



BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO
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TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG

BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO

MINUTES: Regular Session – February 28, 2017

The Board met in regular session pursuant to adjournment of the February 23, 2017, meeting.

Tom Grossmann – present

Shannon Jones – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the February 21, 2017 meeting were read and approved.

- 17-0300 A resolution was adopted to accept resignation, due to retirement, of Karen Whittamore, Director, of Warren County OhioMeansJobs, effective April 28, 2017. Vote: Unanimous
- 17-0301 A resolution was adopted to hire Jennifer Yeazel as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 17-0302 A resolution was adopted to promote Rachel Brockhuis from Unit Support Worker II to the position of Eligibility Referral Specialist II within the Warren County Department of Human Services. Vote: Unanimous
- 17-0303 A resolution was adopted to approve lateral transfer of Katie Pyle from the position of Alternative Case Worker II to Screener II within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-0304 A resolution was adopted to authorize the posting of the “Unit Support Worker II” position, within the Warren County Job and Family Services Department, Human Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous

- 17-0305 A resolution was adopted to approve and enter into an agreement between Warren County Board of Developmental Disabilities and the Board of Warren County Commissioners relative to Warren County Transit Service. Vote: Unanimous
- 17-0306 A resolution was adopted to approve certification of delinquent water and/or sewer accounts- Warren County Water and Sewer Department. Vote: Unanimous
- 17-0307 A resolution was adopted to advertise bids for the Warren County Fairgrounds Bldg. A Renovation Project. Vote: Unanimous
- 17-0308 A resolution was adopted to approve cancellation of the agreement and addendum dated November 8, 2016 (authorized pursuant to Resolution #16-1739) between the Warren County Board of Commissioners and Advanced Water Solutions and approve and authorize the Board of Commissioners to enter into agreement and addendum with Advanced Water Solutions on behalf of Facilities Management. Vote: Unanimous
- 17-0309 A resolution was adopted to declare an emergency and waive competitive bidding for the immediate replacement of RBI Boiler DB-300 at Juvenile Justice Center. Vote: Unanimous
- 17-0310 A resolution was adopted to declare an emergency and waive competitive bidding for the immediate repairs to the Warren County Jail Chiller. Vote: Unanimous
- 17-0311 A resolution was adopted to set public hearing concerning proposed amendments to the Warren County Subdivision Regulations. Vote: Unanimous
- 17-0312 A resolution was adopted to approve voucher add on. Vote: Unanimous
- 17-0313 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D)(1). Vote: Unanimous
- 17-0314 A resolution was adopted to approve various refunds. Vote: Unanimous
- 17-0315 A resolution was adopted to approve the following record plats. Vote: Unanimous
- 17-0316 A resolution was adopted to approve supplemental appropriation into Human Services Fund #203. Vote: Unanimous
- 17-0317 A resolution was adopted to approve appropriation adjustment within Common Pleas Court- Pretrial Services Fund #101-1222. Vote: Unanimous
- 17-0318 A resolution was adopted to authorize payment of bills. Vote: Unanimous

- 17-0319 A resolution was adopted to hire Kaycee Hopkins as Emergency Communications Call Taker, within the Warren County Emergency Services Department. Vote: Unanimous
- 17-0320 A resolution was adopted to hire Samuel Lamaster as Emergency Communications Operator, within the Warren County Emergency Services Department. Vote: Unanimous
- 17-0321 A resolution was adopted to promote MaKenzie Cotton to the position of Emergency Communications Operator within the Warren County Emergency Services Department. Vote: Unanimous
- 17-0322 A resolution was adopted authorizing the County of Warren, Ohio to execute and deliver a Participating Public Hospital Agencies Agreement in connection with the issuance of Hospital Facilities Revenue Bonds of the County of Hamilton, Ohio; approving the issuance of such bonds; and authorizing other documents in connection with the issuance of such bonds. Vote: Unanimous
- 17-0323 A resolution was adopted to approve the Revised Stage 2 Planned Unit Development for Otterbein Lebanon, LLC (Life Enrichment Center- West) in Turtlecreek Township. Vote: Unanimous
- 17-0324 A resolution was adopted to approve the site plan review application of Travis Tipton/Ox, Inc. in Harlan Township. Vote: Unanimous
- 17-0325 A resolution was adopted to approve a sidewalk bond release for Holliday Glass Subdivision, Phase One subject to certain conditions. Vote: Unanimous

DISCUSSIONS

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

On motion, bids were closed at 9:15 a.m. this 28th day of February and the following bids were received, opened and read aloud for the Pence Jones Road Bridge Rehabilitation Project for the Warren County Engineer's Office:

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FEBRUARY 28, 2017
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Fred A. Nemann Co. Cincinnati, Ohio	\$195,625.00
John R. Jurgenson Co. Cincinnati, Ohio	\$188,288.25
W.E. Smith Construction Blanchester, Ohio	\$134,887.50

Neil Tunison, Warren County Engineer will review bids for a recommendation at a later date.

On motion, bids were closed at 9:30 a.m. this 28th day of February and the following bids were received, opened and read aloud for the Fairgrounds Grandstand Demolition Project for the Warren County Agricultural Society:

Complete Clearing Inc. Merango, Ohio	\$177,100.00 alt. \$224,600.00
Green City Demolition Cincinnati, Ohio	\$198,000.00 alt. None
Steve R. Rauch Inc. Dayton, Ohio	\$300,000.00 alt. \$332,500.00
Evans Landscaping Inc Cincinnati, Ohio	\$374,875.00 alt. \$349,875.00
Charles Jergens Construction Dayton, Ohio	\$220,299.00 alt. \$210,299.00
Vickers Demolition, Inc. Trenton, Ohio	\$274,000.00 alt. None
Brunk Excavating, Inc. Monroe, Ohio	\$256,974.00 alt. \$234,524.00
Majors Enterprises, Inc Monroe, Ohio	\$207,450.00 alt. \$362,450.00
Cox Paving Washington Court House, Ohio	\$249,647.89 alt. None

O'Rourke Wrecking Co. Cincinnati, Ohio	\$219,000.00 alt. \$244,000.00
Battle Axe Construction, LLC West Chester, Ohio	\$237,700.00 alt. \$249,000.00
Brown Construction Morrow, Ohio	\$229,050.00 alt. \$249,050.00
B & B Wrecking & Excavating Cleveland, Ohio	\$208,600.00 alt. \$242,600.00

The Warren County Agricultural Society will review bids for recommendation at a later date.

ADMINISTRATIVE HEARING
STAGE 2 PLANNED UNIT DEVELOPMENT FOR OTTERBEIN LEBANON, LLC (LIFE
ENRICHMENT CENTER – WEST) IN TURTLECREEK TOWNSHIP

The Board met this 28th day of February 2017, to consider Revised Stage 2 Planned Unit Development Application for Otterbein-Lebanon, LLC (Life Enrichment Center – West).

Greg Orosz, Regional Planning Commission, presented the attached PowerPoint presentation showing the site location, the originally approved site plan and the requested revision to rearrange the parking area and circulation around the building. He stated that the revision would lose three parking spaces with curb and they are requesting to construct parking in phases to add additional parking including a future parking garage. He then stated that the Regional Planning Commission has no concerns with the requested revisions and stated the recommendation to approve the application subject to nine conditions.

Rick Evans, Engineer present representing the applicant, stated he is available to answer any questions the Board may have relative to the requested revisions.

Upon further discussion, the Board closed the administrative hearing and resolved (Resolution #17-0323) to approve the Otterbein Revised Stage 2 PUD in Turtlecreek Township, subject to nine conditions.

ADMINISTRATIVE HEARING
SITE PLAN REVIEW APPLICATION OF TRAVIS TIPTON/OX, INC.
IN HARLAN TOWNSHIP

The Board met this 28th day of February 2017, in the Commissioners' Meeting Room, to consider the site plan review application of Travis Tipton/Ox, Inc. for a change of use from a used car lot and gas station to a fencing supply and installation business including the outside display of fencing, sheds, and landscaping materials for sale.

Commissioner Grossmann administered the oath to those present desiring to give testimony relative to the site plan review application.

Stephanie Austin, Zoning Inspector, presented the attached PowerPoint presentation showing the location, parcel size and surrounding zoning of the area. She reviewed the requested change of use from a former car lot and gas station to fencing and landscaping supply company. She reviewed the comments from the Regional Planning Commission including the need to request a variance for the sidewalk, bicycle rack, curbs, etc. requirement.

Ms. Austin stated that the Zoning staff has reviewed the recommendation of the need for a variance and determined that, due to the property not being a new development but a re-use of the current property, it is exempt from the sidewalk, etc. requirement in the zoning code.

Ms. Austin reviewed the recommendation of the Zoning Department to approve the site plan review application subject to eight conditions.

Travis Tipton, applicant, stated he has no concerns with the proposed conditions that that he will work with ODOT relative to the concerns with trees and fencing in the road right of way.

Kurt Weber, Deputy County Engineer, stated the Engineer's Office would require an access permit for the access on Morrow-Woodville Road.

There being no one further comments from those present for the administrative hearing, the Board resolved (Resolution #17-0324) to approve the site plan review application subject to eight conditions.

Chris Ziegelmeier, Neyer Properties, was present along with Kurt Weber, Deputy County Engineer, and Adam Nice, Assistant Prosecutor, for a work session to discuss the request for a sidewalk performance bond release for Holliday Glass Subdivision, Phase One in Hamilton Township.

Mr. Ziegelmeyer explained that Neyer Properties had proposed to construct a daycare center on the property but the project is no longer going to happen. He stated his request for the sidewalk performance bond to be released.

Kurt Weber, Deputy County Engineer, and Adam Nice, Assistant Prosecutor, informed the Board that if they choose to release the performance bond, there is no mechanism in place to ensure that the sidewalks will be constructed in the future due to the final plat already being approved and recorded.

Mr. Ziegelmeyer stated there are no further prospects for this parcel at this time but it is being marketed for future development.

There was discussion relative to the need for the sidewalk performance bond at time of development of the parcel.

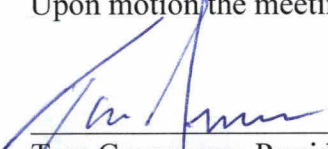
There was discussion relative to the ability to enter into an agreement to ensure that a future performance bond is issued in exchange for the release of the current bond.

Upon conferring with the property owner, Mr. Ziegelmeyer stated the authorization to proceed with the agreement in exchange for the sidewalk performance bond release.

Upon further discussion, the Board resolved (Resolution #17-0325) to approve the sidewalk performance bond release upon receipt of a written agreement between this Board and Neyer Properties, Inc. relative to the new security agreement requirements.

Several students from Lebanon City School Student Government class were present for Student Government Day.

Upon motion the meeting was adjourned.



Tom Grossmann, President




David G. Young

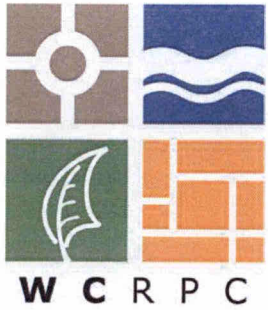


Shannon Jones

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 February 28, 2017, in compliance with Section 121.22 O.R.C.



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



Otterbein Life Enrichment Center (LEC) – West Revised PUD Stage 2

Prepared for the
Board of County Commissioners

Meeting Date: February 28, 2017

PUD Approval Timeline

Stage 1

Applicant - Otterbein Home Inc. (Union Village)

NOV 14, 2014 County Commissioners Approve Stage 1

Stage 2

DEC 22, 2015 County Commissioners Approve LEC West - Stage 2

JAN 26 RPC Executive Committee – Recommend Approval
Revised Stage 2

FEB 28 County Commissioners – Revised Stage 2

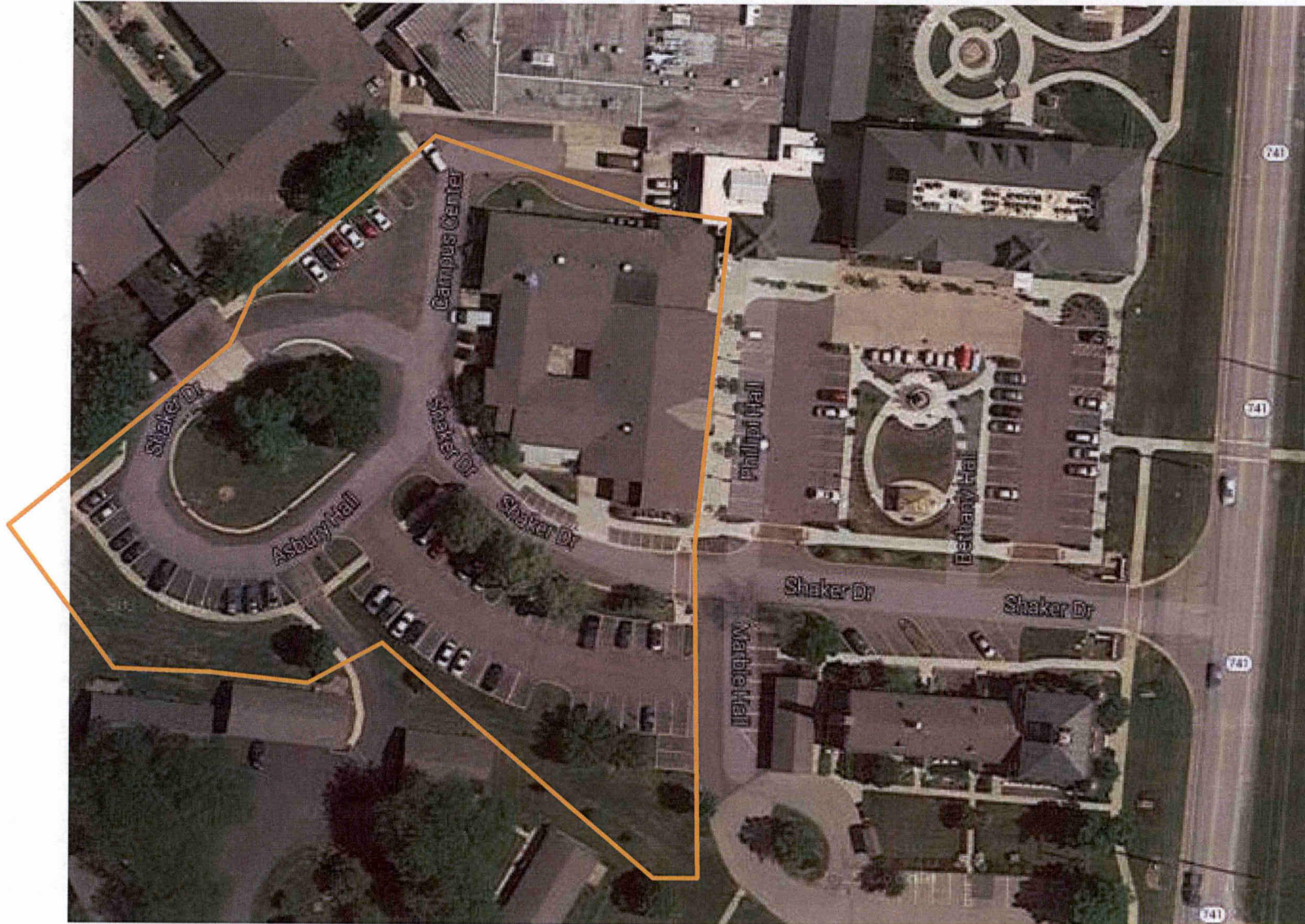
NEXT County Commissioners – Site Plan Review

FINAL Staff – PUD Stage 3

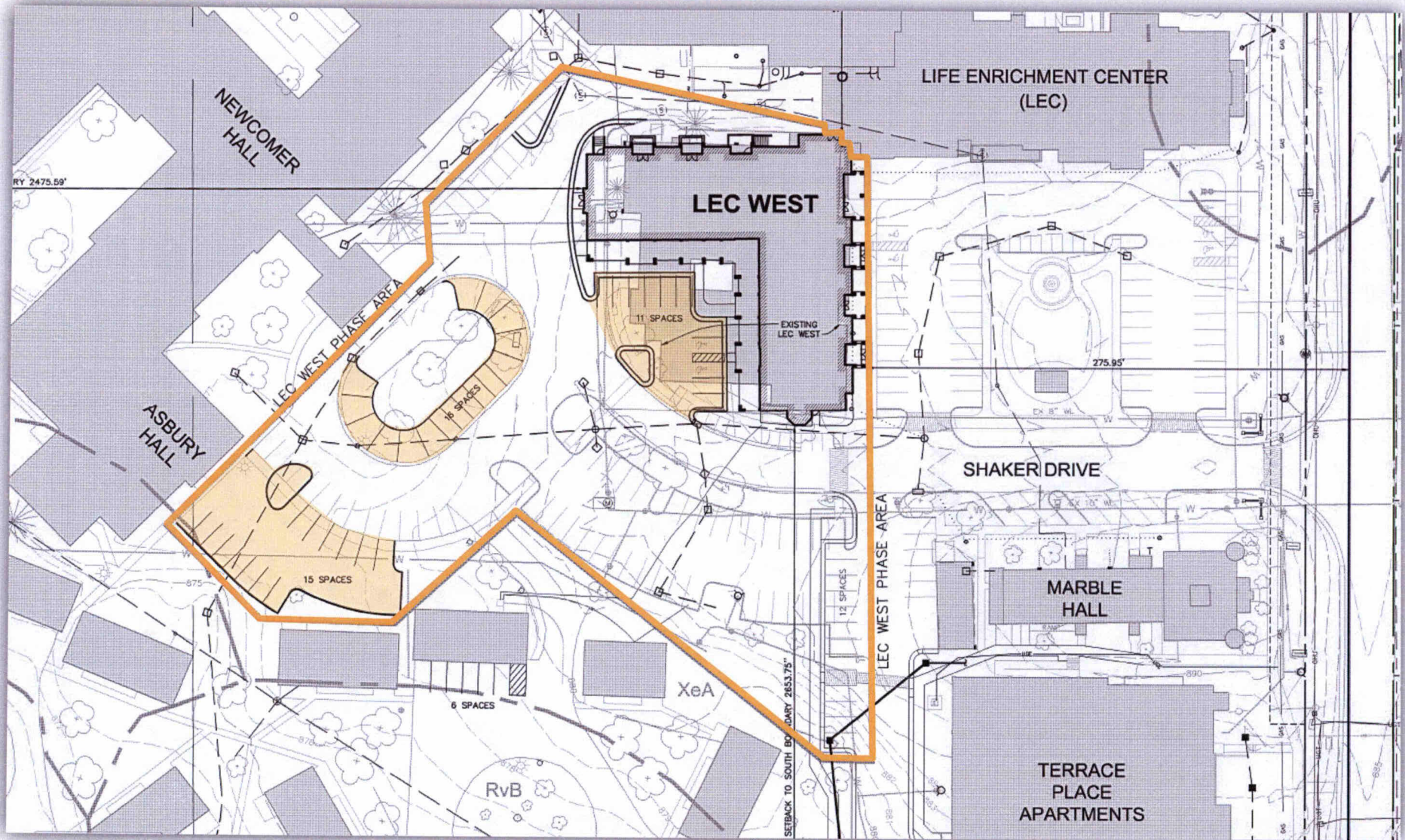
Site Location



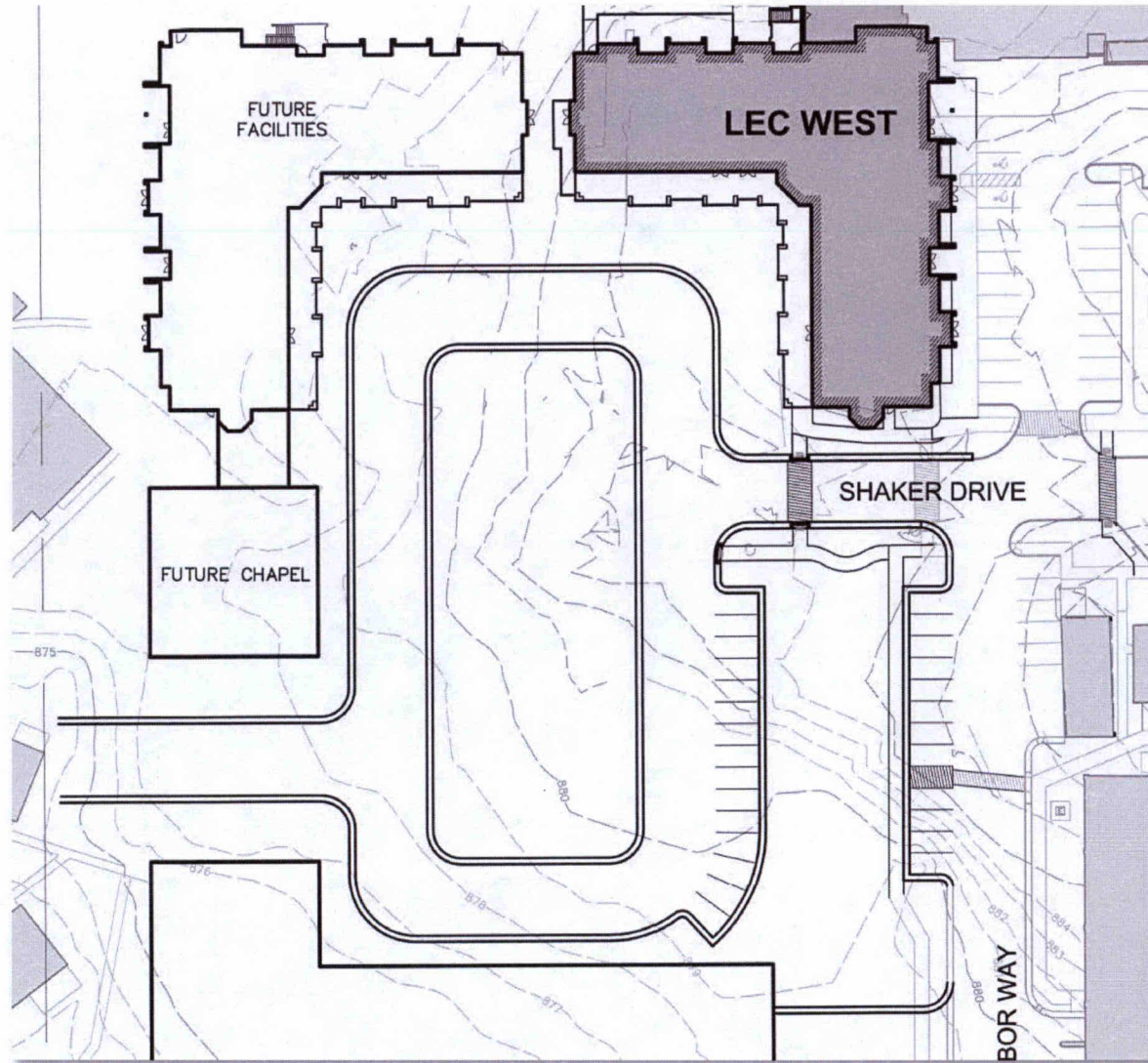
Existing Conditions



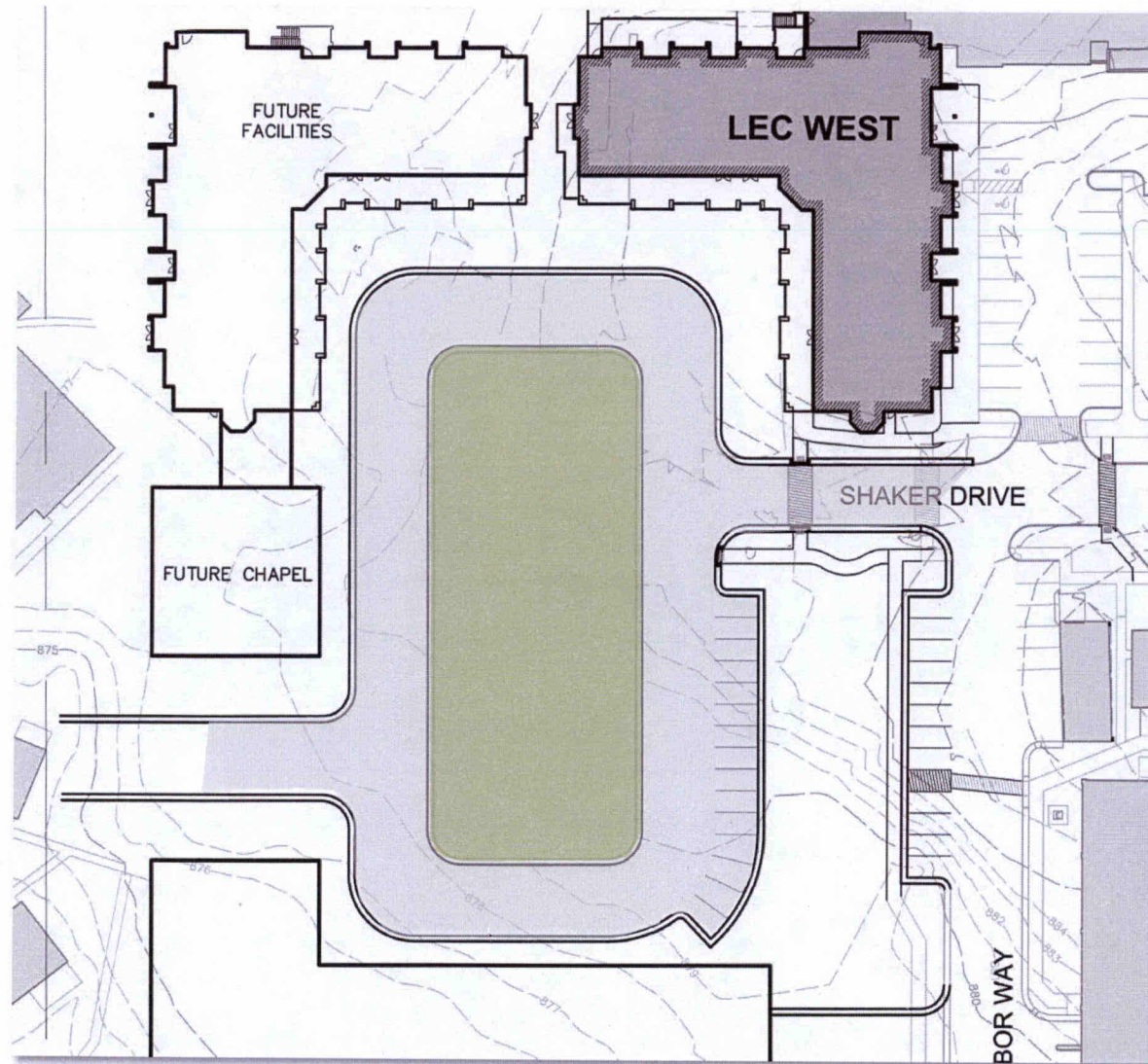
Approved Site Layout



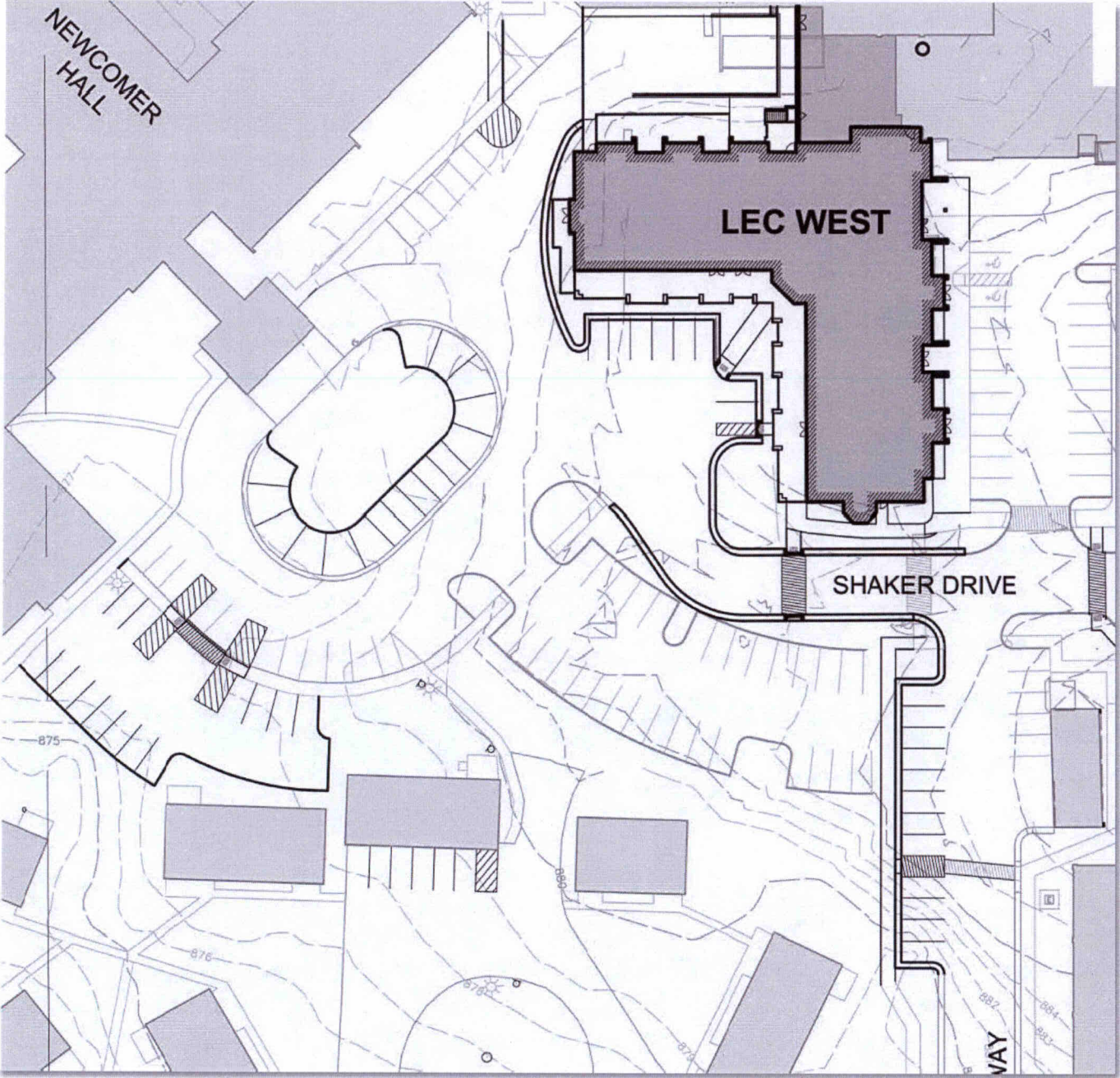
Site Layout – Full Concept



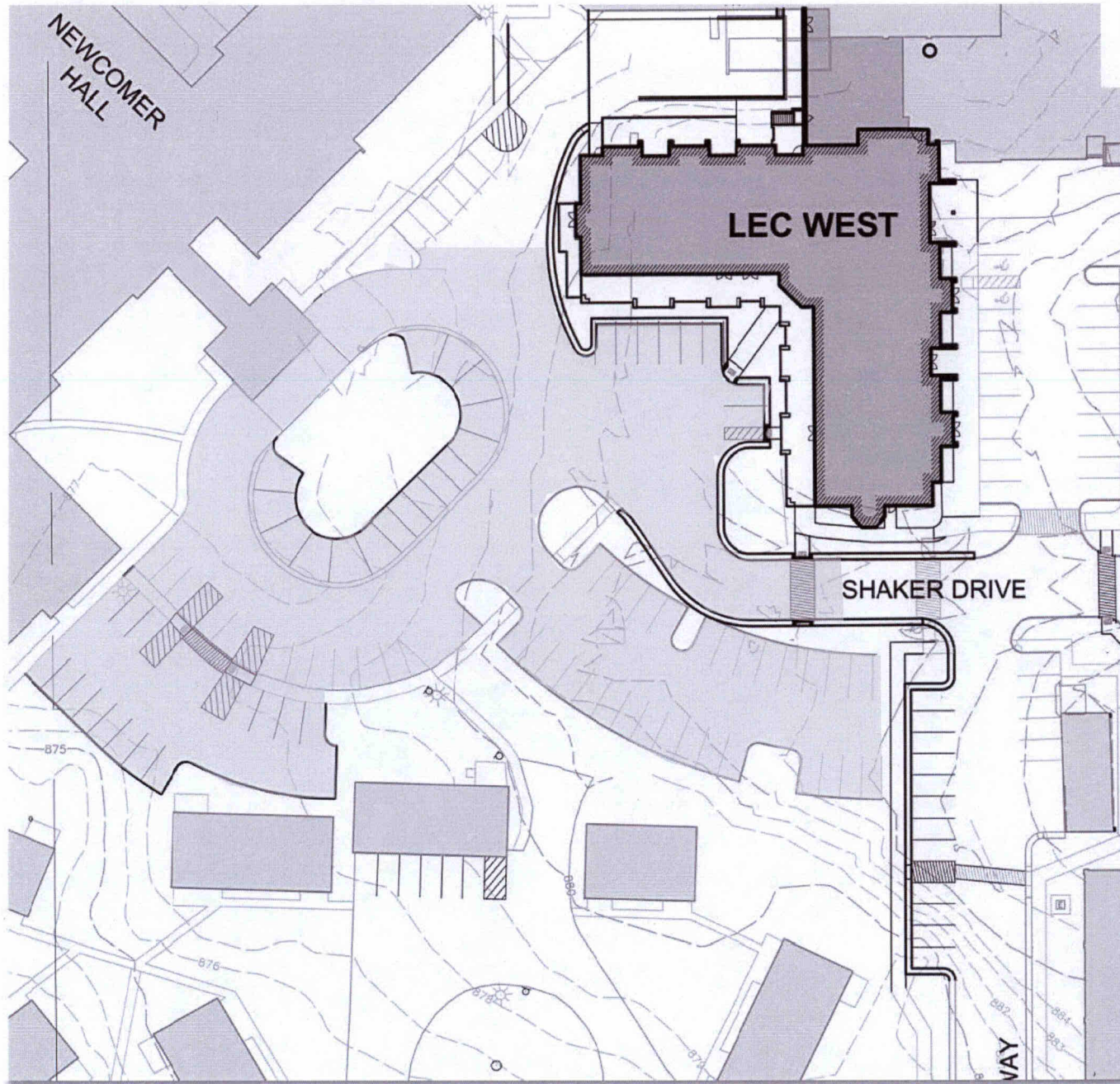
Site Layout – Full Concept



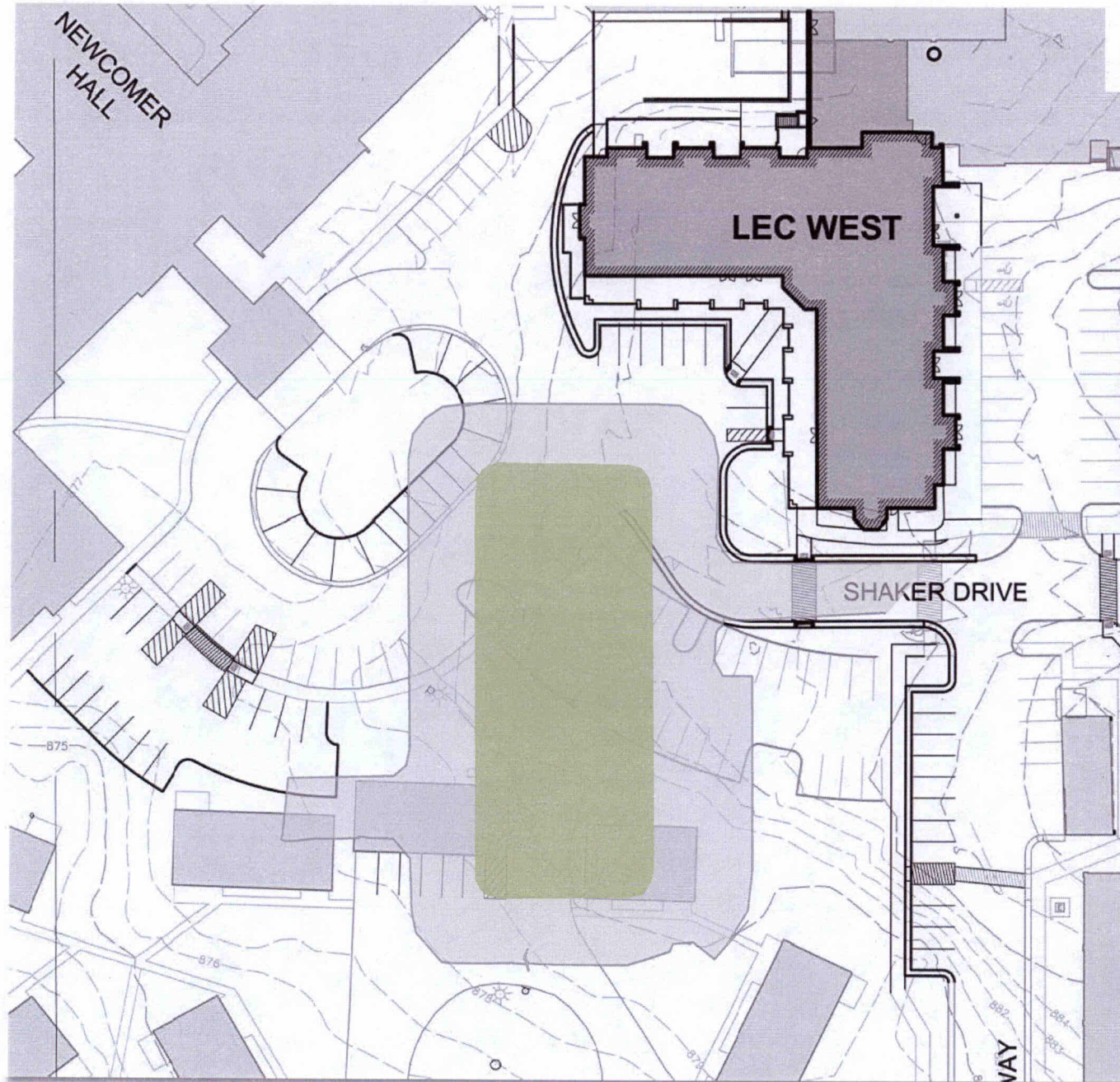
Site Layout – Phase 1



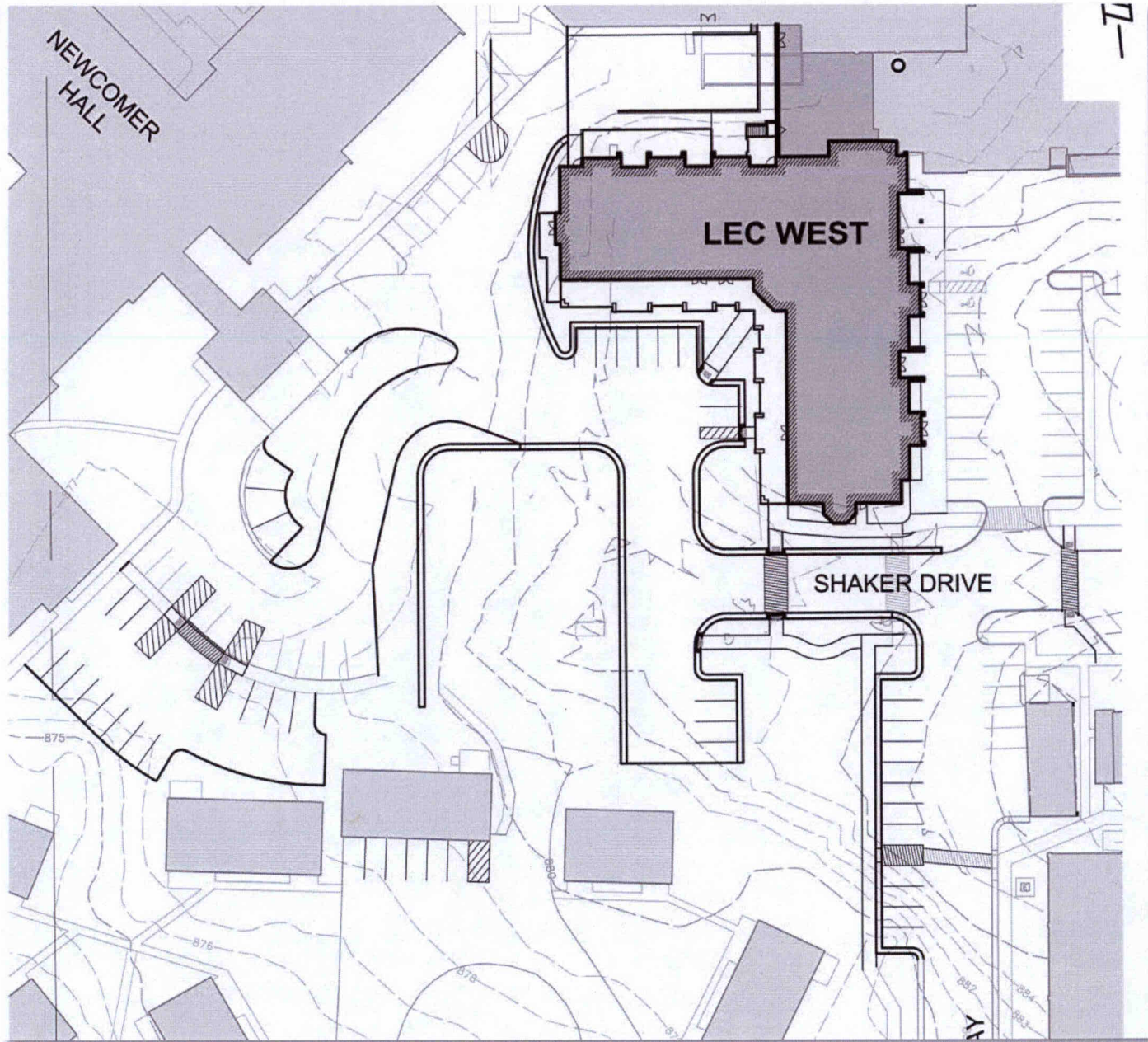
Site Layout – Phase 1



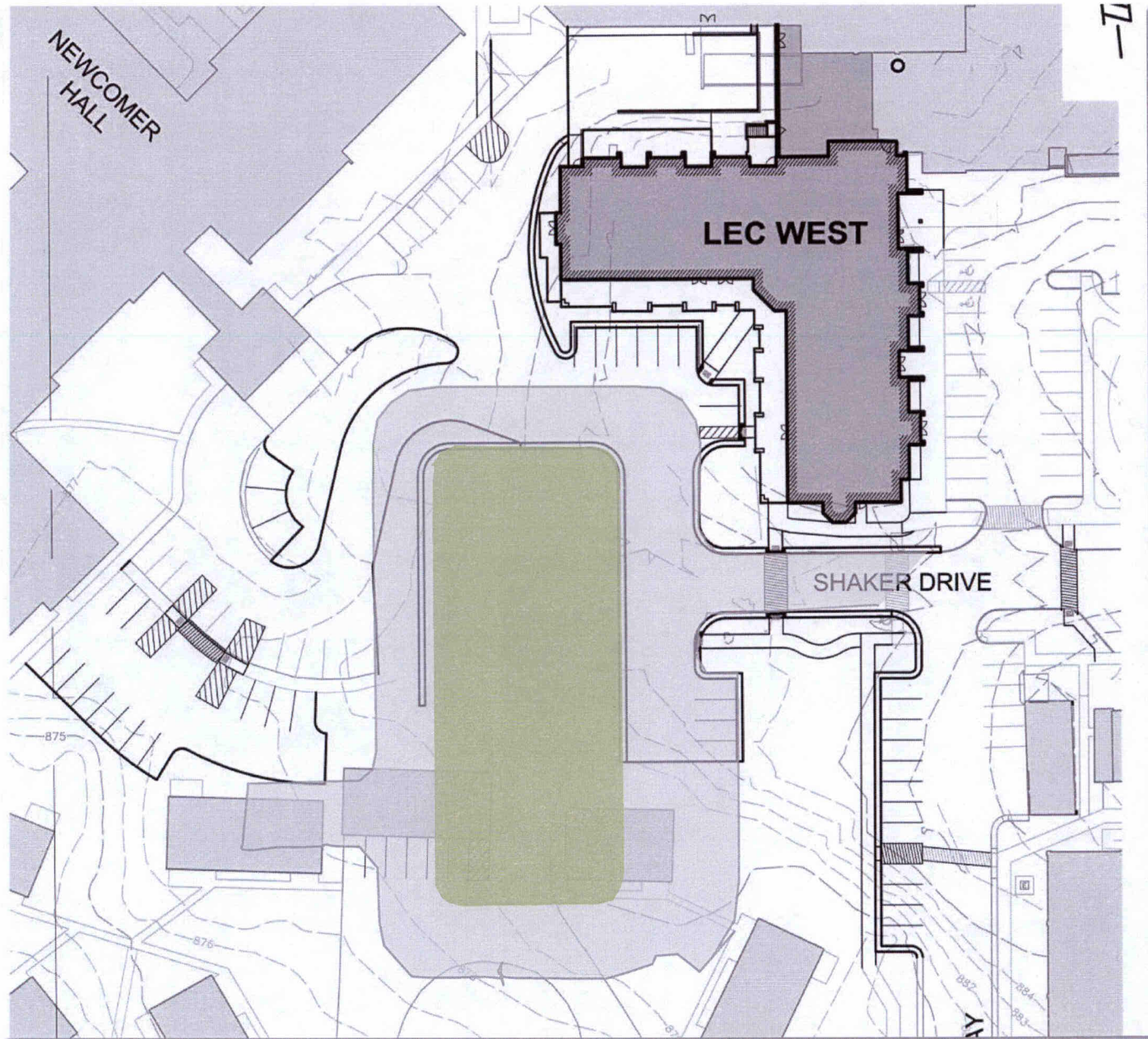
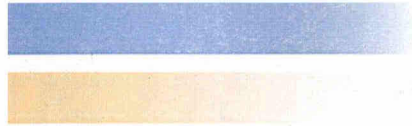
Site Layout – Phase 1



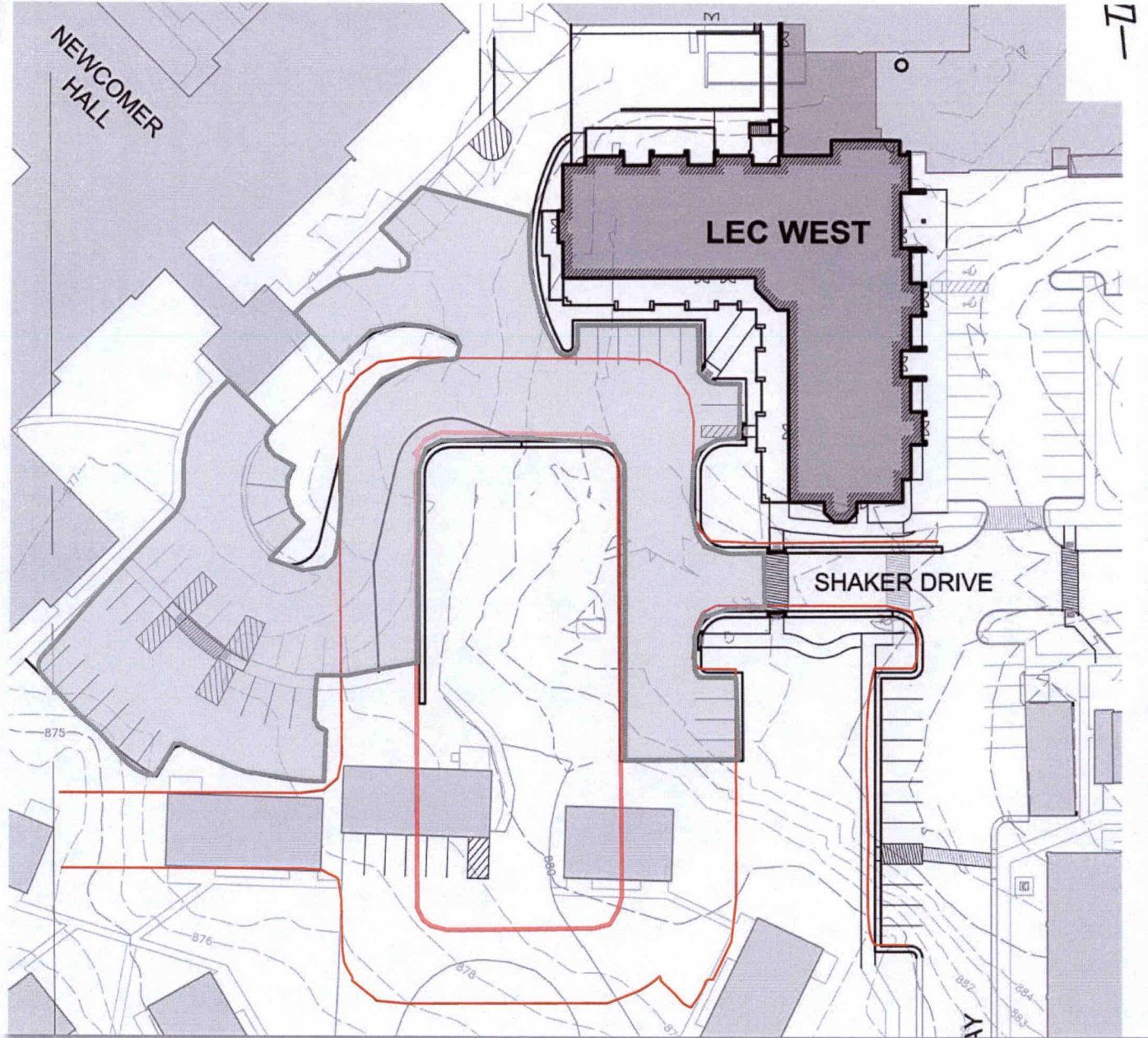
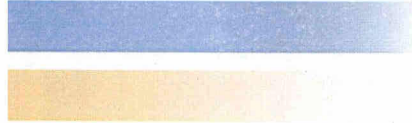
Site Layout – Phase 2



Site Layout – Phase 2



Site Layout – Phase 2



Recommendation



Approval subject to the following conditions

1. Compliance with the Stage 1 PUD and Zoning Code.
2. The building be regulated as a 'Mixed-Use Building' in the 'T5 – Neighborhood Center Zone.'
3. Signage limited to the locations shown on the elevations.

Recommendation



4. The Dumpster location be confined to north side of building.
5. Approval of an erosion and sediment control plan.
6. Approval by the Warren County Health Department.

Recommendation



7. Inclusion of cross-walk to Newcomer Hall during each phase.
8. Detailed plans for lighting, landscaping, and signage for the central green space shall be provided during Site Plan Review.
9. Approval of the LEC West PUD Stage 2 does not constitute PUD Stage 2 approval of the buildings labeled future facilities.

East Elevation (Facing SR 741)



South Elevation (Facing Marble Hall)



Arcade

Special District 1

SPECIAL DISTRICT 1: OTTERBEIN SENIOR CAMPUS

Purpose and Intent:

The Purpose and Intent for Special District 1, Otterbein Senior Campus is to allow this use to continue to evolve and flourish in their pursuit of better ways to enhance the physical, social and spiritual life of seniors.

Density:

Special District 1 (Otterbein Retirement Community) shall have a maximum density of 10 dwelling units/acre.

Uses Permitted:

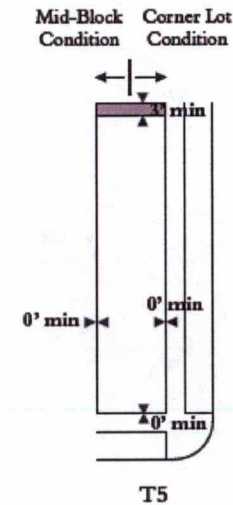
Inclusive of, but not limited to Civic and Institutional uses, the core business of the Otterbein Senior Campus remains unchanged by the proposed development around it. The future Uses and densities in SD1 will remain consistent and compatible with the existing campus as noted above.

Urban Standards:

As buildings are renovated or added, changes will move each improvement in the direction of making this Campus more walkable.

Architectural Standards:

As buildings are renovated or added, changes will make each improvement more like other buildings on this Campus and/or more like the buildings proposed for the remainder of the Otterbein's property which surrounds this Campus. The intent is that improvements make the Campus more architecturally coherent both internally as well as with its surroundings.



	T3	T4	T5
Lot width			18' min.
Lot depth			80' min.
Lot area			1,440 s.f. min.
Lot coverage by roofs			80% max.
Building volume			
Frontage Setback (primary & secondary)			0'-12'
Side Setback *5			5' min.
Rear Setback *6			3' min.
% of principal building facade at primary frontage setback			80% min.
Encroachments at frontage setbacks			0' max.
Encroachments at side setback			0' max.
Height of Principal Building *11			5 stories max.
Height of Backbuilding	Eave of Principal Building max.		
Height of Outbuilding	Eave of Principal Building max.		
Elevation of first floor above grade *14			0' required
Frontage type(s)			Shopfront Gallery Arcade

Case No.	101-2017 SP	
<u>Applicant/Owner</u> <u>Agent</u>	OX Inc. Travis Tipton	
Township	Harlan	
Property Location	Address	9943 Morrow-Woodville Road
	PIN	18-14-427-001-0
Property Size	2.92 acres 1000 feet of road frontage	
Future Land Use Map (FLUM) Designation	Commercial	
Current Zoning District	"B2 " Community Commercial Businesses Zone	
Existing Land Use	Discontinued used car lot and gas station prior to that	
Site Plan Requested	Development of fence installation company including sale of fencing, mulch , landscaping , sheds, and pavers	
Issue for consideration	Compliance with Sections 1.303 (Site Plan Review) and 2.303 Commercial & Industrial Zoning Standards	

Aerial Map

101-2017



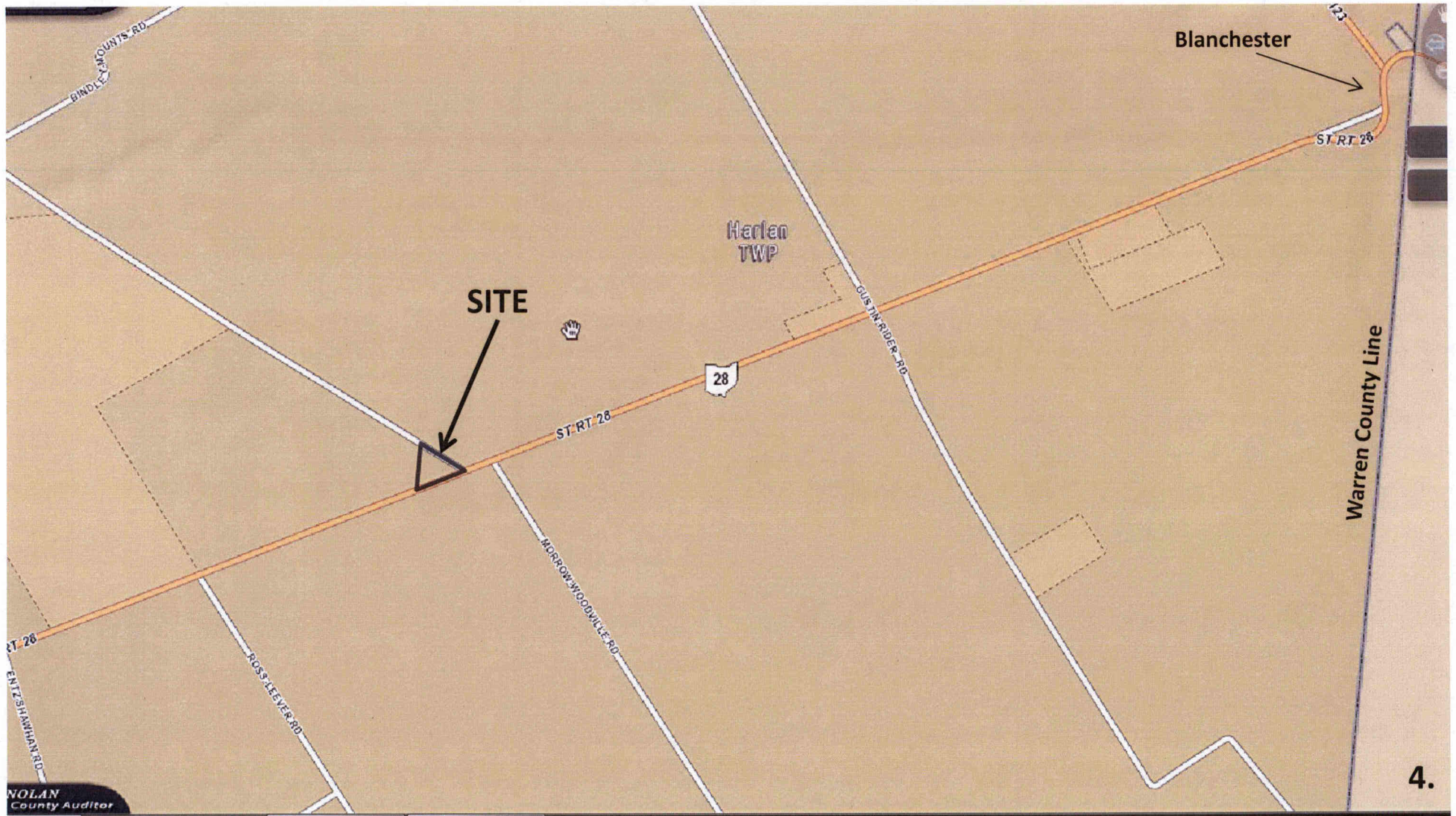


Site Plan

101-2017

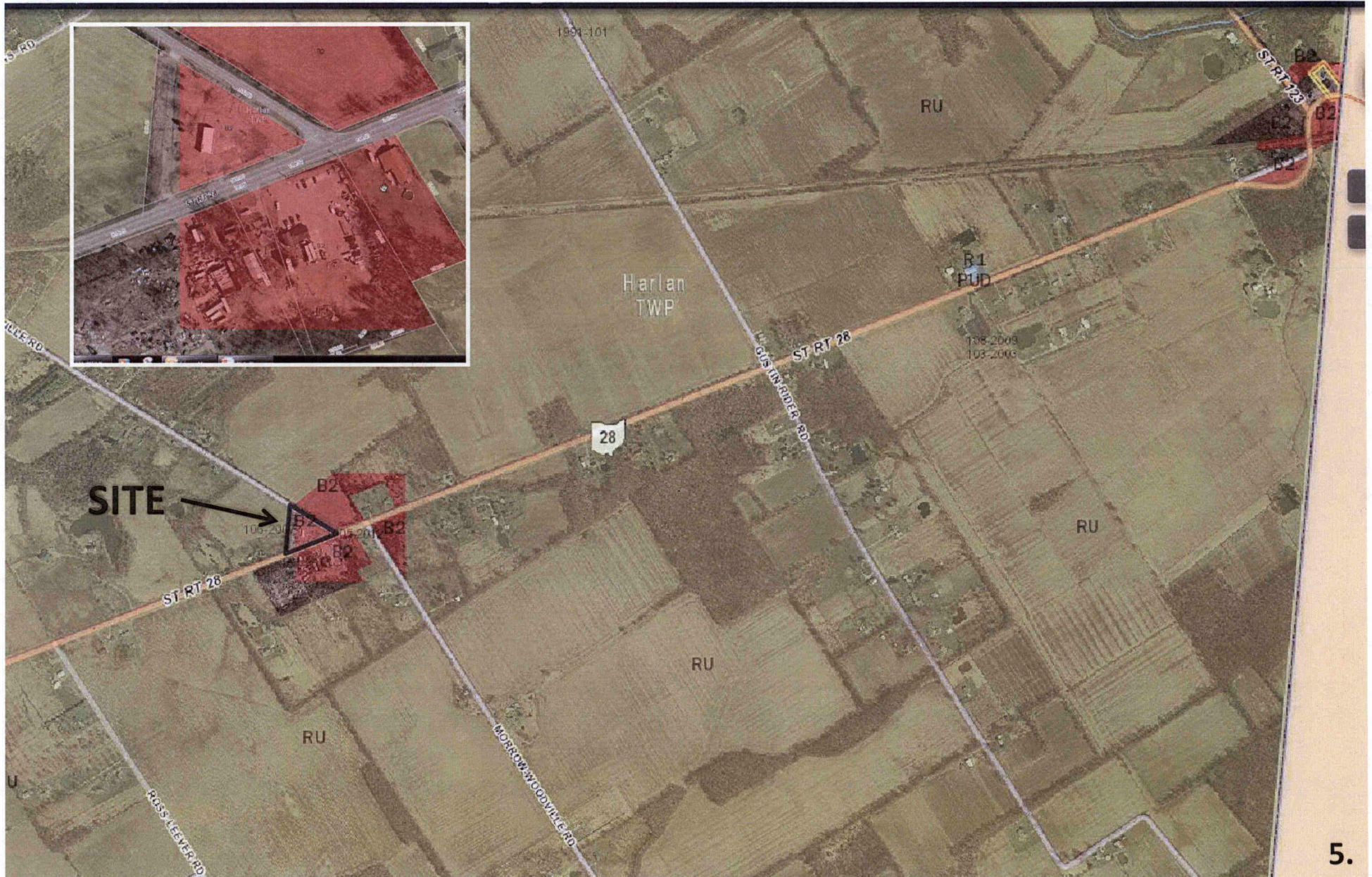
Vicinity Map

101-2017



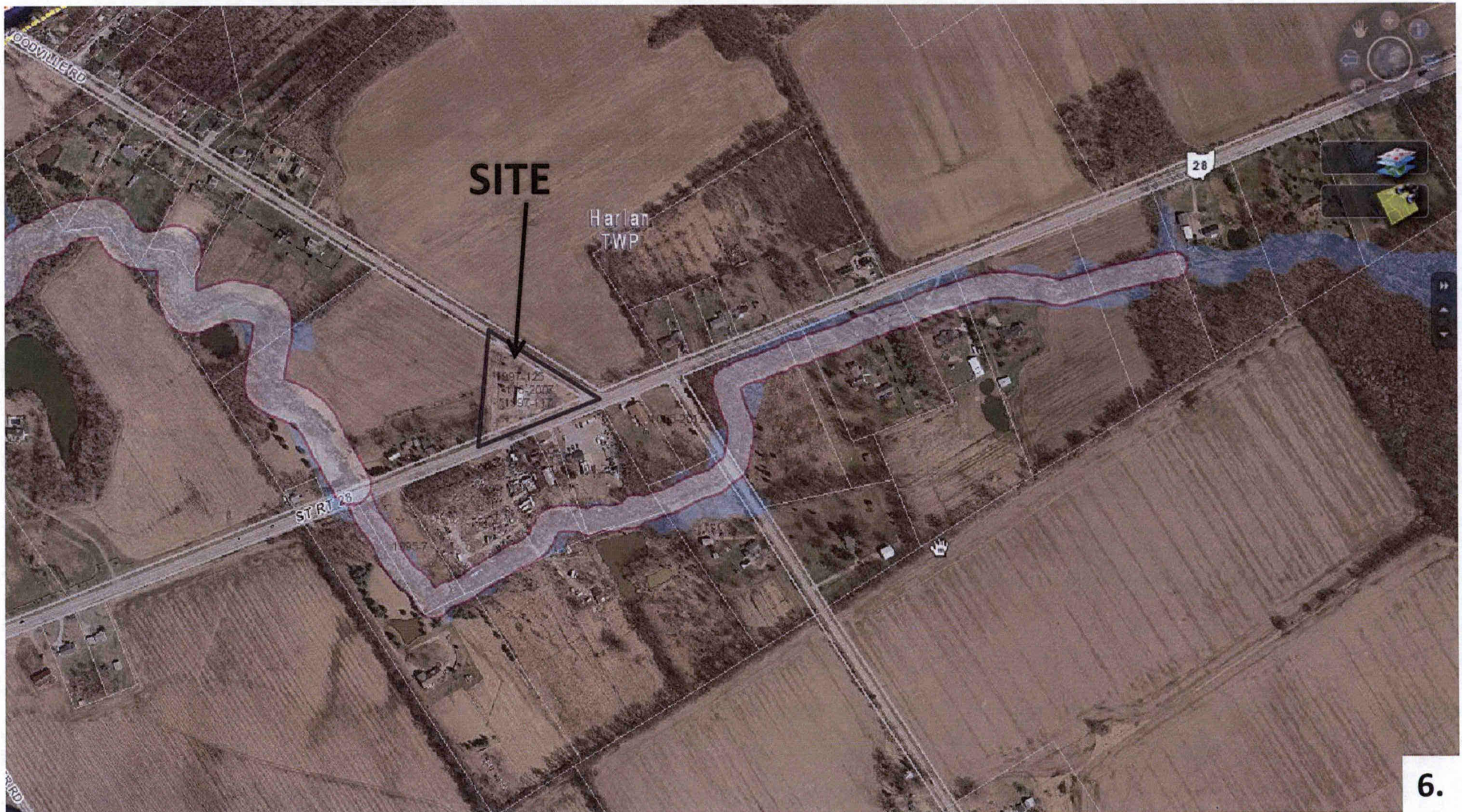
Zoning Map

101-2017



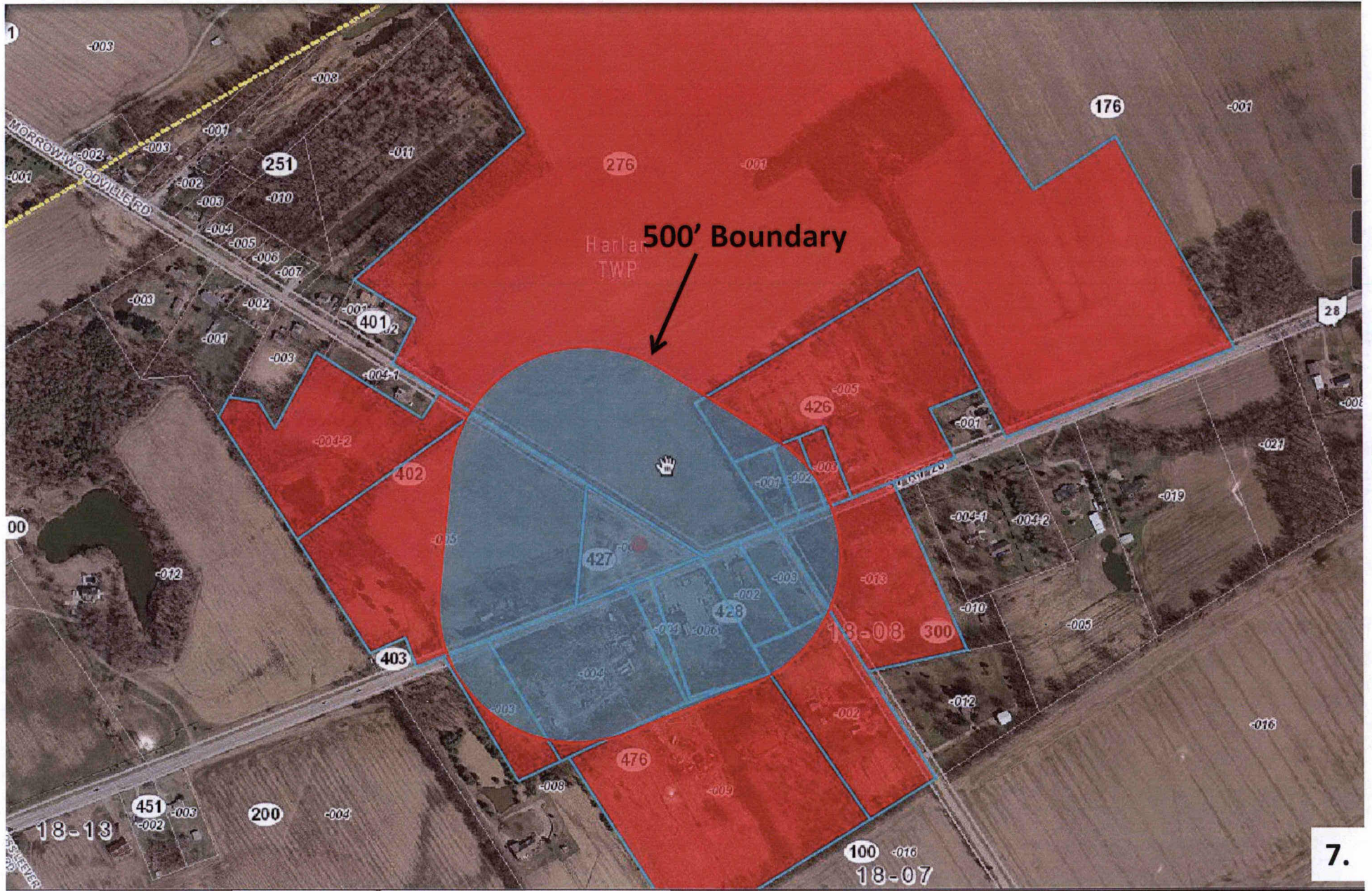
Flood Map

101-2017



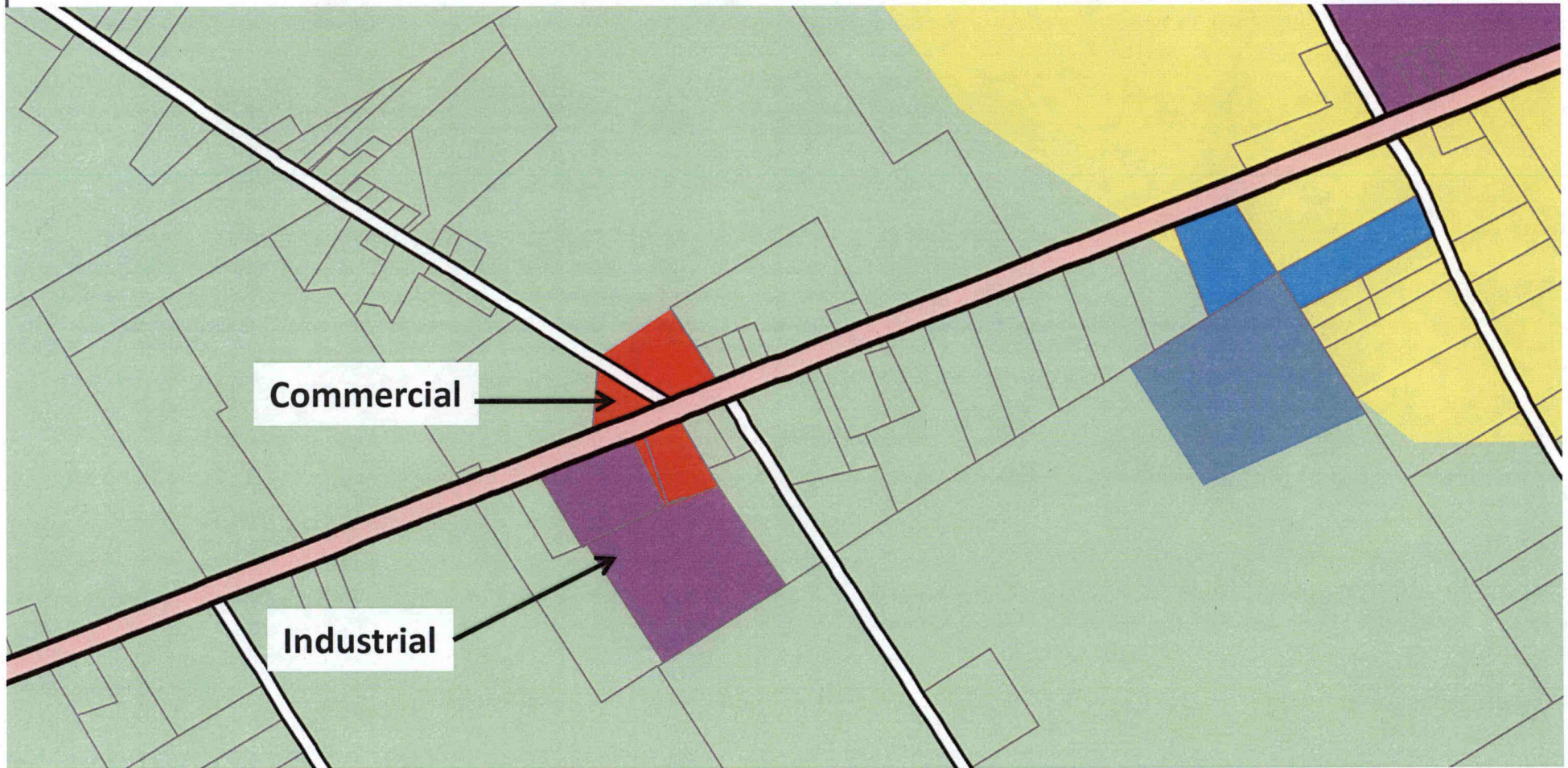
Notification Map

101-2017



Legend

- | | | | | |
|------------------------|--|---|--|---|
| County Boundaries | Future Land Uses
Agricultural-Rural Residential | Public-Semi-Public | Office Park | Salem Township Additional Uses
Mixed Use Light Industrial/Office |
| Political Subdivisions | Commercial | Parks and Recreational-Open Space | Regional Highway Commercial | Mixed Use |
| Parcels | Industrial | Single Family Residential | Town Center Mixed Use | Union Township Additional Uses
Low Density Residential |
| Lakes and Rivers | Mixed-Use Neighborhood | Deerfield Township Character Areas | Clearcreek Township Additional Uses | Wayne Township Additional Uses |
| Municipalities | Multi-Family Residential | Low Density Rural Neighborhoods | Township Residential | Rural Residential |
| | Office | Medium Density Rural Neighborhoods | Hamilton Township Additional Uses | Single Family Residential |
| | Protection Area | Neighborhood Mixed Use | Single Family Residential | Mixed Use Commercial/Industrial |
| | | Neighborhoods | | Mixed Use Residential |



Comprehensive Plan-Land Use Element

SUMMARY OF APPLICATION:

TNT Fence LLC. is a full installation fence company. They sell fence materials, different types of sheds, also selling and installing landscaping materials including mulch, sands, rocks, and pavers.

ANALYSIS OF ZONING:

North	“B2”	Community Commercial Businesses Zone (Vacant Commercial)
East	“B2”	Community Commercial Businesses Zone (Residential)
South	“B2”	Community Commercial Businesses Zone (Construction Contractor & Junk Yard)
West	“RU”	Rural Residential (5-acre density) (Residential/Agricultural)

REVIEWING DEPARTMENTS :

Site Plans were circulated to the Warren County Engineer, Warren County Soil & Water Conservation, Warren County Regional Planning Commission, Harlan Township Trustees and Fire Department, Warren County Combined Health District, Ohio Department of Transportation, Martin Russell, and Warren County Sheriff

ZONING INSPECTORS REVIEW OF THE W. C. CODE STANDARDS :

1. Compliance with the Warren County Rural Zoning Code Standards for Site Plan Review Section 1.303 and Commercial Business and Service Uses Section 3.206.
2. We are here to discuss a Site Plan Review for a “Retail Small Scale/Light Manufacturing Facility” for the re-use of an existing “B2” zoned district.

Department Comment Concerns:

- 1. Acquire variances to omit required parking lot curbing, parking space wheel stops, street and connecting sidewalks, and bicycle rack if determined necessary.**

Inspector comments, It is my opinion that the re-use of an existing site should not require parking lot curbing, parking space wheel stops, street and connecting sidewalks, and bicycle rack. Zoning staff requires these standards at the time of new development on vacant lands.

The BOCC may determine the site is acceptable without these improvements at the time of site plan approval. (Section 3.302)

STAFF RECOMMENDATIONS

Approve the site plan for the proposed development subject to the following conditions:

- (1) The property owner/leasee shall enroll into an operation and maintenance program for the continued monitoring of sewage treatment systems with the Warren County Combined Health District;
- (2) Signage shall comply with Warren County Zoning Code Article 3, Chapter 6;
- (3) All exterior lighting shall meet the requirements of Zoning Code Article 3, Chapter 5;

CONTINUED

- (4) Street trees located on St. Rt. 28 and Morrow-Woodville Rd. shall be consistent with Buffer Type A (1 deciduous or evergreen tree per every 40 lineal feet);
- (5) Ingress/egress on St. Rt. 28 shall be to the satisfaction of ODOT and the Warren County Engineer for Morrow-Woodville Rd.
- (6) The removal of existing driveways shall be consistent with the proposed plan;

CONTINUED

- (7) Buffer Type D is required along the west residential property line.

- (8) The fence and street trees must be placed out of the thoroughfare right-of-way for their class of road.

Site Plan Review 1.303

1.303.6 Review Criteria: The site plan review is conducted to determine anticipated impacts on the public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable. Factors to be considered include those in Section 1.303.1, and the following additional criteria:

- (A) **Adequacy of Information and Compliance with Zoning Code:**
- (B) **Design Layout Sufficiency and Sensitivity:**
- (C) **Design Character, Operational Compatibility, and Coordination:**
- (D) **Preservation of Significant Features:**
- (E) **Pedestrian Access and Circulation:**
- (F) **Vehicular Access and Circulation Streets:**
- (G) **Parking and Loading:**
- (H) **Landscaping and Screening:**
- (I) **Exterior Lighting:**
- (J) **Signage:**
- (K) **Public Service Impact:**
- (L) **Stormwater Drainage Stormwater Management Plan:**
- (M) **Soil Erosion and Sediment Control:**
- (N) **Emergency Access and Service Facilities and Public Safety:**
- (O) **Building Design:**
- (P) **Compliance with Public Health and Safety:**