



**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
PAT ARNOLD SOUTH
DAVID G. YOUNG***

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

MINUTES: Regular Session – March 1, 2016

The Board met in regular session pursuant to adjournment of the February 16, 2016, meeting.

David G. Young – present

Pat Arnold South – absent

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the February 9, 2016 and February 16, 2016 meetings were read and approved.

- 16-0265 A resolution was adopted to promote Ashley Scott to the position of Protective Supervisor within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 16-0266 A resolution was adopted to approve the promotion of Amy Fox to the position of Administrative Assistant within the Warren County Water and Sewer Department. Vote: Unanimous
- 16-0267 A resolution was adopted to hire Laura Oeder as Cashier Receptionist, within the Building and Zoning Department. Vote: Unanimous
- 16-0268 A resolution was adopted to hire Madelaine Zupko-Cepin as Temporary Administrative Clerk within the Warren County Water and Sewer Department. Vote: Unanimous
- 16-0269 A resolution was adopted to approve end of 180-day probationary period and approve a pay increase for Claude Powers, Wastewater Treatment Plant Operator I, within the Warren County Water and Sewer Department. Vote: Unanimous

- 16-0270 A resolution was adopted to authorize the posting of a "Part-Time Customer Advocate I" position within the Warren County OhioMeansJobs Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous
- 16-0271 A resolution was adopted to authorize the posting of the "Investigative Caseworker I or II" positions, within the Department of Job and Family Services, Children Services Division, in accordance with the Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 16-0272 A resolution was adopted to accept resignation of Martin Scott, within the Warren County Job and Family Services Department, Human Services Division, Effective March 14, 2016. Vote: Unanimous
- 16-0273 A resolution was adopted to accept resignation, of Bonnie Halmi-Evans, Investigative Caseworker, within the Warren County Job and Family Services Department, Children Services Division, Effective February 24, 2016.
Vote: Unanimous
- 16-0274 A resolution was adopted to designate Family and Medical Leave of Absence to Kevin Curran, Water and Sewer Repair Worker III, within the Water and Sewer Department. Vote: Unanimous
- 16-0275 A resolution was adopted to designate Family and Medical Leave of Absence to Tina Powell, Fiscal Coordinator, within the Warren County Department of OhioMeansJobs. Vote: Unanimous
- 16-0276 A resolution was adopted to designate Family and Medical Leave of Absence to Elizabeth Hollon, Emergency Communications Operator, within the Emergency Services Department. Vote: Unanimous
- 16-0277 A resolution was adopted for certification of delinquent water and/or sewer accounts – Warren County Water and Sewer Department. Vote: Unanimous
- 16-0278 A resolution was adopted to approve and authorize President of the Board to enter into agreement with True Artists Studios for video production on behalf of the Warren County Sheriff. Vote: Unanimous
- 16-0279 A resolution was adopted to authorize the President and/or Vice President of this Board to sign a satisfaction of mortgage for Charles and Angie Taulbee.
Vote: Unanimous
- 16-0280 A resolution was adopted to advertise for bids for the supply of Calcium Nitrate Solution for Odor and Corrosion Control project. Vote: Unanimous

- 16-0281 A resolution was adopted to advertise for bids for the Warren County Fairgrounds Fence/Streetscape Project. Vote: Unanimous
- 16-0282 A resolution was adopted to award the bid to Rumpke of Ohio, Inc. for Lower Little Miami Sewage Sludge Hauling and Disposal project. Vote: Unanimous
- 16-0283 A resolution was adopted to approve and authorize the President of the Board to sign waiver relative to conflict of interest as it pertains to the representation of Warren County as Bond Counsel in dealing with Otterbein Homes Healthcare Facilities Improvement and Refunding Revenue Bonds, Series 2016.
Vote: Unanimous
- 16-0284 A resolution was adopted to enter into a temporary entrance and work agreement with Oeder & Sons Garage, Inc. for the Stubbs Mill Road Culvert Replacement Project. Vote: Unanimous
- 16-0285 A resolution was adopted to enter into renewal agreement with Open Text, Inc. on behalf of Warren County Telecommunications. Vote: Unanimous
- 16-0286 A resolution was adopted to approve agreement with National Youth Advocate Program as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0287 A resolution was adopted to approve agreement with Lutheran Homes Society Family and Youth Services as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0288 A resolution was adopted to approve agreement with Focus on Youth Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0289 A resolution was adopted to approve agreement with The Christian Children's Home of Ohio as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0290 A resolution was adopted to approve agreement with Choices, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0291 A resolution was adopted to approve agreement with Child Focus, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous

- 16-0292 A resolution was adopted to approve agreement with The Bair Foundation, as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0293 A resolution was adopted to approve agreement with New Beginnings Residential as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0294 A resolution was adopted to approve agreement with Oasis Therapeutic Foster Care Network, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0295 A resolution was adopted to approve agreement with The Village Network as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0296 A resolution was adopted to approve agreement with Rite of Passage as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0297 A resolution was adopted to approve agreement with The Twelve of Ohio, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0298 A resolution was adopted to approve agreement with The Tristate Youth Authority as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0299 A resolution was adopted to approve agreement with St. Vincent Family Center as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous
- 16-0300 A resolution was adopted to approve agreement with Lighthouse Youth Services, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.
Vote: Unanimous

- 16-0301 A resolution was adopted to approve agreement with Clear Creek Farm as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0302 A resolution was adopted to approve agreement with Buckeye Ranch as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 16-0303 A resolution was adopted to approve and authorize the President of the Board to enter into a memorandum of understanding on behalf of OhioMeansJobs Warren County for Provision Speaker Services for employer seminar. Vote: Unanimous
- 16-0304 A resolution was adopted to approve and authorize the president of the Board to enter into an On-The-Job-Training agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 16-0305 A resolution was adopted to approve emergency repair to a high service pump at the Richard A. Renneker Water Treatment Plant. Vote: Unanimous
- 16-0306 A resolution was adopted to approve the destruction of the following Warren County Sheriff's Office Equipment. Vote: Unanimous
- 16-0307 A resolution was adopted to waive fees associated with the construction of an arbor/pergola at Testerman Park in Hamilton Township. Vote: Unanimous
- 16-0308 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 16-0309 A resolution was adopted to approve various refunds. Vote: Unanimous
- 16-0310 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 16-0311 A resolution was adopted to approve bond reduction for BMB Ltd and Ohio Partnership for completion of improvements in Greenfield Reserve situated in Deerfield Township. Vote: Unanimous
- 16-0312 A resolution was adopted to approve bond reduction for Grand Communities, Ltd for completion of improvements in Shaker Run Section 4E situated in Turtlecreek Township. Vote: Unanimous
- 16-0313 A resolution was adopted to approve the following record plats. Vote: Unanimous
- 16-0314 A resolution was adopted to acknowledge approval of various appropriation adjustments. Vote: Unanimous

MINUTES
MARCH 01, 2016
PAGE 6

- 16-0315 A resolution was adopted to approve appropriation decreases within various funds. Vote: Unanimous
- 16-0316 A resolution was adopted to accept an amended certificate for Sheriff's Grant fund #293. Vote: Unanimous
- 16-0317 A resolution was adopted to approve operational transfer from Commissioners fund #101-1112 into Child Support Enforcement Agency fund #263. Vote: Unanimous
- 16-0318 A resolution was adopted to approve an operational transfer from Motor Vehicle fund #202 into State OPWC Loan fund #360. Vote: Unanimous
- 16-0319 A resolution was adopted to approve supplemental appropriation into Dog and Kennel fund #206. Vote: Unanimous
- 16-0320 A resolution was adopted to approve supplemental appropriations into Common Pleas Mental Health Grant fund #228. Vote: Unanimous
- 16-0321 A resolution was adopted to approve a supplemental appropriation into Prosecutor's Office fund #245 and an appropriation adjustment within Prosecutor fund 245. Vote: Unanimous
- 16-0322 A resolution was adopted to approve appropriation adjustments within Adult Probation fund #101-1223. Vote: Unanimous
- 16-0323 A resolution was adopted to approve appropriation adjustments within Mason Municipal fund #101-1273. Vote: Unanimous
- 16-0234 A resolution was adopted to approve an appropriation adjustment within the JTPA fund 259. Vote: Unanimous
- 16-0325 A resolution was adopted to approve supplemental appropriation into Warren County CIP fund #284. Vote: Unanimous
- 16-0326 A resolution was adopted to approve appropriation adjustment within Warren County CIP fund #284-2911. Vote: Unanimous
- 16-0327 A resolution was adopted to approve appropriation adjustment within Common Pleas Court/Smart Grant fund #289. Vote: Unanimous
- 16-0328 A resolution was adopted to approve appropriation adjustments within Common Pleas Court/Smart Grant fund #289. Vote: Unanimous

- 16-0329 A resolution was adopted to approve appropriation adjustments within Records Center fund #101-1500, Building and Zoning fund #101-2300 and Treasurer fund #101-1130. Vote: Unanimous
- 16-0330 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 16-0331 A resolution was adopted to approve a modification of the application of Leslie Ratliff, Pendragon Homes (Case #2015-06), to rezone approximately 141.13 acres from Single Family Residential "R1A" to Planned Unit Development. Vote: Unanimous
- 16-0332 A resolution was adopted to continue Administrative Hearing relative to Union Village-Otterbein PUD Stage 2. Vote: Unanimous
- 16-0333 A resolution was adopted to approve the Stage 2 PUD for Union Village-Otterbein Special District 1 Phase 2 in Turtlecreek Township. Vote: Unanimous
- 16-0334 A resolution was adopted rejecting the acceptance of an untimely filed application by the Drees Company of an application for a variance and/or appeal of the denial of an Access Permit by the County Engineer for Cross Creek Estates Subdivision in Deerfield Township. Vote: Unanimous
- 16-0335 A resolution was adopted to prohibit signs on County owned property. Vote: Unanimous
- 16-0336 A resolution was adopted to authorize Board of Commissioner Department Heads, Personnel Manager, County Administrator and Deputy County Administrator to accept resignations of Board of County Commissioners employees. Vote: Unanimous
- 16-0337 A resolution was adopted to approve a modification to OKI's Regional Water Quality Management Plan to transfer facility planning area in Union Township to the Lebanon/South Lebanon Facility Planning Area. Vote: Unanimous
- 16-0338 A resolution was adopted to modify various sections of the Rules and Regulations of the Warren County Water and Sewer Department. Vote: Unanimous

DISCUSSIONS

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

Susanne Mason, Program Manager, was present to review the submitted projects eligible for funding for the 2016 Community Development Block Grant Program.

The Board met this 1st day of March 2016, to render a decision relative to the rezoning application of Leslie Ratliff, Pendragon Homes (Case #2015-06) to rezone approximately 141.13 acres from R1A to PUD in Union Township.

Bruce McGary, Assistant Prosecutor, provided background information and presented amended conditions for the Board's consideration.

Jonathan Sams, attorney for the applicant, explained the concept of ownership of the sewer system by homeowners' association and how the system will be operated by Winnelco, a licensed operation. He then explained that a separate escrow fund will be set up to cover the maintenance and upkeep of the sewage system outside of the regular homeowners' association fees.

Upon further discussion, the Boar resolved to approve a modification of the rezoning application subject the following conditions:

PUD Standards

Aberlin Springs
3470 Snook Road, Warren County, Ohio
BB Job No. 14R017-000

March 1, 2016

SECTION 1 – PURPOSE

The intent of Aberlin Springs PUD is to establish standards for an agricultural-based residential community as a conservation-style residential subdivision which would otherwise not be permitted under a base zone of the Warren County Rural Zoning Code. Furthermore, this allows for the development of a rural-based experience consistent with the vision for Union Township.

SECTION 2 – GENERAL STANDARDS

2.1 Definition of Terms

Unless specified, the definition of all terms shall be the same as the definition set forth in the Warren County Rural Zoning Code in effect at the time of zoning certificate application.

- 2.2 Consistency with the Warren County Rural Zoning Code**
Development of the PUD shall be in accordance with this PUD document and applicable sections of the Warren County Rural Zoning Code (to the extent they are not inconsistent with this document) which are in effect at the time of issuance of any development order which authorizes the development of improvements.
- 2.3 The Concept Plan**
All conditions and concepts imposed herein or as represented on the PUD Concept Plan (Master Plan) are a part of the regulations which govern the manner in which the PUD may be developed. Specific locations of uses, lots, and dwelling units shall be determined at Stage 2 review.
- 2.4 Clearing & Grading**
Clearing, grading, earthwork, and site drainage work shall be performed in accordance with the Warren County Construction and Development Codes and Regulations and other applicable government agencies and the standards of this document.
- 2.5 The Floodplain**
No structures are permitted within the regulatory floodplain as established by FEMA within Firm Panel No. 39165C0139E as effective on 12/17/2010.

SECTION 3 – PUD BOUNDARIES

The property to be rezoned consists of the following parcels:

Parcel (Sidwell) ID Number	Current Zoning	Acreage
13322000100	R1-A	103.648
13322000110	R1-A	37.489

Both parcels listed above will be rezoned as PUD (Planned-Unit Development), per section 2.504.2 (B) of the Warren County Rural Zoning Code, and thus will constitute an amendment to the Official Zoning Map.

SECTION 4 – PERMITTED USES

- 4.1 Residential Uses**
The primary use for the PUD shall be residential. Single-family residential dwellings are permitted in the PUD. Class 1 home occupation uses, as defined in § 3.203.04 of Warren County Rural Zoning Code, shall be permitted. Class 2 home occupation uses, also defined in § 3.203.04, shall be permitted as conditional uses, subject to BZA approval. Accessory dwelling units are permitted on single-family residential lots. Standards for the accessory dwelling units shall be submitted at Stage 2 Review.
- 4.2 Non-Residential Uses**
The following shall be permitted in the PUD as community uses:
- Active / passive open space and conservation areas as defined in Section 6.
 - Agricultural areas and uses – Including, but not limited to, gardens, orchards, paddocks, meadows, crop production fields, raising of livestock, agricultural student housing, food production/processing of fruits and vegetables, farm market & produce stands, and accessory structures as necessary
 - Community facilities – Including, but not limited to, club houses, swimming pools, home schooling, educational center, and accommodations for guests
- 4.3 Business Uses within Existing Structures**
Business uses shall be considered secondary uses and limited only to existing buildings which have been constructed as of the effective date of the Aberlin Springs PUD. Signage and/or advertising for business uses shall not be permitted within 500 feet of public right-of-way on Snook Road. The total square footage of all business uses, excluding agricultural uses, shall not exceed 9,500 square feet. Each individual use,

with the exception of agricultural uses and administrative, business & professional offices, shall not exceed 2,000 square feet. Business uses permitted in existing structures shall be limited to the following:

- Administrative, business & professional office
- Agricultural uses
- Artists' studios & galleries
- Barber, beauty shop & personal care salon
- Furniture, cabinet, and small wood products maker
- Neighborhood café or coffeehouse
- Wellness center

SECTION 5 – RESIDENTIAL STANDARDS

5.1 Density

The gross density of the PUD shall not exceed one dwelling unit per acre.

5.2 Housing Unit Types

The following table lists the permitted residential unit types and corresponding standards:

Housing Unit Type	Maximum Number of Units	Minimum Number of Units	Minimum Floor Area On Associated Lots	Maximum Height
Cabin Collection	15	N/A	500 SF	2 Story
Cottage	70	10	900 SF	2 Story
Manor	70	10	1200 SF	2 1/2 Story
Estate	50	10	1500 SF	2 1/2 Story

Note: Total number of dwelling units shall not exceed 141. Unit mix will vary as long as the maximum number of any one type as set forth above is not exceeded. With the exception of the cabin collection, at least one of each housing type must be located within the three development phases. Minimum square footage of any home shall not be less than 500 feet. Smaller housing units may be developed on larger lot types.

5.3 Housing Unit Setbacks

The following table lists the minimum setbacks for each housing unit type:

Housing Unit Type	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Lot Size
Cabin Collection	20'	20'	10'	5,000 SF
Cottage	5' *	20' *	5'	3,600 SF
Manor	25'	20'	10'	8,400 SF
Estate	25'	20'	10'	13,000 SF

* Front yard measured from courtyard while rear yard is measured from driveway.

5.4 Graphics/Images for Each Housing Unit Type

Graphics, images, and/or visual representations of each housing unit type may be submitted at Stage 2 review. These representations are for informational purposes only with variations to these images permitted given that all design and architectural criteria are met.

SECTION 6 – OPEN SPACE STANDARDS

6.1 Minimum Required Open Space

A minimum of forty (40) percent of the PUD shall be devoted to common space and/or open space. This minimum open space shall be composed of required buffer areas, natural areas, and existing resources as articulated in Sections 6.2, 6.3, 6.4, and 6.5 below.

6.2 Required Buffer Area

All areas of the PUD within 40' of the following adjoining properties shall be included as part of the required open space:

Parcel (Sidwell) ID Number
13324010020
13324010120
13324010130
13324260070
13324260020
13261520010
13322000170

All buffers, as noted on the Stage 1 Plan, shall be either within dedicated open space or shall be within landscape and buffer easements as dedicated on individual lots. Areas located within these easements on individual lots are not accounted within the forty (40) percent required open space.

6.3 Inclusion of Natural Areas

All areas of the PUD covered by a 100-year floodplain, wetlands, and pond shall be included as part of the required open space. Any areas within 50' of these features excluding roadways shall also be included in the required open space.

6.4 Preservation of Existing Resources

The existing farm complex including agricultural fields and its associated facilities shall be preserved and utilized as the community center and/or farming activities.

6.5 Conservation of Woodland Areas

Excluding agricultural fields, lots, rights-of-way, and the required open space as stipulated in Sections 6.2, 6.3, and 6.4, seventy (70) percent of the remaining open space shall be maintained as forested areas within the PUD. Clear-cutting of trees shall be prohibited in these areas.

6.6 Permitted Uses in Open Space Areas

Provided features and uses in open space shall be determined at Stage 2. Permitted features/uses in common and/or open space areas include, but are not limited to:

- Pedestrian trails/bikeways
- Agricultural uses (as specified in Section 4.2)
- Community facilities (as specified in Section 4.2)
- Ponds and lakes
- Mowed parkland
- Picnic groves
- Natural / preservation areas
- Area for sale of farm products (as specified in Section 4.2)

SECTION 7 – ACCESS/CIRCULATION STANDARDS

- 7.1 Ingress/Egress from Snook Road**
Entrance from public right-of-way to the development within the PUD shall be located off Snook Road as approved by the Warren County Engineer's Office.
- 7.2 Future Access**
An access easement will be dedicated at a width found acceptable to the Warren County Engineer's Office for a private street located adjacent to Parcel 13261010010, and configured in such a manner as to allow vehicular and pedestrian access from within the PUD to the adjoining property.
- 7.3 Private Street Standards**
Standards for private streets within the PUD shall be subject to approval by the Warren County Engineer's Office.

SECTION 8 – ARCHITECTURAL STANDARDS

- 8.1 Utilities**
All utilities shall be underground. Natural storm water drainage ways shall be maintained by the property owner in such a manner that does not interfere with the normal flow of water. Satellite Dishes are prohibited in front and side yards and must not be visible from the street.
- 8.2 Driveways**
All driveways shall be asphalt, concrete, brick or pavers.
- 8.3 Exterior Lighting**
All Cabin, Manor and Estate home sites shall have a front yard post light on photocell.
- 8.4 Exterior Building Materials:**
The exterior of the residence shall be covered with siding, stone, brick or EIFS. The roof shall be covered with wood, composition, fiberglass, asphalt shingles or metal roofing. Any accessory dwellings must comply with the architectural standards. Fences will be reviewed based on location, design, material and color. Landscaping plans will be reviewed based on plant material compatibility with neighborhood.

SECTION 9 – SERVICE STANDARDS

- 9.1 Maintenance of Facilities**
An organization of association, such as a Homeowners Association (the "HOA") or one responsible for Community-Support Agriculture, shall assume control and responsibility of maintaining common and/or open spaces and facilities within the PUD, including without limitation responsibilities for snow removal, roadway/sidewalk/trail repairs, the storm water system, and the waste water collection and treatment system. HOA and related fees and methods of increase thereto, and creation of lien and enforcement authority of owner obligations for repair and replacement charges shall be made a matter of public record through the filing of a Declaration of Covenants, Restrictions, Easements, and Maintenance Obligations (the "Declaration") and/or other summary documents, with the Declaration and all amendments thereto including the document number and date of recording of public record being recited in each deed of conveyance of any property subject thereto within the PUD.
- 9.1.1** Warren County, including its Board of County Commissioners or Water and Sewer Department, and
the Warren County Combined Health District including its Board of Health and Health Commissioner,
are not the approving authority of the wastewater collection, treatment and disposal system, and further, shall not assume any legal obligation for the operation, maintenance, repair and replacement of the wastewater collection, treatment and disposal system in the event the system

should ever become deficient, defective, or experience a temporary or permanent failure that adversely effects the public's health or may result in a condemnation of the community or any part thereof.

9.2 Wastewater Disposal

The development shall be served by a decentralized wastewater treatment facility including, but not limited to, a combination of septic tanks, home sewage grinder pumps, septic tank effluent pumps, septic tank effluent gravity lines, low pressure force mains, gravity sewers, centralized treatment facilities including but not limited to recirculating sand filters, disinfection, drip irrigation, and engineered wetlands or as otherwise may be required by the Ohio EPA. The Proposed wastewater disposal system shall be designed by a professional engineer licensed to do work in the State of Ohio and approved and permitted (National Pollution Discharge Elimination System & Permit to Install) by the Ohio EPA, Division of Surface Water. The design of the collection system and treatment facilities shall be shown on plans at Stage 2 and reviewed and commented on by the Warren County Water and Sewer Department and the Warren County Combined Health District.

The wastewater collection, treatment, and disposal system shall be owned and operated in accordance with Ohio EPA regulations by a private utility company, a sewer district created and organized under ORC Section 3119 or other entity permitted by the Ohio EPA, including an HOA. The owner/operator shall also serve as the utility company providing sewer service including customer billing and response to residents within the development. Any private utility company serving the development shall operate under the regulations of the Private Utility Commission of Ohio (PUCO), shall be an established company with over ten years of operation as a utility, and shall be approved by the Ohio EPA. If an HOA owns the wastewater collection, treatment and/or disposal system, such HOA may not operate or maintain the wastewater collection, treatment, and disposal system. If an HOA owns the system, it shall contract with a provider having at least 10 year's experience operating and maintaining wastewater collection, treatment and disposal systems.

The Declaration shall be filed containing provisions requiring all homeowners to be customers of the utility and contribute not less often than annually to the operation, maintenance and replacement of waste water systems. The HOA or other permanently designated body shall establish a separate reserve fund for the purpose of maintaining and/or replacing waste water systems and such requirement shall be stated in the Declaration and the Bylaws of the HOA or the rules and regulation of the utility. Such reserve fund shall be reasonably funded at all times to meet the reasonable purposes for which it has been created. The Ohio EPA or a designee shall have the authority, upon reasonable notice, to review the reserve account established for this purpose and to require reasonably increased funding over a reasonable period of time to ensure repair, maintenance and replacement of any community waste water systems.

The HOA shall have the authority to charge the homeowners as additional fees such additional amounts necessary to maintain, repair or replace any community or clustered septic/waste water system. The HOA shall require homeowners to maintain and replace all personally owned portions of any septic/waste water system, including without limitation the maintenance, repair and replacement of septic tanks and lines located on property owned in fee or otherwise by the homeowners; such requirement shall be included in the Declaration. The Declaration shall reserve unto the HOA the authority and the requirement to maintain, repair and replace all individually owned portions of any septic/waste water system, including without limitation the maintenance of septic tanks/waste water systems should the homeowner fail to do so and shall further grant unto the HOA easements necessary to access privately owned property to maintain, repair and/or replace all such systems. The HOA or other designee or utility shall ensure that appropriate reporting relating to the performance of community waste water systems is made in a timely manner to appropriate administrative, regulatory and/or governing agencies.

9.3 Parking, Lighting, and Signage Standards

Unless waived or modified by the Warren County Engineer's Office, development within the PUD shall comply with parking and signage standards specified in the Warren County Rural Zoning Code. Lighting standards shall be provided at Stage 2 review. Actual signage locations and sign areas shall be defined at Stage 2 review.

SECTION 10 – PERFORMANCE STANDARDS

10.1 Community Facilities

All proposed community facilities shall be in place at the time of platting eighty-five (85) residential lots within the PUD or as appropriate.

ADMINISTRATIVE HEARING

UNION VILLAGE – OTTERBEIN STAGE 2 PUD IN TURTLECREEK TOWNSHIP

The administrative hearing to consider the Stage 2 PUD for Union Village-Otterbein in Turtlecreek Township was convened this 1st day of March 2016, in the Commissioners' Meeting Room.

Matt Obringer, Regional Planning Commission, presented the attached PowerPoint of the plan that includes the overall PUD without any of the special districts.

Mr. Obringer reviewed the parking changes relative to the sports complex and stated the original recommendation to approve the Stage 2 PUD subject to seven (7) conditions and reviewed two additional conditions that resulted from a recommendation by the County Engineer.

Neil Tunison, County Engineer, reviewed a letter he sent relative to a "scoping study" and stated his desire for Otterbein to enter into an agreement with the County to contribute their share of the project to improve future traffic study caused by their development.

There was discussion with Bruce McGary, Assistant Prosecutor, relative to language for the developer to participate or agree to a regional traffic study and/or require them to participate in an extra-territorial study based on the impact and size of the development.

There was discussion relative to concerns with the wording on condition #9.

Jill Hreben, Otterbein, stated the timing of the development is not cut in stone and stated their understanding that they would be required to make improvements that ODOT requires. She then stated her desire for the proposed condition to be clear that they will only be required to pay their fair share as determined by ODOT.

There was discussion relative to the need for additional time to work on the correct language for condition #9.

Upon further discussion, the Board resolved (Resolution #16-0332) to continue this public hearing to March 8, 2016, at 10:15 a.m.

ADMINISTRATIVE HEARING

UNION VILLAGE-OTTERBEIN PUD STAGE 2 SPECIAL DISTRICT 1 PHASE 2
IN TURTLECREEK TOWNSHIP

P.J. Ginty, Regional Planning Commission, presented the attached PowerPoint presentation reviewing the proposed development consisting of 11 cottages and 5 new parking spaces.

Mr. Ginty reviewed the 11 conditions recommended by the Regional Planning Commission Executive Committee and upon discussion, the Board resolved (Resolution #16-333) to approve the Union Village-Otterbein PUD Stage 2 Special District 1 Phase 2 in Turtlecreek Township subject to 11 conditions.

Neil Tunison, County Engineer, and Kurt Weber, Chief Deputy Engineer, were present to discuss a Variance and Appeal of Conditions required for an access permit for The Drees Company relative to Cross Creek Estates Subdivision in Deerfield Township that was filed after the 30 day deadline.

Bruce McGary, Assistant Prosecutor, stated that Ohio law does not allow the Board of Commissioners to waive a jurisdictional defect. He then stated that if the Board chooses to waive the defect, if someone objects then the court could dismiss any decision made by the Board relative to the appeal.

Upon discussion, the Board resolved (Resolution #16-0334) to reject the untimely filing by The Drees Company of the Application for Appeal and/or Variance of the denial of an access permit by the County Engineer for Cross Creek Estate Subdivision in Deerfield Township.

The Board notified The Drees Company that they could file an appeal to the February 18, 2016, denial for access permit by the County Engineer within the 30 day deadline.

The Clerk presented the resolution for reconsideration relative to the prohibition of erecting signs on County owned property.

Bruce McGary, Assistant Prosecutor, stated that the resolution has been vetted by the Prosecutor's Office and the resolution as presented has been approved as to form.

Upon further discussion, the Board resolved (Resolution #16-0335) to prohibit signs on County owned property.

Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matters:

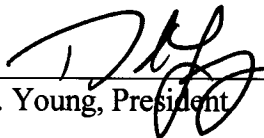
1. Highland at Heritage Hill 208 Plan Amendment—Mr. Brausch presented letters from the City of Mason and Union Township stating they have no objection to the 208 amendment for the City of Lebanon to provide sanitary sewer services to this development. Upon discussion, the Board resolved (Resolution #16-0337) to approve a modification to OKI's Regional Water Quality Management Plan to transfer facility planning area in Union Township to the Lebanon/South Lebanon Facility Planning Area.
2. Highland at Heritage Hill Water Service—Mr. Brausch stated he has reviewed the request by the City of Lebanon to also provide water service to the development. He reviewed the advantages and disadvantages to approving said request and stated his desire to only allow the 120 acres of this development to be served if the Board should decide to approve. Upon discussion, the Board stated their desire to discuss this matter with the Union Township Trustees prior to making a decision.
3. Modifications to the Rules and Regulations of the Warren County Water and Sewer Department—Mr. Brausch reviewed the proposed major modifications to the existing rules and regulations and upon discussion, the Board resolved (Resolution #16-0338) to approve the modifications.
4. Electric Generation Renewal—Mr. Wojnicz stated it was time to renew the agreement with GDF Suez for electric generation. He then reviewed the proposed rates and requested the Board to authorize the County Administrator to sign the renewal agreement. Upon discussion, the Board stated their desire to shop others and compare rates prior to the renewal.
5. Oversizing and Replacing Sewer Lines at the old Kings Island Inn and Conference Center—Mr. Brausch reviewed a map of the existing sewer lines within the prior development and stated the need to replace and realign in order to eliminate continuous backups. Upon discussion, the Board stated their agreement to his request.

Chris Watkins, Assistant Prosecutor, was present for continued discussion relative to the first time homebuyer's assistance property that was foreclosed upon but continues to have a lien from Warren County.

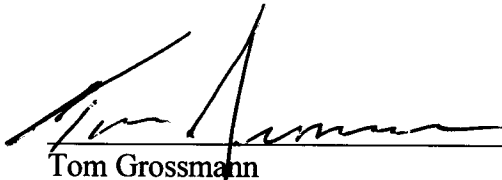
Mr. Watkins stated that the attorney has requested to pay \$2,000 plus attorney's fees rather than the prior agreed to amount of \$2,575 (one-half) of the lien.

The Board stated their desire to remain firm and collect a minimum of one-half of the amount.


Upon motion the meeting was adjourned.



David G. Young, President

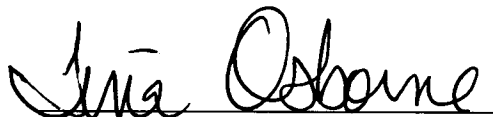


Tom Grossmann



Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on March 01, 2016, in compliance with Section 121.22 O.R.C.



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



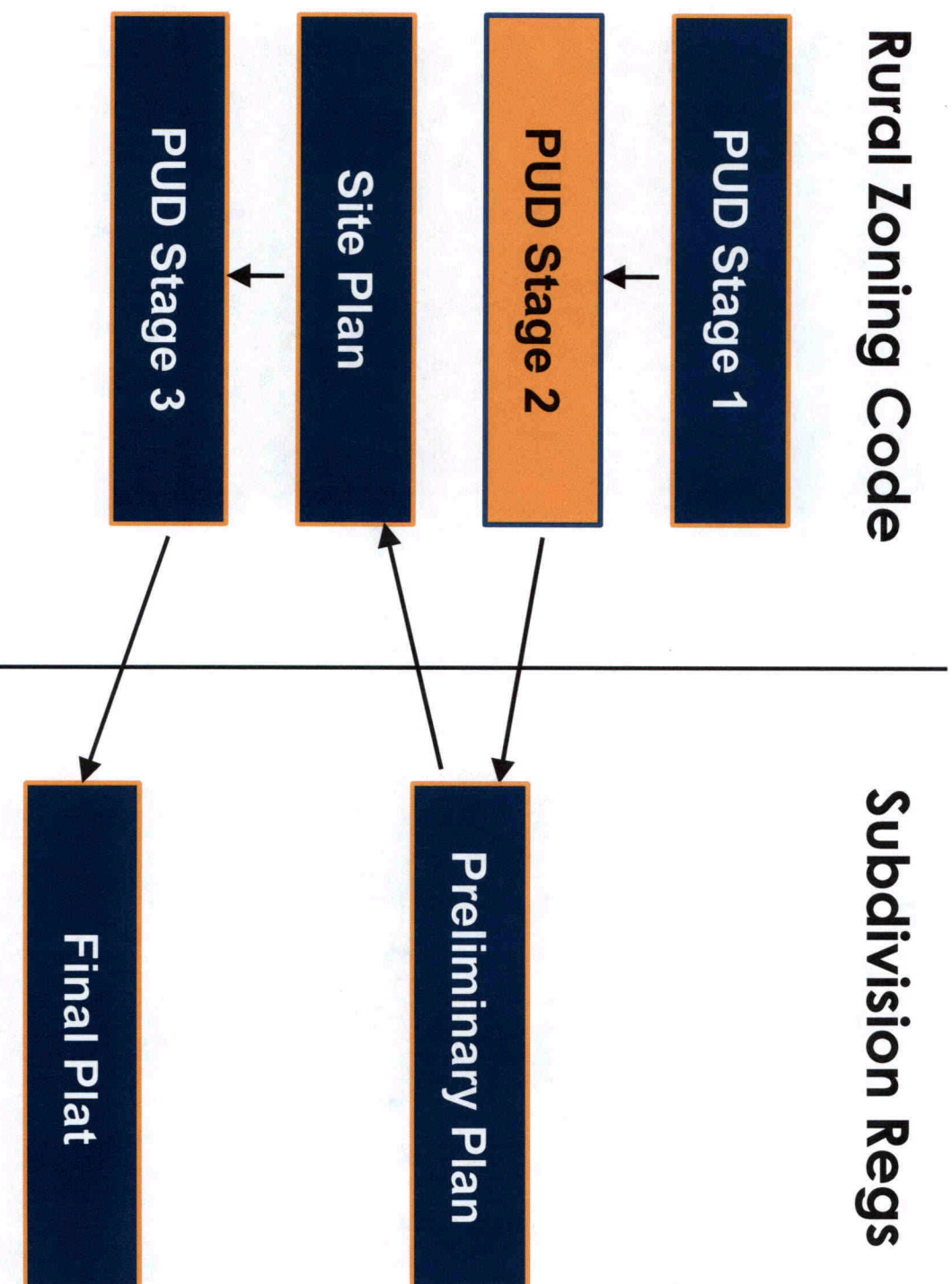
Union Village

PUD Stage 2

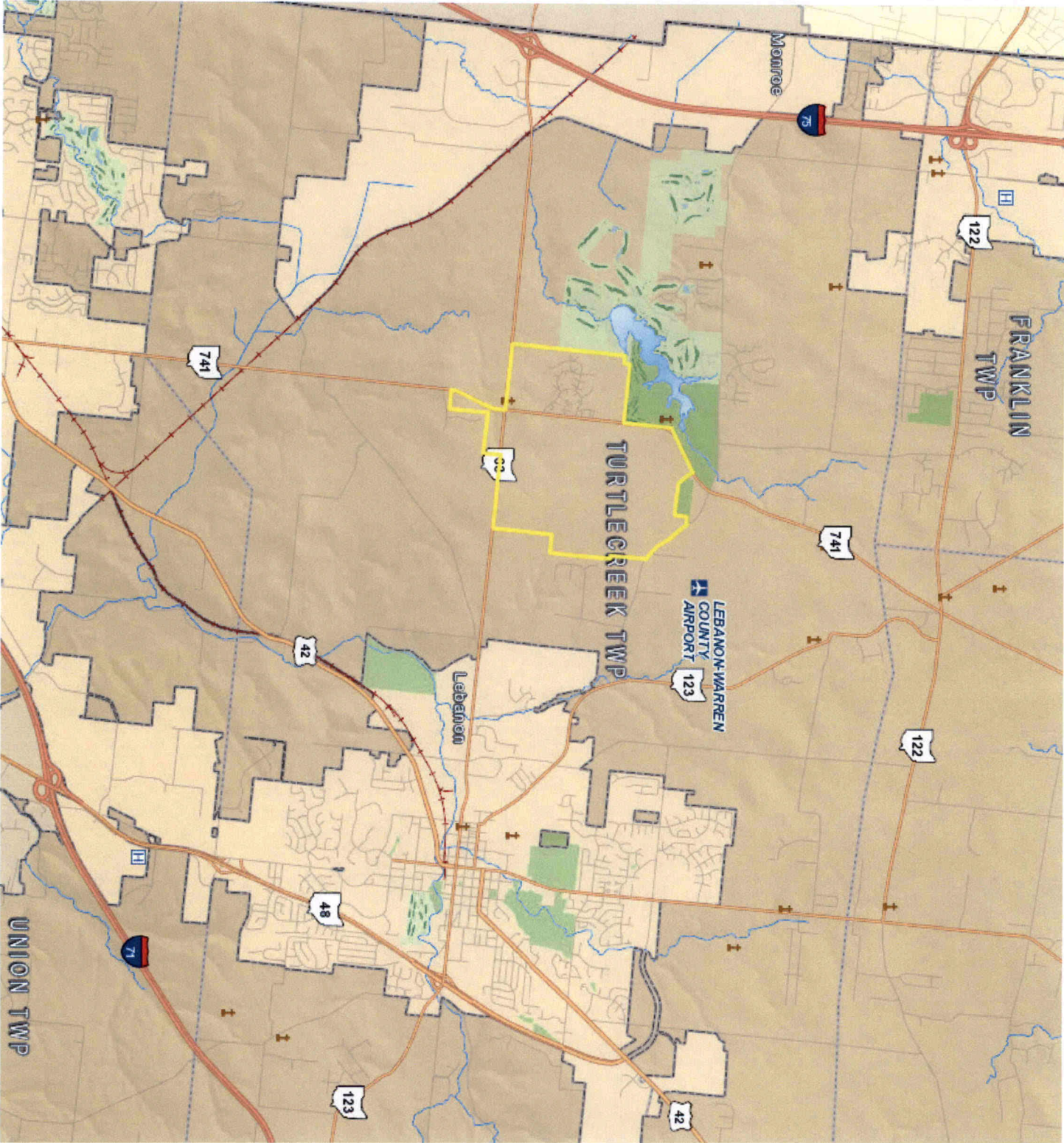
Board of County Commissioners

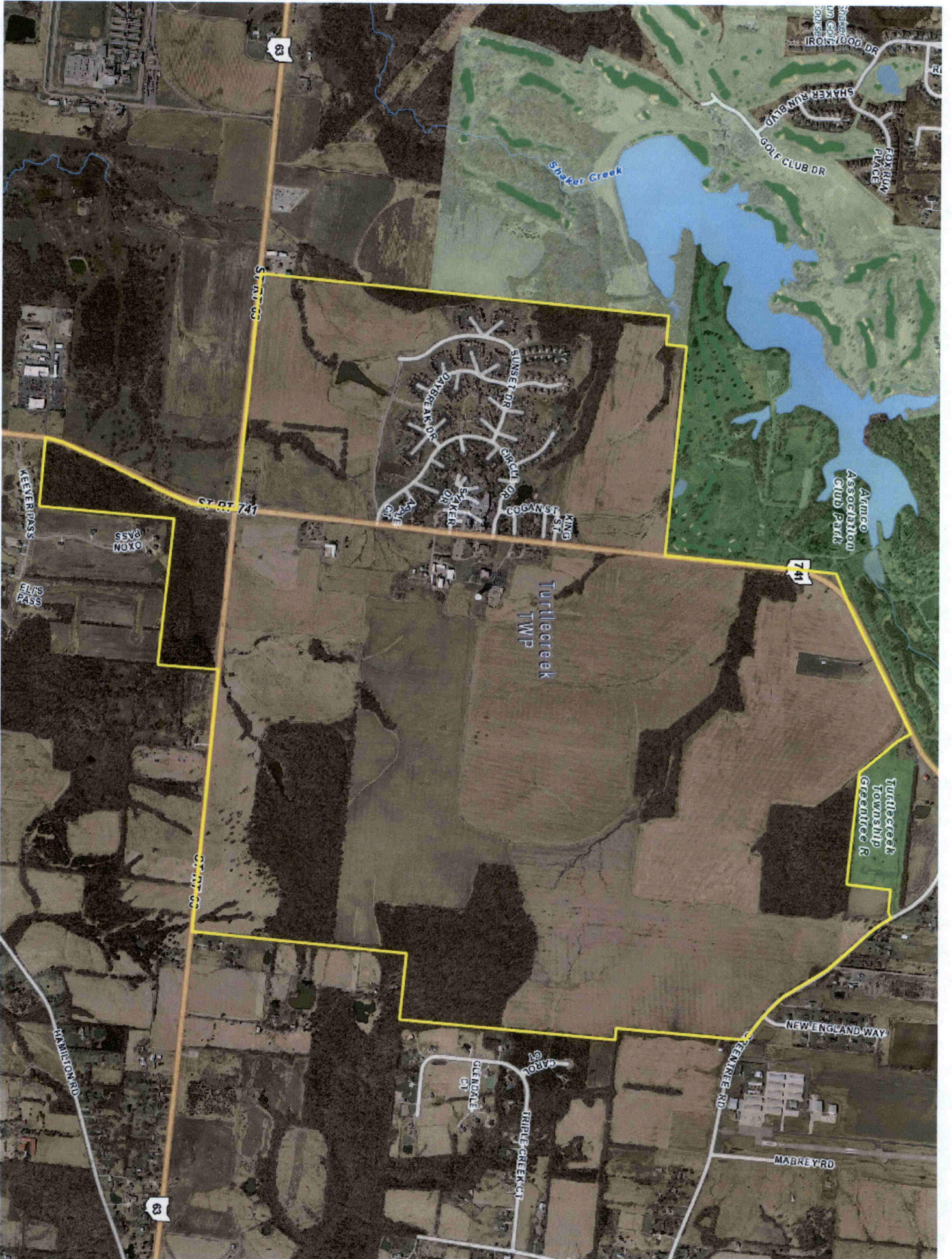
Public Hearing: March 1, 2016

Review Process

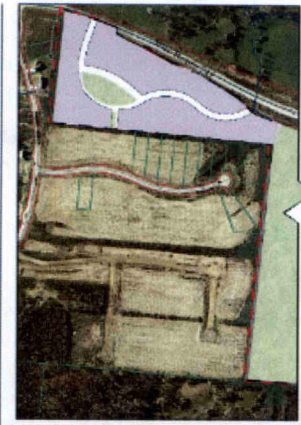


Vicinity

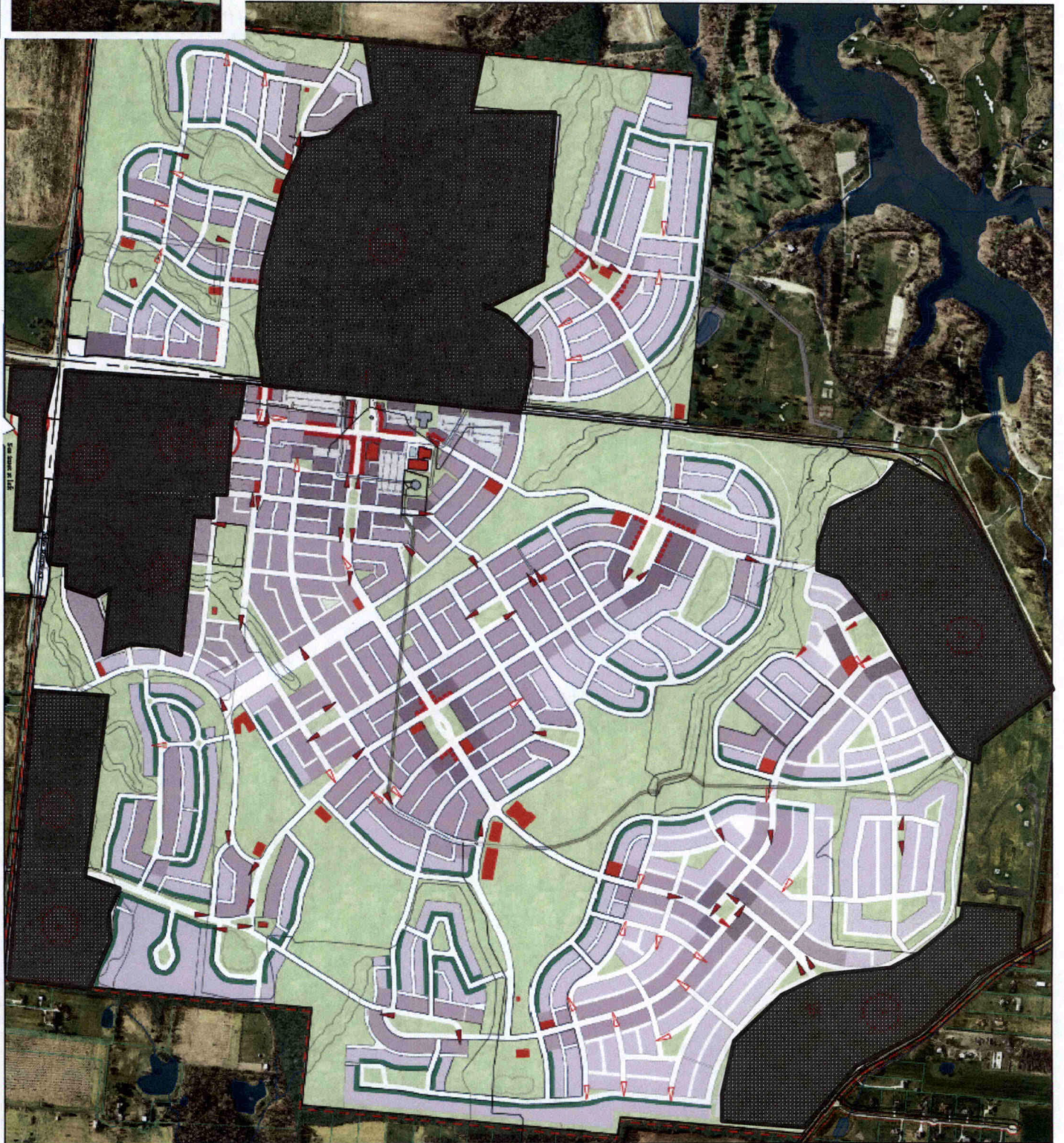
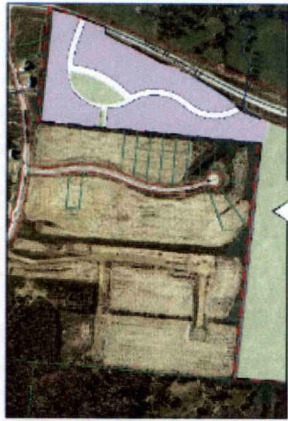




Regulating Plan



Areas Not Included



Neighborhood Edge – T3



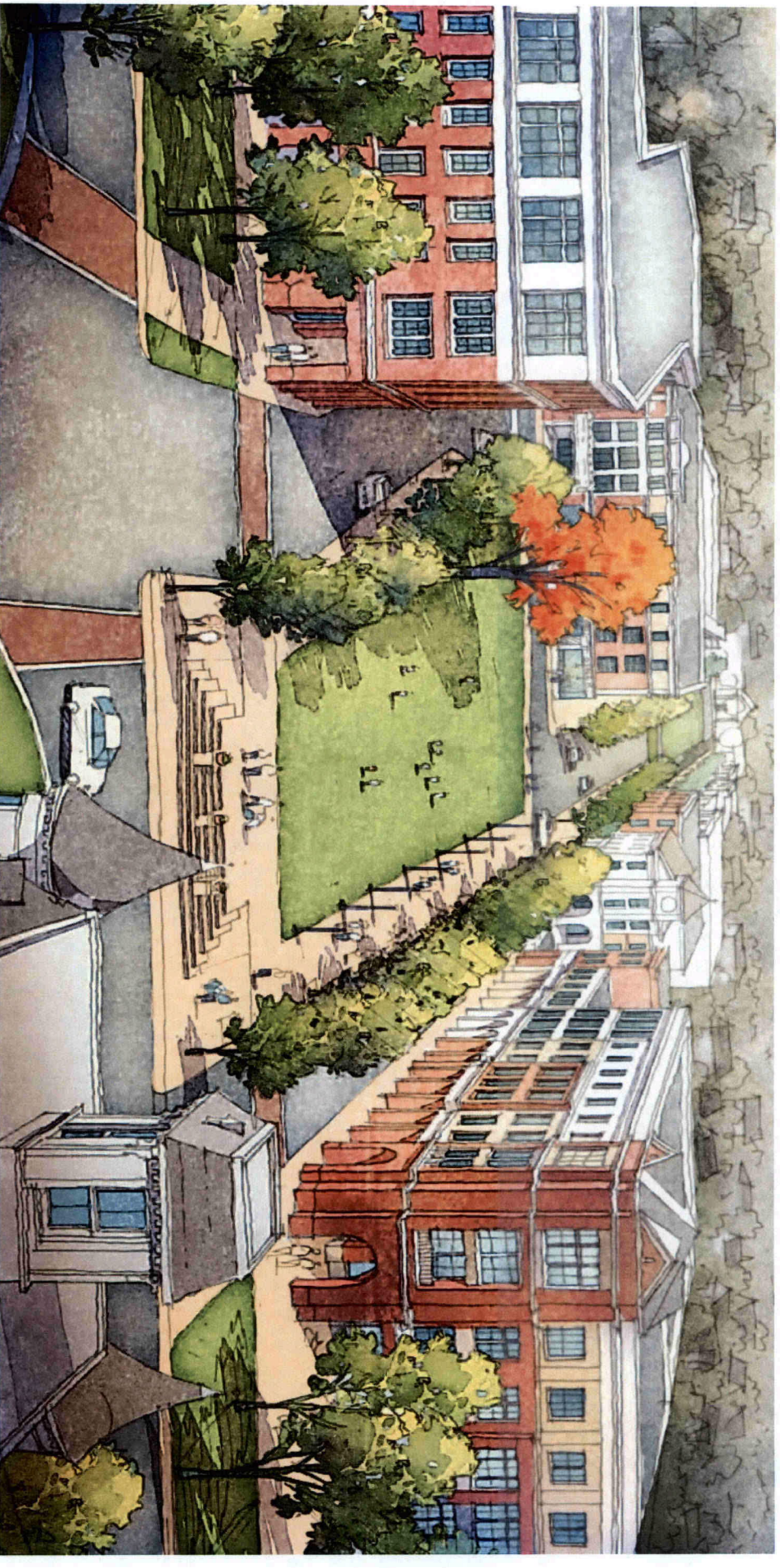
Neighborhood General – T4



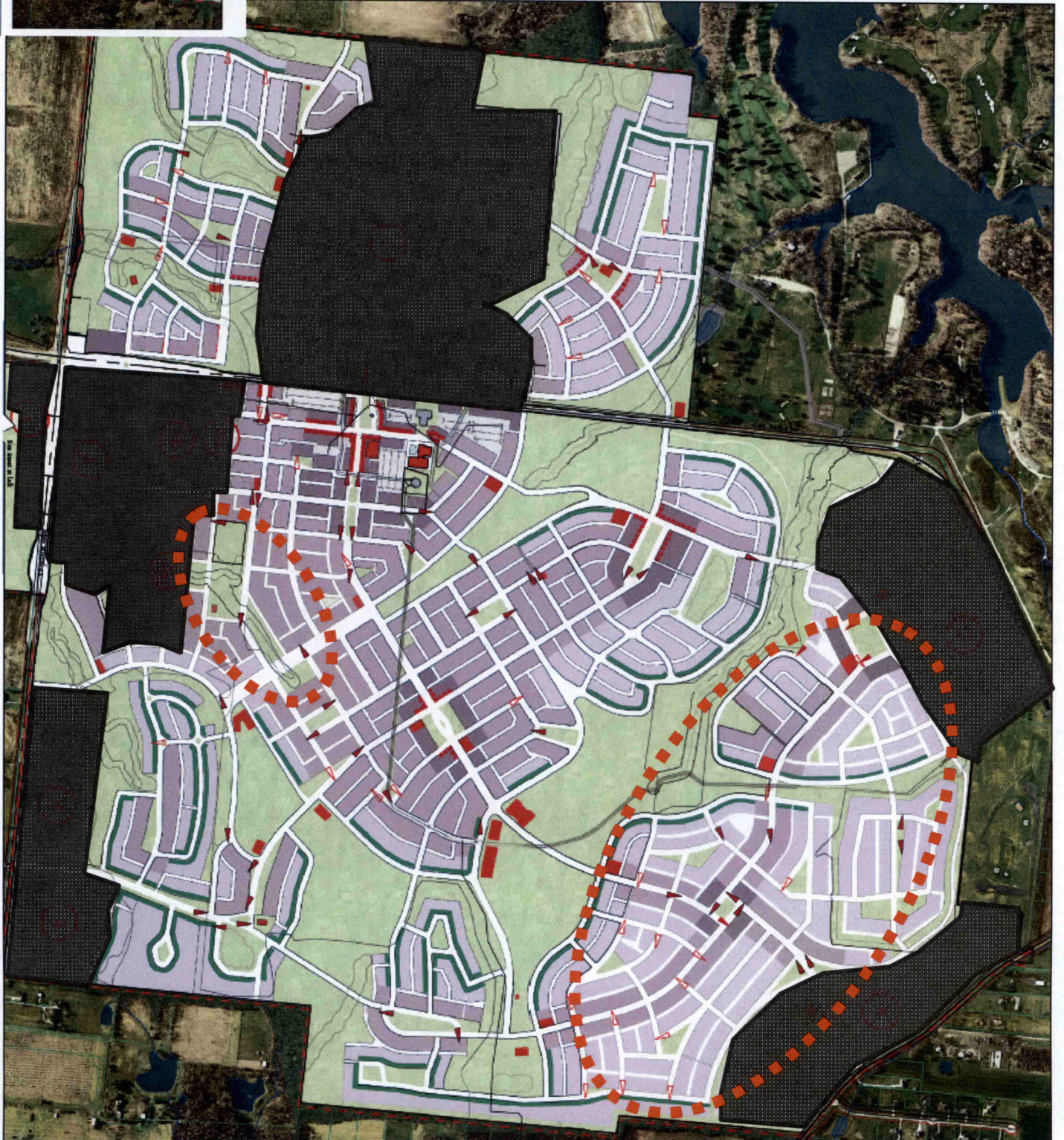
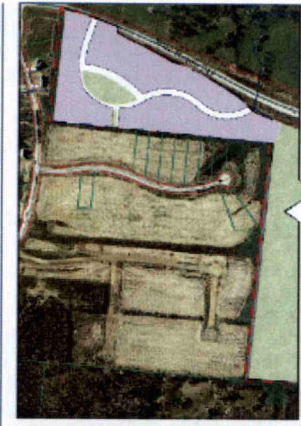
Neighborhood Center – T5



Village Center



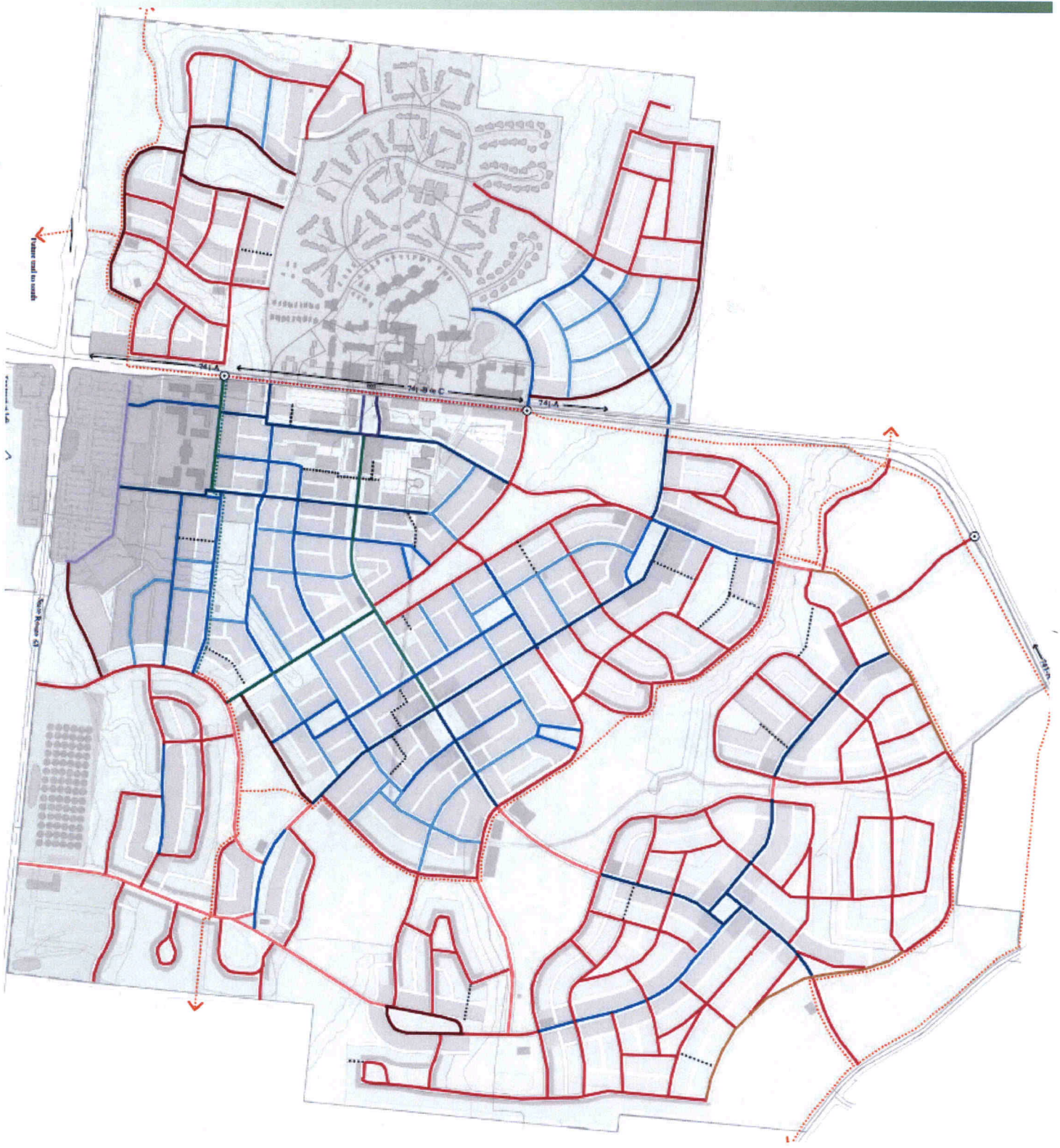
Areas Modified



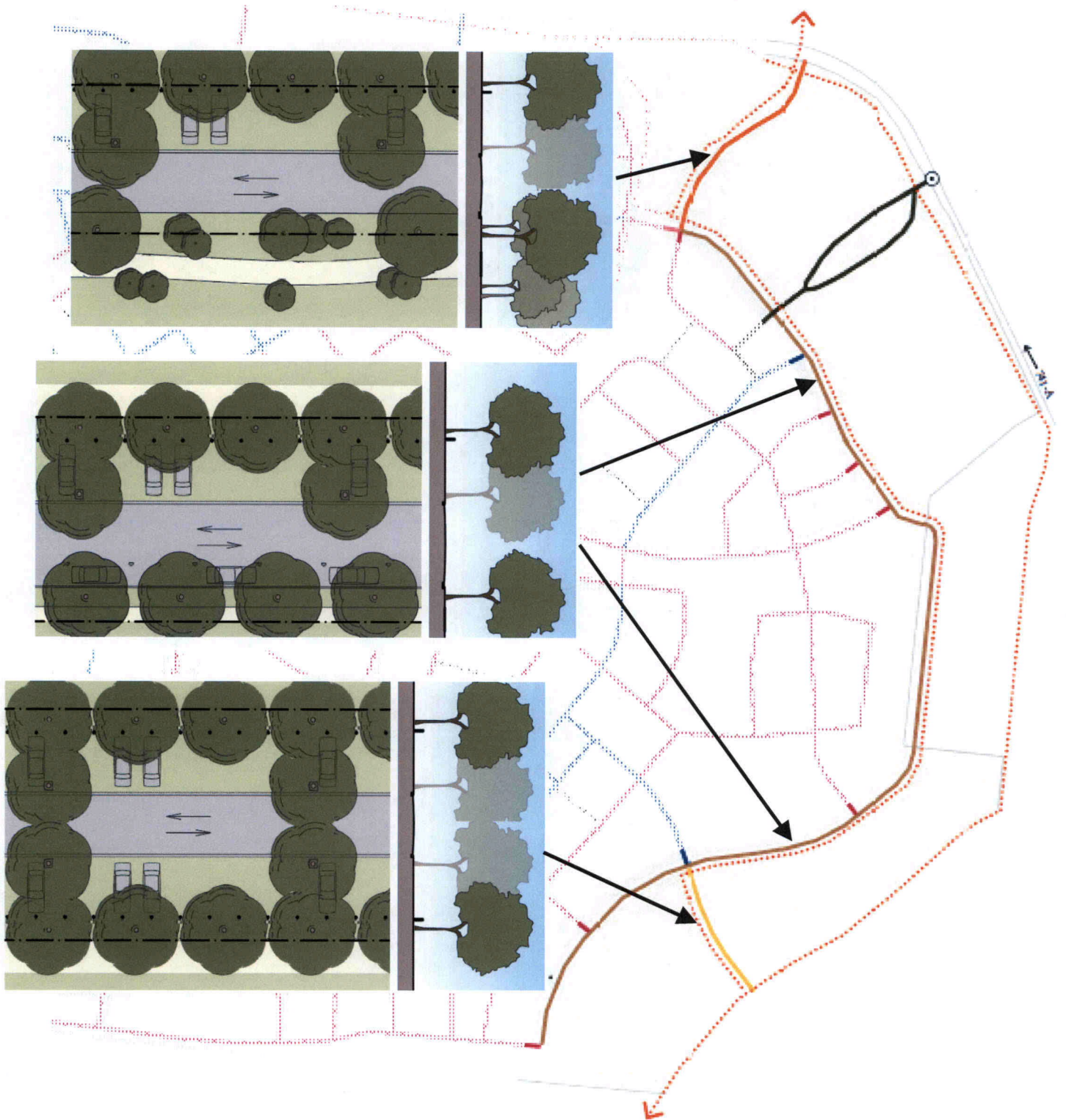
PUD Stage 1



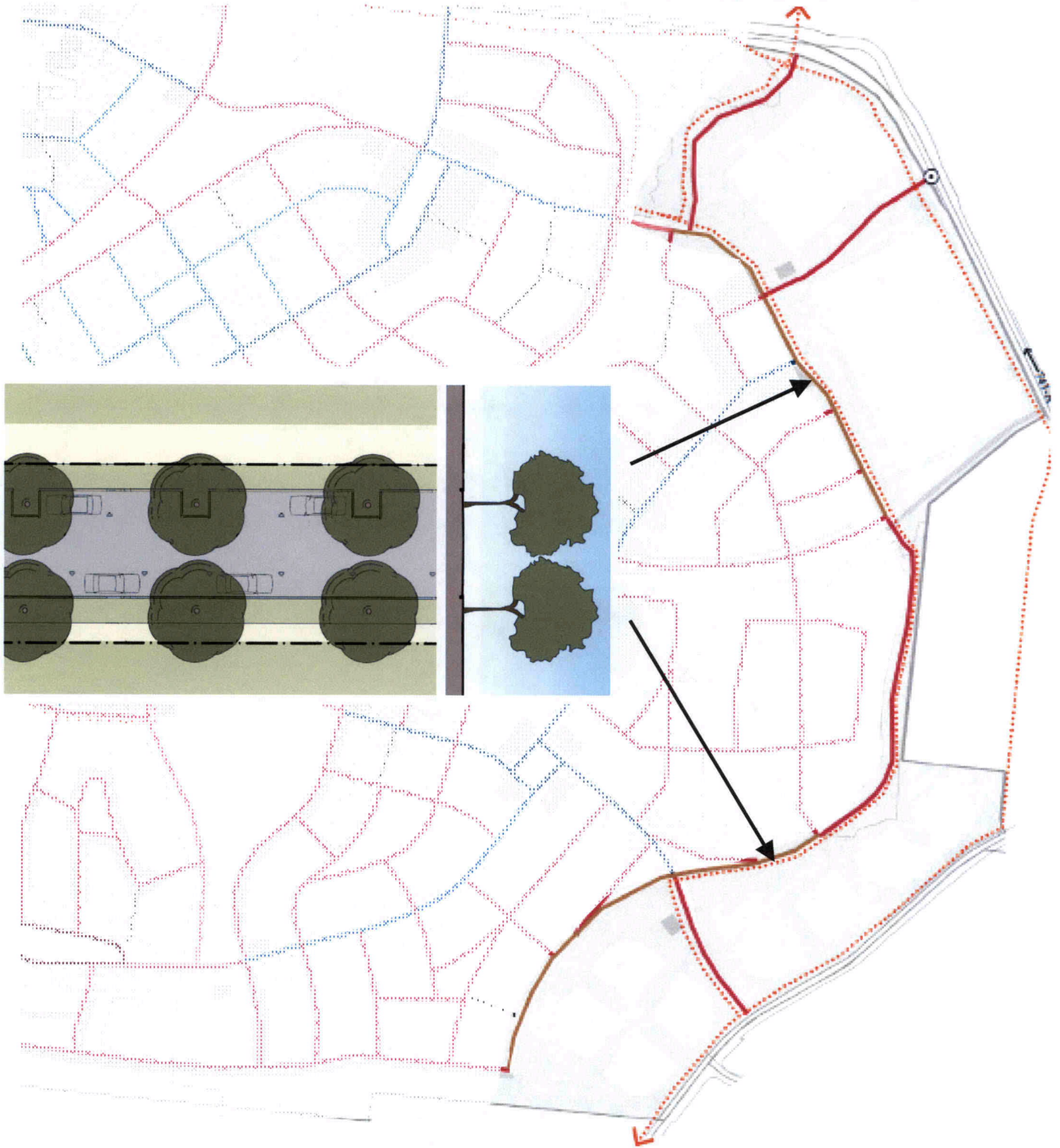
Thoroughfare Plan



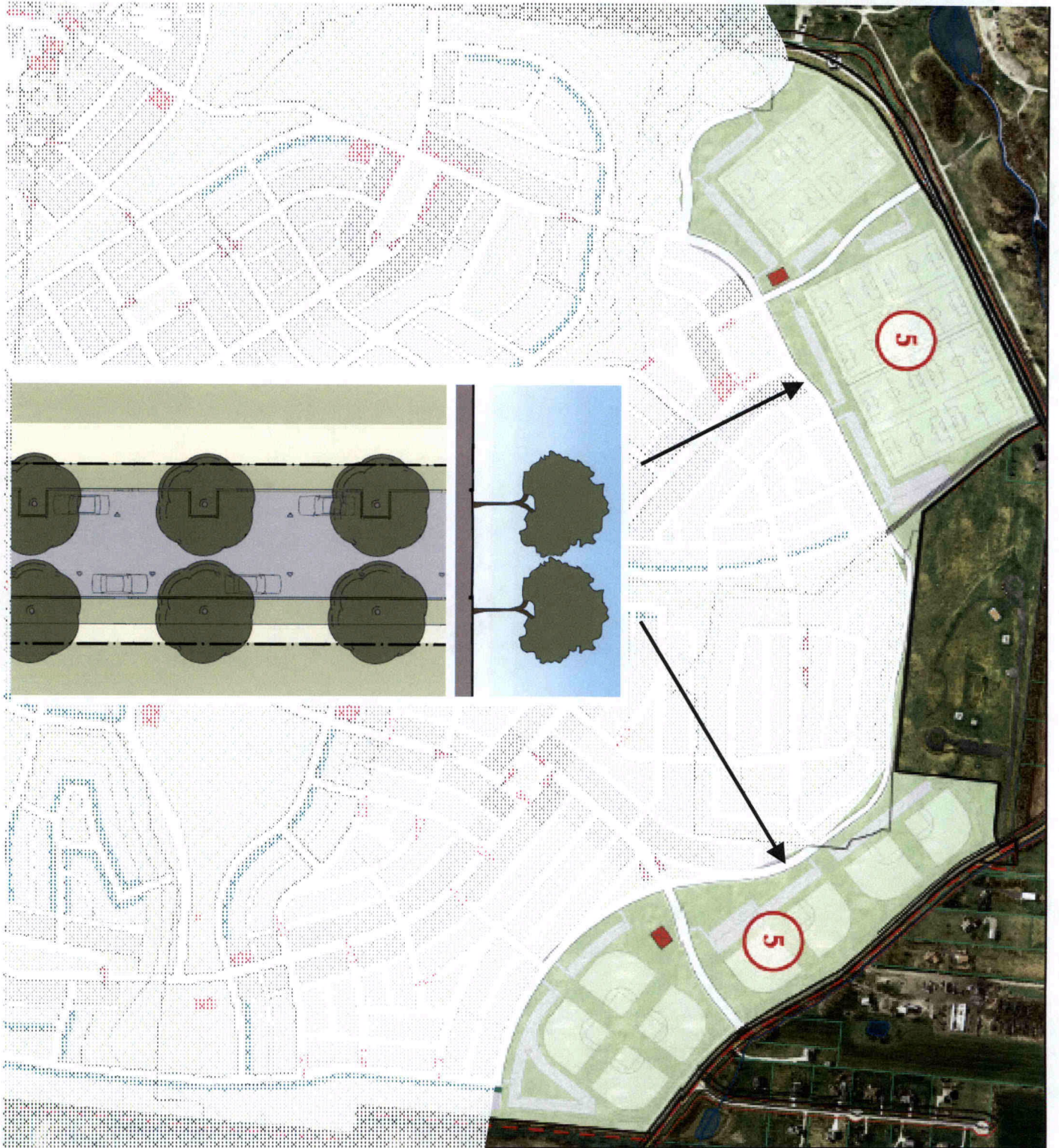
Thoroughfare Plan



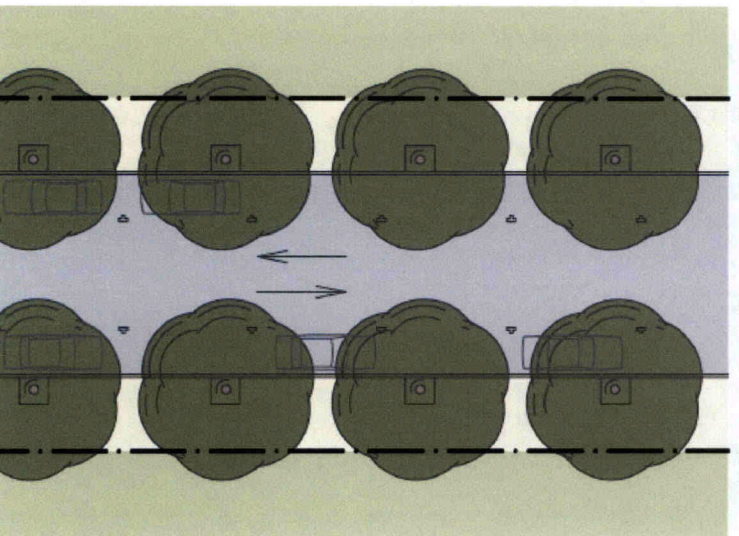
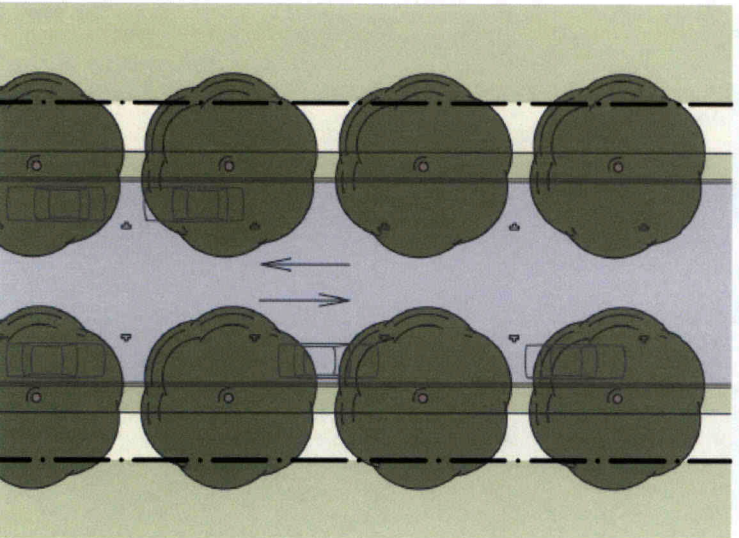
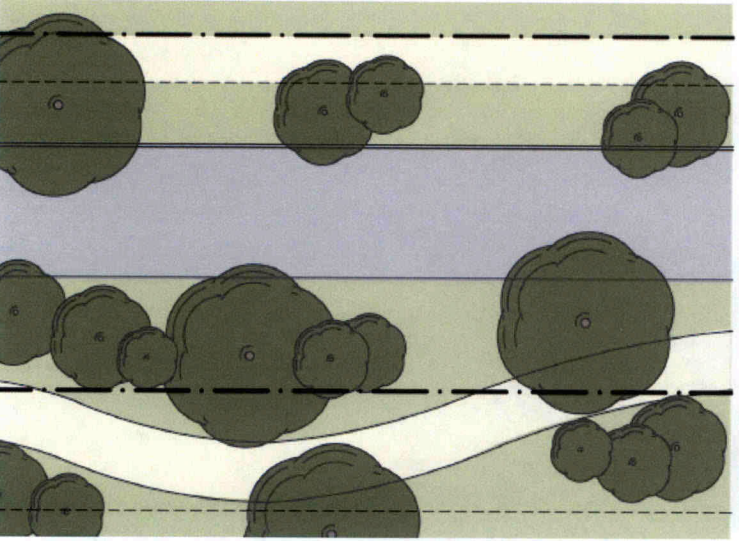
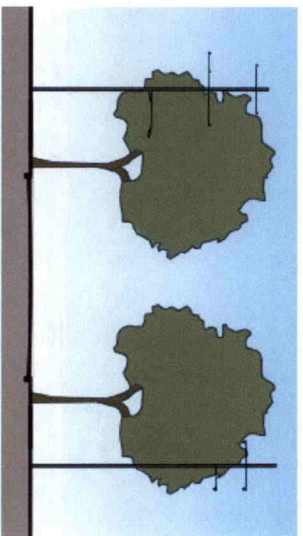
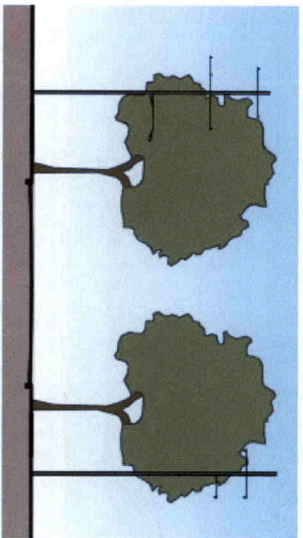
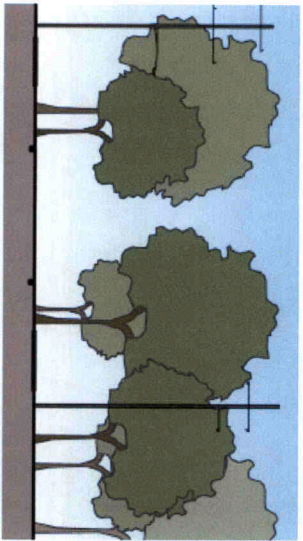
Thoroughfare Plan



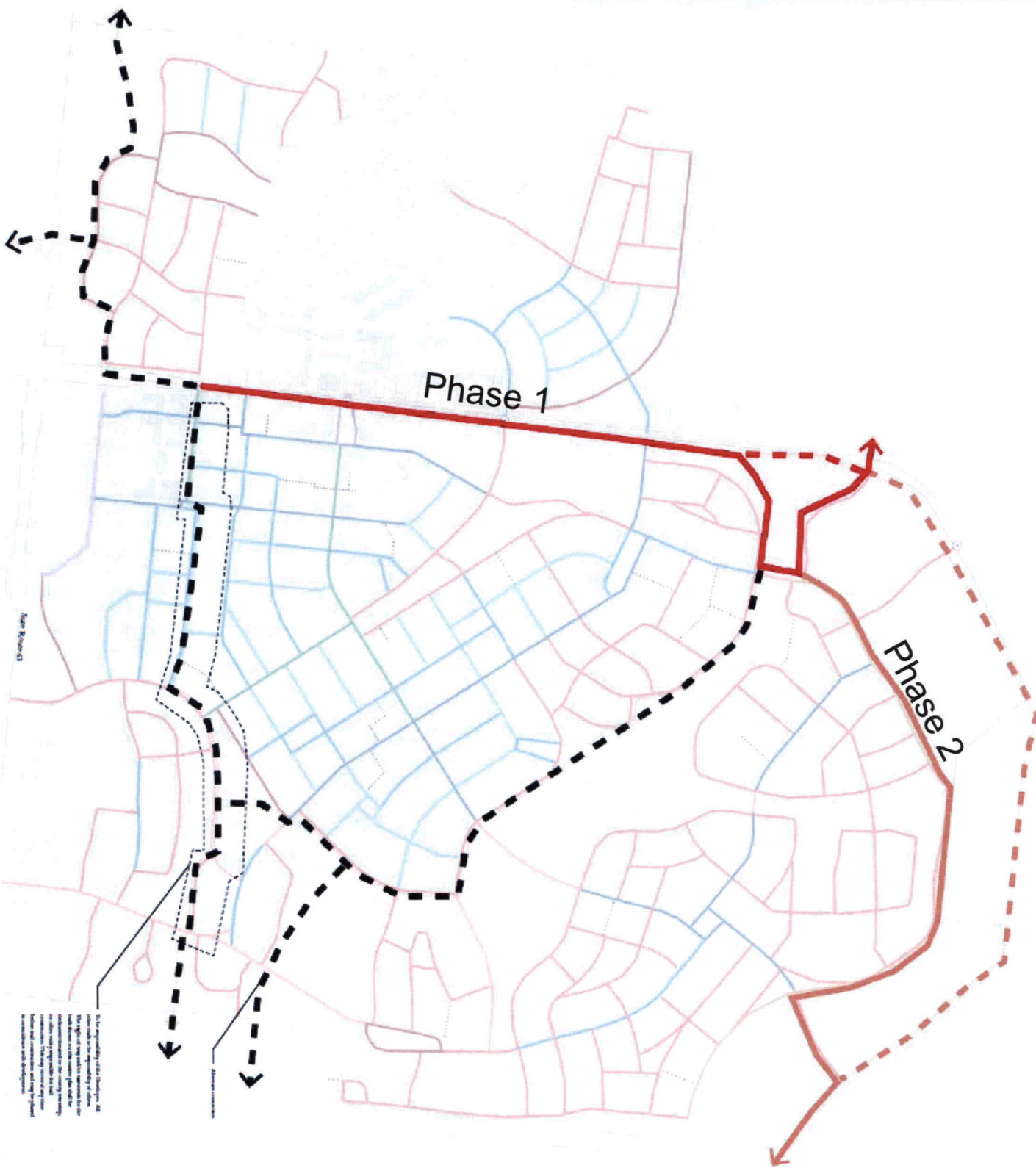
Sports Complex



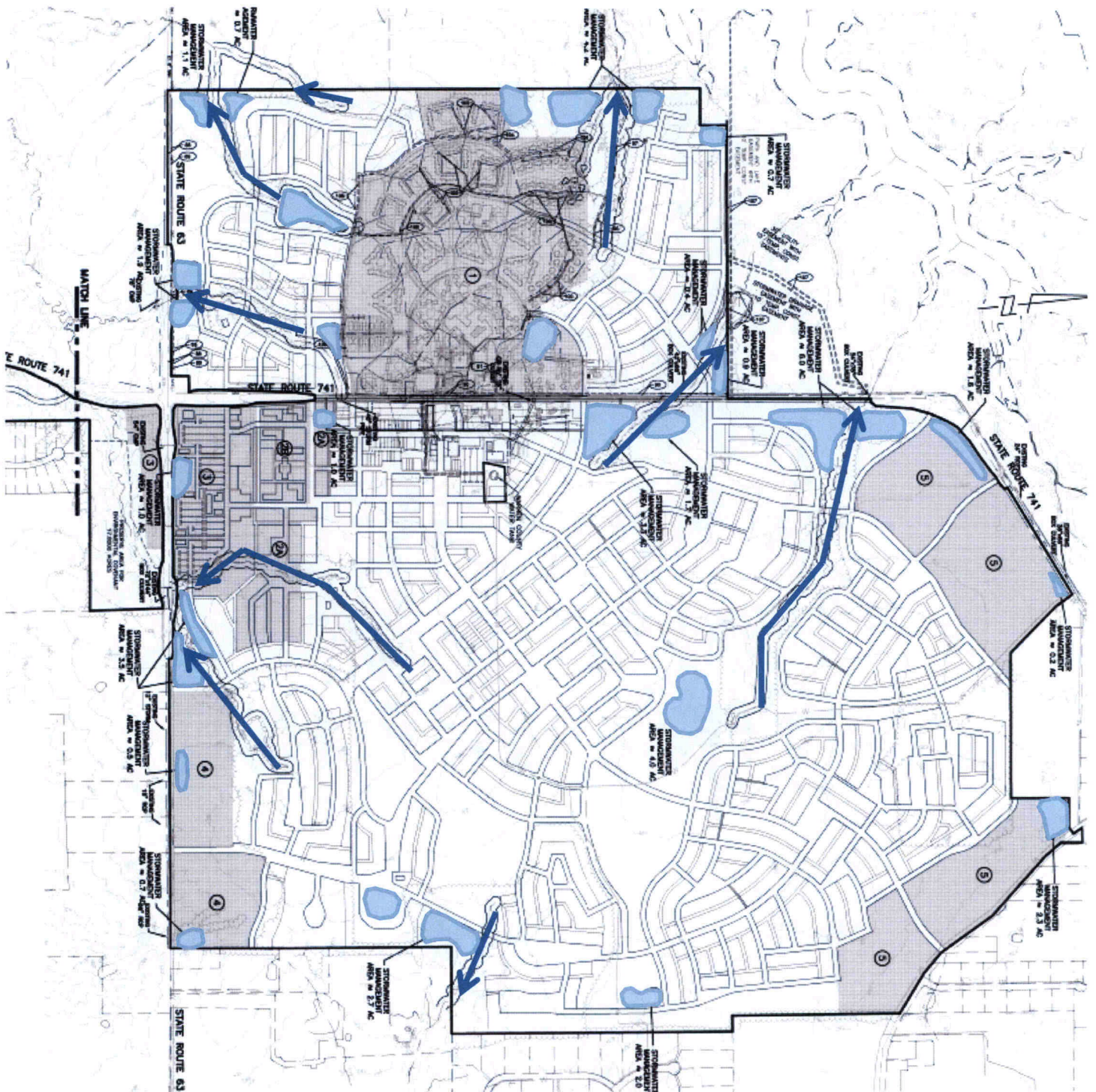
SR 741



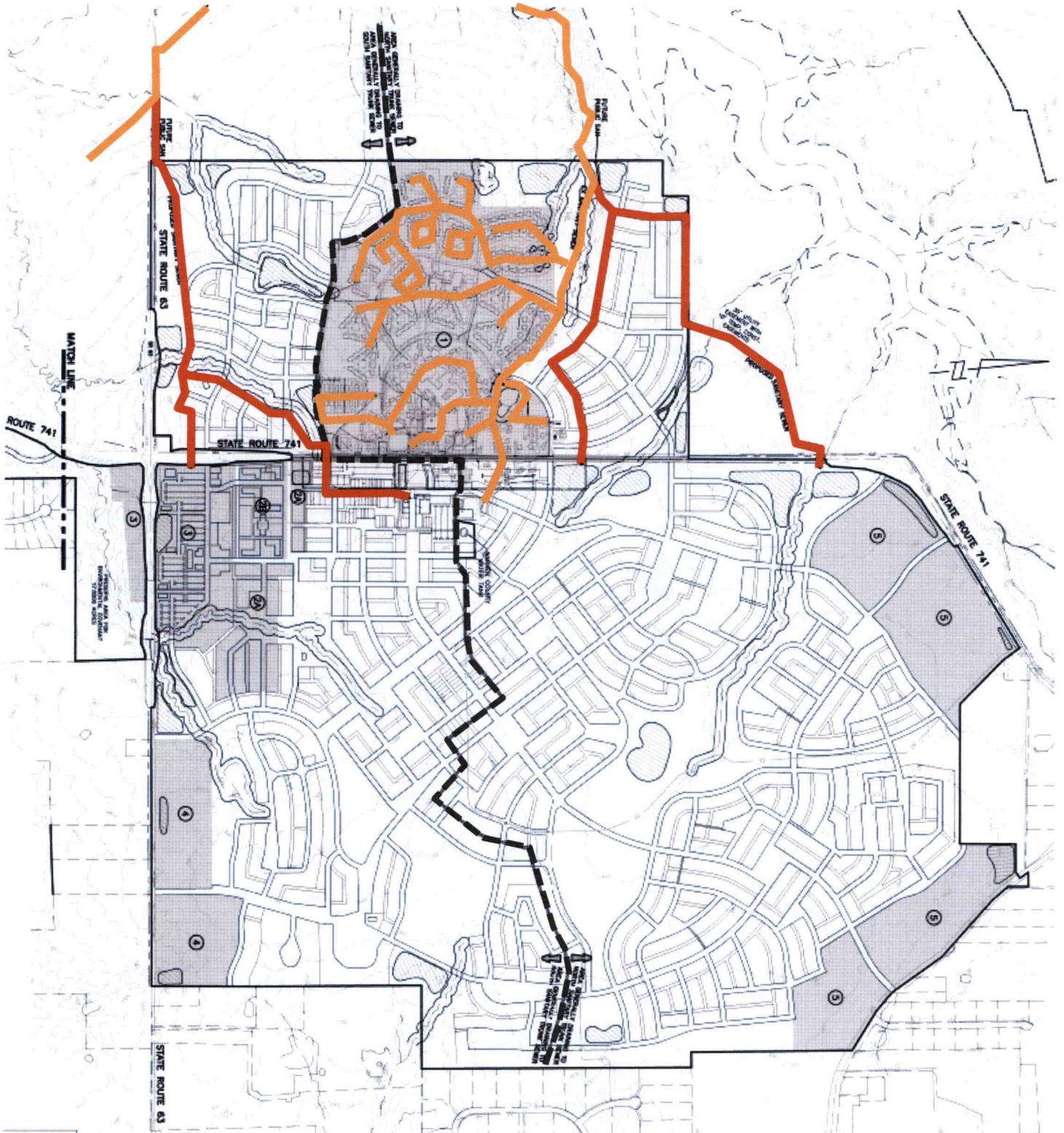
Trails Plan



Stormwater Management



Sewer





Added Standards

- Architecture
- Lighting
- Signage
- Landscaping
- Required/Recommended Storefront & Common Lawn Frontage
- Terminated Vistas
- Criteria for Minor Modifications



RPC Recommendation

Approval

subject to conditions:



Conditions

1. Compliance with the Warren County Rural Zoning Code and PUD Stage 1.
2. A water and sewer master plan shall be approved by Warren and Butler County prior to PUD Stage 3.

Conditions

3. A Traffic Impact Study shall be approved by ODOT and/or the County Engineer's Office prior to PUD Stage 3.
4. Approval of turning radii, access points, roundabouts, and thoroughfare types by ODOT and/or County Engineer's Office.



Conditions

5. Sidewalks, paths, open space, stormwater management areas, and the like shall be maintained by the New Community Authority.
6. Approval of stormwater management by the County Engineer's Office prior to PUD Stage 3.



Conditions

7. Approval of an erosion and sediment control plan prior to earth moving activities.



New Conditions

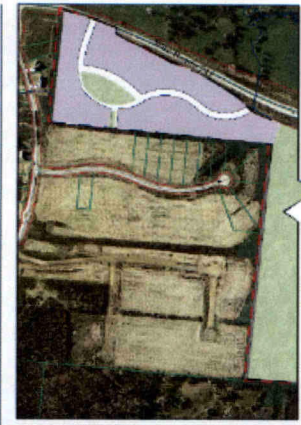
8. Participation in a SR 63 and SR 741 Task Force.



New Conditions

9. After the Traffic Impact Study has been approved, the applicant shall agree to one of the following:
 - a. Make roadway improvements as required
 - b. Pay a fee-in-lieu towards a public roadway improvement project
 - c. Contribute towards a portion of a federally funded project
 - d. Build, pay, or contribute in any combination of the above items.

Regulating Plan



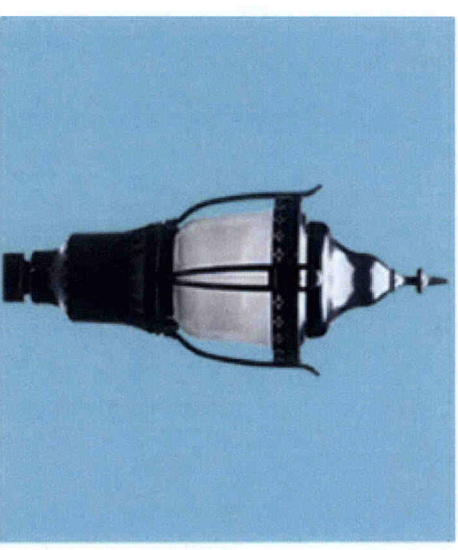


Other Standards

- All proposed and amended SR 741 and SR 63 Thoroughfare Types are subject to approval from ODOT.
- Multi-purpose trails adjacent to thoroughfares shall be protected from travel lanes by distance, landscaping, and/or other measures.

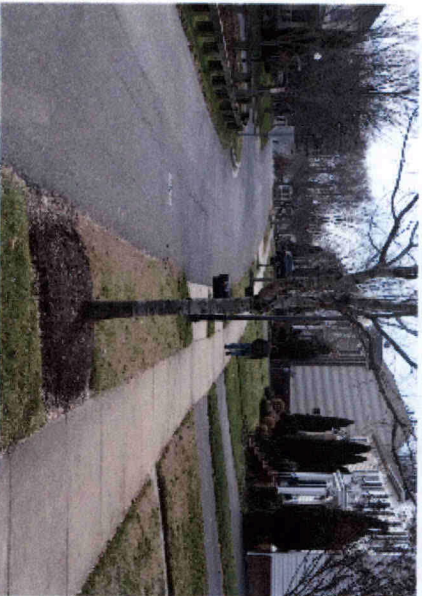
Other Standards

- Lighting and fixture heads shall be full cut-off.



Tree Planter Types

T3



Tree lawn.

T4



Tree lawn.

T5




Tree grate.

- Landscaping plans shall be submitted during site plan review of non-residential and multi-family.



Tree planter. (Fence is optional).



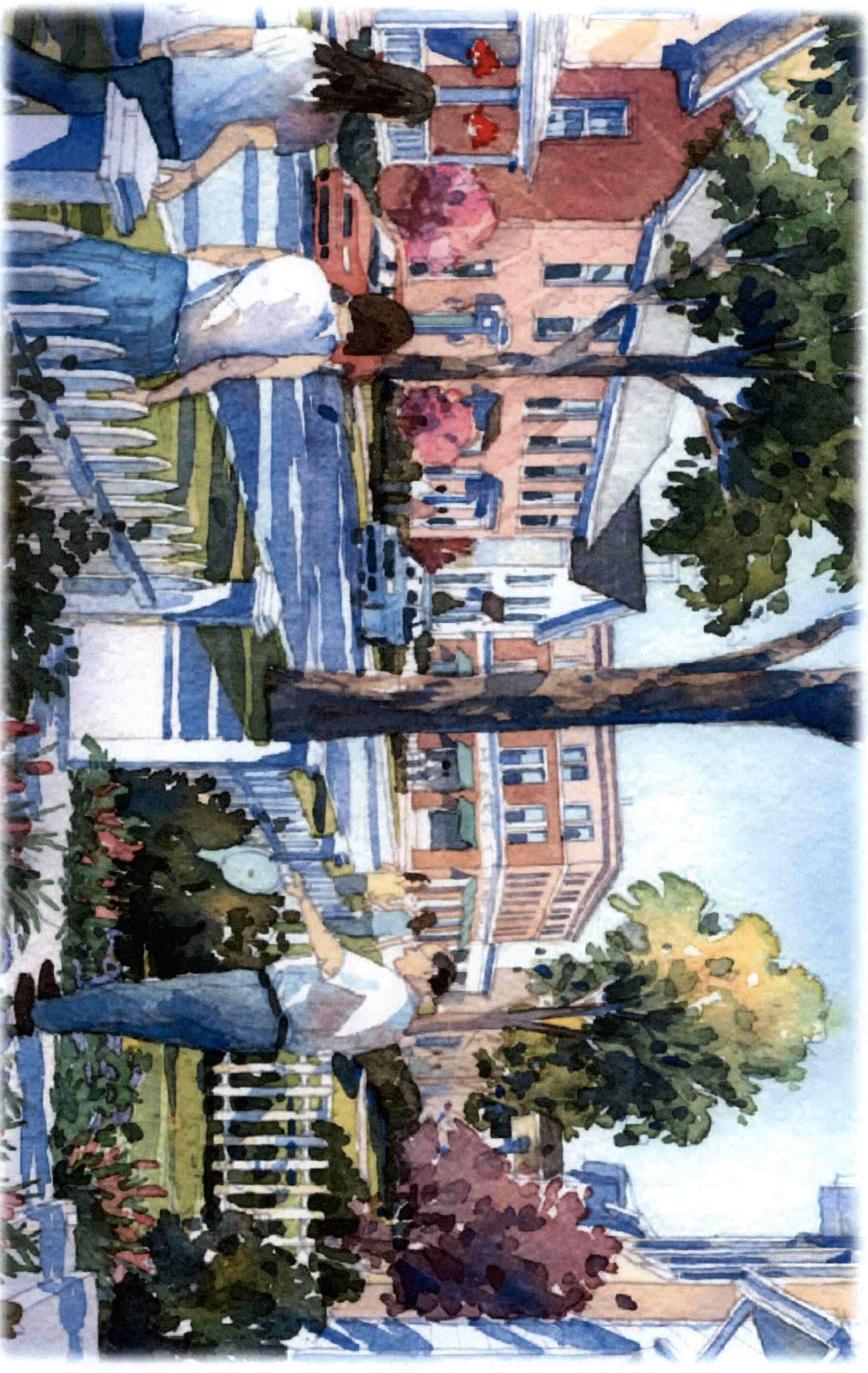
Other Standards

- Architectural Standards that apply only to non-residential and multi-family.
- Vinyl siding is prohibited.
- Decks shall not face frontages.
- Garage doors facing a frontage shall be a max. 9 ft wide

Neighborhood Edge – T3



Neighborhood General – T4



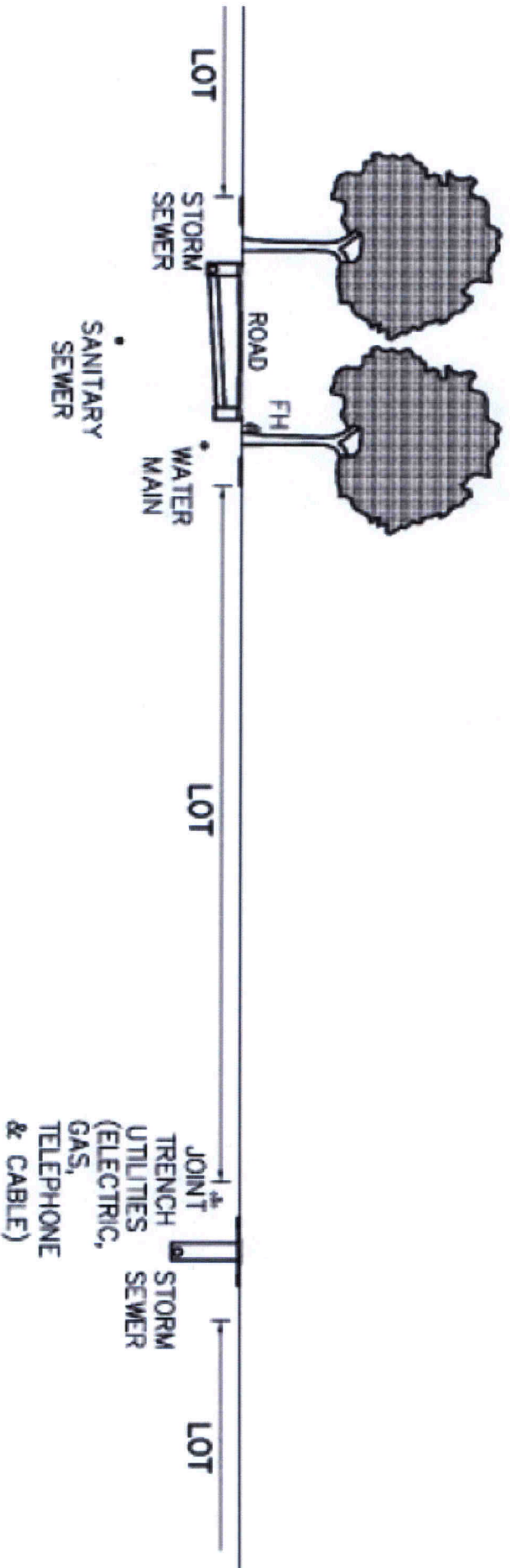
Neighborhood Center – T5



Village Center



Utilities



Regulating Plan

1-29-16



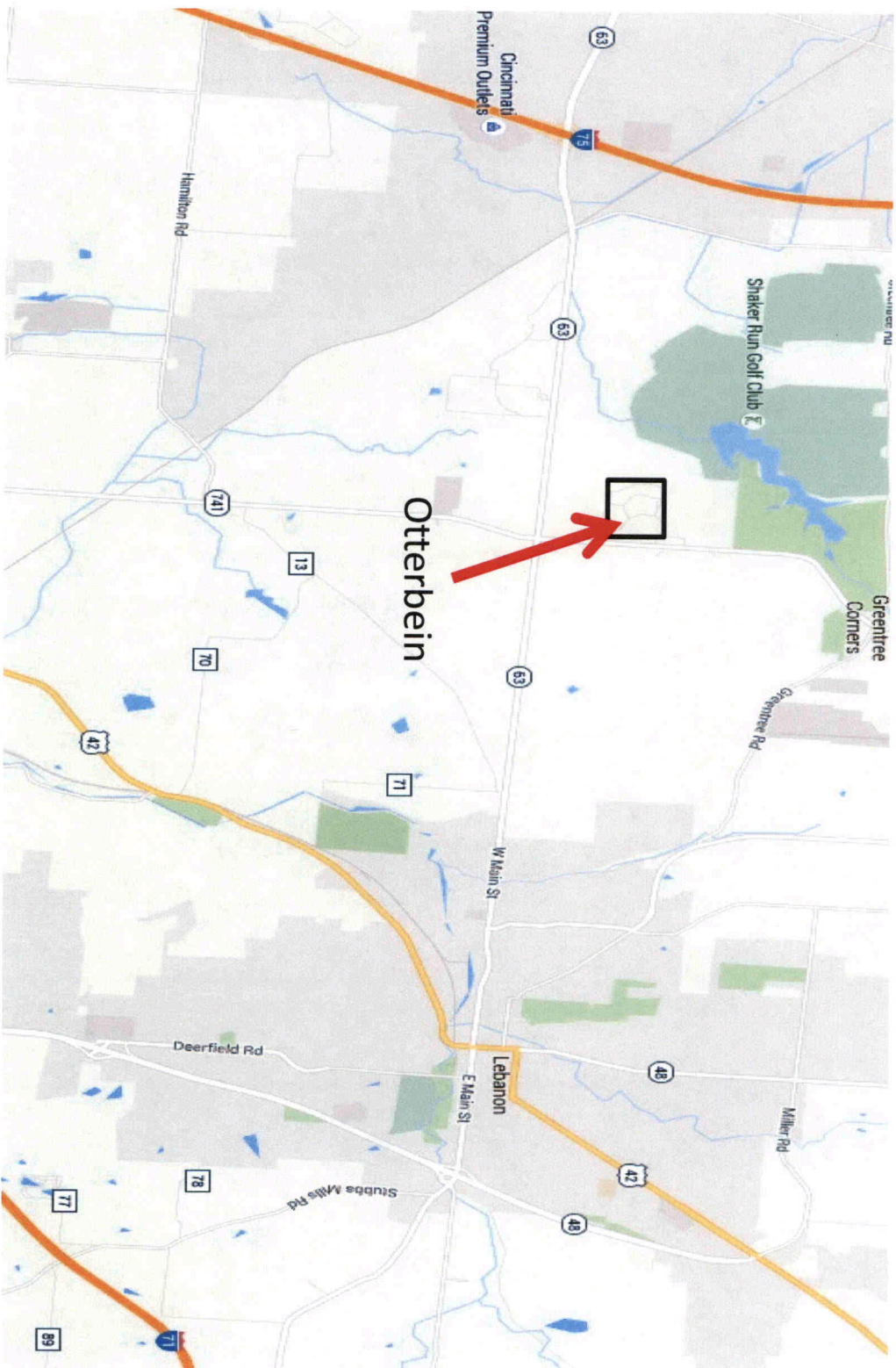


Union Village Stage 2 PUD Special District 1 - Phase 2 Turtlecreek Township

Board of County Commissioners

March 1st, 2016

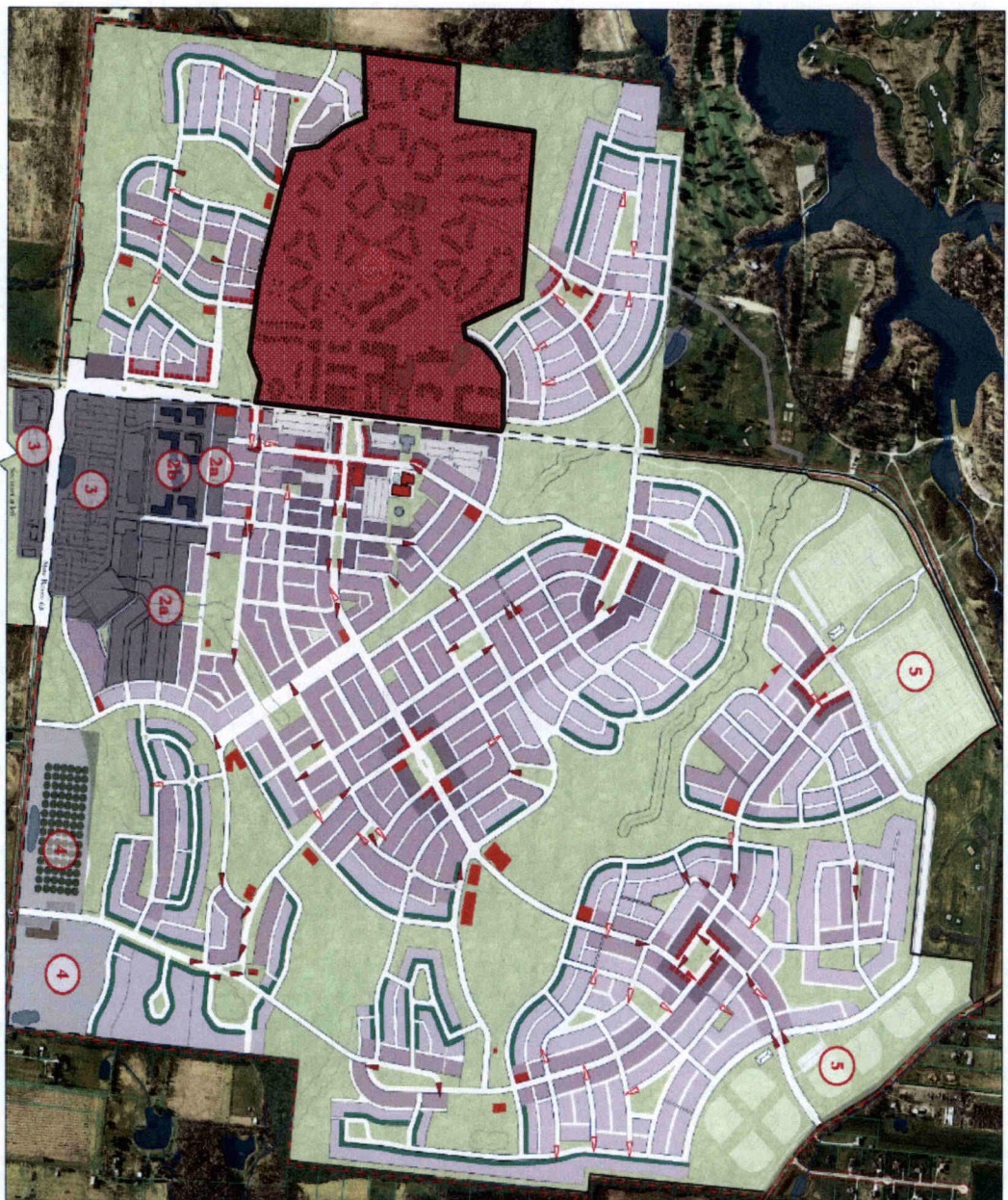
Vicinity



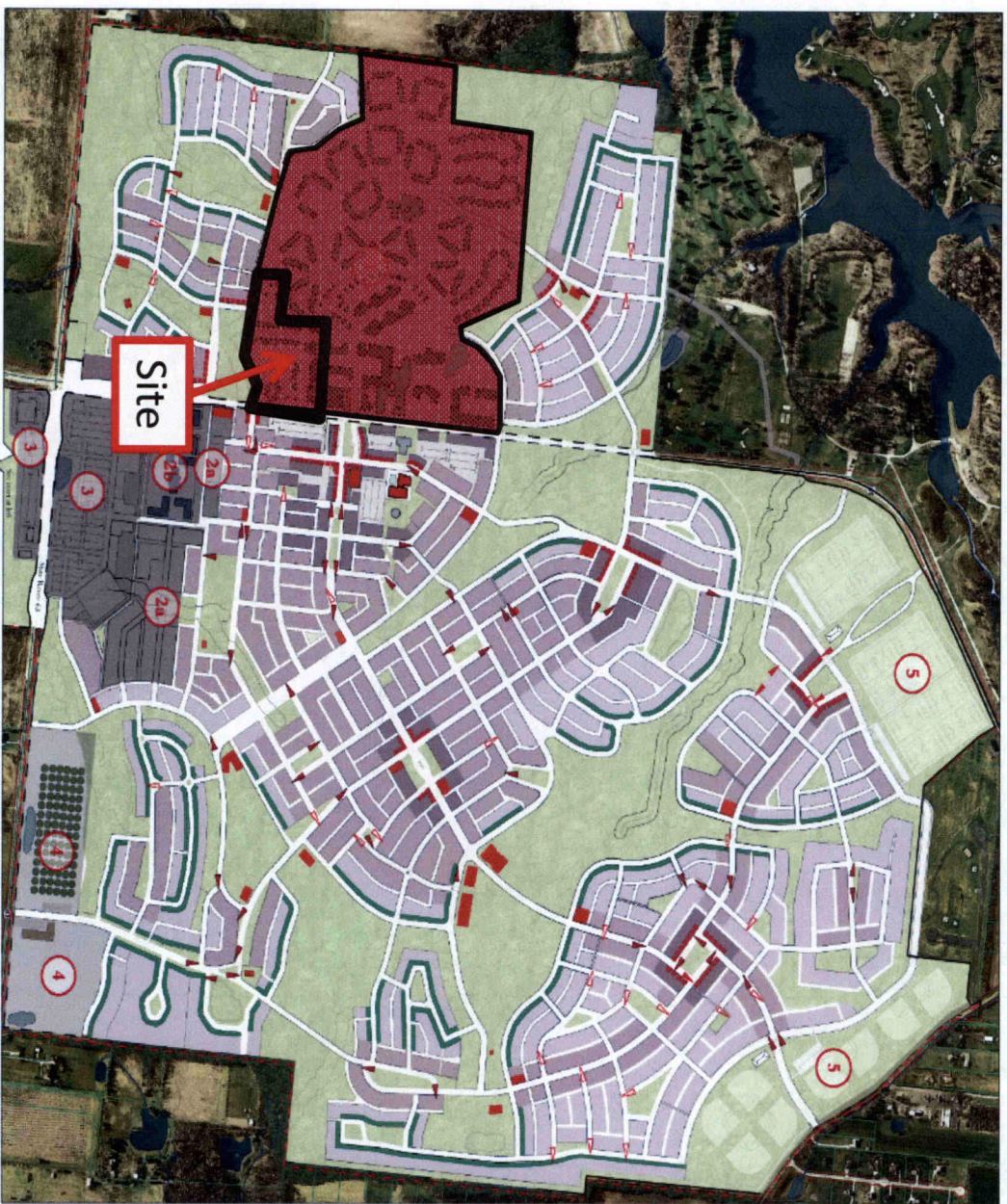
Project Area



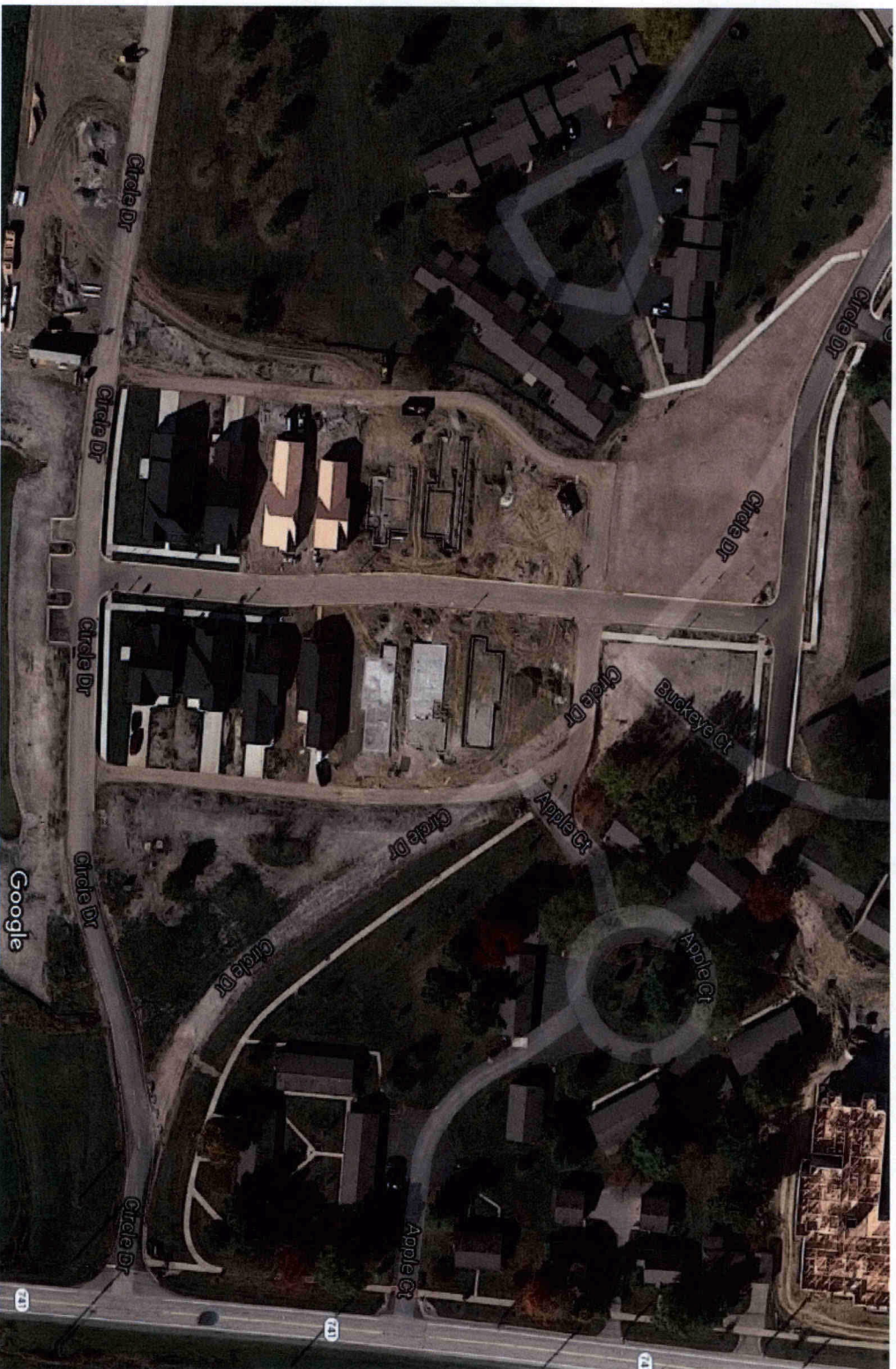
Project Area



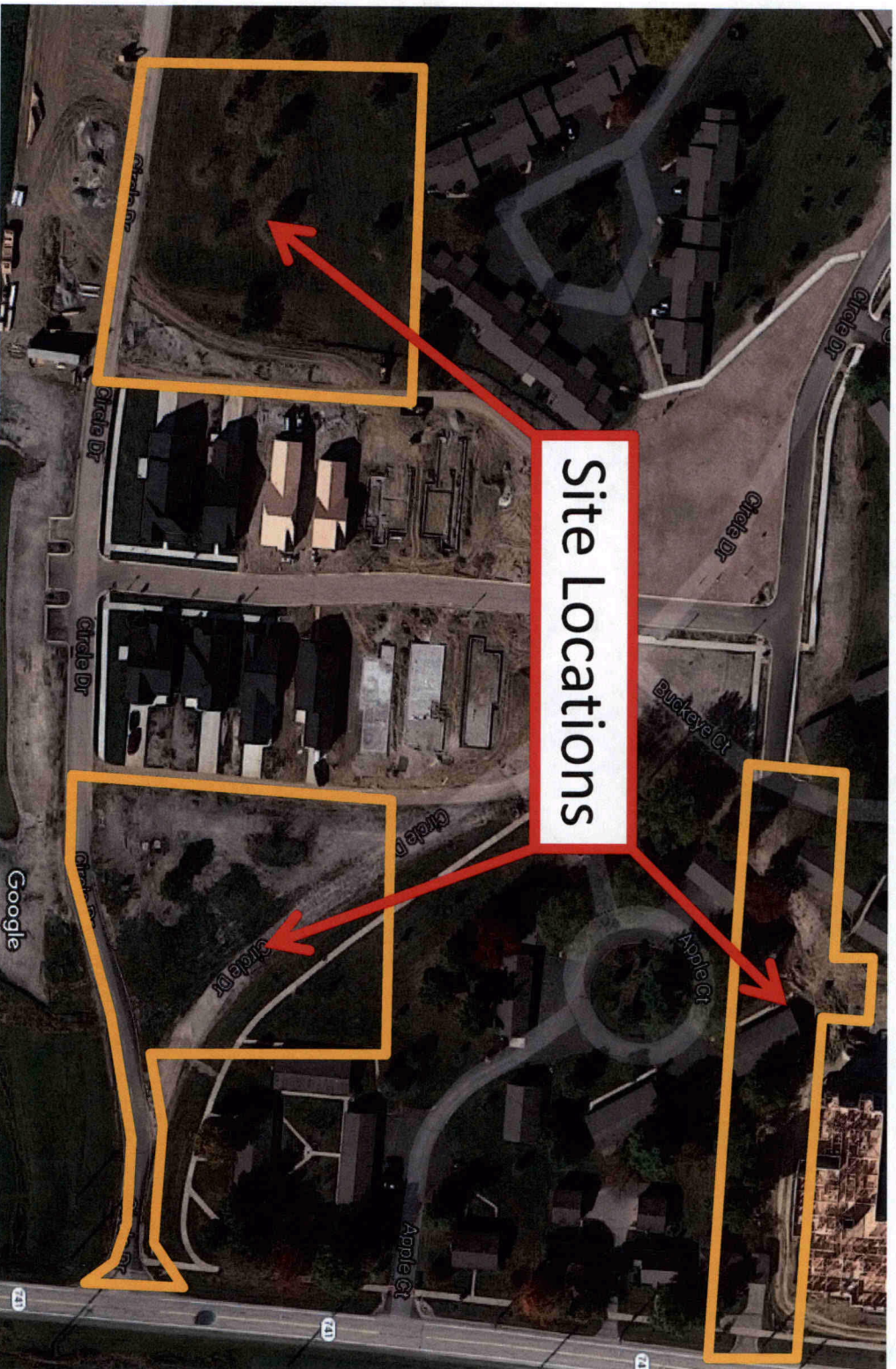
Project Area



Project Area

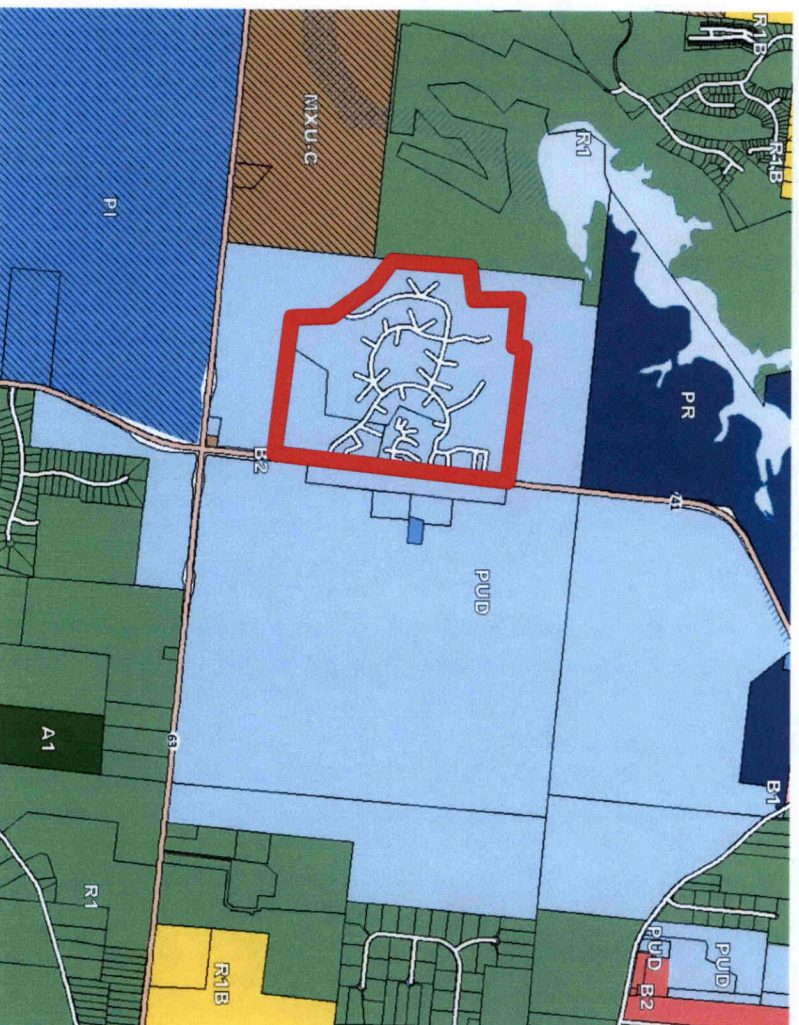


Project Area

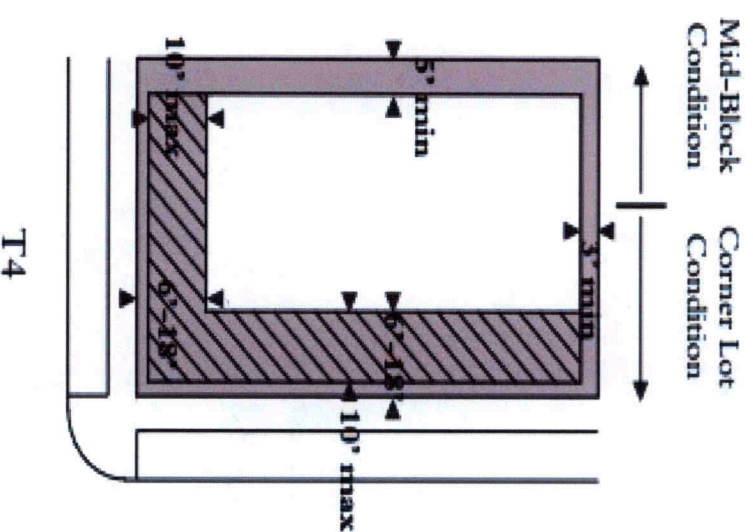
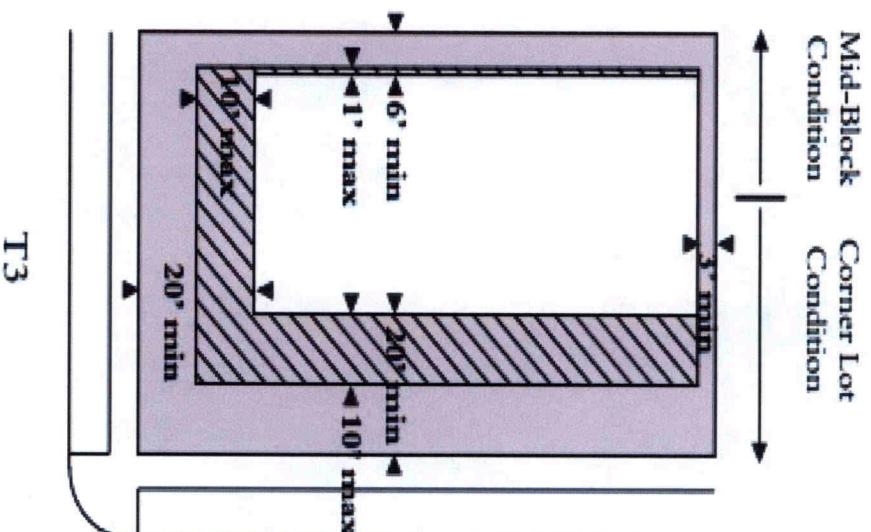


Zoning

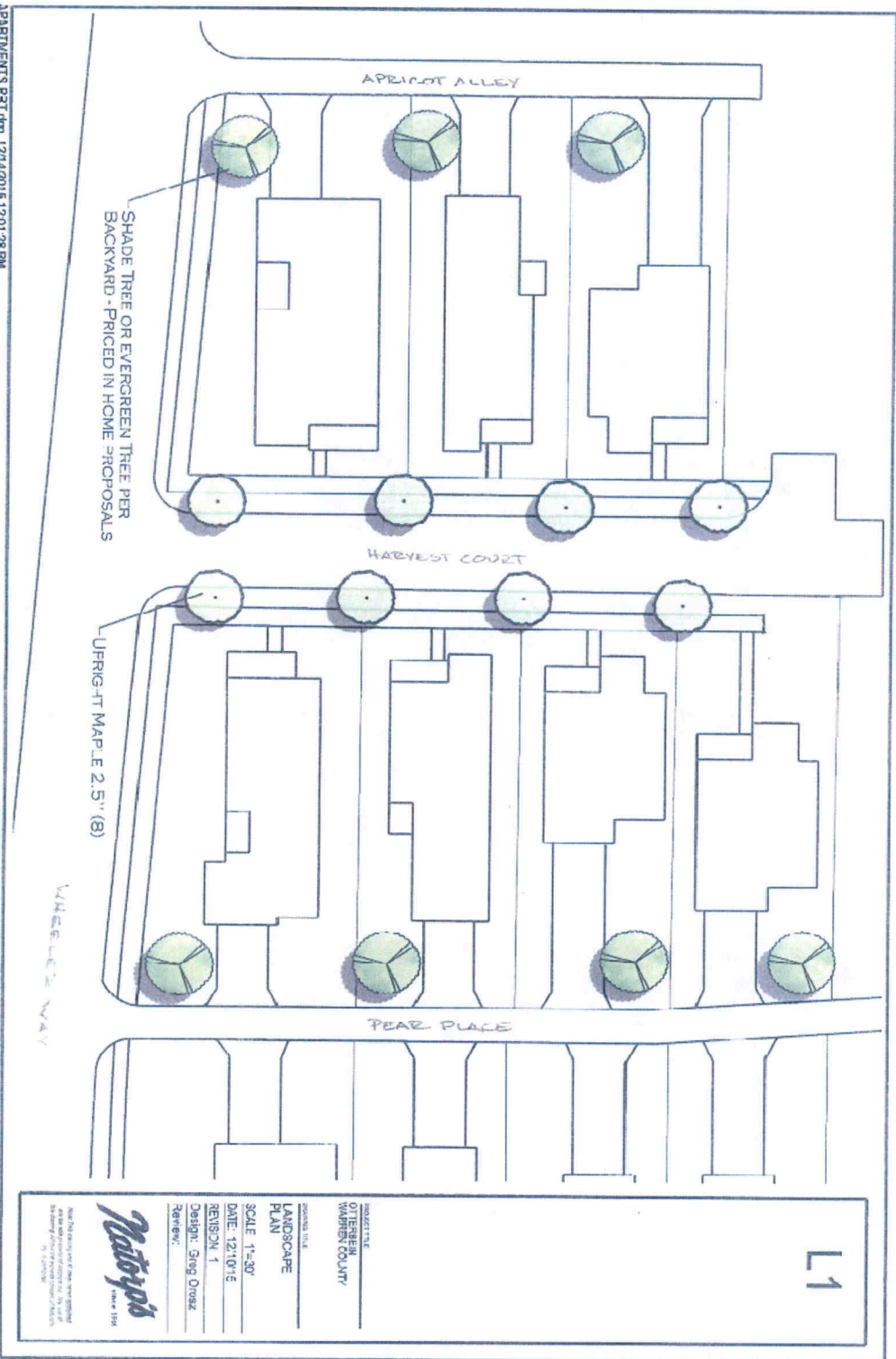
Rezoned in 2014 to “PUD” Planned Unit Development.
Staff recommends new development be consistent with
T-3 or T-4 standards.



Cottage Standards

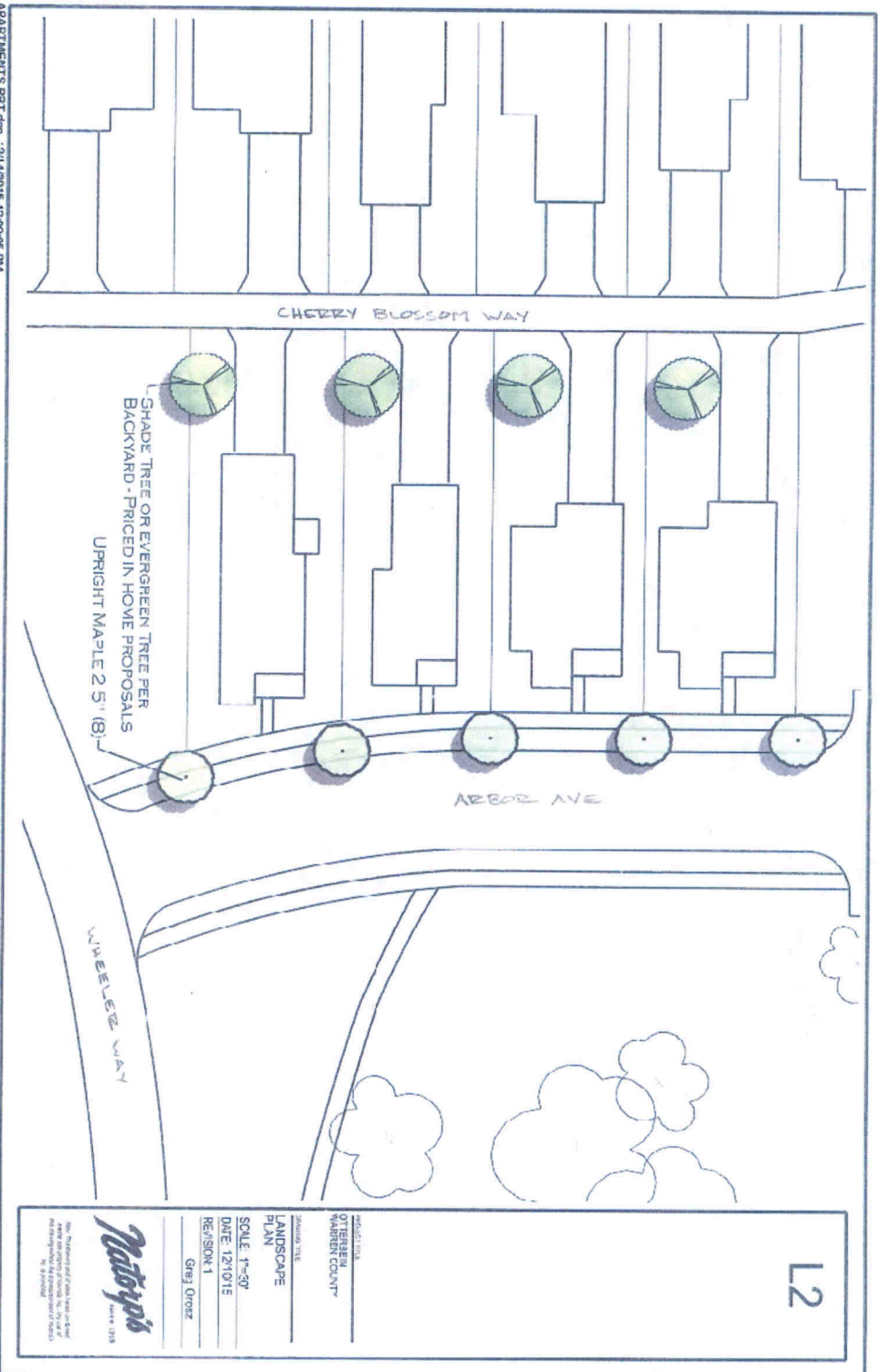


Proposed Street Landscaping



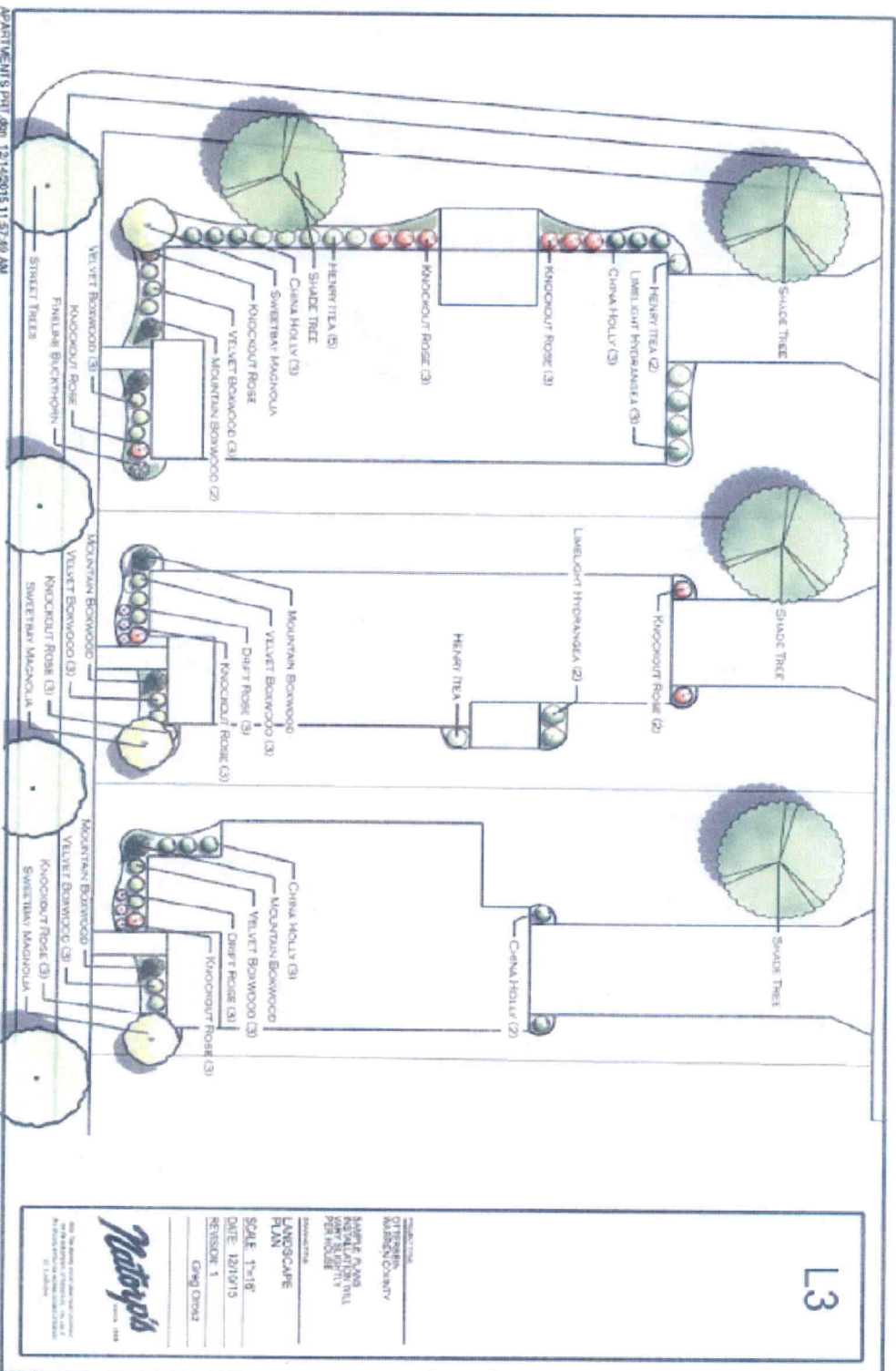
APARTMENTS PRT.dwg 12/14/2015 12:01:28 PM

Proposed Street Landscaping



APARTMENTS.PRT.dgn - 2/14/2015 12:00:05 PM

Proposed Landscaping





Recommendations

**Recommend Approval of the Union
Village- Special District 1 PUD
subject to the following conditions:**

1. Compliance with Warren County Rural Zoning Regulations and PUD Stage 1 requirements.

Recommendations

2. Cottage Units shall be in accordance with T3 or T4 standards.
3. Approval of all street sections, right-of-way widths, one way streets, street stubs, roundabouts, cul-de-sacs, access points, turning radii, and internal circulation by the Engineer's Office, Turtlecreek Township Trustees, County Sheriff, Fire Department, and RPC.

Recommendations

4. Temporary turnarounds shall be removed once streets and alleys are connected with future development phases.
5. Compliance with all ODOT requirements for a turn-lane analysis and any subsequent improvements to SR 741.
6. All construction debris and dust onto SR 741, SR 63, County roads, and Township roads must be removed and brushed in a timely manner during the same work day so that traffic is not disrupted.

Recommendations

7. Approval of a stormwater drainage plan by the Warren County Engineer's Office.
8. Approval of an erosion and sediment control plan prior to earth moving activities by Warren County Soil and Water Conservation District.
9. All public and private utility lines shall be installed underground, or as determined by the Board of County Commissioners.



Recommendations

10. Compliance with the proposed Landscaping plan.
11. All common open space shall be owned and maintained by Otterbein.