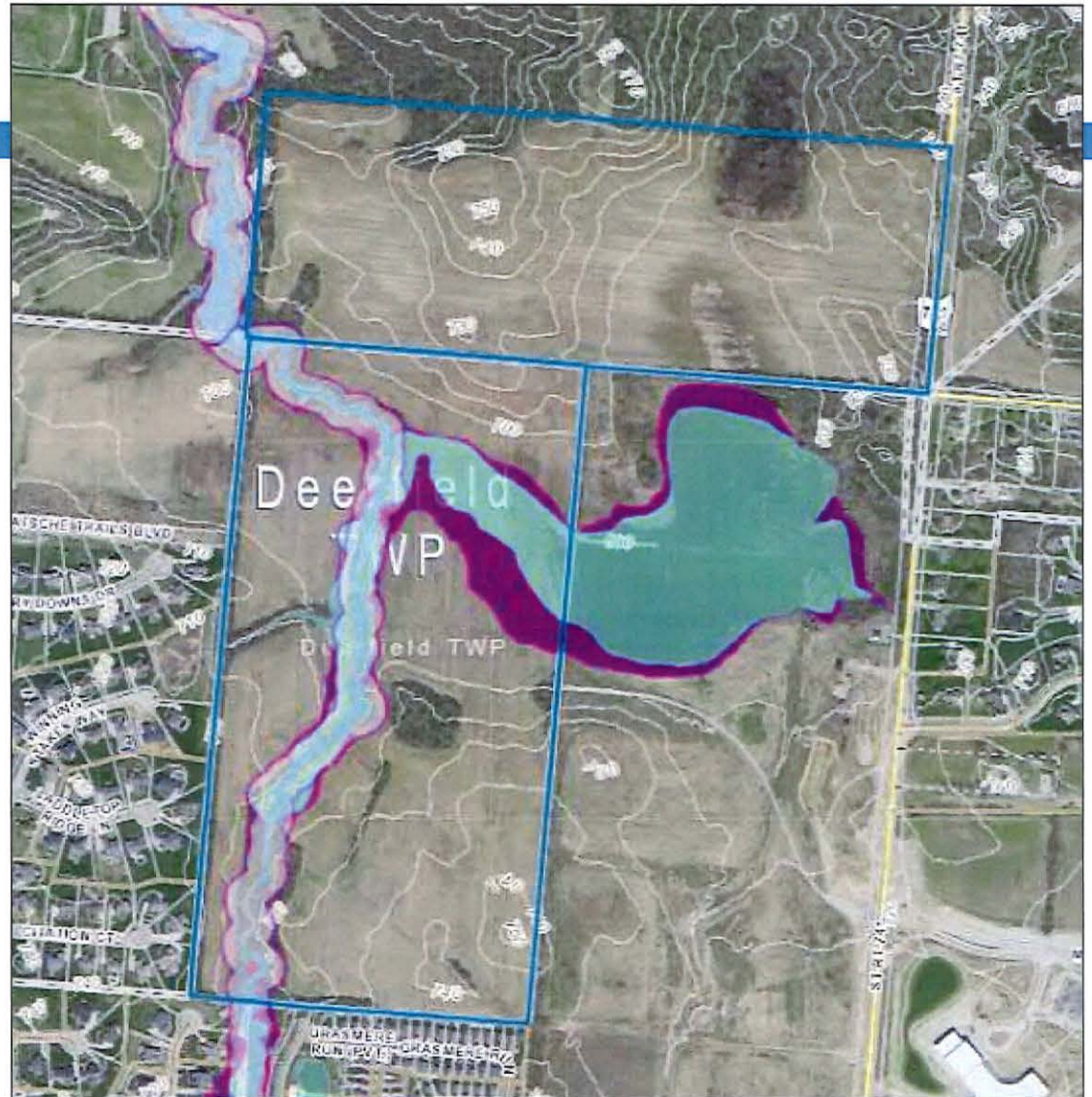
## Sales History

Date	Grantor	Grantee	Consideration	Conveyance Number
12-28-2018	GVR KHODADAD PROPERTIES,*	ROUTE 741 HOLDINGS, LLC	\$8,070,000.00	2018-9467.001
12-28-2012	KHODADAD, GHAREMAN TRUST	GVR KHODADAD PROPERTIES,*	\$0.00	2012-7817
08-07-1996	KHODADAD, GHAREMAN	KHODADAD, GHAREMAN TRUST	\$0.00	1996-5437.001
10-01-1981	KENNAMER, JOHN L		\$320,000.00	1980-0



## Environmental Features

1. Water body on adjacent site
2. Existing creek
3. Steep slopes
4. Scattered pockets of trees

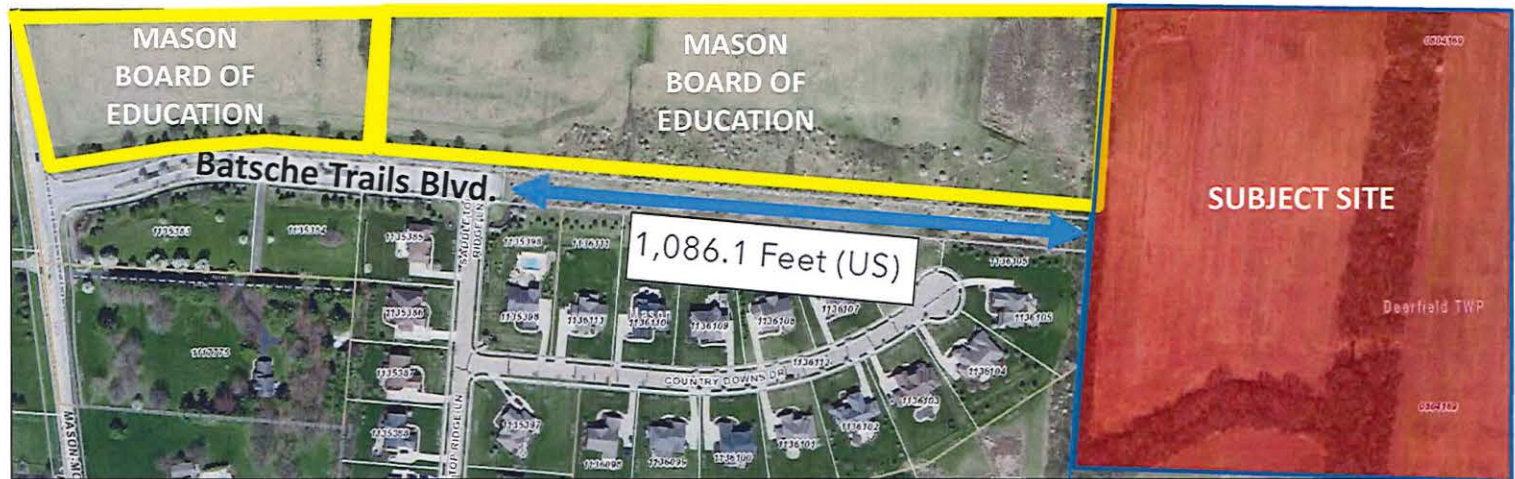






## Batsche Trails Blvd.

- Planned collector road connecting Mason-Montgomery to State Route 741 via Batsche Trails Blvd
- Located within the Estates at Chestnut Hill in the City of Mason.
- Not fully constructed (as indicated below)
- Portions currently exists as a paper street (1,086.1 feet)
- Located within the City of Mason
- Built to the dimensions of The City of Mason's Collector roadway classification.





# Batsche Trails Blvd.



Westbound  
Batsche Trails Blvd.



Eastbound Batsche  
Trails Blvd.

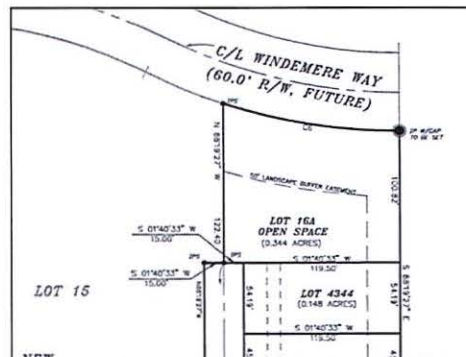
Functional Classification	Collector Road
Right-of-Way Width	60 feet
Roadway Width (Back of curb to back of curb)	41 feet

See Exhibit A from the City of Mason, stating that Batsche Trails Blvd. would be extended upon the development of the school site (northern property).



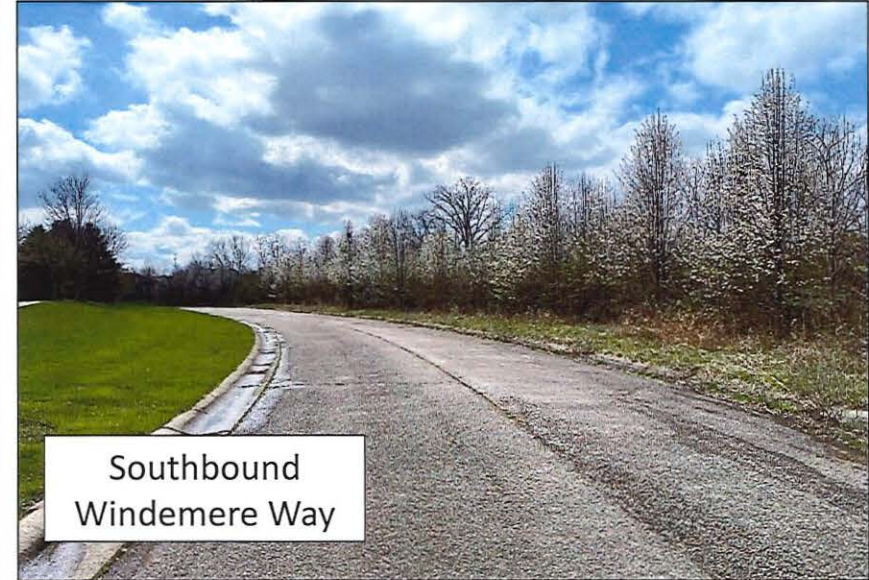
# Windemere Way

- **City of Mason & Warren County Thoroughfare Plans:** Future Windemere Way is identified as a future Collector Road.
- **City of Mason:** Classified as a Collector Road, with a 60' Right of Way.
- Paved ROW of 30' leading up to the northern property line of the Thorngate at Windemere subdivision.
- Windemere Way does not currently stub to the northern property line. **Stops**  $\approx 50$  feet from property line.





# Windemere Way



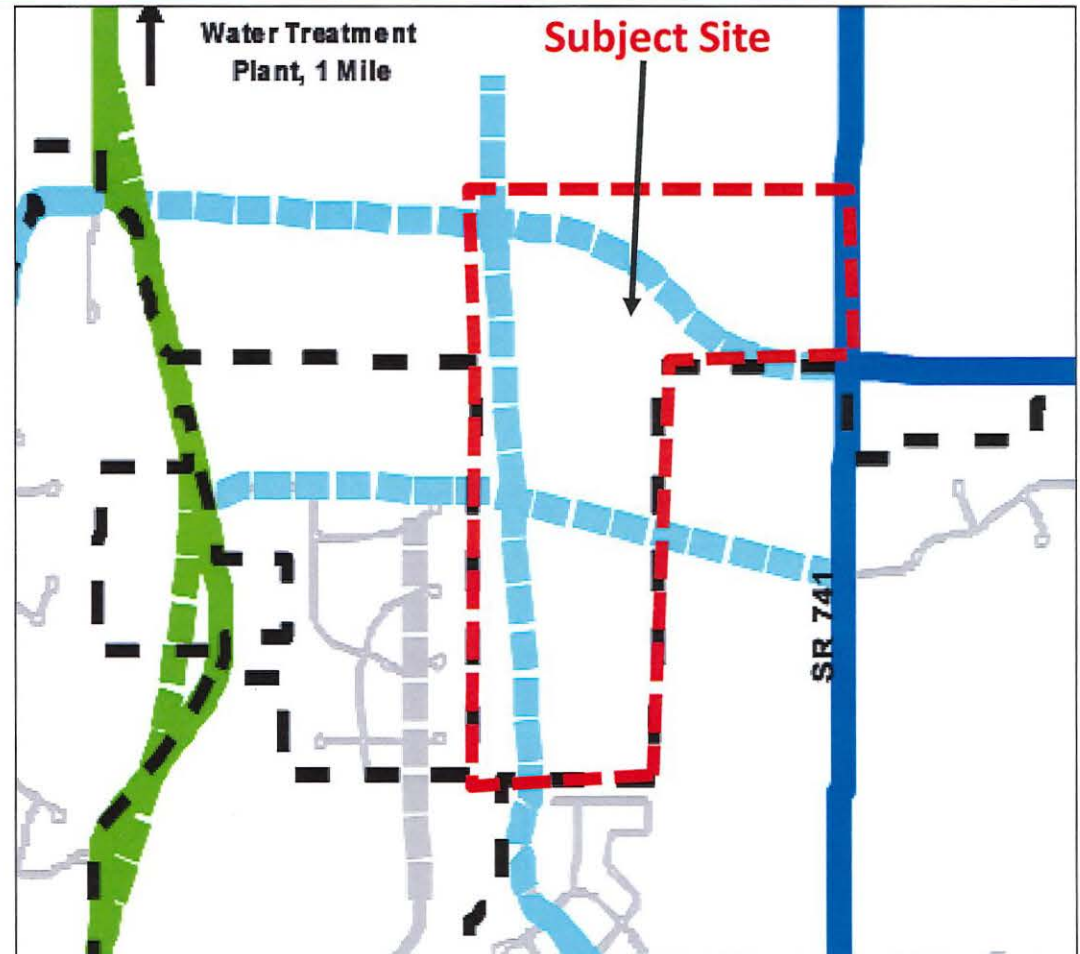
<b>Functional Classification</b>	Collector Road
<b>Right-of-Way Width</b>	60 feet
<b>Roadway Width (Back of curb to back of curb)</b>	41 feet



# City of Mason Thoroughfare Plan (2005)

The City of Mason Code of Ordinances identifies a Collector Road as having a Right-of-Way Width of 60 feet and Roadway Width (back of curb to back of curb) as 41 feet.

PRIMARY COLLECTOR (60' R/W)	
MINOR ARTERIAL (80' R/W)	
MAJOR ARTERIAL (100' R/W)	
MASON CORPORATE LIMIT LINE	





# Brewer Road – Warren County Thoroughfare Plan

- Future intersection alignment of Mason-Montgomery and Brewer Road.
- Alignment of Mason-Montgomery would connect to a future collector along the Cincinnati Zoo property.
- Brewer Road would extend eastward.



• Brewer Road/Mason Montgomery Road: Realignment of intersection



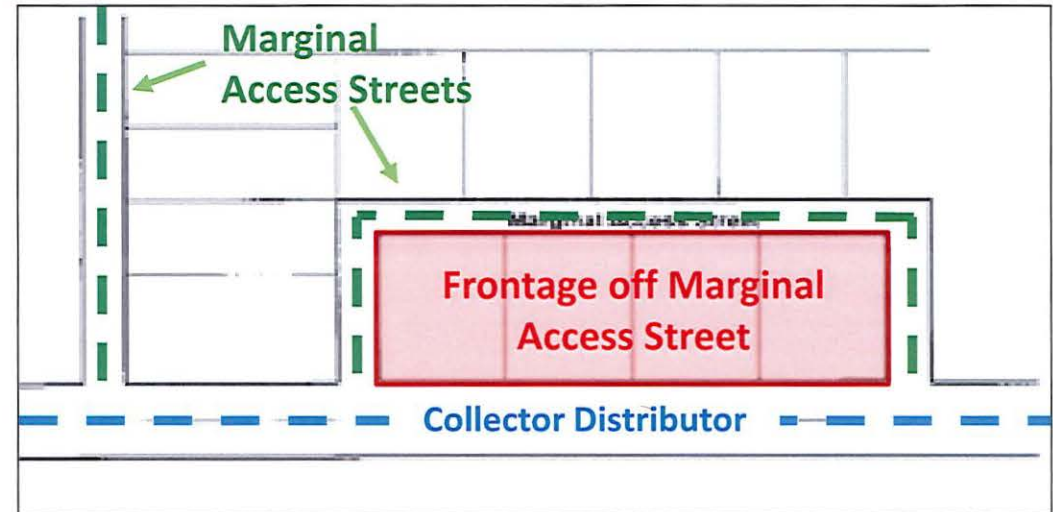
## Difference Between a Collector and Local Subdivision Street

	Collector	Local Subdivision Streets
Right-of-Way Width	60 feet	60 feet
Roadway / Travel Lane Width	Paved roadway: <b>36 feet</b> Travel lane width: 18 feet	Paved roadway: <b>24 feet</b> Travel lane width: 12 feet
Speed Limit	<b>35 MPH</b>	<b>25 MPH</b>
Access Spacing (for driveways)	<b>660 feet</b> (Unsignalized)/1320 feet (Signalized)	<b>N/A</b>
Thoroughfare Plan	Illustrated	Not Illustrated
Marginal Access Street	<b>Required</b>	<b>Not Required</b>
Sample Cross-Section	Figure A.7-Typical Section, Collector - Residential Urban	Figure A.12 - Typical Section, Local Subdivision Street - Residential/Rural



## Marginal Access Street

Comply with the Warren County Subdivision Regulations Section 405: Special Street Types (B), Marginal Access Streets.



### **Marginal Access Street Definition:**

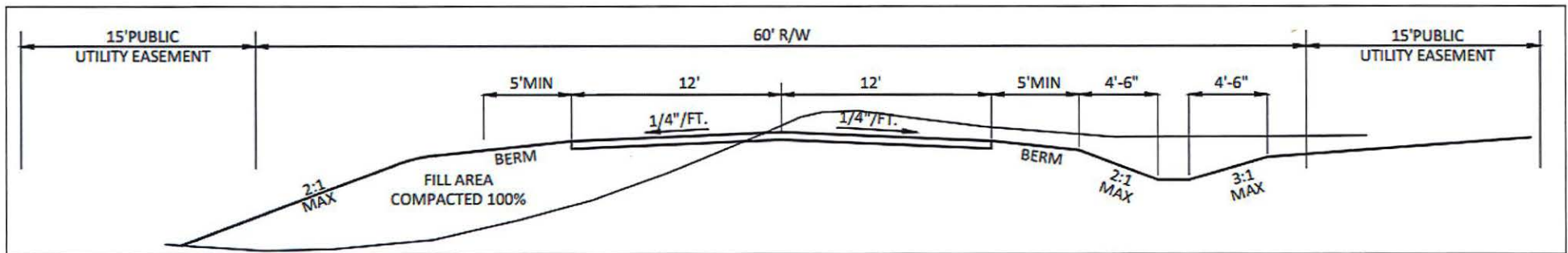
*"A local street, parallel and adjacent to an Arterial or Collector Street, which provides access to abutting properties while separating them from arterial or Collector Street traffic (also referred to as a Frontage Street)."* – Subdivision Regulation





# Applicant's Proposed Typical Section

## Proposed Typical Section



The typical section, as outlined above, has the following dimensions:

<b>Right-of-Way</b>	60 feet
<b>Roadway Width</b>	24 feet / 12 foot paved lanes
<b>Public Utility Easement</b>	15 feet



# Subdivision Review Connectivity

## **Connectivity Illustrated on the Thoroughfare Plan**

1. Requires stub street connections for the approved Preliminary Plan
2. May not be waived by the RPC Executive Committee
3. Changes to the Thoroughfare Plan connections are subject to BOCC approval

## **Connectivity Not Illustrated on the Thoroughfare Plan**

1. May be waived by the RPC Executive Committee
2. May be required by the RPC Executive Committee

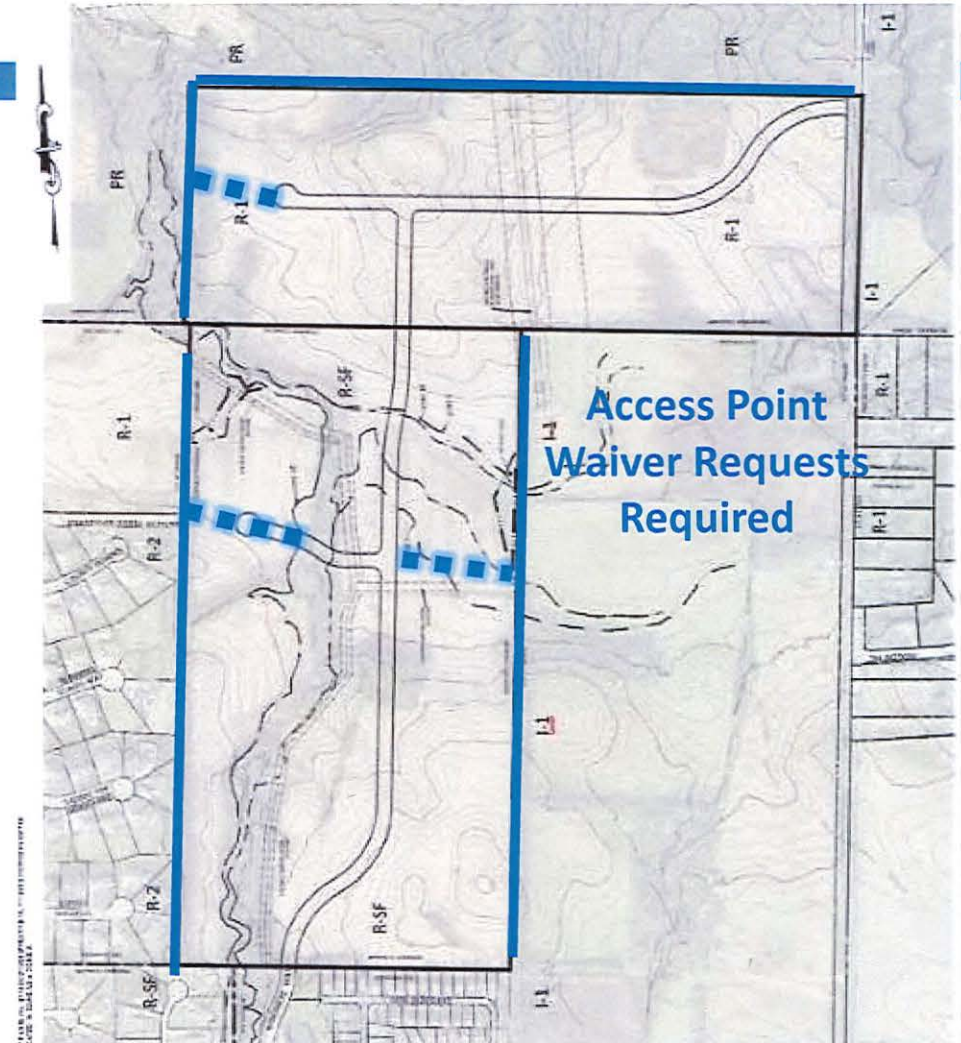


## Subdivision Review Connectivity

Stub street connections may be required:

1. Batsche Trails Blvd.;
2. Eastern Parcel(s); and,
3. Cincinnati Zoological Society Parcel.

RPC Executive Committee approves or denies stub street waivers.





# Engineer's Office Position/Recommendation

- One collector connecting Mason-Montgomery Road to State Route 741.
- Remove East-West future collector located in Turtlecreek Township
- Remove North-South future collector located in Deerfield Township

- 1) Due to the lack of east/west routes (Hamilton Road & Bethany Road are spaced 2.2 miles & 2.5 miles apart measured along Mason-Montgomery Road & SR 741, respectively), our office recommends that the proposed east/west collector route on the Deerfield Twp parcel between Batsche Trails Blvd & the Mason Industrial Park remain on the Thoroughfare Plan as shown. This would provide an east/west connection that is approximately 1 mile north of Bethany Road.
- 2) We are agreeable to the north/south collector being changed to a Local Subdivision Street, as it is located less than a half mile from SR 741.
- 3) We are also agreeable to the east/west collector located on the Turtlecreek Twp parcel being changed to a Local Subdivision Street, as the likelihood of the collector being built through the Zoo property is highly unlikely due to the nature of the property & the fact that it may never develop beyond what it is today."

All,  
Our office has discussed this letter and RPC agenda item internally and have the following position/recommendation.

- 1) Due to the lack of east/west routes (Hamilton Road and Bethany Road are spaced 2.2 miles and 2.5 miles apart measured along Mason-Montgomery Road and SR 741, respectively), our office recommends that the proposed east/west collector route on the Deerfield Twp parcel between Batsche Trails Blvd and the Mason Industrial Park remain on the Thoroughfare Plan as shown. This would provide an east/west connection that is approximately 1 mile north of Bethany Road.
- 2) We are agreeable to the north/south collector being changed to a Local Subdivision Street, as it is located less than a half mile from SR 741.
- 3) We are also agreeable to the east/west collector located on the Turtlecreek Twp parcel being changed to a Local Subdivision Street, as the likelihood of the collector being built through the Zoo property is highly unlikely due to the nature of the property and the fact that it may never develop beyond what it is today.

Thanks,  
Kurt E. Weber, PE, PS  
Chief Deputy Engineer  
Warren County Engineer's Office

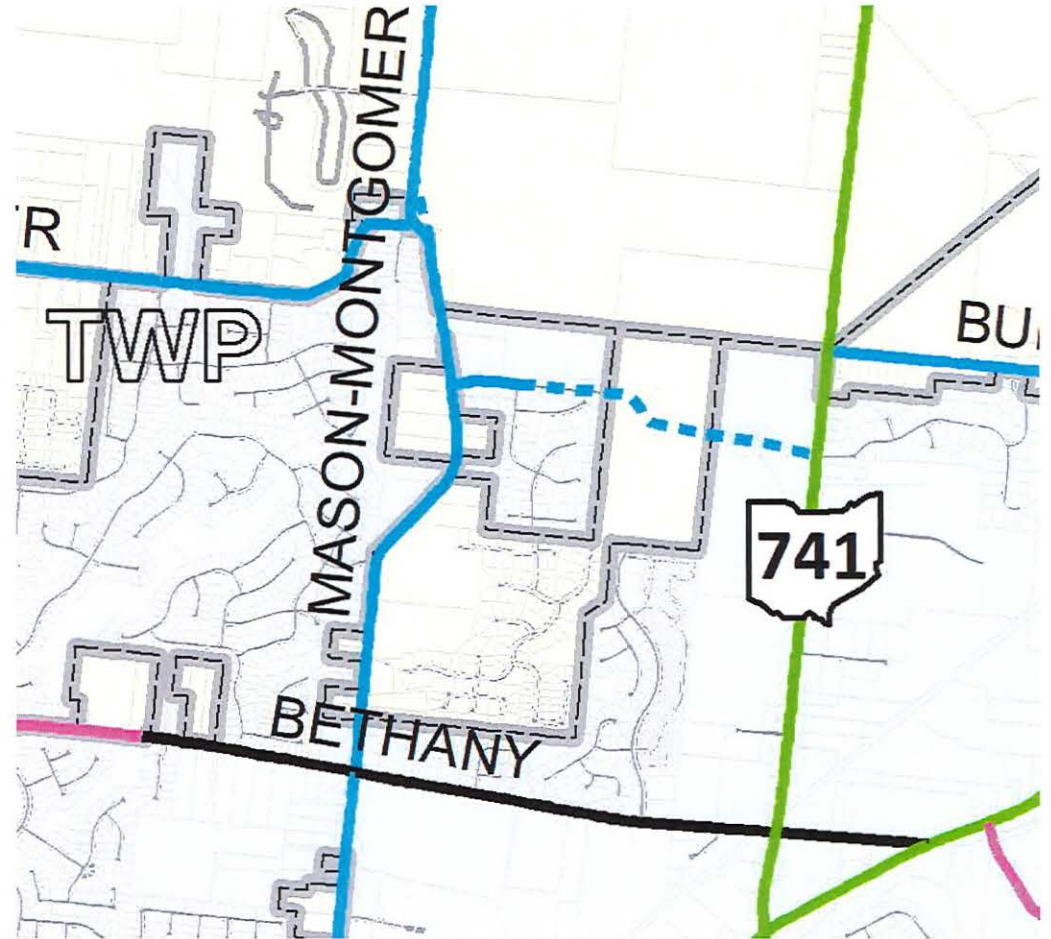
1



## Engineer's Office Recommendation

### Engineer's Office:

1. Retain the southern East-West Collector Road.
2. Other roadways would be constructed as Local Subdivision Streets.





# Review Comments – Deerfield Township

The Board of Trustees of Deerfield Township have reviewed the application and request that **all future thoroughfare on the subject site be removed** from the Warren County Thoroughfare Plan.



Lelle Hedding • Kristin Malhotra • Julie Seitz – Board of Trustees  
Dan Corey – Fiscal Officer  
Eric Reiners - Administrator

April 18, 2023

Warren County Board of Commissioners

Re: Request to Modify Warren County Thoroughfare Plan

Dear Board of County Commissioners,

John Candle Homes, LLC has contracted to purchase Parcel No. 12-26-200-002-1 in Deerfield Township, for a new single-family residential development. This proposed development is consistent with Deerfield Township's Zoning and Comprehensive Plan for that area.

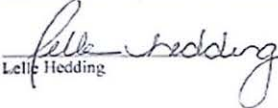
The developer has made a request to modify the Warren County Thoroughfare Plan, to prevent an east/west collector from running through the proposed residential neighborhood.

We respectfully ask that the developer's Request to Modify Warren County Thoroughfare Plan be granted, per their March 20, 2023 outline to the Warren County Regional Planning Commission (see attached). Deerfield Township does not desire to see a major thoroughfare connector placed through a residential neighborhood.

We are happy to answer any questions or discuss the matter at your convenience.

Sincerely,

Deerfield Township Board of Trustees

  
Lelle Hedding

Julie Seitz

  
Kristin Malhotra



# Review Comments – Turtlecreek Township

The Board of Trustees of Turtlecreek Township and Fire Chief have reviewed the application and have **no comments** regarding the Warren County Thoroughfare Plan Amendment.



**TURTLECREEK TOWNSHIP**  
670 N. STATE ROUTE 123  
LEBANON, OHIO 45036-9512  
PHONE: (513) 932-4902  
FAX: (513) 932-3654

April 5, 2023

Warren County Regional Planning  
Attn: Cameron Goschinski  
406 Justice Drive  
Lebanon, Ohio 45036

Re: Warren County Thoroughfare Plan Amendment

Dear Mr. Goschinski,

The Board of Trustees of Turtlecreek Township and Fire Chief have reviewed the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief have no comments regarding the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief would like to thank you for submitting the Warren County Thoroughfare Plan Amendment.

Sincerely,

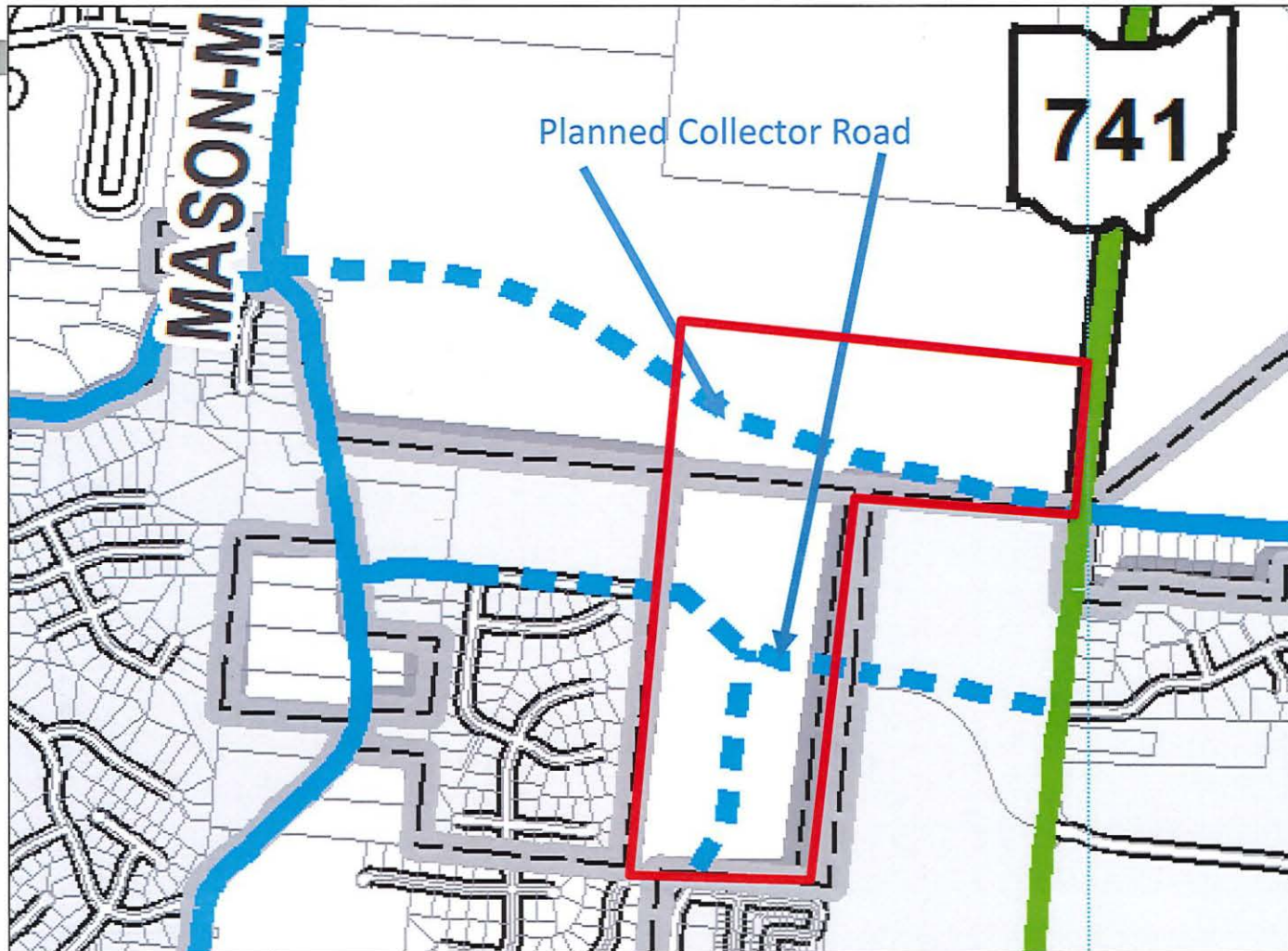
A handwritten signature in black ink that reads 'Daniel F. Jones'.

Daniel F. Jones  
Board of Trustees Turtlecreek Township  
Chairperson

DFJ/tb  
Cc: file



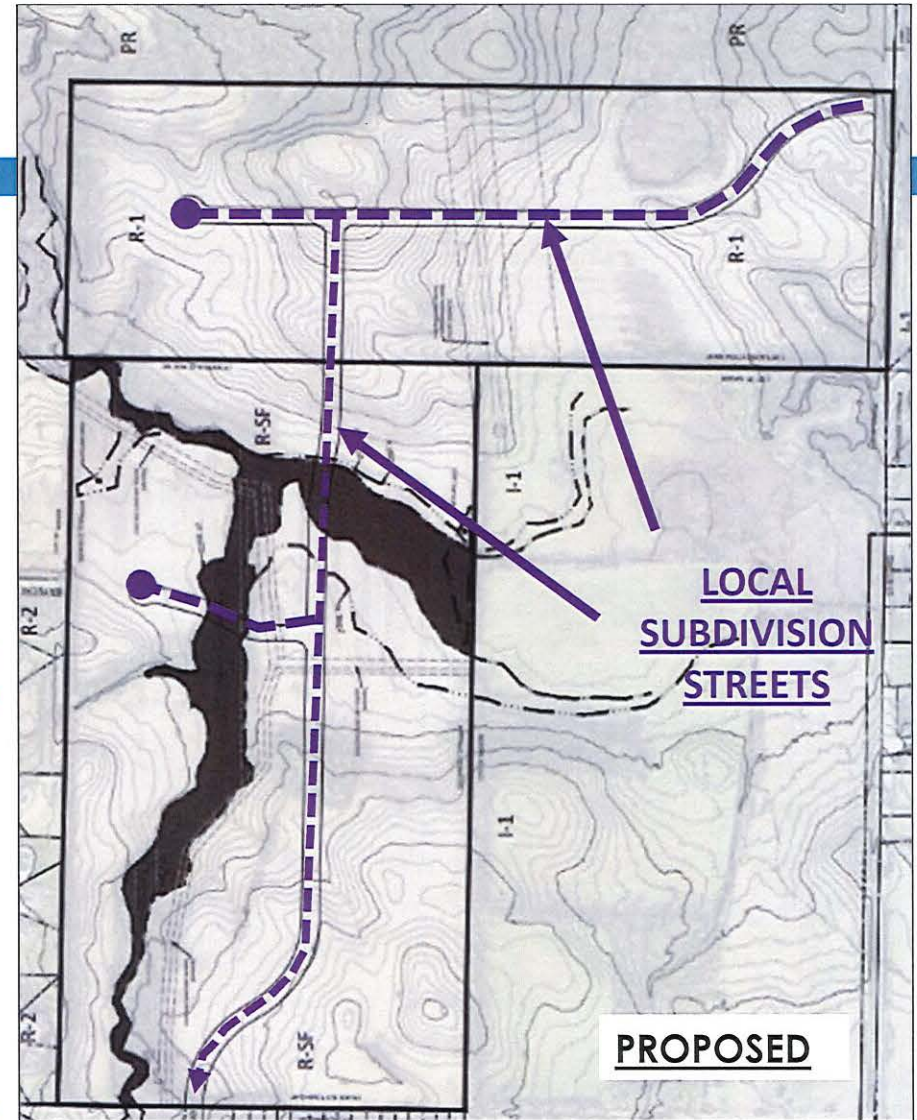
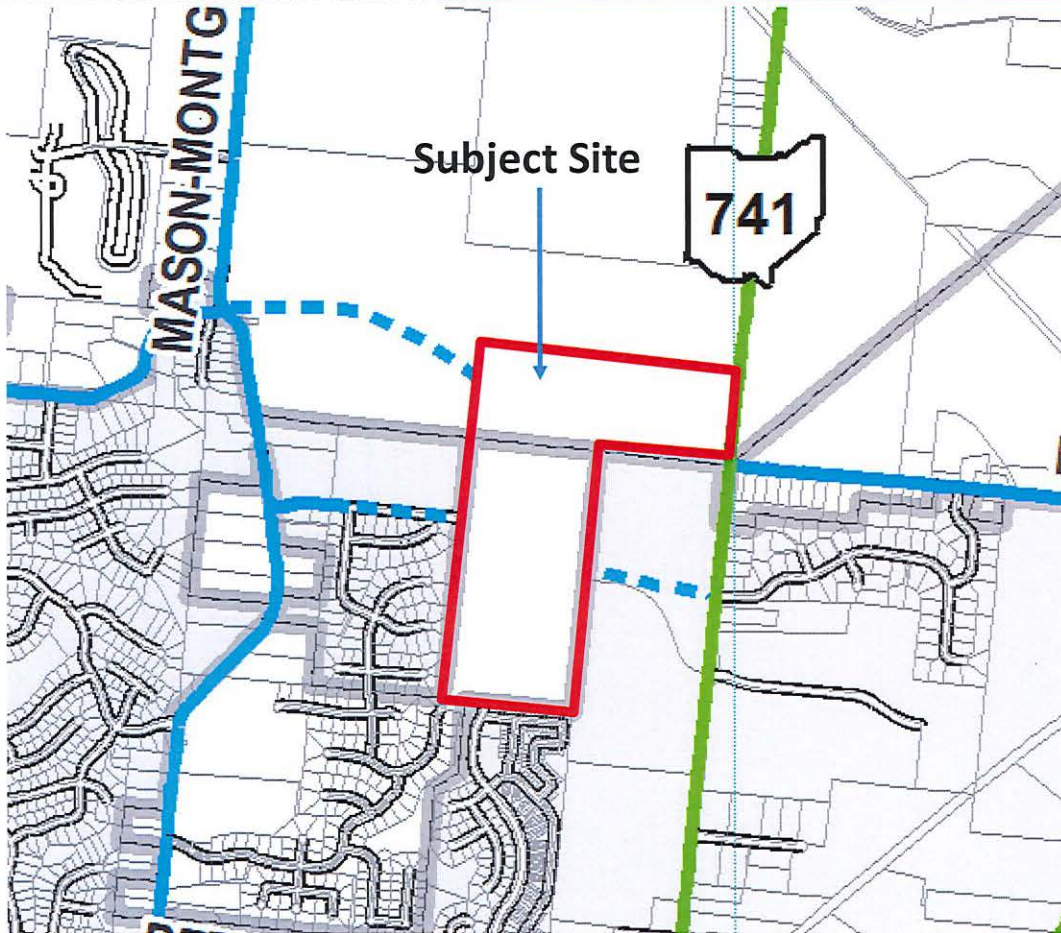
## Summary – Existing Conditions





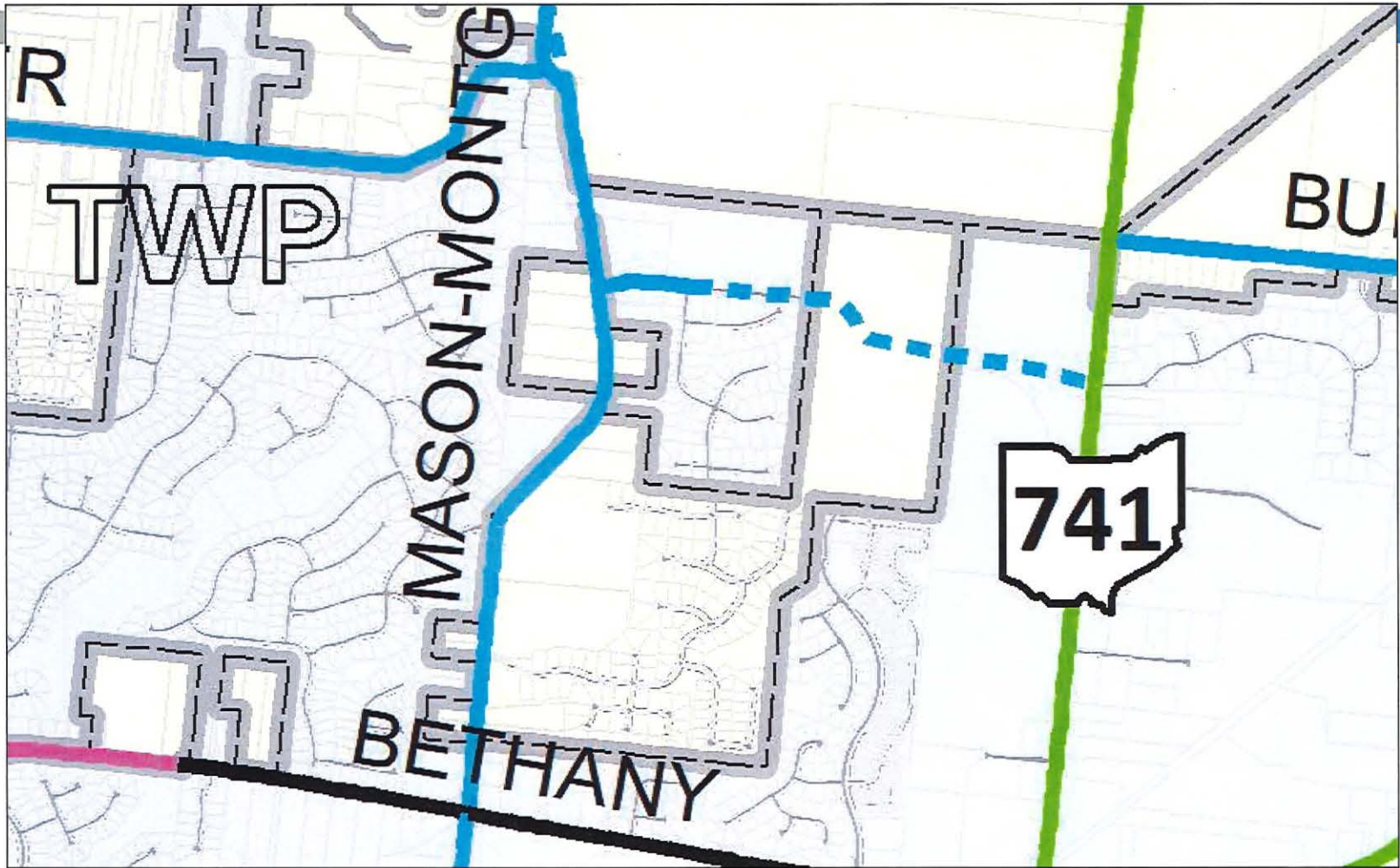


# Summary – Applicant’s Request





## Summary – Warren County Engineer’s Office & RPC Board Recommendation





# WARREN COUNTY REGIONAL PLANNING COMMISSION

**TO:** Board of County Commissioners

**FROM:** Cameron Goschinski, Planner I

**SUBJECT:** Request for Amendments to the Warren County Official Thoroughfare Plan—Road Re-classification & Deletion in Deerfield & Turtlecreek Townships

## GENERAL INFORMATION

**Source of Proposed Amendment:** Developer, John Candle Homes and Property Owner, Tufts University.

**Thoroughfare Plan Sections:** The proposed amendments would modify the following section of the Warren County Thorough Plan:

1. Functional classification map in **Section 3: Warren County Roadway Classifications and Pathway Map**,
2. Text of **Section 4: Future Roadway Improvements / Extensions / Alterations**.

## RPC STAFF RECOMMENDATION

None.

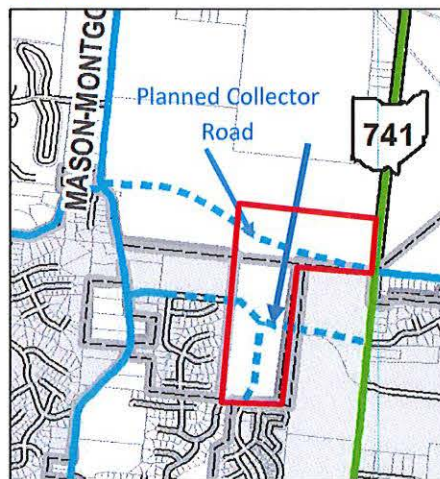
## REQUEST

### SECTION 3 – SEE EXHIBIT B

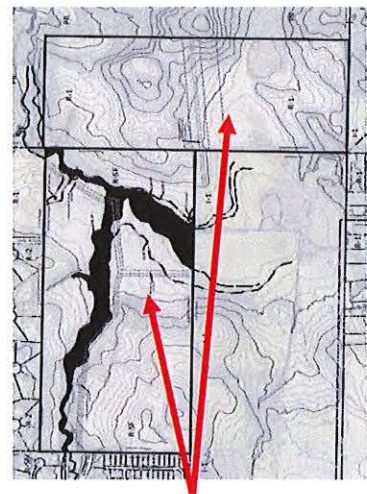
#### **Mason-Montgomery Road to SR 741**

Two future collector road connections between Mason-Montgomery Road and State Route 741 are identified as proposed amendments to be removed from the Functional Classification Map West Area (Figure 3.4). The proposed removal is identified on the right, and under Exhibit D of this staff report.

EXISTING



PROPOSED



**REMOVAL OF  
PLANNED  
THOROUGHFARE**

## EXHIBIT A – SECTION 4 WEST AREA WITH PROPOSED AMENDMENTS

### SECTION 4 – SEE EXHIBIT B

Proposed Removed text is RED

#### Future Roadway Improvements/Extensions/Alterations

##### WEST

- Collector Road - Drake Road to SR 42 south of Old SR 122 and align intersection to Shoemaker Road and Liberty-Keuter Road
- Future Improvements from Crossroads Plan - Area surrounding SR 63
- Future Improvement from the I-71/SR 123 Area Plan (this is in addition to what is shown on the Classification Maps in Section 3)

A new collector road providing access to the parcels in the northwest quadrant of the interchange. Said road will connect to the Future East-West Collector shown on the Functional Classification Map between SR 123 and Waynesville Road.SR 123

- Future Improvement from Gateway Plan - West: Union Road (this describes what is shown on the Classification Maps in Section 3)

Re-route Union Road between SR 63 and north of Hendrickson Road as a Major Collector/Distributor, to the east of the existing Union Road. Vacate portions of the existing Union Road between Woodwind Court and Greentree Road, and north of Hendrickson Road. Downgrade portion of existing Union Road with fronting single-family lots as a Local Road. Construct a Local Road connector between this segment of Union Road and the future Union Road (Figure 4.1).

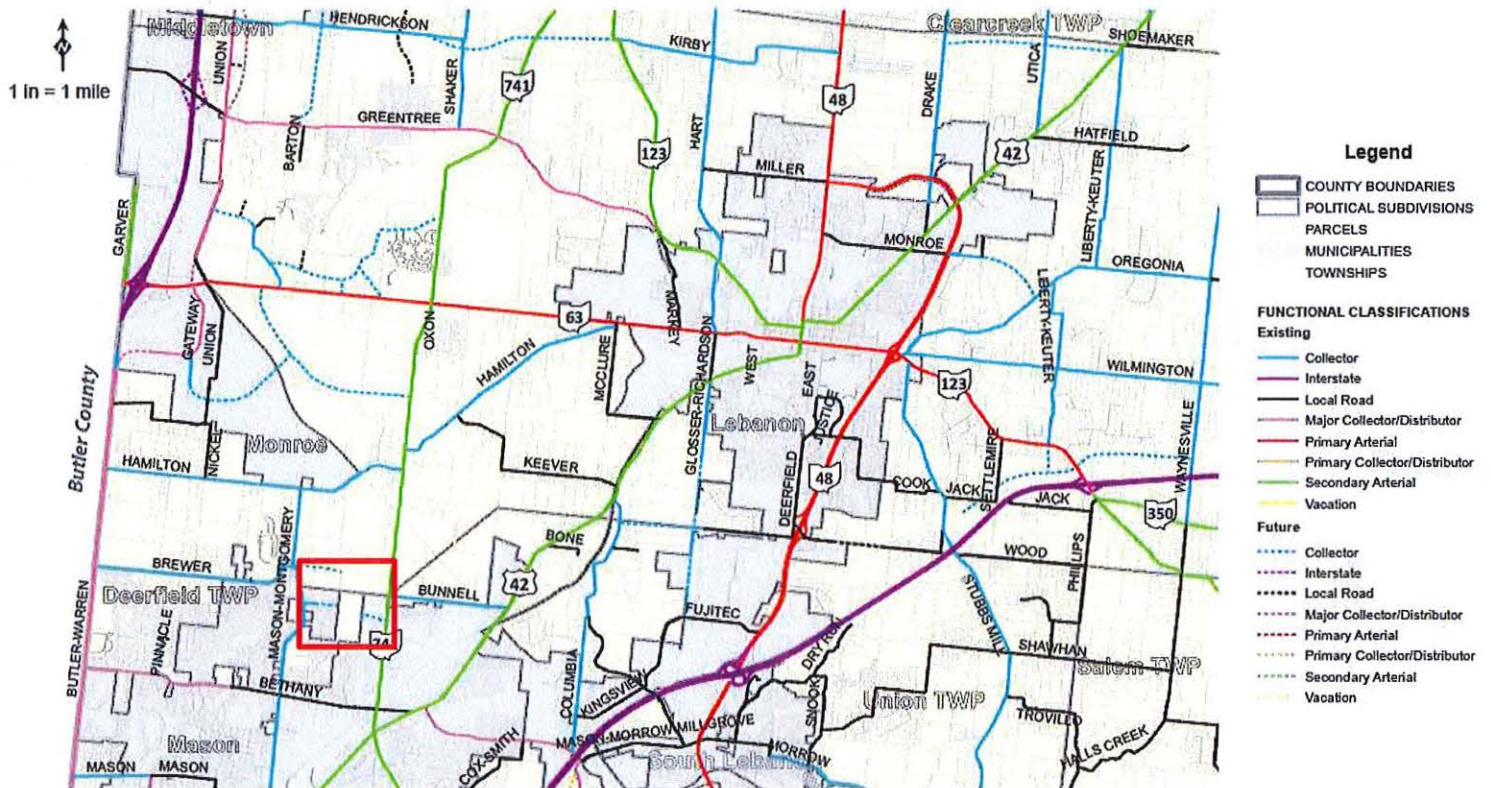
- Brewer Road (Collector) - Mason-Montgomery to SR 741
- Brewer Road/Mason Montgomery Road: Realignment of intersection
- Glosser-Richardson Road (Collector) - Extension south to Fujitec Drive
- Greentree Road: (Major Collector/Distributor) - Union Road to SR 123
- Local Road - Greentree Meadows Drive to Rose Marie Road
- Monroe Road (Collector) - Existing terminus to Oregonia Road
- SR 63: (Primary Arterial) - Union Road to SR 741
- SR 741 Realignment (Secondary Arterial) - Near Otterbein
- Turtlecreek Union Road (Collector) - Between existing terminus west of Stubbs Mill Road, east of SR 48
- Turtlecreek-Union Road - Change to Collector
- Collector Road - Beginning at the northern terminus of Windemere Way, extending north to the Turtlecreek Township line, combined with an east-west collector street between Mason-Montgomery Road and SR 741, with an eastern terminus opposite Avalon Trail (in conformance with the Mason Thoroughfare Plan)

## JUSTIFICATION

The applicant provides the following justification (see attached letters in Exhibit F):

1. The future East/West thoroughfare connection to Batsche Trails Blvd is a dead end that should not necessitate stubbing to this adjacent property. There is no determination on when and how the remainder of Batsche Trails Blvd will be developed and paid for.
2. The future East/West thoroughfare connection from Batsche Trails Blvd to the parcel to the east (Mason) is detrimental to Warren County's health, safety, and welfare. The industrial zoning and uses permitted in this district may have negative implications for families and residents living nearby and/or adjacent to this parcel. Additional semi-truck movement within the neighborhood may increase if there is a stub to this parcel.
3. There are existing alternative routes adjacent to the property which connect to Interstate 75, State Route 63, and Liberty Way to the South. These road connections ensure that daily truck traffic and other heavy-use vehicles have access to adequate roadway networks.

## EXHIBIT B - SECTION 3 WEST AREA WITH PROPOSED AMENDMENTS



## EXHIBIT C - ENGINEERS OFFICE COMMENTS REGARDING MASON - MONTGOMERY

### Mason-Montgomery Road to State Route 741

The Warren County Engineer's Office recommends that one collector connecting Mason-Montgomery Road to State Route 741 remains on the Thoroughfare Plan, and is agreeable to amend the East-West future collector located in Turtlecreek Township to a local subdivision street, and the North-South future collector located in Deerfield Township to a local subdivision street. The Engineer's Office comments are listed below:

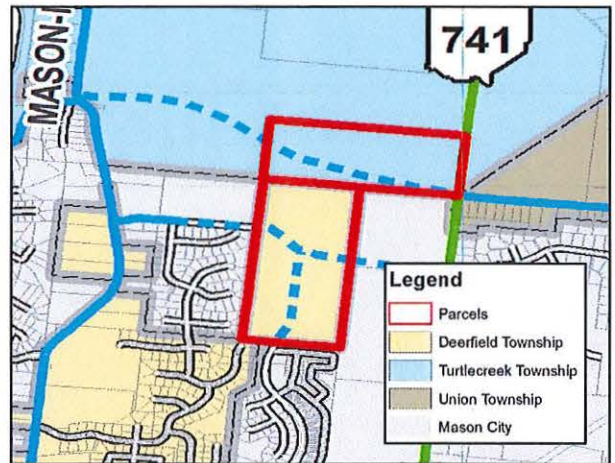
1. "Due to the lack of east/west routes (Hamilton Road and Bethany Road are spaced 2.2 miles and 2.5 miles apart measured along Mason-Montgomery Road and SR 741, respectively), our office recommends that the proposed east/west collector route on the Deerfield Twp parcel between

Batsche Trails Blvd and the Mason Industrial Park remain on the Thoroughfare Plan as shown. This would provide an east/west connection that is approximately 1 mile north of Bethany Road.

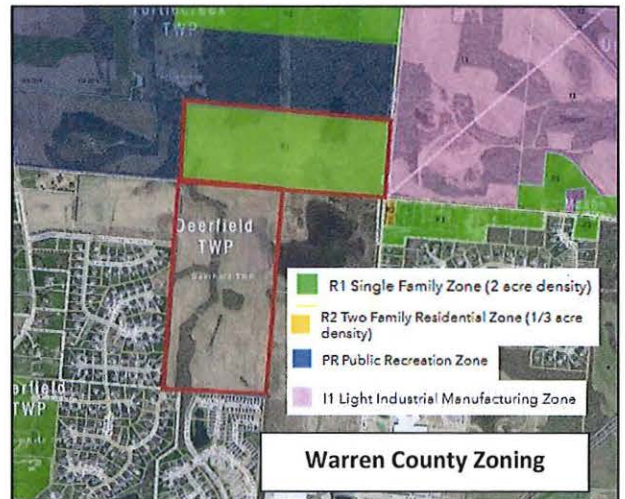
2. We are agreeable to the north/south collector being changed to a Local Subdivision Street, as it is located less than a half mile from SR 741.
3. We are also agreeable to the east/west collector located on the Turtlecreek Twp parcel being changed to a Local Subdivision Street, as the likelihood of the collector being built through the Zoo property is highly unlikely due to the nature of the property and the fact that it may never develop beyond what it is today – Warren County Engineer's Office. (See Exhibit E)

**EXHIBIT D – STAFF REVIEW (MASON-MONTGOMERY to SR 741)**

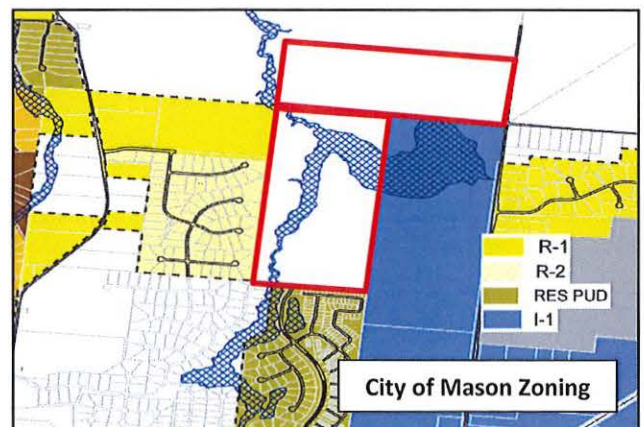
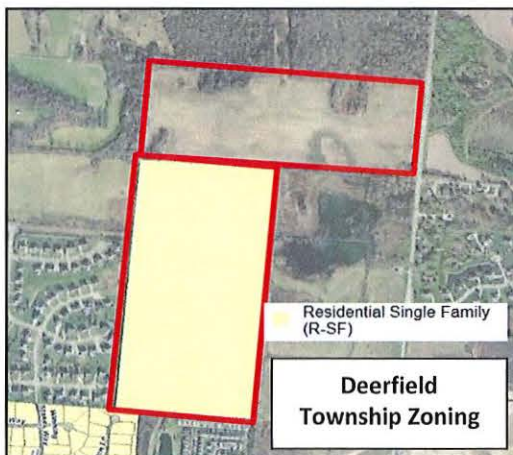
**Jurisdictions:** The amendment to both collector roads connecting Mason-Montgomery Road to State Route 741 is requested to be removed from the Warren County Thoroughfare Plan. These two future collector roads intersect three jurisdictions: the City of Mason, Turtlecreek Township, and Deerfield Township. As indicated on the map (right), the southern subject parcel is located within Deerfield Township, and the northern parcel is located within Turtlecreek Township.






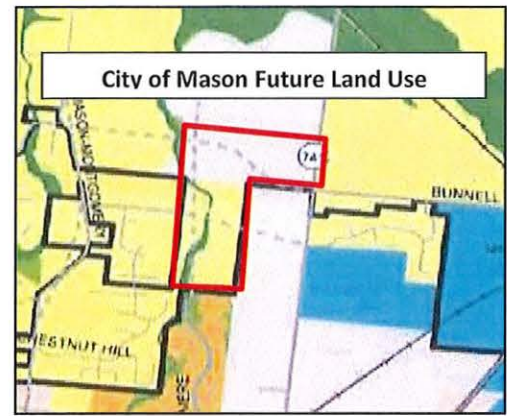
**Zoning:** The zoning surrounding these two parcels is within two zoning districts: Warren County (right) and Deerfield Township (bottom right) and is adjoining the City of Mason zoning. The northern parcel is currently zoned R-1 Single Family Zone, and the southern parcel is currently zoned R-SF Residential Single Family.



	Surrounding Uses	Zoning/Jurisdiction
North	Cincinnati Zoo Cheetah Run	PR (Turtlecreek TWP)
South	Residential	RES PUD (Mason)
East	Vacant	I-1 (Mason)
West	Residential/Vacant	R-1 & R-2 (Mason)

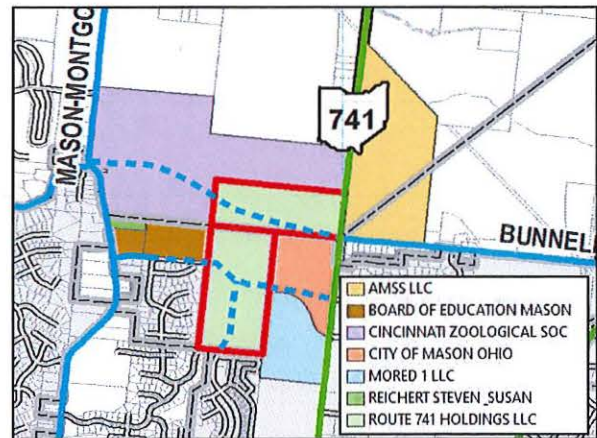


-  Light Industrial / Industrial Park
-  Low intensity Residential
-  Medium Intensity Residential



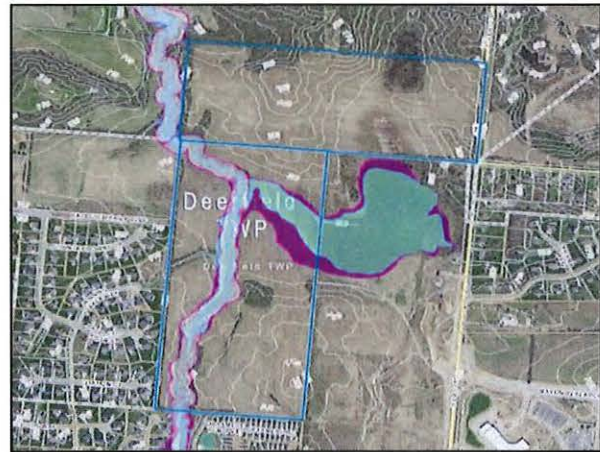
**Ownership**

The current ownership of surrounding parcels impacts the existing Warren County Thoroughfare Plan development. East of the southern parcel (Deerfield parcel) is owned by the Mason Board of Education. West of the southern parcel (Deerfield parcel) is owned by the City of Mason. On the northern parcel (Turtlecreek parcel), the thoroughfare connection to the West towards Mason-Montgomery is located on a parcel owned by the Cincinnati Zoo. There is currently a cheetah run on this site and was granted a Conditional Use for this land use.



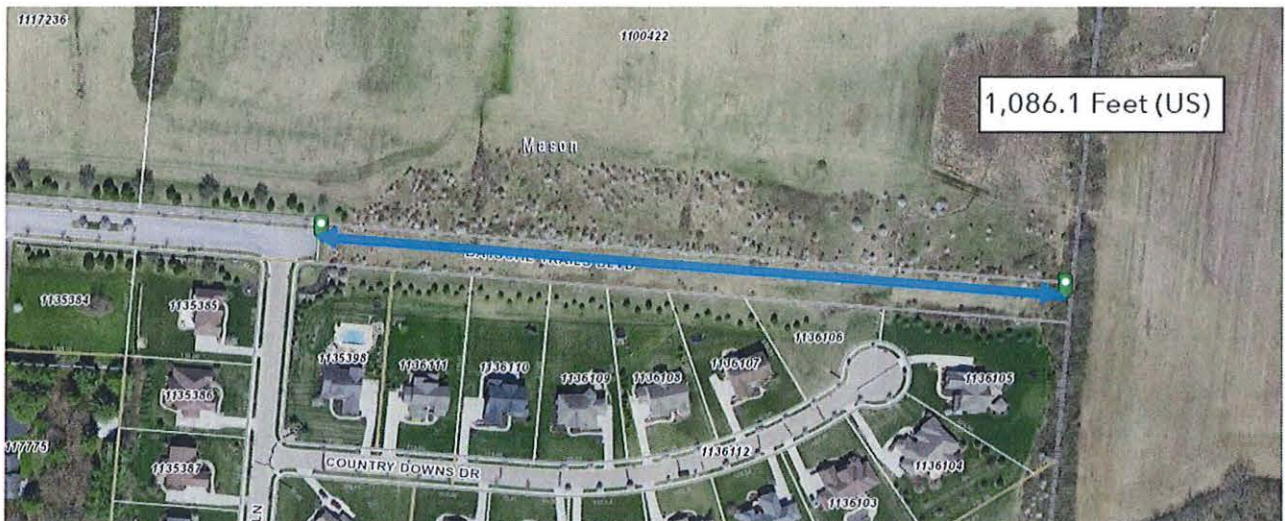
**Environmental Features**

There is an existing creek and body of water that is located on the parcel to the West and East of the identified parcels. This body of water will impact the location of the future roadway as identified in the Thoroughfare Plan. There are steep slopes surrounding the creek along the southern parcel and located along the northern border of the Turtlecreek parcel (northern parcel). There are trees located throughout both parcels.

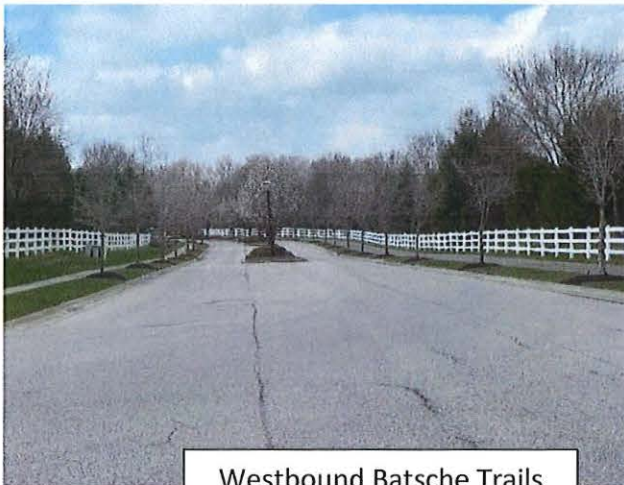


**Batsche Trails Boulevard**

The current Warren County Thoroughfare Plan calls for a Collector Road connection from Mason-Montgomery to State Route 741 to connect to Batsche Trails Blvd located within the Estates at Chestnut Hill in the City of Mason.



This currently dedicated road right-of-way has not been fully constructed (as indicated above), and the remainder 1,086.1 feet currently exists as a paper street to the western boundary line of the southern parcel (Deerfield parcel). This parcel (located within the City of Mason) is built to the dimensions of Mason's Collector roadway classification.



Westbound Batsche Trails



Eastbound Batsche Trails

### Windemere Way

The current thoroughfare along Windemere Way is proposed as a Future Collector – Residential Urban, with a 60' Right of Way. Windemere Way currently has a paved ROW at 30' leading up to the northern property line of Thorngate at Windemere, however, it currently does not stub to the property line. Windemere Way has a 60-foot-wide road right-of-way, this is consistent with the Warren County Thoroughfare Plan and the City of Mason Thoroughfare Plan design criteria for collector roads.

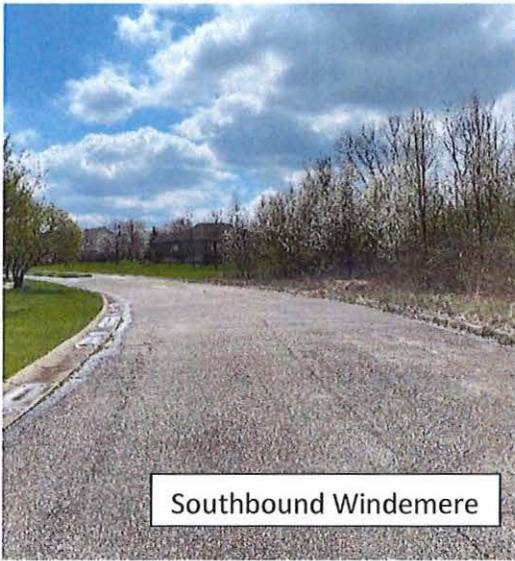
Following the Warren County Subdivision Regulations, Section 406, right-of-way dedication for new roads that are extensions of existing roads may match the right-of-way width of the existing street, and still be dedicated. This extension of a nonconforming right-of-way will terminate at the next road intersection or at a new road name.



29.9 Feet Roadway Width

60 Feet ROW





Southbound Windemere



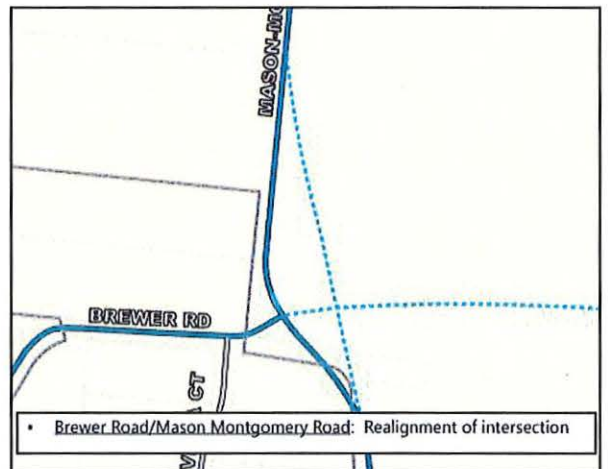
Northbound Windemere



Southbound Windemere

**Brewer Road**

The Warren County Thoroughfare Plan has an additional proposed future intersection alignment of Mason-Montgomery and Brewer Road. The planned development of this intersection would align Mason-Montgomery, and connect with the proposed future collector along the Cincinnati Zoo property. Brewer Road would connect at this intersection with the proposed future collector heading Eastbound.





**Subdivision Regulations**

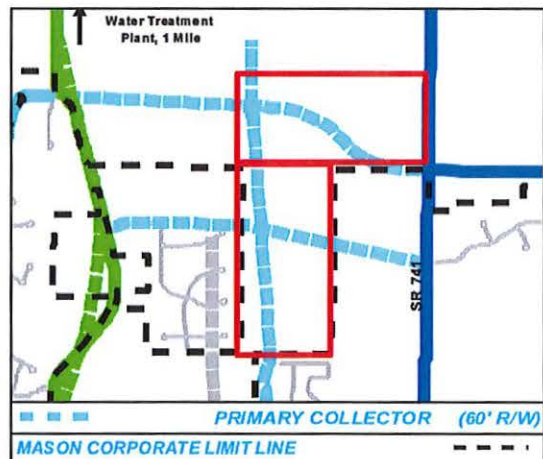
The Warren County Subdivision Regulations **Section 406: Right-of-Way (A)(3)** states:

Right-of-way dedications for new roads that are an extension of an existing road may match the right-of-way width of the existing street provided the road extension meets the following criteria:

- a) **The road extension belongs to the same road classification as the existing street segment.**
- b) There is no reason related to the subdivision of land that would require the standard right-of-way width for the proposed road extension.
- c) The extension of a nonconforming right-of-way will terminate at the next road intersection or at a new road name.
- d) A right-of-way proposed as part of a record plat may deviate from the Official Thoroughfare Plan only if it conforms to an approved preliminary plan.

**City of Mason Thoroughfare Plan**

The City of Mason thoroughfare plan illustrates a proposed collector along this property in conjunction with the Warren County Thoroughfare Plan. The City of Mason thoroughfare plan additionally identifies Batsche Trails Blvd and Windemere Way as a proposed thoroughfare in the 2005 plan. The Mason City thoroughfare plan calls for a thoroughfare to connect both proposed collector roads heading east-west with a north-south proposed collector.



The City of Mason minimum pavement requirements for Collector roads require a right-of-way width of 60 feet and a roadway width (from the back of curb to back of curb) of 41 feet. Batsche Trails Blvd and Windemere Way are both functionally classified as Collector roads to the west and south of the subject site.

The City of Mason Code of Ordinances identifies the Collector classification as follows:

1109.6 MINIMUM PAVEMENT REQUIREMENTS.

A) Minimum pavement widths, back of curb to back of curb, required to be installed at the subdivider's expense, shall be as follows:

Table 1109.1: Minimum Pavement Widths

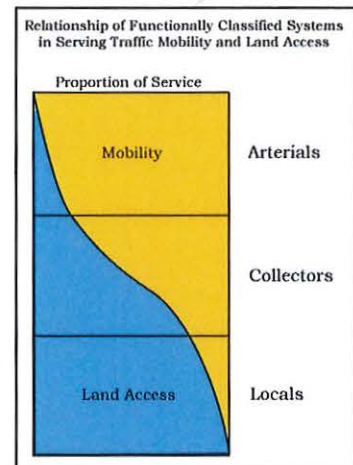
Street Type <sup>(1)</sup>	Right-of-Way Width	Roadway Width (back of curb to back of curb)
Major Arterial or Primary Thoroughfare	100 feet	65 feet
Minor Arterial or Secondary Thoroughfare	80 feet	53 feet
Collector	60 feet	41 feet
Minor	50 feet	29 feet
Cul-de-Sacs	50 foot radius	39.5 foot radius
Private streets	n/a	25 feet
Alleys and service drives	n/a	20 feet
(1) All streets shall be constructed in accordance with the City of Mason Standard Construction Drawings.		

**“Collector Streets.** Collector streets serve as connectors for traffic flow between the arterial roadways and the local streets. Collector streets are vital links for collection and distribution of traffic to and from the local streets, with equal priorities assigned to the functions of providing through traffic flow and access to abutting land developments. Hence it is important that the City focuses its attention on preserving the functional integrity of existing collector streets, and also prevent the future roadways (designated as collectors) from losing the balance between through traffic flow and access functions. It is essential that collector streets do not carry excessive volumes of through-traffic. This would defy their purpose as well as increase the risk of accidents due to excessive speed differentials at intersections.” (City of Mason Code of Ordinances)

**The Difference between a Collector Road and a Local Road.**

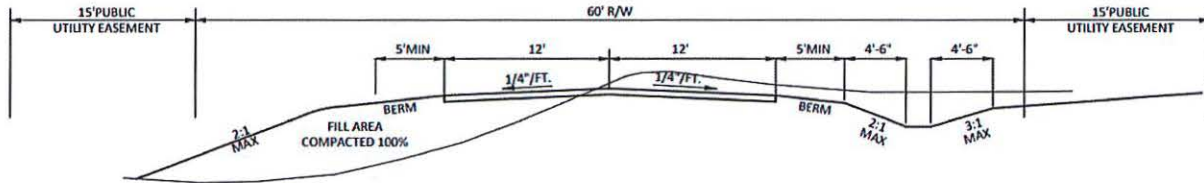
Collectors: As their name implies, Collectors “collect” traffic from Local Roads and connect traffic to Arterial roadways. Collector routes are typically shorter than Arterial routes but longer than Local Roads.

Local Road: “Local roads and streets are predominately intended to provide access for land uses that are located along them, such that through-traffic movement is often discouraged. Therefore, they are not usually considered as thoroughfares in a network unless location and travel warrants upgrading and connection with other thoroughfares”(Warren County Thoroughfare Plan). In contrast, because their primary role is to provide access, Local roads are lined with intersecting access points in the form of driveways, and intersecting roadways. Due to the frequency of traffic turns, speed limits are kept low to promote safe traffic operations.



	Collector	Local 1 Streets (Local Subdivision Street)
Right-of-Way Width	60 feet	60 feet
Roadway / Travel Lane Width	36 feet paved roadway/18-foot travel lane width	24 feet paved roadway/12-foot travel lane width
Speed Limit	35 MPH	25 MPH
Access Spacing (for driveways)	660 feet (Unsignalized)/1320 feet (Signalized)	0 feet
Sample Cross-Section	Figure A.7-Typical Section, Collector - Residential Urban	Figure A.13-Typical Section, Local Subdivision Street - Residential/Urban (Curb & Gutter)

This application requests thoroughfare removal on the subject site in favor of building local subdivision streets, built to the dimensions of Local 1 Street Design Standards (Local Subdivision Street) as identified in the **Requirements and Standards for the Design and Construction of Streets and Roadway Facilities**. Below is a typical section of the proposed roadway, as identified in the application under Exhibit F.

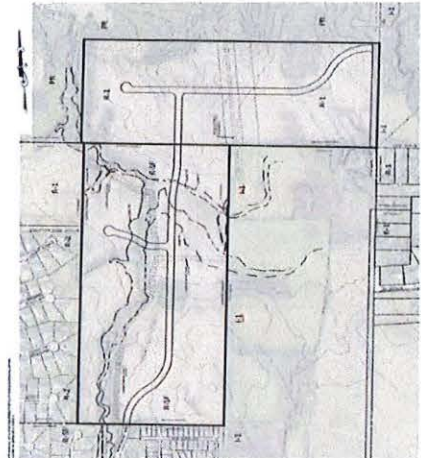


Below are the street design standards for Local 1 Streets, with a 30-foot Right-of-way, 12 feet per lane, and 15 feet of public utility easement. A typical section for proposed Local 1 Street Roadway is included within the Application, under Exhibit F.

<b>TABLE 1</b>	
<b>STREET DESIGN STANDARDS</b>	
<b>Local 1 Streets</b>	
<b>Right-of-way (ROW)</b>	: 30 feet for streets with curbs and gutters : 60 feet for streets without curbs and gutters
<b>Public utility easement</b>	: 15 feet on each side of ROW
<b>Pavement width</b>	: 2 lanes - 12 feet per lane
<b>Minimum street grade</b>	: 1.0%
<b>Maximum street grade</b>	: 12.0%
<b>Minimum stopping sight distance</b>	: 150 feet
<b>Minimum centerline radius</b>	: 175 feet
<b>Vertical curve 'K' values</b>	: 20 for 'crest' curves : 27 for 'sag' curves
<b>Maximum bridge length on a cul-de-sac street</b>	: 10 feet
<b>Additional 'turnarounds' required on cul-de-sac streets for a street length of</b>	
0 to 1199 feet	: None
1200 to 1799 feet	: 1
1800 to 2399 feet	: 2
2400 to 2999 feet	: 3
3000 feet or greater	: 4
-----	
<b>Notes:</b>	
1 - Adapted from: <u>Recommended Guidelines for Subdivision Streets - Institute of Transportation Engineers, 1984.</u>	
2 - Parking is permitted along one side of the street.	
3 - Design speed = 25 MPH	
4 - Stopping sight distance is measured from an eye height of 3.5 feet to an object height of 0.5 feet. This criteria shall apply to both horizontal and vertical sight distance.	
5 - See TABLE 9 for cul-de-sac turnaround design standards.	

**Subdivision Review**

This application includes a concept plan (shown on the right and attached to Exhibit F under the original letter) identifying proposed local subdivision streets. This concept plan is not to be reviewed as a major subdivision and will not undergo subdivision review until the applicant submits a Concept Plan application and satisfies all Concept Plan Application Requirements within Section 302 of the Warren County Subdivision Regulations to the Warren County Regional Planning Commission Executive Committee.



If this amendment to the Warren County Thoroughfare Plan is approved, the applicant is still required to submit street stub waiver requests (as identified within the Subdivision Regulations Section 403:

Traffic Management) alongside the Concept Plan application for any adjacent parcels that the applicant does wish to stub to. The Warren County Regional Planning Commission Executive Committee will conduct an administrative hearing and decide on whether to approve or deny each individual waiver request.

If this amendment to the Warren County Thoroughfare Plan is denied, the applicant must comply with the Warren County Subdivision Regulations Section 405: Special Street Types (B), Marginal Access Streets. Where a subdivision abuts or contains an existing or proposed Collector Distributor, a marginal access street shall be provided, if the subdivision design is such that lots would require direct vehicular access onto the Collector or Arterial Street.

	Local Road	Local Subdivision Street
<b>Right-of-Way Width</b>	70 feet	60 feet
<b>Public Utility Easement</b>	20 feet (10 feet on both sides)	30 feet (15 feet on both sides)
<b>Roadway / Travel Lane Width</b>	24 feet paved roadway/12-foot travel lane width	24 feet paved roadway/12-foot travel lane width
<b>Typical Building Setback</b>	50 feet	Varies
<b>Sample Cross-Section</b>	Figure A.11 – Typical Section, Local Road – Residential/Rural (Ditch)	Figure A.12 – Typical Section, Local Subdivision Street – Residential Rural

EXHIBIT E - WARREN COUNTY ENGINEER'S COMMENTS

**From:** Weber, Kurt <kurt.weber@co.warren.oh.us>

**Sent:** Wednesday, April 5, 2023 5:27 PM

**To:** Dakin, Elizabeth A. <Elizabeth.Dakin@co.warren.oh.us>; Mick, David S. <David.Mick@co.warren.oh.us>

**Cc:** Williams, Stan C. <Stan.Williams@co.warren.oh.us>; Cook, Ryan A. <Ryan.Cook@co.warren.oh.us>; Tunison, Neil <Neil.Tunison@co.warren.oh.us>; McGary, Bruce <bruce.mcgary@warrencountyprosecutor.com>

**Subject:** RE: Warren County Regional Planning Commission [IWOV-IMANAGE.FID1833344]

All,

Our office has discussed this letter and RPC agenda item internally and have the following position/recommendation.

- 1) Due to the lack of east/west routes (Hamilton Road and Bethany Road are spaced 2.2 miles and 2.5 miles apart measured along Mason-Montgomery Road and SR 741, respectively), our office recommends that the proposed east/west collector route on the Deerfield Twp parcel between Batsche Trails Blvd and the Mason Industrial Park remain on the Thoroughfare Plan as shown. This would provide an east/west connection that is approximately 1 mile north of Bethany Road.
- 2) We are agreeable to the north/south collector being changed to a Local Subdivision Street, as it is located less than a half mile from SR 741.
- 3) We are also agreeable to the east/west collector located on the Turtlecreek Twp parcel being changed to a Local Subdivision Street, as the likelihood of the collector being built through the Zoo property is highly unlikely due to the nature of the property and the fact that it may never develop beyond what it is today.

Thanks,

Kurt E. Weber, PE, PS  
Chief Deputy Engineer  
Warren County Engineer's Office

**Goschinski, Cameron**

**From:** Jeffrey D. Forbes <JDForbes@woodlamping.com>  
**Sent:** Tuesday, April 04, 2023 1:34 PM  
**To:** Goschinski, Cameron  
**Cc:** McGary, Bruce; 'Bacon, Jordie'  
**Subject:** Warren County Thoroughfare Plan Amendment Request [WL-WLDMS.FID140033]

You don't often get email from jdforbes@woodlamping.com. [Learn why this is important](#)

Cameron,

The City of Mason received the Request to Modify Warren County Thoroughfare Plan for Parcels 12-26-200-002-1 ("Deerfield Parcel") and 12-26-200-002-2 ("Turtlecreek Parcel") from Mr. Joseph Trauth, as a neighboring property owner. In his letter, Mr. Trauth stated his client's reasons for wanting to modify the Thoroughfare Plan were: 1) because a sexually oriented business could be constructed on the parcels immediately east of the Deerfield Parcel, and 2) Batsche Trails Boulevard was never constructed. These are both incorrect and misleading statements that the City of Mason wishes to correct for the record.

#### I. SEXUALLY ORIENTED BUSINESSES

While Mr. Trauth is correct that properties in the City of Mason immediately east of the Deerfield Parcel are zoned I-1, Light Industrial, and sexually oriented businesses are a permitted use in the I-1 Zoning District, he failed to state that the City of Mason has supplemental standards for sexually oriented businesses, as codified in Chapter 1189 of the City of Mason Zoning Ordinance. Per this section of the Zoning Ordinance:

"It shall be unlawful to establish, operate, or cause to be operated a sexually oriented business in Mason, unless said sexually oriented business is at least: 1) 750 feet from the closest boundary of any residential zoning district; 2) 750 feet from all parcels containing a residential structure; 3) 750 feet from all parcels containing a public building, public park or recreation area, religious institution, or school; and 4) 750 feet from all parcels containing a business that is licensed to serve alcohol and is not primarily engaged in the sale and service of food at the premises."

The two I-1 zoned properties to the east of the Deerfield Parcel have residential zoning districts located to their east and west. Applying the required 750-foot buffer from the nearest residentially zoned parcels, there is very little of the properties that could be developed as a sexually oriented business. Exhibit A shows the 750-foot buffers from the nearest residentially zoned properties. The only area that could be developed as a sexually oriented business is the northwestern most corner of the northern parcel. However, as shown on Exhibit B, that parcel is virtually completely covered by floodplain, effectively making the site undevelopable. The combination of the supplemental standards for sexually oriented businesses and the existence of the floodplain means that neither property east of the Deerfield Parcel could successfully be developed as a sexually oriented business. Thus, Mr. Trauth's argument must be disregarded.

Furthermore, both parcels east of the Deerfield Parcel are part of the Mason R&D Park, shown on Exhibit C. As part of establishing the Mason R&D Park - Central (105 acres immediately east of SR 741) and Mason R&D Park - East (172 acres immediately west of US 42), the City of Mason placed Covenants and Restrictions on future tenants generally in terms of land use and architecture. Both those Covenants and Restrictions are enclosed as Exhibits D and E. Article 2, Section 2.12 of both documents include the prohibition of sexually oriented businesses from being established.

The Mason R&D Park – West (the two I-1 zoned parcels east of the Deerfield Parcel) do not currently have Covenants and Restrictions attached. However, Covenants and Restrictions were drafted to match the documents for Central and East that will prohibit sexually oriented businesses on the properties. Rhinestahl is the owner of the southern parcel east of the Deerfield Parcel and purchased that land from the City of Mason in 2019. Rhinestahl received Planning

Commission approval in June 2020 for their new headquarters facility to be developed on this parcel, and their approved site plan is attached as Exhibit F. As can be seen on Exhibit F, no sexually oriented business was approved on the parcel by Planning Commission. The City of Mason owns the northern parcel east of the Deerfield Parcel and has no plans to develop a sexually oriented business on that site. The City has the option to record The Mason R&D Park – West Covenants and Restrictions on the property now or prior to a potential future sale of the parcel. These factors further ensure that no sexually oriented business will ever be developed on the properties east of the Deerfield Parcel.

## II. ADJACENT DEVELOPMENT AND THE THOROUGHFARE PLAN

The intent of Batsche Trails Boulevard, as correctly stated by Mr. Trauth, is to be extended east through the Deerfield Parcel to eventually connect with SR 741 – as required by both the Warren County Thoroughfare Plan and the City of Mason Thoroughfare Plan. Mr. Trauth incorrectly stated, however, that this connection “will never be constructed.” As with virtually all development, it was always intended to be completed in stages. The Board of Education of Mason owned the current Estates of Chestnut Hill subdivision land, as well as the vacant land immediately north. The Board of Education sold the Estates of Chestnut Hill property to a developer who was required to construct Batsche Trails Boulevard to its current location. The Board of Education of Mason then dedicated the remaining right-of-way for Batsche Trails Boulevard on their vacant land in 2006, clearly proving they are aware of the requirement to extend Batsche Trails Boulevard in the future. The Dedication Plat showing this is attached as Exhibit G. When the parcel currently owned by the Board of Education of Mason develops, that developer will be required to extend Batsche Trails Boulevard through the existing right-of-way and stub it at the Deerfield Parcel. Mr. Trauth’s Exhibit C clearly shows the right-of-way dedicated for this extension.

Secondly, it is grossly misleading of Mr. Trauth to state that the east/west connection between Batsche Trails Boulevard and SR 741 “will never be constructed.” As the Mason R&D Park develops, the City of Mason, along with private property owners like Rhinestahl and Vega Americas, are investing significant capital in developing this east/west connection. Mason Research Parkway in the Mason R&D Park has been constructed as part of this east/west connection, with the intention of connecting to Batsche Trails Boulevard in the future. Exhibits H and I show the proposed plan for the Mason Research Parkway extension between the Deerfield Parcel and US 42. The proposed plans show that the east/west connection is very obviously planned to be constructed, and that the connection from Batsche Trails Boulevard to SR 741 is part of a larger, important connection east to US 42 that other companies (SPS Technologies, PCC Aerostructures) are relying on. Work has already begun to complete this plan: Vega Americas constructed approximately 1,200 feet of the roadway east of SR 741 and The City of Mason constructed a roundabout at the intersection of SR 741 and Mason Research Parkway with a spur for future development west of SR 741. As part of the purchase and sale agreement between the City of Mason and Rhinestahl, Rhinestahl is required to construct approximately 1,000 of the Mason Research Parkway west of SR 741. The City of Mason has invested nearly \$6 million in the roundabout and SR 741 improvements to prepare for this future east/west connection, not to mention the private investments from Rhinestahl and Vega Americas.

Driving along SR 741 today, it is impossible not to notice the active construction on the roadway, and the roundabout for the east/west connection was completed last fall. It is obvious to anyone driving through the Mason R&D Park that there is clear intent, and current action, to develop the east/west connection between Batsche Trails Boulevard and Mason Research Parkway. Mr. Trauth has disregarded this, along with basic development practices that all development – including roadways – is completed in stages, not upfront as he implies with his statement, “[c]onstruction of this adjacent subdivision is complete, and the roadway was never completed...”

The City of Mason is supportive of development on the subject properties and does not want to impede any future development in the Township. The goal of this letter is simply to correct the misleading and factually incorrect statements made by Mr. Trauth in his letter to the Regional Planning Commission.

All Exhibits referenced can be found at the following

link: <https://www.dropbox.com/scl/fo/wja8ze6u6j8wg9ocvojut/h?dl=0&rikey=r7wbfeaufm3zly7dibzjdjoup>



If there are any further questions, please do not hesitate to reach out.

Regards,

Jeff Forbes  
Law Director  
City of Mason

Jeffrey D. Forbes  
Wood + Lamping  
600 Vine Street, Suite 2500  
Cincinnati, OH 45202  
513-852-6092 (office)  
513-207-8101 (cell)

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**TURTLECREEK TOWNSHIP**  
**670 N. STATE ROUTE 123**  
**LEBANON, OHIO 45036-9512**  
**PHONE: (513) 932-4902**  
**FAX: (513) 932-3654**

April 5, 2023

Warren County Regional Planning  
Attn: Cameron Goschinski  
406 Justice Drive  
Lebanon, Ohio 45036

Re: Warren County Thoroughfare Plan Amendment

Dear Mr. Goschinski,

The Board of Trustees of Turtlecreek Township and Fire Chief have reviewed the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief have no comments regarding the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief would like to thank you for submitting the Warren County Thoroughfare Plan Amendment.

Sincerely,

ORIGINAL LETTER



**Joseph L. Trauth**

D: 513.579.6515

[jtrauth@kmklaw.com](mailto:jtrauth@kmklaw.com)

March 20, 2023

**VIA EMAIL**

Warren County Regional Planning Commission c/o  
Ms. Sharon Coffman  
406 Justice Drive  
Lebanon, OH 45036  
[Sharon.Coffman@co.warren.oh.us](mailto:Sharon.Coffman@co.warren.oh.us)

Re: Request to Modify Warren County Thoroughfare Plan

Dear Members of the Planning Commission:

Our firm represents John Candle Homes, LLC (the "Developer"), who has a contract to purchase property located at Parcel Nos. 12-26-200-002-1 (the "Deerfield Parcel") and 12-26-200-002-2 (the "Turtlecreek Parcel"), located in Warren County (both collectively, the "Property"). The purpose of this correspondence is to discuss the Thoroughfare Plan as it relates to the Property, and the future planned collector roadways relating to the Property. As will be discussed in more detail below, changed circumstances, along with development to the areas surrounding the Property, render the proposed Thoroughfare Plan inappropriate for the Property and the health, safety, and welfare of the residents of Warren County, Ohio.

For this reason, we respectfully request that this Commission recommend an alteration to the Thoroughfare Plan, as discussed below. We look forward to your consideration of our proposal.

**I. THE PROPERTY & AREA**

Enclosed as Exhibit A is Figure 3.4 of the Thoroughfare Plan, which indicates that the Property is designated for several future collector roadways in Warren County. As excerpted to the right, the Thoroughfare Plan anticipates that two (2) collector roadways will intersect the Deerfield Parcel, and one will intersect the Turtlecreek Parcel.



Several changes and/or developments to the area surrounding the Property have made it such that the current Thoroughfare Plan is inappropriate for the Property and the residents of Warren County, Ohio.

**Keating Muething & Klekamp PLL**

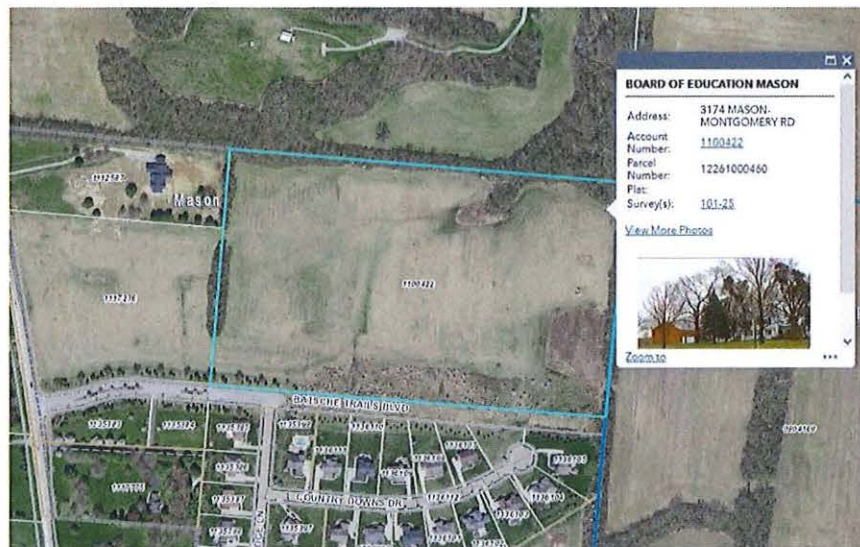
Attorneys at Law

One East Fourth Street | Suite 1400 | Cincinnati, Ohio 45202

P: 513.579.6400 | F: 513.579.6457 | [kmklaw.com](http://kmklaw.com)

*First*, the parcel immediately to the east of the Deerfield Parcel is zoned I-1 Light Industrial District with the City of Mason (the “Industrial Parcel”). A copy of the Mason Zoning Map is enclosed for reference as **Exhibit B**. Based upon this zoning classification, the Industrial Parcel is principally permitted and zoned for the following: (1) light industrial manufacturing; (2) automobile repair shops, including automobile body repair and painting; and (3) sexually-oriented businesses. (See Mason Codified Ordinances at § 1163.02). Pursuant to the Mason Ordinances, this permitted sexually-oriented business includes an “adult arcade,” an “adult bookstore,” an “adult motion picture theater,” a “semi-nude lounge,” or a “sex paraphernalia store.” (*Id.* at § 1189.02). These uses are all permitted as of right, and require no variance or conditional use prior to implementation. It is incredibly concerning to the undersigned that there could be a collector roadway connecting this use—which is decidedly inappropriate for families with children—to the proposed development on the Deerfield Parcel.

*Second*, the development of the parcels adjacent to the Property render the proposed construction of the Thoroughfare Plan impossible. Enclosed as **Exhibit C** is an aerial view of the Property and surrounding area. As the attached image reflects, the parcel immediately to the west of the Deerfield Parcel was intended to connect to the Deerfield Parcel for purposes of the Thoroughfare Plan. For reasons unknown, Batsche Trails Boulevard was never constructed to meet the Deerfield Parcel:



The stub street on this adjacent parcel is 1,100 feet from the Deerfield Parcel, and a 3-lane road joining this stub street to the Property is anticipated to cost \$1.6 Million Dollars. Because the subdivider was responsible for the construction of the stub street to meet the Deerfield Parcel, and the subdivider never constructed this street, there is no power under the Warren County Subdivision Regulations for anyone to finish the construction of the Batsche Trails Boulevard stub street. (See Subdivision Regulations at § 408(A)) (“The subdivider shall be responsible for the construction of all new streets within a subdivision.”). As the above image from the Warren County Auditor reflects, this proposed connector road is completely outside the adjacent parcel to

the north that is owned by the City of Mason Board of Education. Construction of this adjacent subdivision is complete, and the roadway was never completed and will never be completed.

## II. THE THOROUGHFARE PLAN MUST BE MODIFIED

Based upon the unique characteristics of the Property, the current configuration of roadways in Warren County, and the development adjacent to the Property, the Warren County Thoroughfare Plan is inappropriate for the Property for a number of reasons. These reasons include the following:

1. **The east/west thoroughfare proposal on the Deerfield Parcel is a road to nowhere.** As noted above, the Batsche Trails stub road is a road to nowhere. The developer of that adjacent property never completed the roadway, and there is no mechanism for Warren County to force any third party to pay for the completion of the Batsche Trails stub road. For all intents and purposes, that stub road has been abandoned under the Warren County Thoroughfare Plan.
2. **Connecting the Mason Industrial Parcel to the Deerfield Parcel is contrary to the health, safety, and welfare of Warren County.** It is the intent of our client to develop the Deerfield and Turtlecreek Township property into a healthy, safe, and positive residential community. Warren County, Ohio is attractive to families because of the excellent schools, safe neighborhoods, and internal circuitry of subdivisions that make them walkable and livable for families. The introduction of industrial development immediately adjacent to this family use, particularly where sexually-oriented business are permitted *as of right*, is contrary to the health, safety, and well-being of the residents of Warren County, particularly the children who will be growing up in the neighborhood adjacent to this industrial. This thoroughfare will also encourage semi-truck movement within a neighborhood, which is contrary to the well-being of families and children in the neighborhood. A subdivision is not the place for industrial traffic.
3. **The cost of the thoroughfare on the developer is an inappropriate exaction.** The cost of the Thoroughfare Plan is anticipated to exceed \$8 Million Dollars, if completed as currently proposed. This incredible cost—which is related to an inappropriate roadway requirement—is a type of inverse condemnation that would require significant payment to the Developer. It is not appropriate for the County to hoist this cost upon the Developer. My client is prepared to seek just compensation for this taking through a court of law if the Thoroughfare Plan is not modified.
4. **Adequate alternative routes exist adjacent to the Property.** Significantly, there are already existing and multiple good routes to I-75 based upon the current roadways. The local government has invested over \$35 Millions Dollars to improve the adjacent OH-63 to the north, and interchanges at Liberty Way to the south. These provide appropriate routes for trucks and other heavy-use vehicles to travel upon and through.

5. **Minor impact from major cost.** The proposed thoroughfare saves only a net 1/2 mile difference versus existing routes heading to the north or south. If trucks are heading north, existing routes are actually net distance shorter up I-75 than what the proposed Thoroughfare Plan proposes. Additionally, the proposed Thoroughfare Plan has a contorted connection with twists and turns, which is not a productive use of developable space. The incredible burden of the existing Thoroughfare Plan on the Property is not worth it for the limited benefit.

While there may have been a time many years ago when the Thoroughfare Plan on the Property made sense based upon the layout of the adjacent area, that time has since passed. The Thoroughfare Plan is, at least with respect to the Property, antiquated as there are current improvements to OH-63 and Liberty Way that serve the community. As it stands, the proposed Thoroughfare Plan does not serve the Warren County community. To the contrary, there are significant reasons for concern with proceeding forward with this plan, particularly with respect to the types of sexually-oriented uses that are permitted on the adjacent Industrial Parcel.

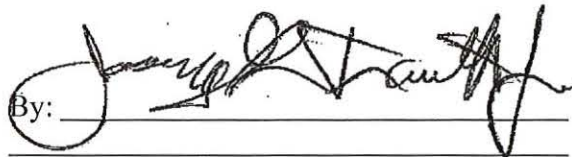
The Developer desires to connect the Property to the Warren County roadways in a way that supports the community and proposed development. To that end, attached as **Exhibit D** is a proposed site plan that includes proposed roadways. With these alterations to the Thoroughfare Plan, the interests of this Commission, Warren County residents, and the Developer can be harmonious.

\*\*\*

Please let us know if there is any information we can provide to you to assist, and we thank you for your time and attention to this matter.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By: 

cc: Mr. Bruce McGary (via email - [bruce.mcgary@warrencountyprosecutor.com](mailto:bruce.mcgary@warrencountyprosecutor.com))

# Exhibit A



1 in = 1 mile

### Functional Classifications: West Area

#### Legend

- COUNTY BOUNDARIES
- POLITICAL SUBDIVISIONS
- LOCAL SUBDIVISION STREETS
- MUNICIPALITIES
- TOWNSHIPS

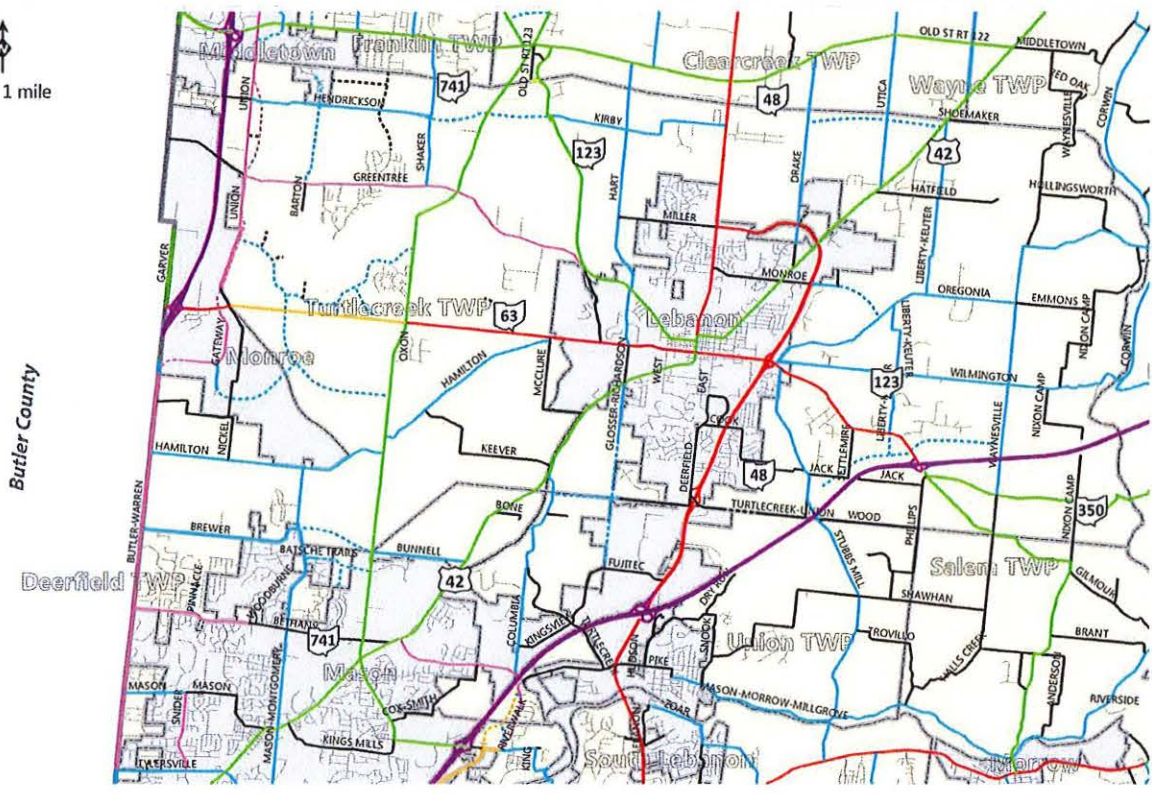
#### FUNCTIONAL CLASSIFICATIONS

##### Existing

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation

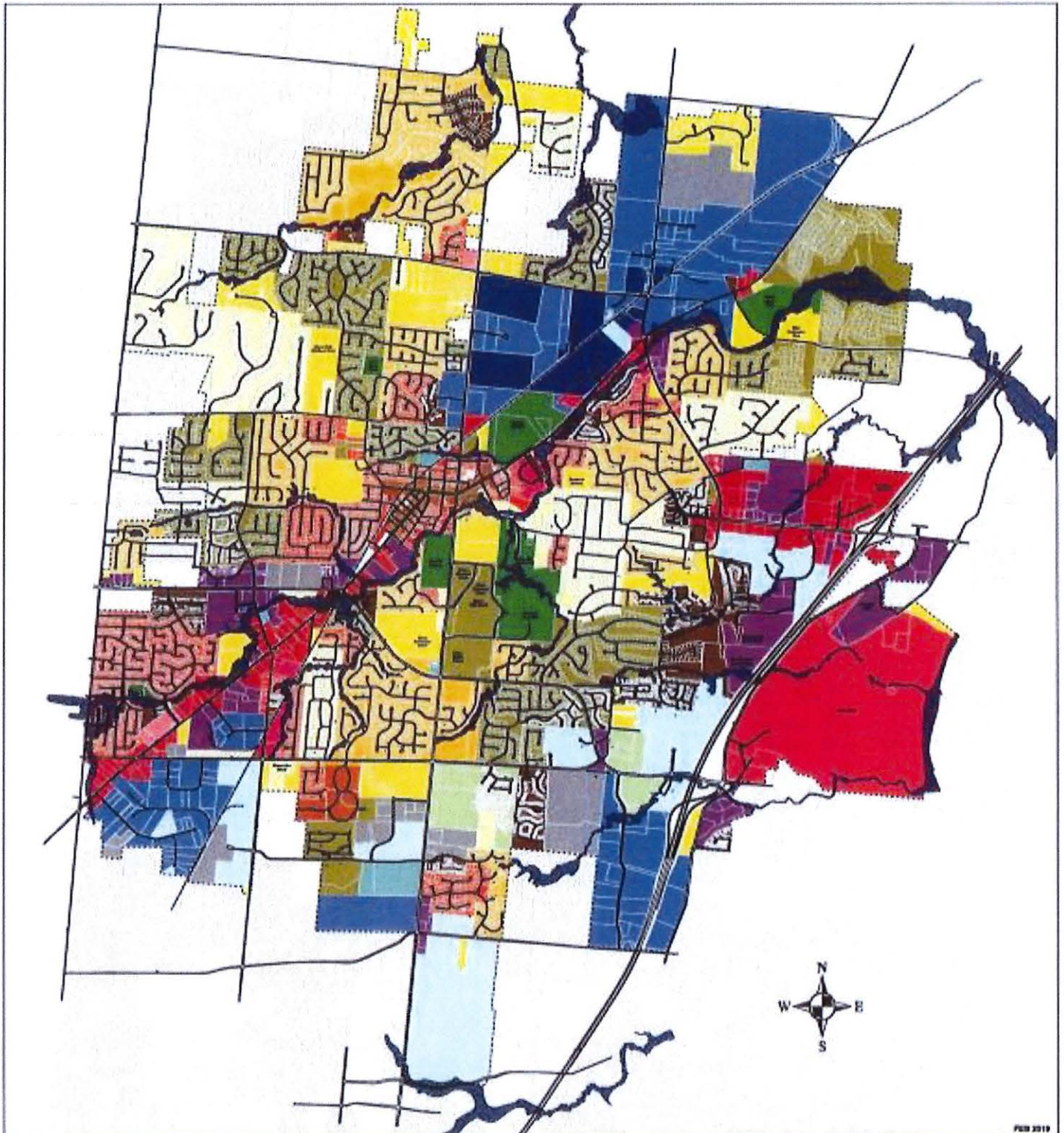
##### Future

- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation





# **Exhibit B**



FEB 2019

### The City of Mason, Ohio

B-1	BUS PUD	I-1	R-1	R-4	R-7
B-2	O-1	I-2	R-2	R-4 PUD	RES PUD
B-3	HT-1	IND PUD	R-3	R-6	Parks
B-4	Floodplain Overlay District			Downtown Overlay District	

**ZONING MAP**

SCALE  
1" = 1,000'

City of Mason  
Engineering, Building &  
Planning Department



# **Exhibit C**



# Exhibit D

### GENERAL NOTES

PARCEL No. 0234000001 (30.96 ACRES - ZONED)  
0234000002 (61.786 ACRES - TURTLE CREEK)

TOTAL AREA: 154.737 ACRES  
EXISTING ZONING: DEERFIELD 7'-0" RESIDENTIAL SINGLE FAMILY  
TURTLE CREEK 7'-0" SINGLE FAMILY RESIDENTIAL

SANITARY SEWERS TO BE ON SITE SEPTIC AND PRIVATE.

WATER MAINS TO BE PUBLIC AND DEDICATED TO WARREN COUNTY WATER AND SEWER DEPARTMENT.

STREETS TO BE PUBLIC LOCAL.

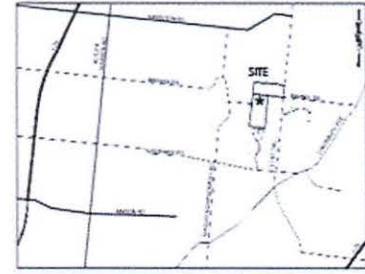
STORMWATER MANAGEMENT DESIGN AND CONSTRUCTION WILL CONFORM WITH WARREN COUNTY ENGINEER'S OFFICE REQUIREMENTS.

THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON WARREN COUNTY G.I.S. MAPPING AND DOES NOT REPRESENT AN ACTUAL TOPOGRAPHIC SURVEY.

PERMITTEE TO THIS FIRM MAP PARCEL NO. 02142001002 EFFECTIVE 12/17/2010 PORTIONS OF THE SUBJECT PROPERTIES ARE LOCATED IN ZONE 26 & ZONE X.

**OWNER**  
ROUTE 741 HOLDINGS LLC  
47 WINTHROP ST.  
MEDFORD, MASSACHUSETTS 02155

**APPLICANT**  
KEATING, MUEHTING & KLEMP  
ONE EAST FOURTH STREET  
SUITE 1400  
CINCINNATI, OHIO 45202  
513-579-6400



**VICINITY MAP**  
N.T.S.

**MSP**  
DESIGN  
McGill Smith Punshan

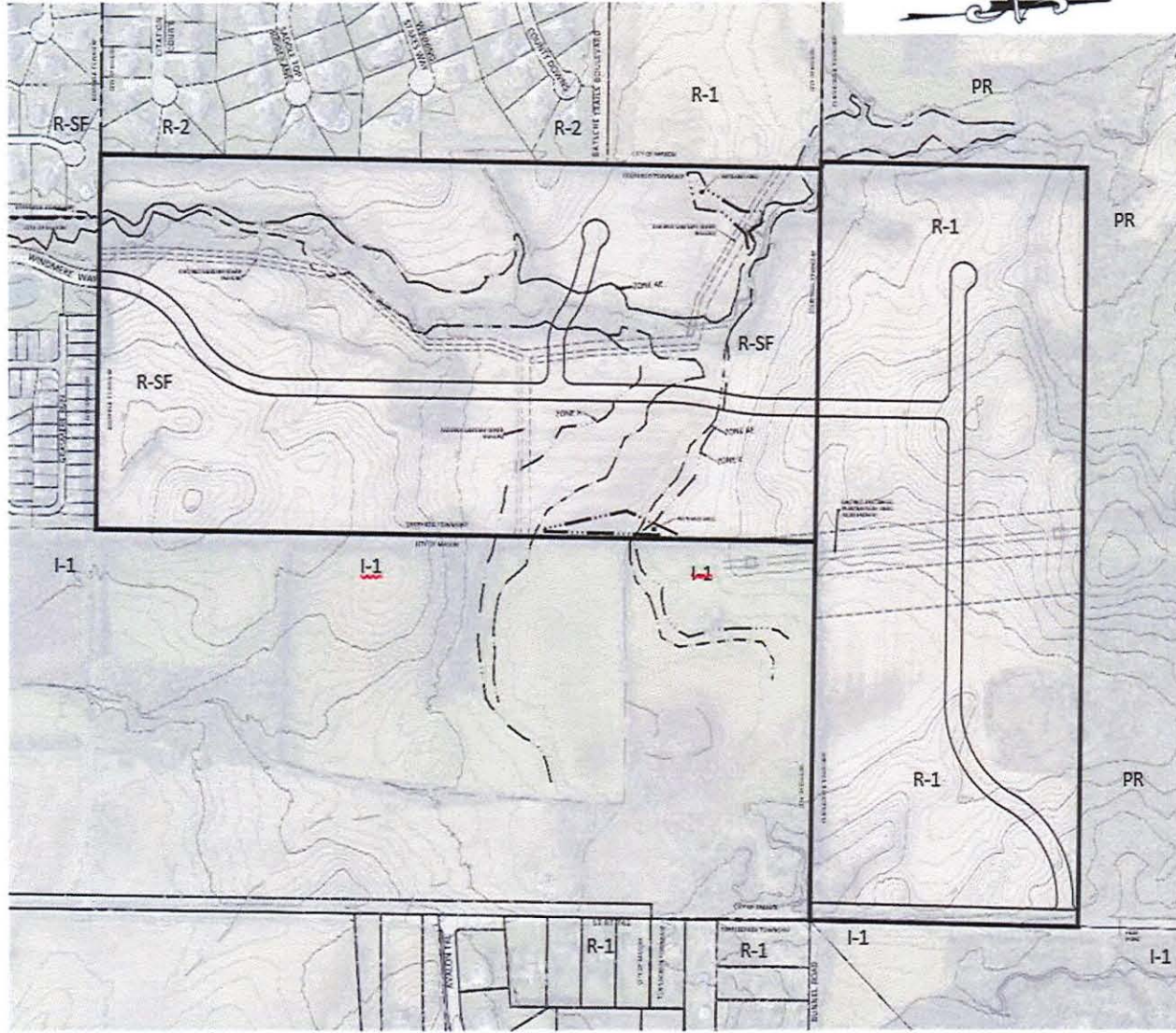
Project Manager: RA  
Designer: STG  
Checker: GUY/MSK/STG/JF/DC  
Printer: JF/STG  
Plotting: www.mspdesign.com

Project Manager: RA  
Designer: STG  
Checker: GUY/MSK/STG/JF/DC  
Printer: JF/STG  
Plotting: www.mspdesign.com

Issue/Version: No. Date

Issue/Version	No.	Date

© 2010 MSP DESIGN, LLC



**REQUEST TO ALTER  
THE THOROUGHFARE PLAN**  
SECTION 26, TOWN 4, RANGE 3  
DEERFIELD TOWNSHIP  
TURTLE CREEK  
WARREN COUNTY, OHIO

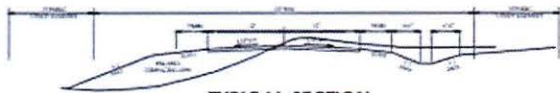
Sheet Title

**EXISTING CONDITIONS**

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Drawing Scale: 1" = 40'  
Sheet Number: 1/2  
File Number: 00497

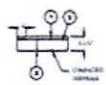
SCALE IS 1"=40'  
0 20 40

OHIO811.org  
N11 OR 1, NO 142 2764



**TYPICAL SECTION**  
NOT TO SCALE

MINIMUM STREET FRONT W/10%  
NUMBER OF LANE (TYPICAL) 4  
TYPICAL DRIVEWAY WIDTH (TYPICAL) 12' TO 14'  
TYPICAL DRIVEWAY SPACING (TYPICAL) 24'  
TYPICAL DRIVEWAY WIDTH (TYPICAL) 12' TO 14'  
TYPICAL DRIVEWAY SPACING (TYPICAL) 24'



- 1" TO 2" THICKNESS OF CONCRETE SLAB
- 4" TO 6" THICKNESS OF BASE COURSE
- 4" TO 6" THICKNESS OF SUBGRADE
- 12" TO 18" THICKNESS OF SUBGRADE

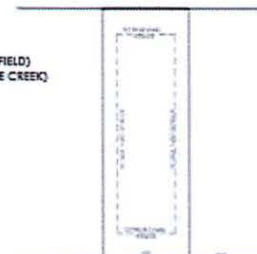
**STANDARD PAVEMENT COMPOSITION**  
NOT TO SCALE

**LAND USE TABLE**

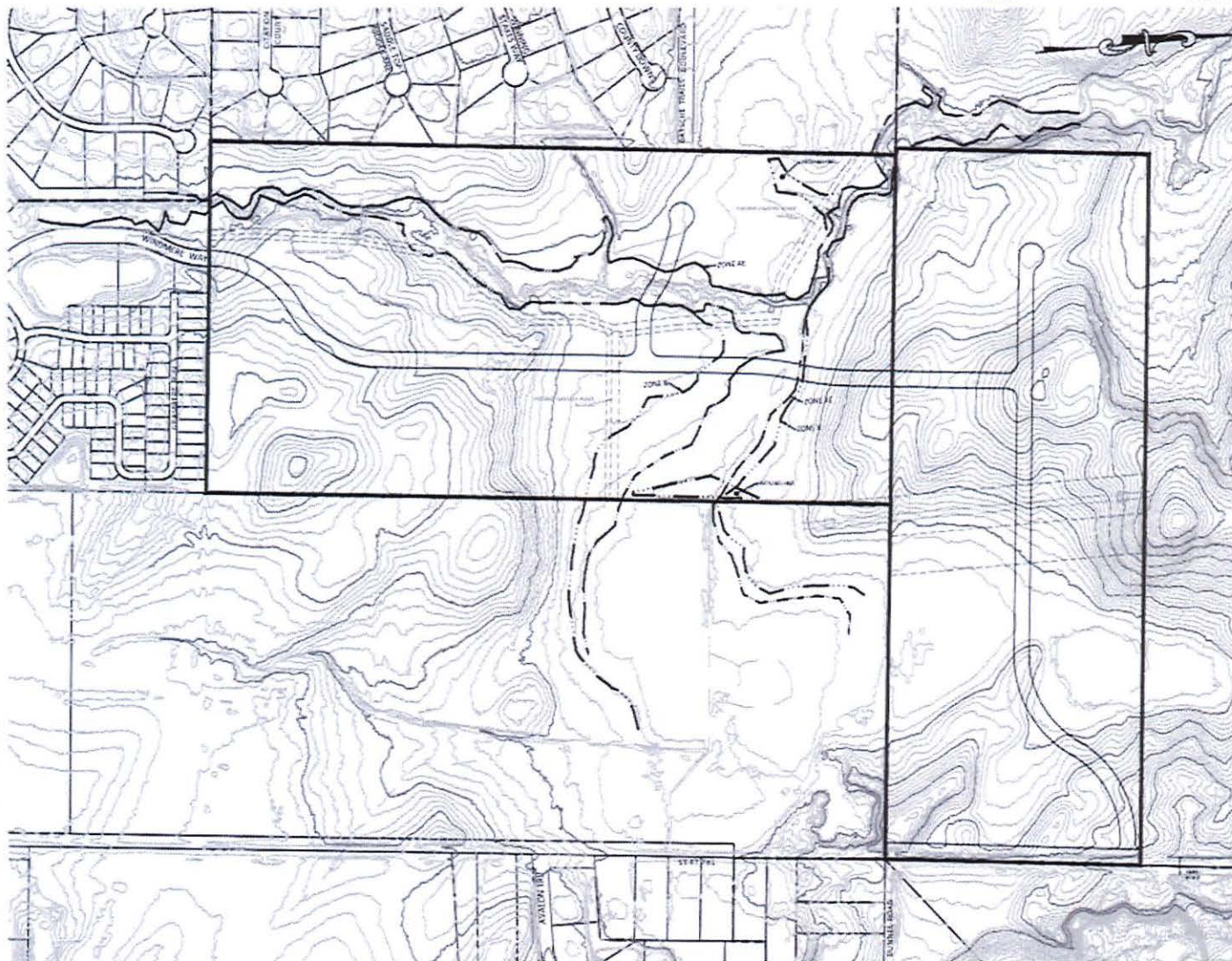
GROSS ACREAGE OF PROPERTY	146.737 ACRES
NATURAL FEATURES ACREAGE	13.442 ACRES
NET ACREAGE	133.095 ACRES
OPEN SPACE ACREAGE	17.825 ACRES
LAND USE ACREAGE (INCLUDING R/W)	115.270 ACRES
ANTICIPATED NUMBER OF LOTS	46 (23 IN DEERFIELD) (23 IN TURTLE CREEK)

**NATURAL FEATURES ACREAGE CALCULATION**

WETLAND ACREAGE	0.986 ACRES
SLOPES GREATER THAN 25%	2.553 ACRES
WATER BODY ACREAGE	0.000 ACRES
FLOODPLAIN ACREAGE	10.103 ACRES
TOTAL	13.442 ACRES



**TYPICAL LOT SIZE**  
SCALE: 1" = 100'



INDICATES SLOPES  
GREATER THAN 25%



1500 Park St  
Suite 200  
Warren, OH 44089  
Phone: 440.343.2200  
www.mspdesign.com

Project Manager: JSA  
Drawn By: JSA  
Checked By: JSA  
Date: 08/17/2009

Issue/Rev	No.	Date

**REQUEST TO ALTER  
THE THOROUGHFARE PLAN**  
SECTION 26, TOWN 4, RANGE 3  
DEERFIELD TOWNSHIP  
SECTION 27, TOWN 4, RANGE 3  
TURTLE CREEK TOWNSHIP  
WARREN COUNTY, OHIO

Sheet Title



Joseph L. Trauth  
D: 513.579.6515  
jtrauth@kmlaw.com

April 4, 2023

**VIA EMAIL**

Warren County Regional Planning Commission  
c/o Ms. Sharon Coffman  
406 Justice Drive  
Lebanon, OH 45036  
Sharon.Coffman@co.warren.oh.us

Re: Request to Remove Thoroughfare Plan from Parcels

Dear Members of the Planning Commission:

This letter serves as a supplement to my letter dated Mar. 20, 2023 (the "Letter") regarding my client, John Candle Homes, LLC (the "Developer"), who has a contract to purchase property located at Parcel Nos. 12-26-200-002-1 (the "Deerfield Parcel") and 12-26-200-002-2 (the "Turtlecreek Parcel"), located in Warren County (both collectively, the "Property").

Since submitting the Letter, my firm has been coordinating with Warren County Regional Planning Commission staff regarding our request. Attached as Exhibit A is an updated site plan reflecting the Developer's request with respect to the Property, specifically as it relates to the Thoroughfare Plan.

Based upon our discussions with the Warren County Regional Planning Commission staff, we are updating our application to request that the Thoroughfare Plan be altered such that the roadways on the Property be classified as local subdivision streets. As local subdivision streets are not controlled by the Thoroughfare Plan, **we are respectfully requesting that the Thoroughfare Plan be removed from the Property.**

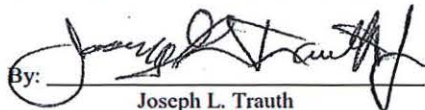
It is our understanding that a local road, which is governed by the Thoroughfare Plan, is functionally similar to a local subdivision street with respect to access and mobility. Both also have comparable easements and impact on the area of development. After meeting with Warren County Regional Planning Commission staff, it is also our understanding that staff regard a local road as functionally very similar to a local subdivision street. For the reasons stated in the Letter, and as will be discussed in more detail in the hearing before the Commission, we believe that this change in road classification is better suited to serve the needs of Warren County and the Property.

Thank you for allowing us the opportunity to present to you regarding our request. We look forward to discussing this matter with you in greater detail.

Warren County Regional Planning Commission  
April 4, 2023  
Page 2

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By:   
Joseph L. Trauth

cc: Mr. Bruce McGary (via email - bruce.mcgary@warrencountyprosecutor.com)



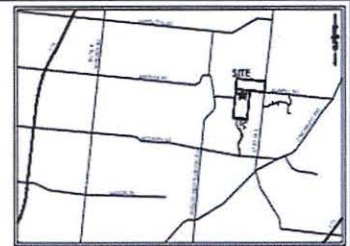
# **Exhibit A**

**GENERAL NOTES**

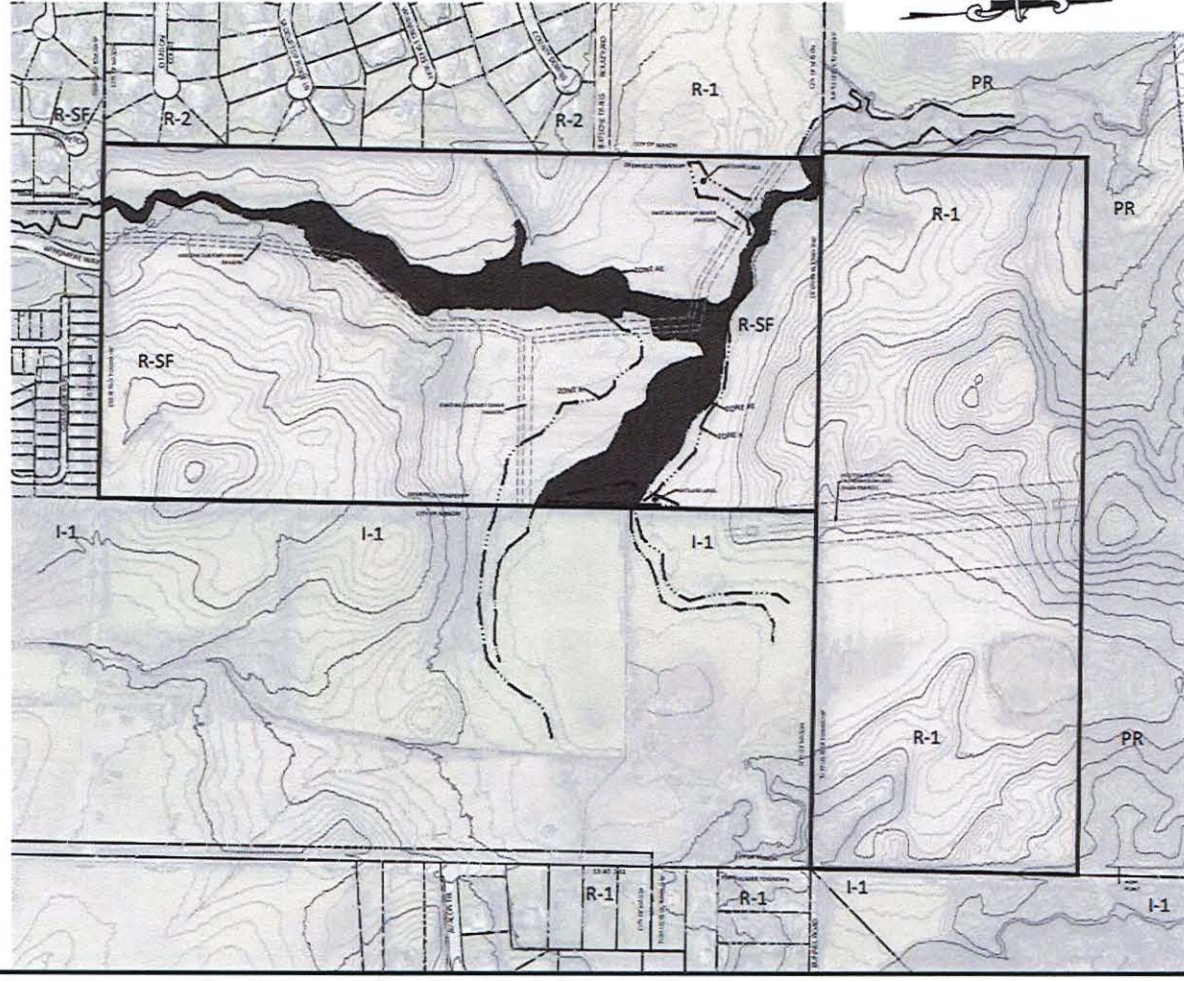
PARCEL No. 1224200021 (82.941 ACRES - DEERFIELD)  
 1224200022 (42.788 ACRES - TURTLE CREEK)  
 TOTAL AREA: 146.737 ACRES  
 EXISTING ZONING: DEERFIELD 9'-SF RESIDENTIAL SINGLE FAMILY  
 TURTLECREEK 9'-1' SINGLE FAMILY RESIDENTIAL  
 SANITARY SEWERS TO BE ON SITE SEPTIC AND PRIVATE.  
 WATER MAINS TO BE PUBLIC AND DEDICATED TO WARREN COUNTY WATER AND SEWER DEPARTMENT  
 STORMWATER MANAGEMENT DESIGN AND CONSTRUCTION WILL CONFORM WITH WARREN COUNTY  
 ENGINEER'S OFFICE REQUIREMENTS.  
 THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON WARREN COUNTY  
 G.I.S. MAPPING AND DOES NOT REPRESENT AN ACTUAL TOPOGRAPHIC SURVEY.  
 PURSUANT TO FEMA FIRM MAP PANEL No. 39145C0120E EFFECTIVE 12/17/2010 PORTIONS OF THE  
 SUBJECT PROPERTIES ARE LOCATED IN ZONE AE & ZONE A.

**OWNER**  
 ROUTE 741 HOLDINGS LLC  
 67 WINTHROP ST.  
 MEDFORD, MASSACHUSETTS 02155

**APPLICANT**  
 KEATING, MUEYHING & ALEKAMP  
 ONE EAST FOURTH STREET  
 SUITE 1400  
 CINCINNATI, OHIO 45202  
 513-579-6400



VICINITY MAP



McGill Smith Punshon  
 1998 P.E. 02 0166  
 2002 P.E. 02 0166  
 2004 P.E. 02 0166  
 2006 P.E. 02 0166  
 2008 P.E. 02 0166  
 2010 P.E. 02 0166  
 2012 P.E. 02 0166  
 2014 P.E. 02 0166  
 2016 P.E. 02 0166  
 2018 P.E. 02 0166

Project Manager: R.A.  
 Drawn By: S.T.S.  
 Check: S.M.P.  
 Date: 08/17/2016

Sheet/Revision	No.	Date
EXISTING CONDITIONS	00497.50	8/17/2016
REVISIONS	1/1	8/17/2016

**REQUEST TO ALTER  
 THE THOROUGHFARE PLAN**  
 SECTION 26, TOWN 4, RANGE 3  
 DEERFIELD TOWNSHIP  
 SECTION 27, TOWN 4, RANGE 3  
 TURTLE TOWNSHIP  
 WARREN COUNTY, OHIO

Sheet Title

**EXISTING CONDITIONS**  
 Project Number: 00497.50  
 Drawing Scale: 1" = 200'  
 Sheet Number: 1/2



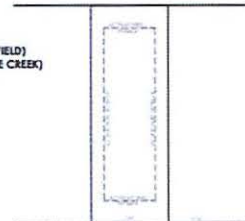


**LAND USE TABLE**

GROSS ACREAGE OF PROPERTY	146.737 ACRES
NATURAL FEATURES ACREAGE	13.642 ACRES
NET ACREAGE	133.095 ACRES
OPEN SPACE ACREAGE	17.825 ACRES
LAND USE ACREAGE (INCLUDING R/W)	115.270 ACRES
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SLOPES GREATER THAN 25%	2.553 ACRES
WATER BODY ACREAGE	0.000 ACRES
FLOODPLAIN ACREAGE	10.103 ACRES
TOTAL	13.442 ACRES



**TYPICAL LOT SIZE**  
SCALE: 1" = 100'

INDICATES SLOPES GREATER THAN 25%



Architect	2700 Park 52 Drive
Engineering	Suite 2000
Professional Registration	Ohio State Board of Professional Engineers
Planning	Phone 614.778.4800
Website	www.mspdesign.com

Project Manager	AA
Drawn By	STD
Check	00487308-CONCEPT-02
E-Verify	00479164-02-01

Client/Developer	Yes	Date
Project Number/ID		06/23/2014
Project Name	004	06/23/2014

**REQUEST TO ALTER  
THE THOROUGHFARE PLAN**  
SECTION 26, TOWN 4, RANGE 3  
DERFIELD TOWNSHIP  
SECTION 27, TOWN 4, RANGE 3  
TURTLE TOWNSHIP  
WARREN COUNTY, OHIO

Sheet Title

**CONCEPT PLAN**

Project Number: 00497.50  
Drawing Scale: 1" = 200'

OHIO811.org  
811 OR 1-800-362-2764

**Cook, Ryan A.**

---

**From:** Weber, Kurt  
**Sent:** Wednesday, April 05, 2023 5:28 PM  
**To:** Dakin, Elizabeth A.; Mick, David S.  
**Cc:** Williams, Stan C.; Cook, Ryan A.; Tunison, Neil; McGary, Bruce  
**Subject:** RE: Warren County Regional Planning Commission [IWOV-IMANAGE.FID1833344]  
**Attachments:** JLT Supplemental Letter to Warren County RPC.PDF

All,

Our office has discussed this letter and RPC agenda item internally and have the following position/recommendation.

- 1) Due to the lack of east/west routes (Hamilton Road and Bethany Road are spaced 2.2 miles and 2.5 miles apart measured along Mason-Montgomery Road and SR 741, respectively), our office recommends that the proposed east/west collector route on the Deerfield Twp parcel between Batsche Trails Blvd and the Mason Industrial Park remain on the Thoroughfare Plan as shown. This would provide an east/west connection that is approximately 1 mile north of Bethany Road.
- 2) We are agreeable to the north/south collector being changed to a Local Subdivision Street, as it is located less than a half mile from SR 741.
- 3) We are also agreeable to the east/west collector located on the Turtlecreek Twp parcel being changed to a Local Subdivision Street, as the likelihood of the collector being built through the Zoo property is highly unlikely due to the nature of the property and the fact that it may never develop beyond what it is today.

Thanks,

Kurt E. Weber, PE, PS  
Chief Deputy Engineer  
Warren County Engineer's Office  
210 West Main Street  
Lebanon, OH 45036  
direct: 513-695-3306  
kurt.weber@co.warren.oh.us

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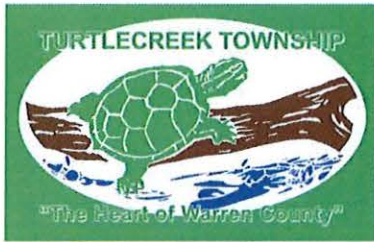
**From:** Dakin, Elizabeth A.  
**Sent:** Tuesday, April 04, 2023 9:44 AM  
**To:** Weber, Kurt; Mick, David S.  
**Cc:** Williams, Stan C.; Cook, Ryan A.  
**Subject:** FW: Warren County Regional Planning Commission [IWOV-IMANAGE.FID1833344]

Good Morning Kurt and Dave,

Attached is the updated thoroughfare plan request. They are requesting that it be removed entirely from the property and have mentioned in their meeting with us yesterday (with a little reference to it in the email) that they plan for a local subdivision road instead of a local road or any higher classification road.

Please let me know if you have any questions or if there is anything I may be able to provide.

Thank you,



**TURTLECREEK TOWNSHIP**  
**670 N. STATE ROUTE 123**  
**LEBANON, OHIO 45036-9512**  
**PHONE: (513) 932-4902**  
**FAX: (513) 932-3654**

April 5, 2023

Warren County Regional Planning  
Attn: Cameron Goschinski  
406 Justice Drive  
Lebanon, Ohio 45036

Re: Warren County Thoroughfare Plan Amendment

Dear Mr. Goschinski,

The Board of Trustees of Turtlecreek Township and Fire Chief have reviewed the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief have no comments regarding the Warren County Thoroughfare Plan Amendment.

The Board of Trustees of Turtlecreek Township and Fire Chief would like to thank you for submitting the Warren County Thoroughfare Plan Amendment.

Sincerely,

Daniel F. Jones  
Board of Trustees Turtlecreek Township  
Chairperson

DFJ/tb  
Cc: file

Daniel Jones, Trustee      TURTLECREEK TOWNSHIP BOARD OF TRUSTEES  
James VanDeGrift, Trustee      Jonathan D. Sams, Trustee      Amanda K. Childers, Chief Fiscal  
Officer

BOARD MEETING: 2<sup>ND</sup> MONDAY OF EACH MONTH AT 7:00 P.M.  
BOARD MEETING: LAST TUESDAY OF EACH MONTH AT 8:00 A.M.

## Goschinski, Cameron

---

**From:** Jeffrey D. Forbes <JDForbes@woodlamping.com>  
**Sent:** Tuesday, April 04, 2023 1:34 PM  
**To:** Goschinski, Cameron  
**Cc:** McGary, Bruce; 'Bacon, Jordie'  
**Subject:** Warren County Thoroughfare Plan Amendment Request [WL-WLDMS.FID140033]

You don't often get email from jdforbes@woodlamping.com. [Learn why this is important](#)

Cameron,

The City of Mason received the Request to Modify Warren County Thoroughfare Plan for Parcels 12-26-200-002-1 ("Deerfield Parcel") and 12-26-200-002-2 ("Turtlecreek Parcel") from Mr. Joseph Trauth, as a neighboring property owner. In his letter, Mr. Trauth stated his client's reasons for wanting to modify the Thoroughfare Plan were: 1) because a sexually oriented business could be constructed on the parcels immediately east of the Deerfield Parcel, and 2) Batsche Trails Boulevard was never constructed. These are both incorrect and misleading statements that the City of Mason wishes to correct for the record.

### I. SEXUALLY ORIENTED BUSINESSES

While Mr. Trauth is correct that properties in the City of Mason immediately east of the Deerfield Parcel are zoned I-1, Light Industrial, and sexually oriented businesses are a permitted use in the I-1 Zoning District, he failed to state that the City of Mason has supplemental standards for sexually oriented businesses, as codified in Chapter 1189 of the City of Mason Zoning Ordinance. Per this section of the Zoning Ordinance:

"It shall be unlawful to establish, operate, or cause to be operated a sexually oriented business in Mason, unless said sexually oriented business is at least: 1) 750 feet from the closest boundary of any residential zoning district; 2) 750 feet from all parcels containing a residential structure; 3) 750 feet from all parcels containing a public building, public park or recreation area, religious institution, or school; and 4) 750 feet from all parcels containing a business that is licensed to serve alcohol and is not primarily engaged in the sale and service of food at the premises."

The two I-1 zoned properties to the east of the Deerfield Parcel have residential zoning districts located to their east and west. Applying the required 750-foot buffer from the nearest residentially zoned parcels, there is very little of the properties that could be developed as a sexually oriented business. Exhibit A shows the 750-foot buffers from the nearest residentially zoned properties. The only area that could be developed as a sexually oriented business is the northwestern most corner of the northern parcel. However, as shown on Exhibit B, that parcel is virtually completely covered by floodplain, effectively making the site undevelopable. The combination of the supplemental standards for sexually oriented businesses and the existence of the floodplain means that neither property east of the Deerfield Parcel could successfully be developed as a sexually oriented business. Thus, Mr. Trauth's argument must be disregarded.

Furthermore, both parcels east of the Deerfield Parcel are part of the Mason R&D Park, shown on Exhibit C. As part of establishing the Mason R&D Park - Central (105 acres immediately east of SR 741) and Mason R&D Park - East (172 acres immediately west of US 42), the City of Mason placed Covenants and Restrictions on future tenants generally in terms of land use and architecture. Both those Covenants and Restrictions are enclosed as Exhibits D and E. Article 2, Section 2.12 of both documents include the prohibition of sexually oriented businesses from being established.

The Mason R&D Park – West (the two I-1 zoned parcels east of the Deerfield Parcel) do not currently have Covenants and Restrictions attached. However, Covenants and Restrictions were drafted to match the documents for Central and East that will prohibit sexually oriented businesses on the properties. Rhinestahl is the owner of the southern parcel east of the Deerfield Parcel and purchased that land from the City of Mason in 2019. Rhinestahl received Planning

Commission approval in June 2020 for their new headquarters facility to be developed on this parcel, and their approved site plan is attached as Exhibit F. As can be seen on Exhibit F, no sexually oriented business was approved on the parcel by Planning Commission. The City of Mason owns the northern parcel east of the Deerfield Parcel and has no plans to develop a sexually oriented business on that site. The City has the option to record The Mason R&D Park – West Covenants and Restrictions on the property now or prior to a potential future sale of the parcel. These factors further ensure that no sexually oriented business will ever be developed on the properties east of the Deerfield Parcel.

## II. ADJACENT DEVELOPMENT AND THE THOROUGHFARE PLAN

The intent of Batsche Trails Boulevard, as correctly stated by Mr. Trauth, is to be extended east through the Deerfield Parcel to eventually connect with SR 741 – as required by both the Warren County Thoroughfare Plan and the City of Mason Thoroughfare Plan. Mr. Trauth incorrectly stated, however, that this connection “will never be constructed.” As with virtually all development, it was always intended to be completed in stages. The Board of Education of Mason owned the current Estates of Chestnut Hill subdivision land, as well as the vacant land immediately north. The Board of Education sold the Estates of Chestnut Hill property to a developer who was required to construct Batsche Trails Boulevard to its current location. The Board of Education of Mason then dedicated the remaining right-of-way for Batsche Trails Boulevard on their vacant land in 2006, clearly proving they are aware of the requirement to extend Batsche Trails Boulevard in the future. The Dedication Plat showing this is attached as Exhibit G. When the parcel currently owned by the Board of Education of Mason develops, that developer will be required to extend Batsche Trails Boulevard through the existing right-of-way and stub it at the Deerfield Parcel. Mr. Trauth’s Exhibit C clearly shows the right-of-way dedicated for this extension.

Secondly, it is grossly misleading of Mr. Trauth to state that the east/west connection between Batsche Trails Boulevard and SR 741 “will never be constructed.” As the Mason R&D Park develops, the City of Mason, along with private property owners like Rhinestahl and Vega Americas, are investing significant capital in developing this east/west connection. Mason Research Parkway in the Mason R&D Park has been constructed as part of this east/west connection, with the intention of connecting to Batsche Trails Boulevard in the future. Exhibits H and I show the proposed plan for the Mason Research Parkway extension between the Deerfield Parcel and US 42. The proposed plans show that the east/west connection is very obviously planned to be constructed, and that the connection from Batsche Trails Boulevard to SR 741 is part of a larger, important connection east to US 42 that other companies (SPS Technologies, PCC Aerostructures) are relying on. Work has already begun to complete this plan: Vega Americas constructed approximately 1,200 feet of the roadway east of SR 741 and The City of Mason constructed a roundabout at the intersection of SR 741 and Mason Research Parkway with a spur for future development west of SR 741. As part of the purchase and sale agreement between the City of Mason and Rhinestahl, Rhinestahl is required to construct approximately 1,000 of the Mason Research Parkway west of SR 741. The City of Mason has invested nearly \$6 million in the roundabout and SR 741 improvements to prepare for this future east/west connection, not to mention the private investments from Rhinestahl and Vega Americas.

Driving along SR 741 today, it is impossible not to notice the active construction on the roadway, and the roundabout for the east/west connection was completed last fall. It is obvious to anyone driving through the Mason R&D Park that there is clear intent, and current action, to develop the east/west connection between Batsche Trails Boulevard and Mason Research Parkway. Mr. Trauth has disregarded this, along with basic development practices that all development – including roadways – is completed in stages, not upfront as he implies with his statement, “[c]onstruction of this adjacent subdivision is complete, and the roadway was never completed...”

The City of Mason is supportive of development on the subject properties and does not want to impede any future development in the Township. The goal of this letter is simply to correct the misleading and factually incorrect statements made by Mr. Trauth in his letter to the Regional Planning Commission.

All Exhibits referenced can be found at the following

link: <https://www.dropbox.com/scl/fo/wja8ze6u6j8wg9ocvojut/h?dl=0&rlkey=r7wbfeaufrn3ziy7dibzdioup>

If there are any further questions, please do not hesitate to reach out.

Regards,

Jeff Forbes  
Law Director  
City of Mason

Jeffrey D. Forbes  
Wood + Lamping  
600 Vine Street, Suite 2500  
Cincinnati, OH 45202  
513-852-6092 (office)  
513-207-8101 (cell)

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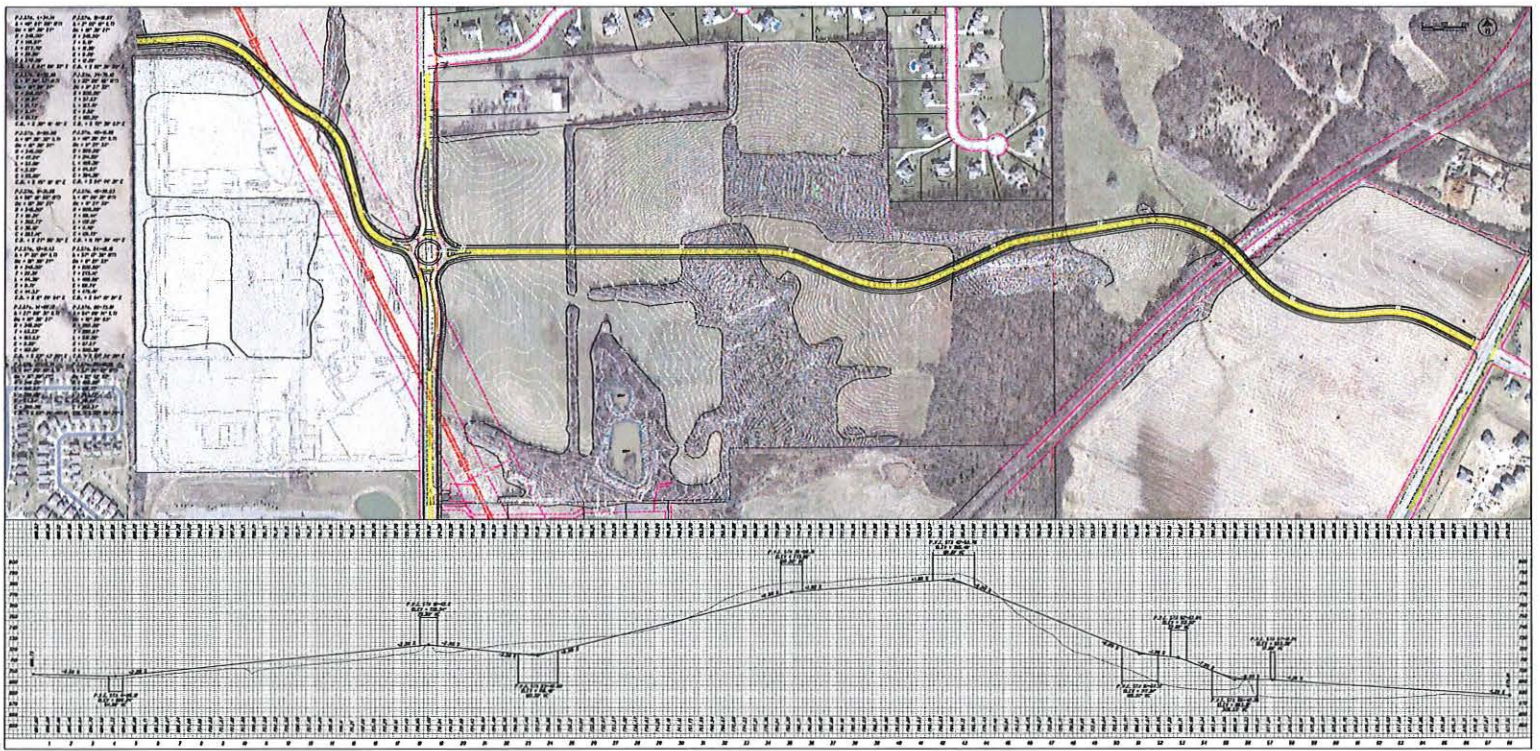




**MASON RESEARCH & DEVELOPMENT PARK**

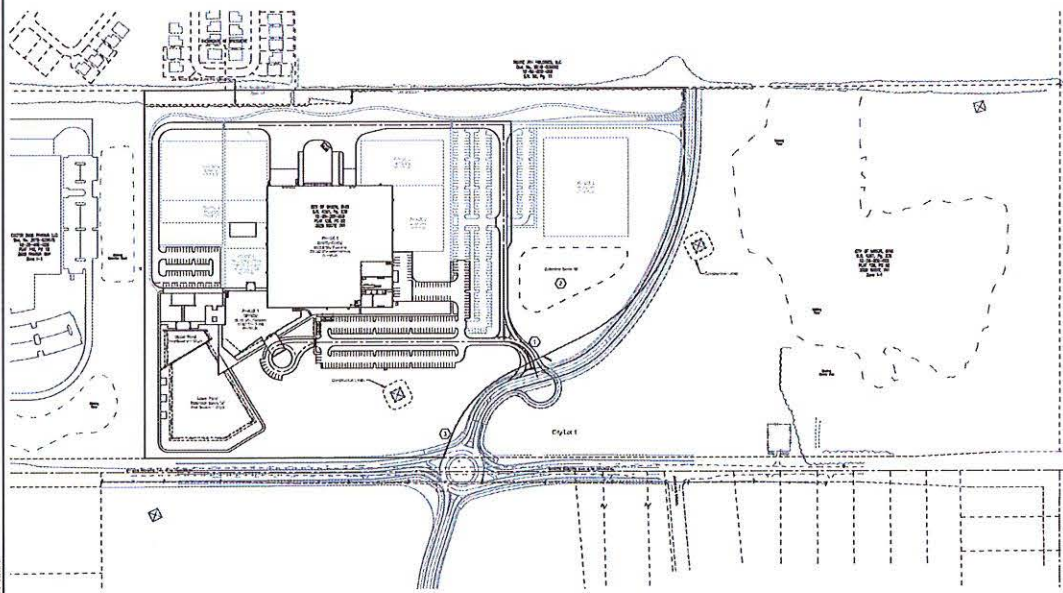
# Mason Research and Development Park





# Rhine Stahl Corporation Global Headquarters Final Development Plan

3329 State Route 741  
Mason, OH 45040  
Warren County, Ohio



**TABLE**

**EXHIBIT A**

**EXHIBIT B**

**EXHIBIT C**

**EXHIBIT D**

**EXHIBIT E**

**EXHIBIT F**

**EXHIBIT G**

**EXHIBIT H**

**EXHIBIT I**

**EXHIBIT J**

**EXHIBIT K**

**EXHIBIT L**

**EXHIBIT M**

**EXHIBIT N**

**EXHIBIT O**

**EXHIBIT P**

**EXHIBIT Q**

**EXHIBIT R**

**EXHIBIT S**

**EXHIBIT T**

**EXHIBIT U**

**EXHIBIT V**

**EXHIBIT W**

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**EXHIBIT V**

**EXHIBIT W**

**EXHIBIT X**

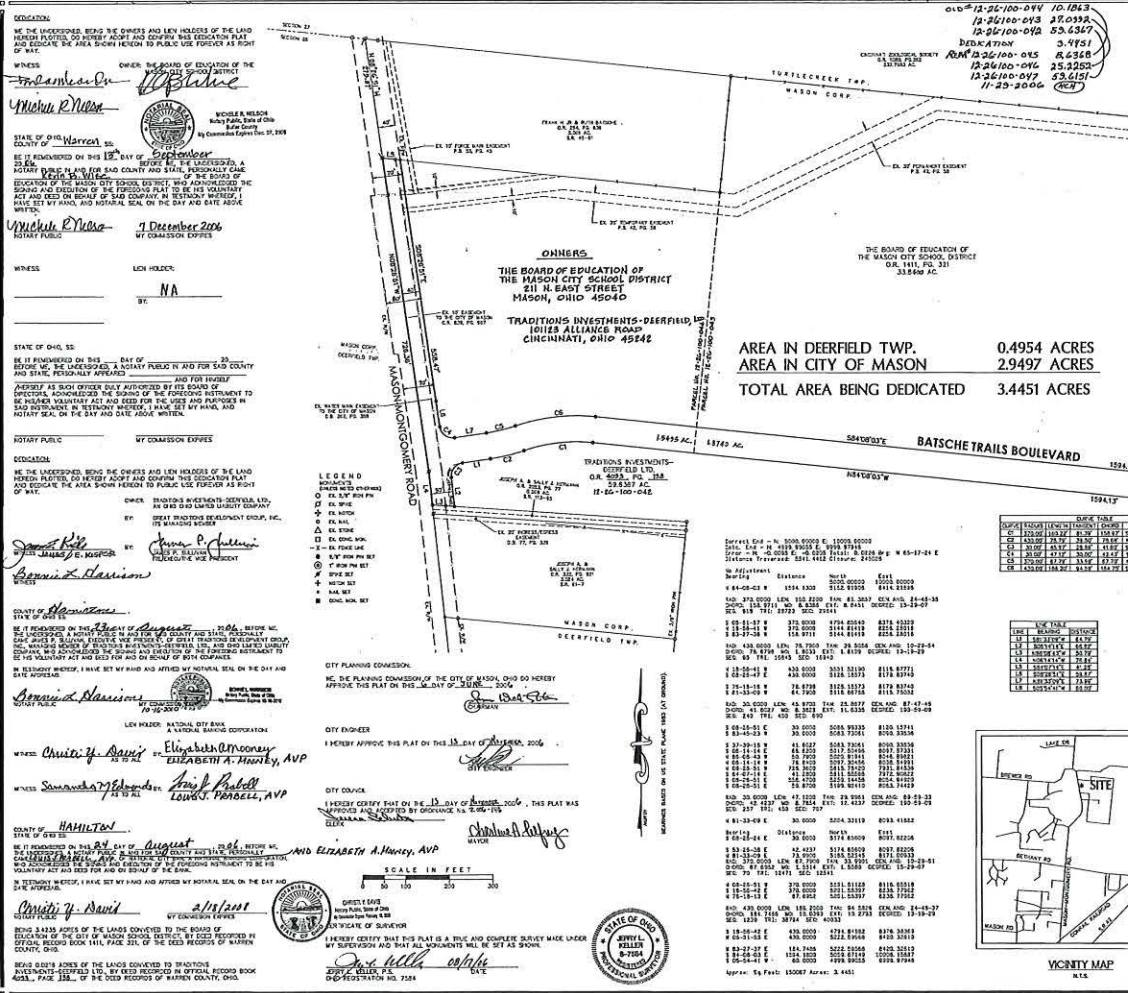
**EXHIBIT Y**

**EXHIBIT Z**

**Rhine Stahl Corporation**  
Global Headquarters  
3329 State Route 741  
Mason, Ohio 45040  
Warren County, Ohio

**baier baeker**  
ARCHITECTS

**C0.1**



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 12-26-100-043 20.0392  
 12-26-100-042 53.6367  
 DEEDS & TAXES  
 RMB 12-26-100-045 K.6580  
 12-26-100-046 25.2282  
 12-26-100-047 25.4151  
 11-25-2006 (RCA)

COUNTY COMMISSIONERS  
 WE, THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO DO HEREBY APPROVE THIS PLAN ON THIS 21<sup>ST</sup> DAY OF October 2006.

COMMISSIONERS  
 [Signatures]

COUNTY RECORDER  
 FILE NO. 624310  
 RECEIVED THIS 30<sup>TH</sup> DAY OF November 2006 AT 10:08 AM  
 RECORDED THIS 30<sup>TH</sup> DAY OF November 2006 AT 10:31 AM  
 RECORDED IN PLAT BOOK NO. 11, PAGE 32  
 FEE: \$44.00

BY: Urda Lukic Beth Decker  
 DEPUTY WARREN COUNTY ENGINEER

COUNTY AUDITOR  
 TRANSMITTED THIS 30<sup>TH</sup> DAY OF September 2006  
 BY: Oliver Saltykov Mark Nelson  
 DEPUTY WARREN COUNTY AUDITOR

COUNTY SANITARY ENGINEER  
 I HEREBY APPROVE THIS PLAN ON THIS 21<sup>ST</sup> DAY OF September 2006  
 BY: Rick Lantz  
 WARREN COUNTY SANITARY ENGINEER

WARREN COUNTY REGIONAL PLANNING COMMISSION  
 THIS PLAN WAS APPROVED BY THE WARREN COUNTY REGIONAL PLANNING COMMISSION ON THIS 12<sup>TH</sup> DAY OF October 2006.

WITNESSETH: THE BOARD OF EDUCATION OF THE MASON CITY SCHOOL DISTRICT  
 [Signatures]

STATE OF OHIO, HAMILTON COUNTY  
 I, Michael R. Nelson, County Auditor, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

STATE OF OHIO, DEERFIELD TWP.  
 I, Michael R. Nelson, Township Engineer, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

STATE OF OHIO, WARREN COUNTY  
 I, Michael R. Nelson, County Auditor, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

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STATE OF OHIO, WARREN COUNTY  
 I, Michael R. Nelson, County Auditor, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

AREA IN DEERFIELD TWP. 0.4954 ACRES  
 AREA IN CITY OF MASON 2.9497 ACRES  
 TOTAL AREA BEING DEDICATED 3.4451 ACRES

DATE TO BE

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10-20-06	10-20-06	10-20-06	10-20-06	10-20-06	10-20-06



RIGHT OF WAY DEDICATION PLAT FOR BATSCHÉ TRAILS BOULEVARD & MASON-MONTGOMERY ROAD SECTION 26, TOWN 4, RANGE 3 CITY OF MASON, DEERFIELD TOWNSHIP WARREN COUNTY, OHIO SUBMITTAL DATE: SEPTEMBER, 2006

MSP McGill Smith Punshon, Inc.  
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 Cincinnati, OH 45241-2017  
 Tel: 513.733.0004 Fax: 513.733.7099  
 www.mcgillsmithpunshon.com

Engineers + Architects + Surveyors + Landscape Architects  
 Planners + Information Technology Planners

Project No. 06-0001  
 Date: 09/11/06  
 Scale: 1"=40'