



**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 – May 16, 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/UC1ELh0jGpXd4VV2DTgsugPA> or by contacting our office.

The Board met in regular session pursuant to adjournment of the May 9, 2023, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – present

Krystal Powell, Deputy Clerk – present

Minutes of the May 9, 2023 meeting were read and approved.

- 23-0589 A resolution was adopted to amend Resolution #23-0403 approving the hiring of Laura Russell as On-Going Caseworker I, within Warren County Job and Family Services, Children Services Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0590 A resolution was adopted to amend Resolution #22-1987 approving a pay increase for Carrie Marshall within the Warren County Department of Job and Family Services, Human Services Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0591 A resolution was adopted to designate Family and Medical Leave of Absence to Alex Mokrycki, within the Warren County Telecommunications Department. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0592 A resolution was adopted to hire Eavan Kuehnle as an Intern within Warren County Emergency Services. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent

- 23-0593 A resolution was adopted to hire Michelle Branham as Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0594 A resolution was adopted to hire Jody Schenkel as Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0595 A resolution was adopted to hire Sarah Smith as Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0596 A resolution was adopted to approve end of 365- day probationary period and approve a pay increase for Alexander Lucas within the Warren County Emergency Services Department. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0597 A resolution was adopted to approve end of 365- day probationary period and approve a pay increase for Alex Wicker within the Warren County Telecommunications Department. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0598 A resolution was adopted to accept resignation of Stacey Newdigate, Business Manager, within the Warren County Department of Job and Family Services, Human Services Division, effective May 19, 2023. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0599 A resolution was adopted to accept resignation of Jillian Davis, Water and Sewer Utility Clerk I, within the Warren County Water and Sewer Department., effective May 19, 2023. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0600 A resolution was adopted to authorize the posting of the “Water and Sewer Utility Clerk I” position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0601 A resolution was adopted to amend Resolution #23-0249, adopted February 28, 2023, to correct claim number reference therein. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0602 A resolution was adopted to approve Notice of Intent to award bid to The Aero-Mark Company, LLC for the 2023 Striping Project. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent

- 23-0603 A resolution was adopted to enter into an agreement with Recreation Outlets, Inc. for the FY21 Pleasant Plain Playground Community Development Block Grant Project. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0604 A resolution was adopted to advertise for the 2023 Water Treatment Chemicals Project. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0605 A resolution was adopted to authorize the Common Pleas Court Administrator to sign electronic monitoring service agreement No. 042623KL2 and demonstration agreement with BI Incorporated for electronic monitoring/ service on behalf of Warren County Common Pleas Court Services, Adult Probation Division. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0606 A resolution was adopted to enter into a temporary entrance and work agreement with Stephen J. Batcha for the culvert replacement on Wilmington Road. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0607 A resolution was adopted to enter into a temporary entrance and work agreement with Noble L. Rye and G. Madison Rye for the culvert replacement on Wilmington Road. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0608 A resolution was adopted to approve and authorize the President of this Board to execute an agreement for FY2023-2024 with the Warren County Educational Service Center Truancy Program on behalf of the Warren County Juvenile Court. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0609 A resolution was adopted to approve and authorize the President of this Board to execute an agreement for FY2023-2024 with the Warren County Educational Service Center Parent Success Program on behalf of the Warren County Juvenile Court. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0610 A resolution was adopted to approve and authorize the President of this Board to execute a contract with Central Clinic Behavioral Health for the mentoring services on behalf of the Warren County Juvenile Court. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0611 A resolution was adopted to approve and enter into an easement agreement with Kristen K. Hoffman for waterline and appurtenances for the State Route 48 and US 22 Water Improvement Project and approve and authorize payment of just compensation. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0612 A resolution was adopted to declare various items within OhioMeansJobs and Water Department as surplus and authorize the disposal of said items through internet auction. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent

- 23-0613 A resolution was adopted to acknowledge payment of bills. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0614 A resolution was adopted to enter into street and appurtenances security agreement with Prus Properties, LLC for installation of the left turn land and associated roadway improvements on Morrow- Cozaddale Road associated with the Villages of Classicway Subdivision situated in Hamilton Township. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0615 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for Soraya Farms, LLC for completion of improvements in Soraya Farms, Section Six situated in Clearcreek Township. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0616 A resolution was adopted to approve Rothschild Court in Soraya Farms, Section Six for public maintenance by Clearcreek Township. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0617 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for Soraya Farms, LLC for completion of improvements in Soraya Farms, Section Seven situated in Clearcreek Township. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0618 A resolution was adopted to approve Monaco Circle and Rochelle Lane in Soraya Farms, Section Seven for public maintenance by Clearcreek Township. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0619 A resolution was adopted to approve various record plats. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0620 A resolution was adopted to approve an appropriation adjustment within Prosecutor Fund #2245. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0621 A resolution was adopted to approve appropriation adjustments within the Treasurer’s Office Fund #11011130. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0622 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent
- 23-0623 A resolution was adopted to authorize President of the Board to sign permit applications from the Ohio Department of Commerce, Division of Liquor Control for two events at the Warren County Fairgrounds. Vote: Mr. Grossmann – yea, Mrs. Jones – yea, Mr. Young – absent

- 23-0624 A resolution was adopted to approve amendments to the Warren County Subdivision Regulations. Vote: Unanimous
- 23-0625 A resolution was adopted to approve amendments to the Warren County Thoroughfare Plan by removing the two collector roads in Deerfield Township and the one collector road in Turtlecreek Township on land identified as Parcel 12-26-200-002. Vote: Unanimous

DISCUSSIONS

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

Trevor Hearn, Facilities Management Director, was present along with Jim Voorhis, Criteria Architect for VSWA Architects and Mike Murphy, Master Plan Architect with Champlain Architecture for a continuation of the discussion regarding the Warren County Campus Master Plan.

Mr. Hearn presented the attached PowerPoint presentation and stated his desire to finalize a plan for the general placement of the new County Court Building and to get approval to demolish the existing SWAT Building.

There was much discussion relative to the proposed location for the new County Court Building and discussion relative to the cost and efficiency of building a single-story building vs. a multi-story building.

Jim Voorhis addressed security and elevator concerns, ADA issues, and the overall functionality of building a two-story building vs. a single-story building. He stated that building a two – story facility would not save a tremendous amount of money and he recommended a single-story facility.

Commissioner Young entered the meeting at 9:20 a.m.

There was discussion relative to the proposed location and design of a new Board of Elections Building.

Mr. Hearn reviewed the timeline and process of beginning Phase 1 of the project. He stated the demolition of old Jail Building and SWAT Building and the design build process for the proposed County Court Building could begin this fall. He stated the building of the new County Court Building could begin in the Spring of 2024 simultaneously with the building of the new SWAT Garage.

There was additional discussion relative to the cost and efficiency of the project.

Upon further discussion, the Board determined to move forward with the process of demolishing the old Jail and SWAT Buildings, finishing the criteria phase of the County Court Building, and putting out Request for Proposals for the Design Build of the County Court Building and Criteria Architect for the SWAT Building.

PUBLIC HEARING

CONSIDER AMENDMENTS TO THE WARREN COUNTY SUBDIVISION REGULATIONS

The Board met this 16th day of May 2023, in the Commissioners' Meeting Room, to consider amendments to the Warren County Subdivision Regulations.

Cameron Goschinski, Regional Planning Commission, presented the attached PowerPoint presentation reviewing the process, the purpose of the amendments, and the proposed amendments section by section.

Mr. Goschinski then stated that the Regional Planning Commission Executive Committee recommended approval of the amendments.

Bruce McGary, Assistant Prosecutor, stated that he recommends approval.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #23-0624) to approve amendments to the Warren County Subdivision Regulations.

PUBLIC HEARING

CONSIDER AMENDMENTS TO THE WARREN COUNTY THOROUGHFARE PLAN

The Board met this 16th day of May 2023, in the Commissioners' Meeting Room, to consider amendments to the Warren County Thoroughfare Plan.

Cameron Goschinski, Regional Planning Commission, presented the attached PowerPoint presentation and explained that the amendments were initiated by the developer, John Candle Homes, LLC and the landowner, Route 741 Holdings, LLC.

Mr. Goschinski reviewed the proposed changes including:

1. The removal of two planned collector roads in the Deerfield Township Parcel
2. The removal of one planned collector road in the Turtlecreek Township Parcel

Joe Trauth and Sophia Holley, Attorneys representing the developer, presented the attached PowerPoint presentation opposing the need for the collector roads.

There was much discussion relative to Constitutional protection of land rights and the unnecessary connection of industrial roads to residential roads.

Rich Arnold, Civil Engineer representing the developer, was present to discuss the density of the proposed development, the legality of reasonable connections, and the irrelevance of the connector roads.

Matt Fellerhoff, Attorney representing the landowner, was present to discuss his opposition of the connector roads and expressed concern relative to the excessive cost and destruction of property rights by allowing the collector roads. He addressed two issues with the City of Mason regarding the property, one being the promise of allowing the property owner to tap into existing sewer lines and the second being the city's denial of knowledge about the proposed Thoroughfare Plan.

There was discussion relative to the purpose of running industrial traffic through a residential area.

Kurt Weber, Warren County Engineer Chief Deputy, was present to discuss the lack of East/ West connections in Mason based off of the 2005 Southwest Warren County Transportation Study.

Neil Tunison, Warren County Engineer, was present to discuss the goal of acquiring more East/ West connections in the proposed area. He stated the City of Mason developed the Thoroughfare Plan on which we based our update. Mr. Tunison stated the need for another East/ West connector road and recommended we conclude the hearing and return at a later date for further discussion.

Eric Reiners, Deerfield Township Administrator, was present to discuss his opposition of the collector roads. He stated he is strongly in favor of the development.

Tammy Boggs, Turtlecreek Township Administrator, was present to discuss her opposition to the collector roads. She stated the township is in agreement with Deerfield Township and they do not support the plan.

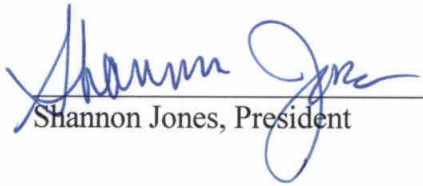
Jeff Forbes, City of Mason Law Director, was present to discuss his support of the development. He stated the City of Mason was only present to correct misleading statements made in the amendment application. Mr. Forbes stated the City of Mason is fine with adjusting the Thoroughfare Plan.

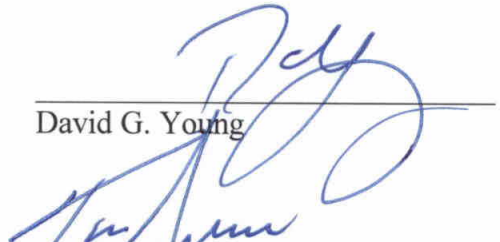
Kurt Seiler, City of Mason Engineer, was present to discuss the traffic grid and the even distribution of traffic throughout the road network.

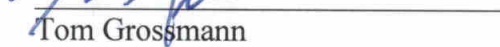
There was discussion relative to the purpose of the plan and access points for the proposed developments and much discussion relative to the interests of the property owners and what the local jurisdictions want.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #23-0625) to approve amendments to the Warren County Thoroughfare Plan by removing the two collector roads in Deerfield Township and the one collector road in Turtlecreek Township on land identified as Parcel 12-26-200-002.


Upon motion the meeting was adjourned.


Shannon Jones, President


David G. Young


Tom Grossmann

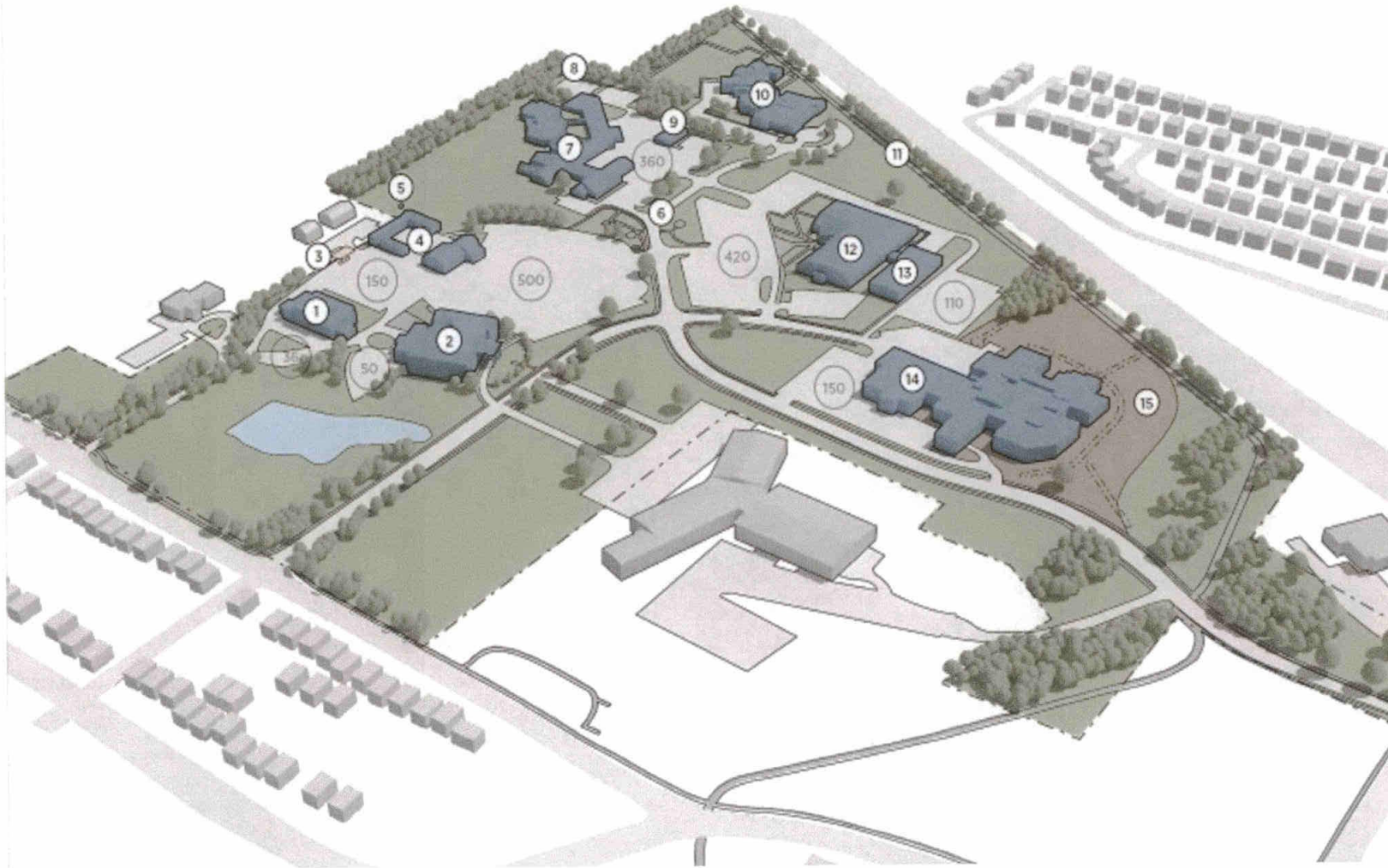
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on May 16, 2023, in compliance with Section 121.22 O.R.C.


Krystal Powell, Deputy Clerk
Board of County Commissioners
Warren County, Ohio

The image is a cover for a document titled "Warren County Master Plan". It features a photograph of the Warren County Courthouse, a large, classical-style 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 autumn-colored leaves in shades of orange and red. 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, serif, italicized font across the middle of the image, overlaid on a dark blue horizontal band.

*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

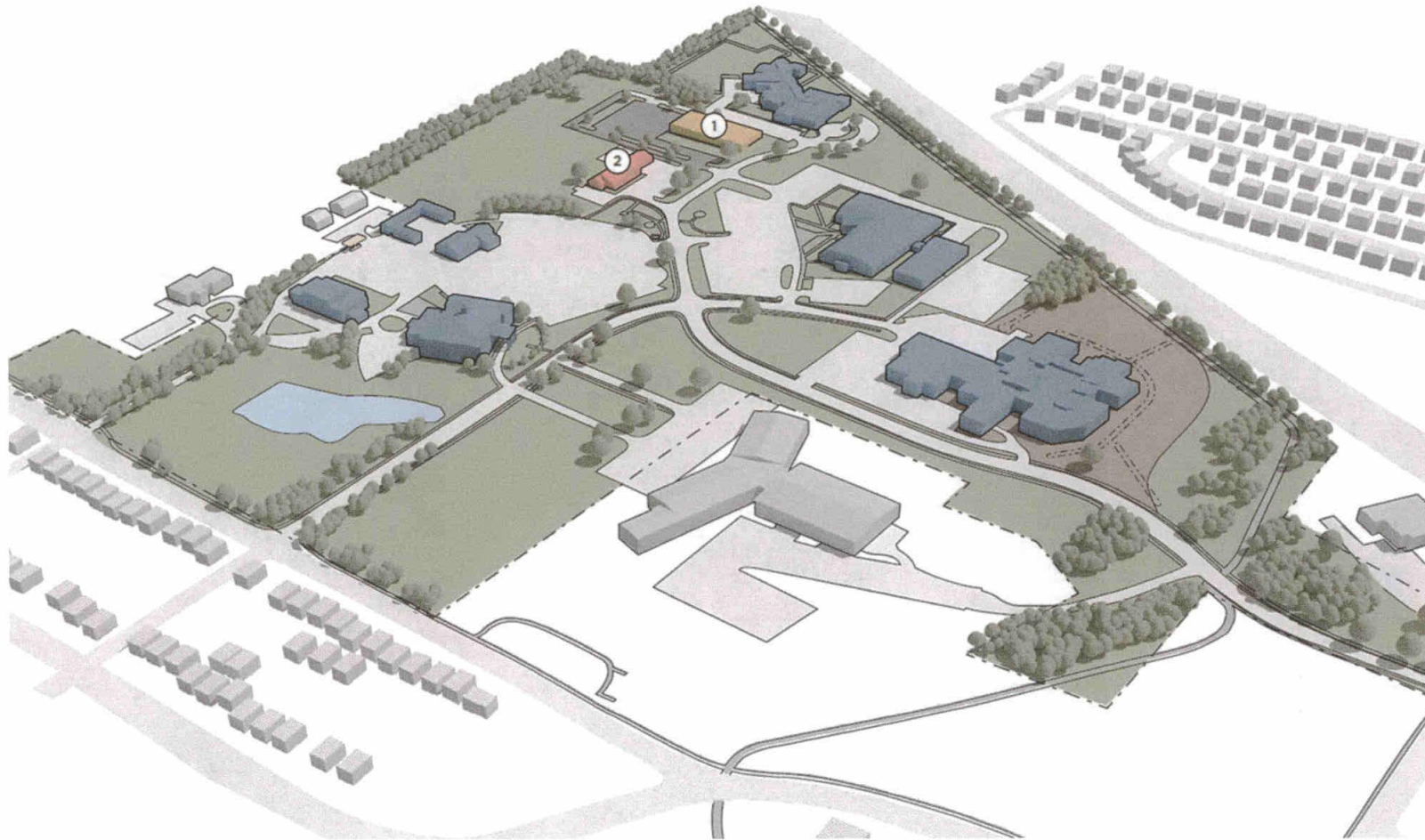
PHASE
1A



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.

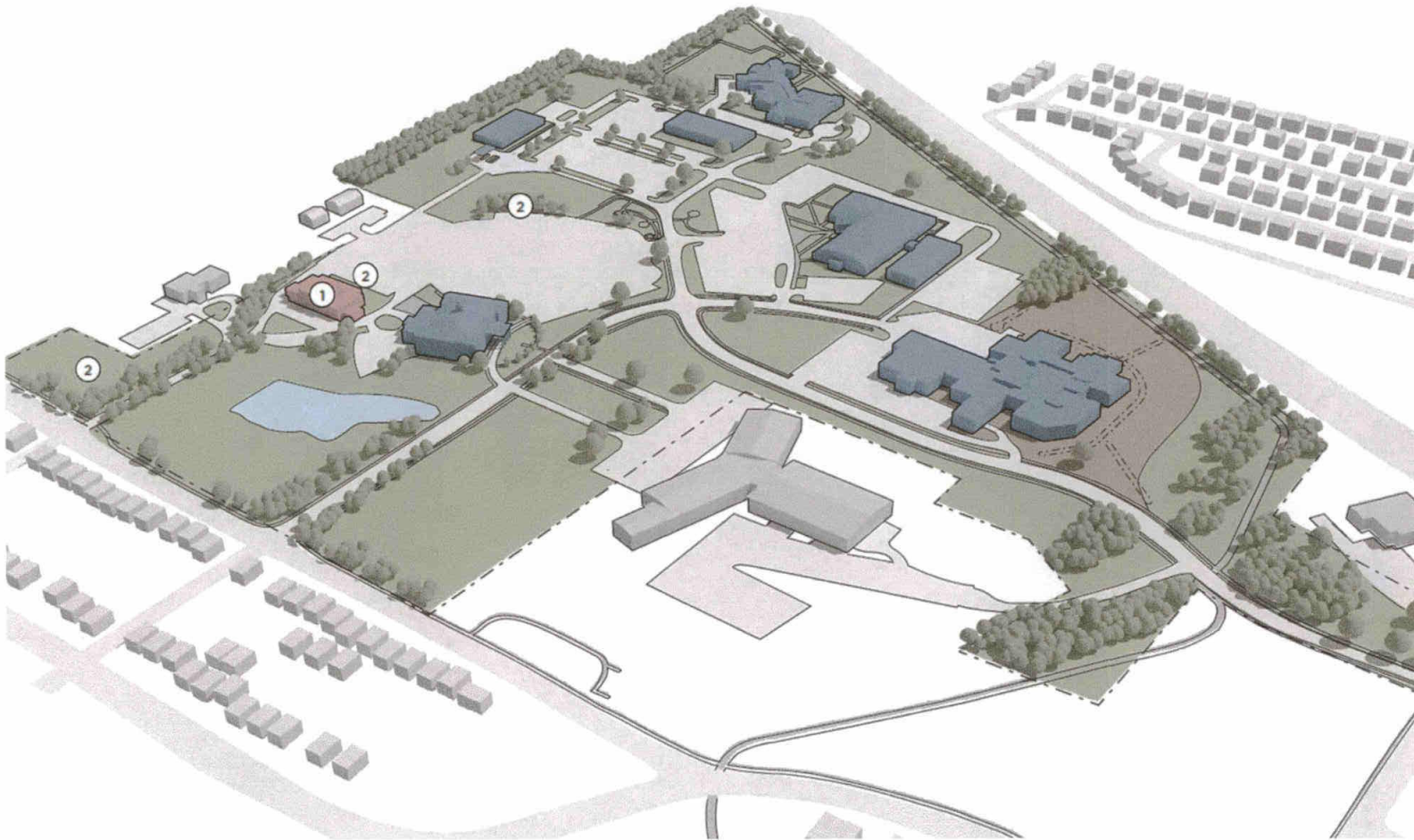
PHASE
1D



FUEL STATION

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

END OF
PHASE 1

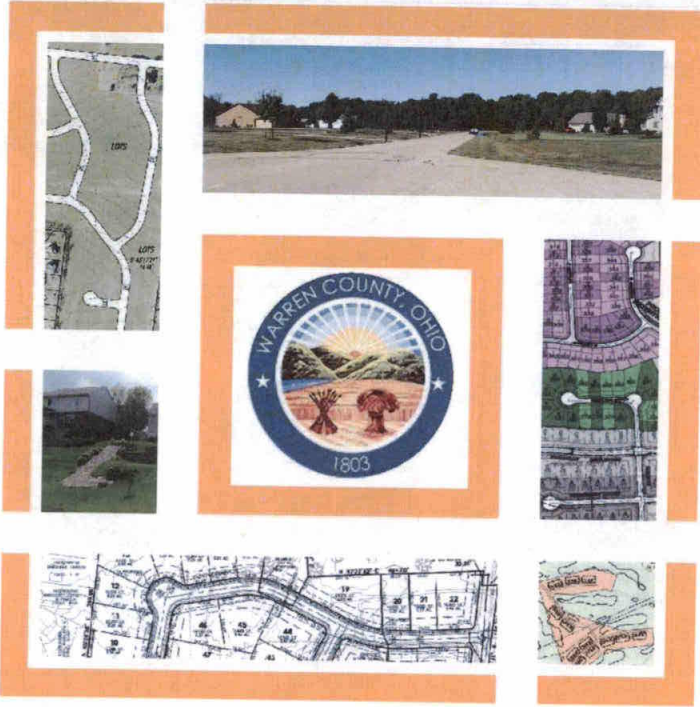
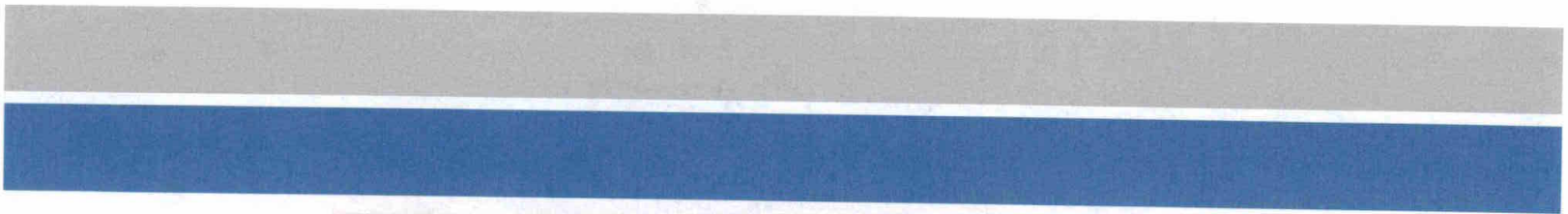


PLAN PHASE 2

- 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

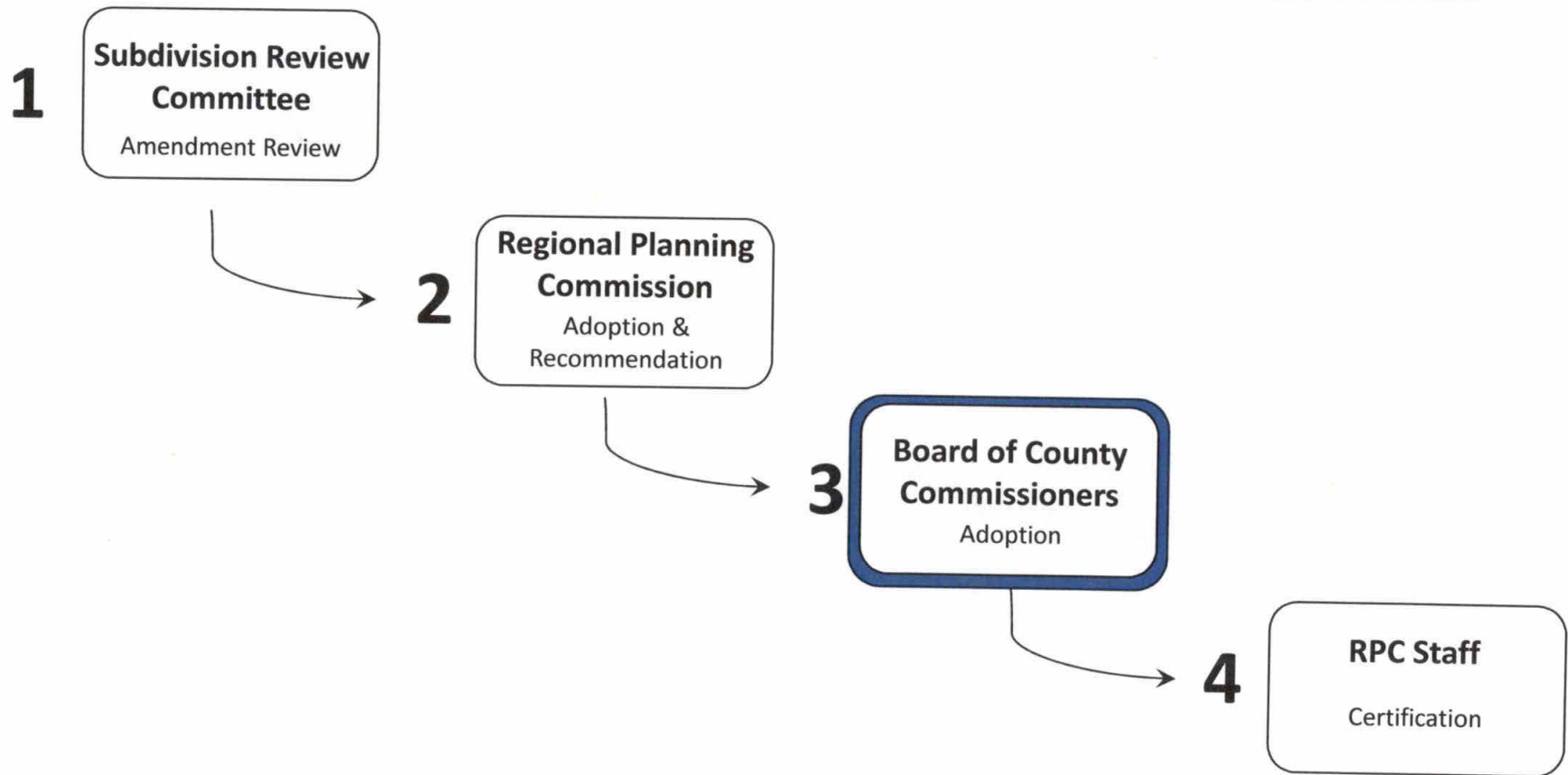
1. Demolish the old Jail and SWAT building
 - a. Leave County Court intact
 - b. Build a new tactical response and training facility off campus
2. Construct a new County Court facility, then demolish their current building
3. Construct a new Facilities Management building, then demolish their current 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.



Subdivision Regulations Update

March, 2023

Process



Purpose of Amendments

- 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

Section 201: Definitions

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| <p>Current Language (Page 12)</p> | <p>COMPREHENSIVE PLAN OF WARREN COUNTY, OHIO – A series of component documents prepared and adopted by the Warren County Regional Planning Commission (RPC) 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>Proposed Language</p> | <p>COMPREHENSIVE PLAN OF WARREN COUNTY, OHIO – A series of component documents prepared by the Warren County Regional Planning Commission (RPC) and adopted by the Board of County Commissioners, 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

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| <p style="text-align: center;">Current Language (Page 13)</p> | <p>CONGESTION OF POPULATION – 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> <ul style="list-style-type: none"> a. Reduction of levels of service, Per Section 403 (Level of Service Standard) 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 style="text-align: center;">Proposed Language</p> | <p>CONGESTION OF POPULATION – 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> <ul style="list-style-type: none"> 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. |

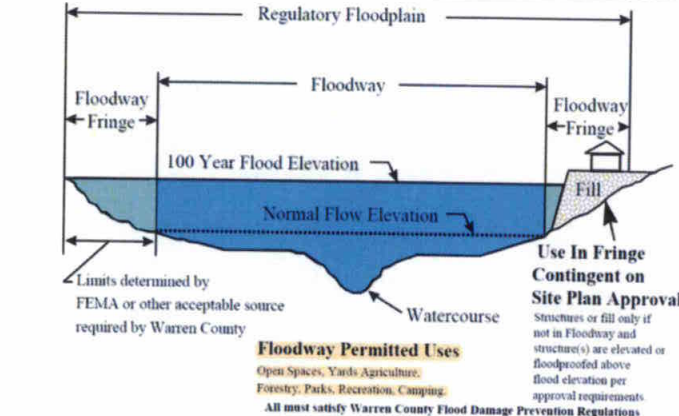
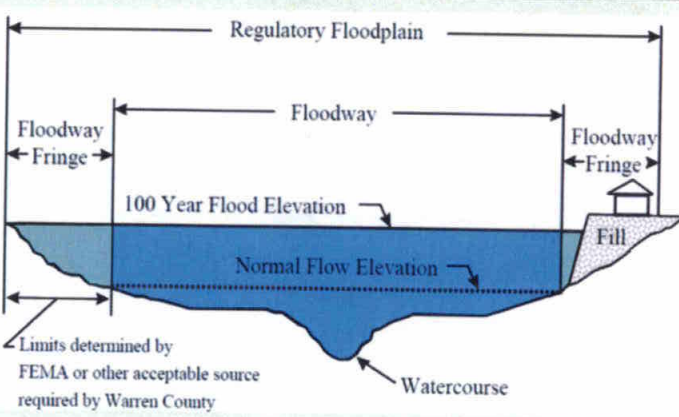
Section 201: Definitions

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| <p>Current Language (Page 14)</p> | <p>DENSITY – A unit of measurement; the number of dwelling units per acre of land.</p> <p>a. Gross Density – the number of dwelling units per acre of the total land to be developed (including interior streets).</p> <p>b. Net Density – 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>Proposed Language</p> | <p>DENSITY – A unit of measurement; the number of dwelling units per acre of land.</p> <p>DENSITY, GROSS – 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

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| <p>Current Language (Page 15)</p> | <p>EASEMENT – 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 to the owner of a separate parcel of land or appurtenance thereto, or utility, the right to make lawful and beneficial use of the particularly described area.</p> |
| <p>Proposed Language</p> | <p>EASEMENT – 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

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| <p>Current Language (Page 16)</p> |  | <p>Note: Figure listed under Definition of FLOOD PLAIN (100 YEARS)</p> |
| <p>Proposed Language</p> |  | |

Section 201: Definitions

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

Section 201: Definitions

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| <p>Current Language (Page 19)</p> | <p>OPEN SPACE – 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 planning commission deems permissive. Streets, structures for habitation, and the like shall not be included.</p> |
| <p>Proposed Language</p> | <p>OPEN SPACE – 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 zoning authority deems permissive.</p> |

Section 201: Definitions

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| <p>Current Language (Page 20)</p> | <p>PUBLIC UTILITY EASEMENT – 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>Proposed Language</p> | <p>PUBLIC UTILITY EASEMENT – 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, sidewalks, 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

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

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| <p>Current Language (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, 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.</p> |
| <p>Proposed Language</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, 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.</p> |

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

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

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| <p>Current Language (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 revised preliminary plan shall be submitted prior to the application for final plat.</p> |
| <p>Proposed Language</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 updated preliminary plan shall be submitted prior to the application for final plat.</p> |

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

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| <p>Current Language (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>Proposed Language</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; 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.</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

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

| | |
|--|--|
| <p>Current Language (Page 48)</p> | <p>Where Urban Townships 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>Proposed Language</p> | <p>Where Townships 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>Current Language (Page 53)</p> | <p>The Regional Planning Commission shall determine the right-of-way requirements for arterial streets at the time of preliminary plat review.</p> |
| <p>Proposed Language</p> | <p>The Regional Planning Commission shall determine the right-of-way requirements for arterial streets at the time of Preliminary Plan review.</p> |

Section 416: Sidewalks, (B)

| | |
|--|--|
| <p>Current Language (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">1. Sidewalks shall be required along both sides of all local streets in a subdivision where the average density of the subdivision is two (2) dwelling units per acre or greater.2. Sidewalks shall be required along one side of all local streets where the average density of the subdivision is between one (1) dwelling unit per acre and 1.99 dwelling units per acre.3. For subdivisions where the average density of the subdivision is less than one (1) dwelling unit per acre, no sidewalks are required. |
| <p>Proposed Language</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">1. Sidewalks shall be required along both sides of all local streets in a subdivision where the gross density of the subdivision is two (2) dwelling units per acre or greater.2. Sidewalks shall be required along one side of all local streets where the gross density of the subdivision is between one (1) dwelling unit per acre and 1.99 dwelling units per acre.3. For subdivisions where the gross density of the subdivision is less than one (1) dwelling unit per acre, no sidewalks are required. |

Section 425: Lots, (G)

| | |
|--------------------------------------|--|
| Current Language (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. |
| Proposed Language | 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="634 927 1896 971">1. Review and consent of the township or the jurisdictional fire department and emergency services.<li data-bbox="634 1036 1910 1333">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. |

Article V

Standards for Planned Unit Developments

1 Amendment

Section 501: Objectives

| | |
|--|---|
| <p>Current Language (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 which standards of these regulations may be modified if a planned unit development meets all of the following objectives:</p> <ol style="list-style-type: none"> a. The conservation of natural features of the site. b. The creation of functional and diverse residential areas. c. The provision of usable and accessible community open space. d. The separation of pedestrian and vehicular circulation facilities. e. The separation of conflicting land uses. |
| <p>Proposed Language</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. Recommendations to the approving authority should consider the following objectives:</p> <ol style="list-style-type: none"> a. The conservation of natural features of the site. b. The creation of functional and diverse residential, commercial, and/or mixed-use areas. c. The provision of usable and accessible community open space. d. The provision of safe pedestrian and vehicular circulation facilities. e. The separation of conflicting land uses, and/or the integration of complementary land uses. |

Article VII

Required Statements and Signatures to be Affixed on the Plat

1 Amendment

Section 700: Required Statements (D)

| Current Language (Page 73) | Proposed Language |
|---|---|
| <p>D. Certificate of Notary Public: 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>D. Certificate of Notary Public: 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;"> <p>_____ Notary Public</p> <p>_____ Commission Expires:</p> </div> |

Article VIII

Revisions, Enforcement

2 Amendments

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

| | |
|--|--|
| <p>Current Language (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 Preliminary Plat or Minor Subdivision application.</p> |
| <p>Proposed Language</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 Preliminary Plan. Subdivisions requiring a variance shall be reviewed as a Preliminary Plan.</p> |

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

| | |
|--|--|
| <p>Current Language (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 prepare a written recommendation, following review and comments from appropriate offices. The recommendation shall accompany a copy of the application package that is forwarded to the Regional Planning Commission.</p> |
| <p>Proposed Language</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 written report, following review and comments from appropriate offices. The report shall accompany a copy of the application package that is forwarded to the Regional Planning Commission.</p> |

BACKUP SLIDES

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



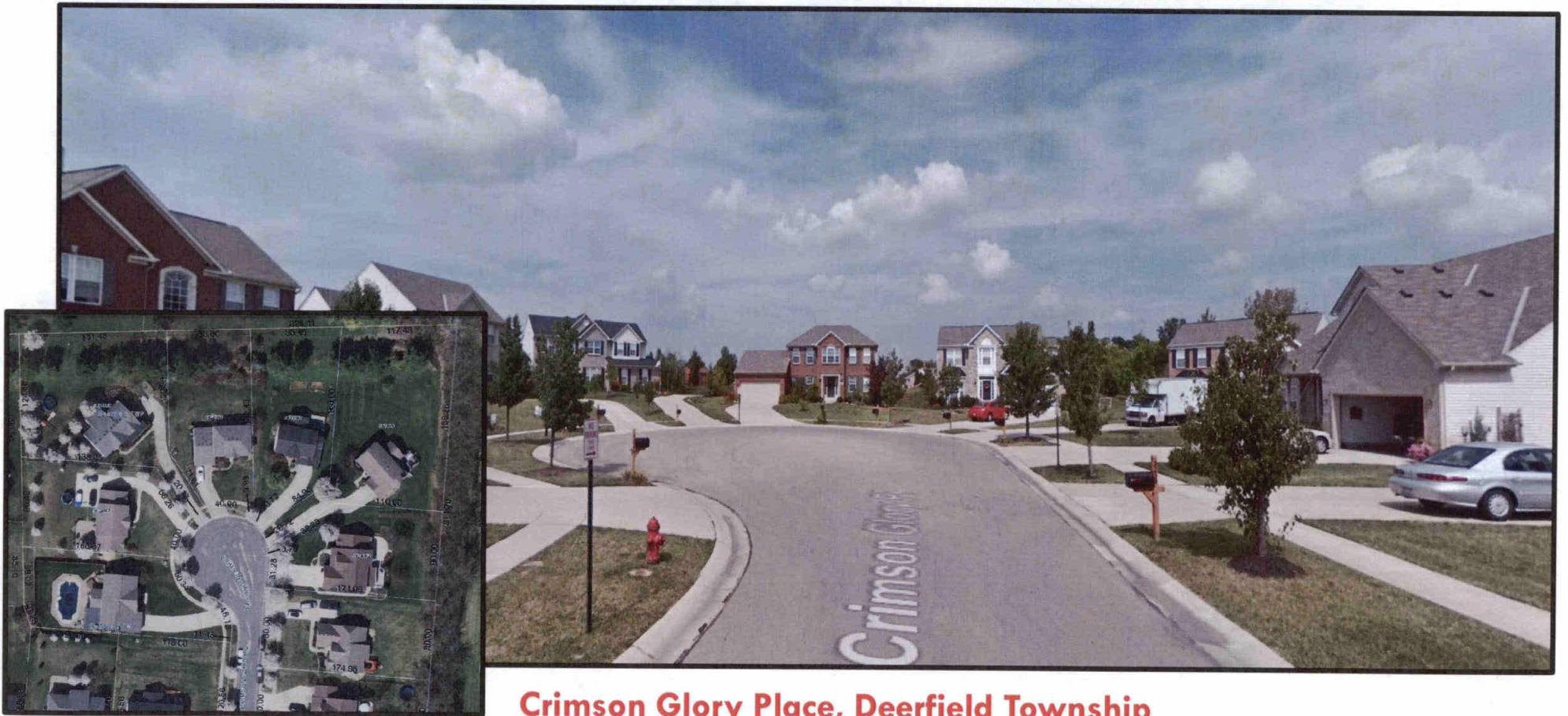
Bittern Lane, Turtlecreek Township

Examples of Multiple Driveways off Cul-De-Sac Bulb



Wood Duck Court, Hamilton Township

Examples of Multiple Driveways off Cul-De-Sac Bulb



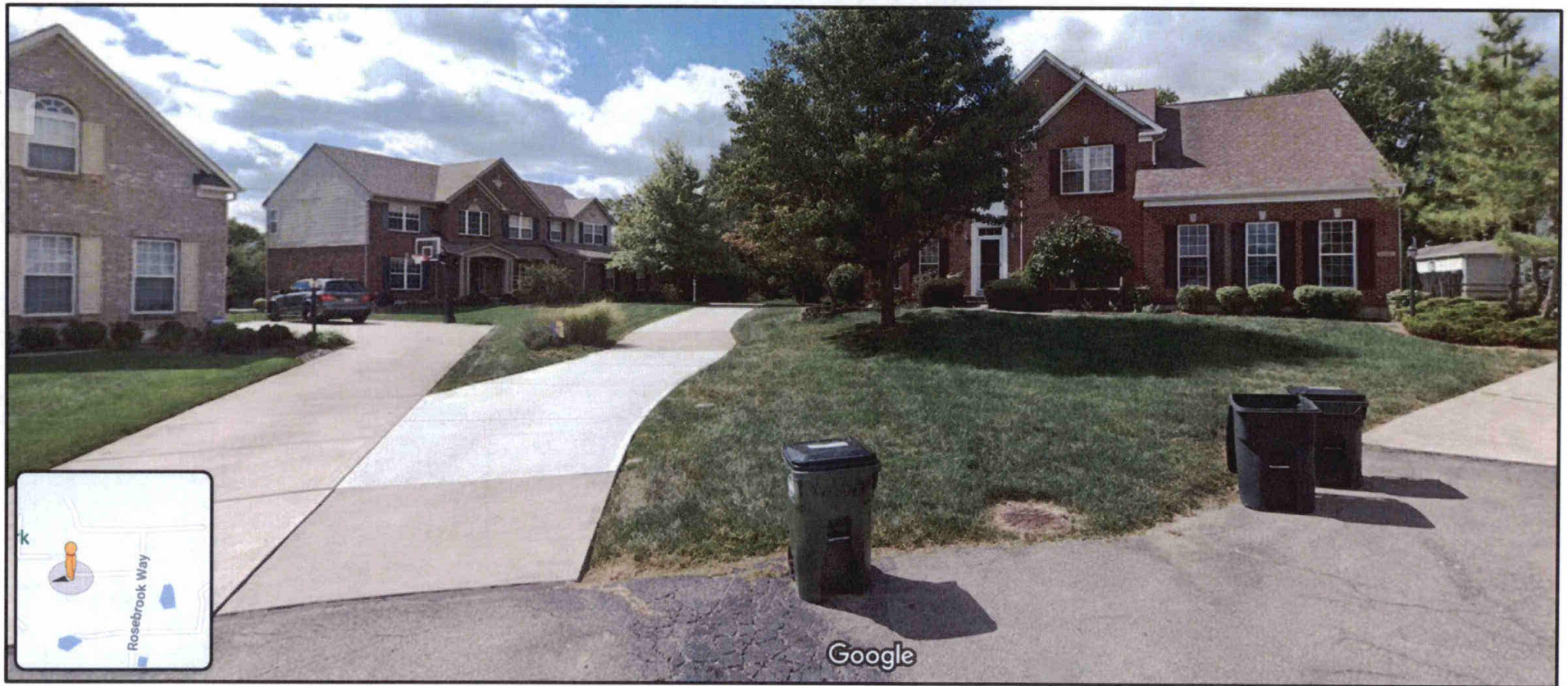
Crimson Glory Place, Deerfield Township

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



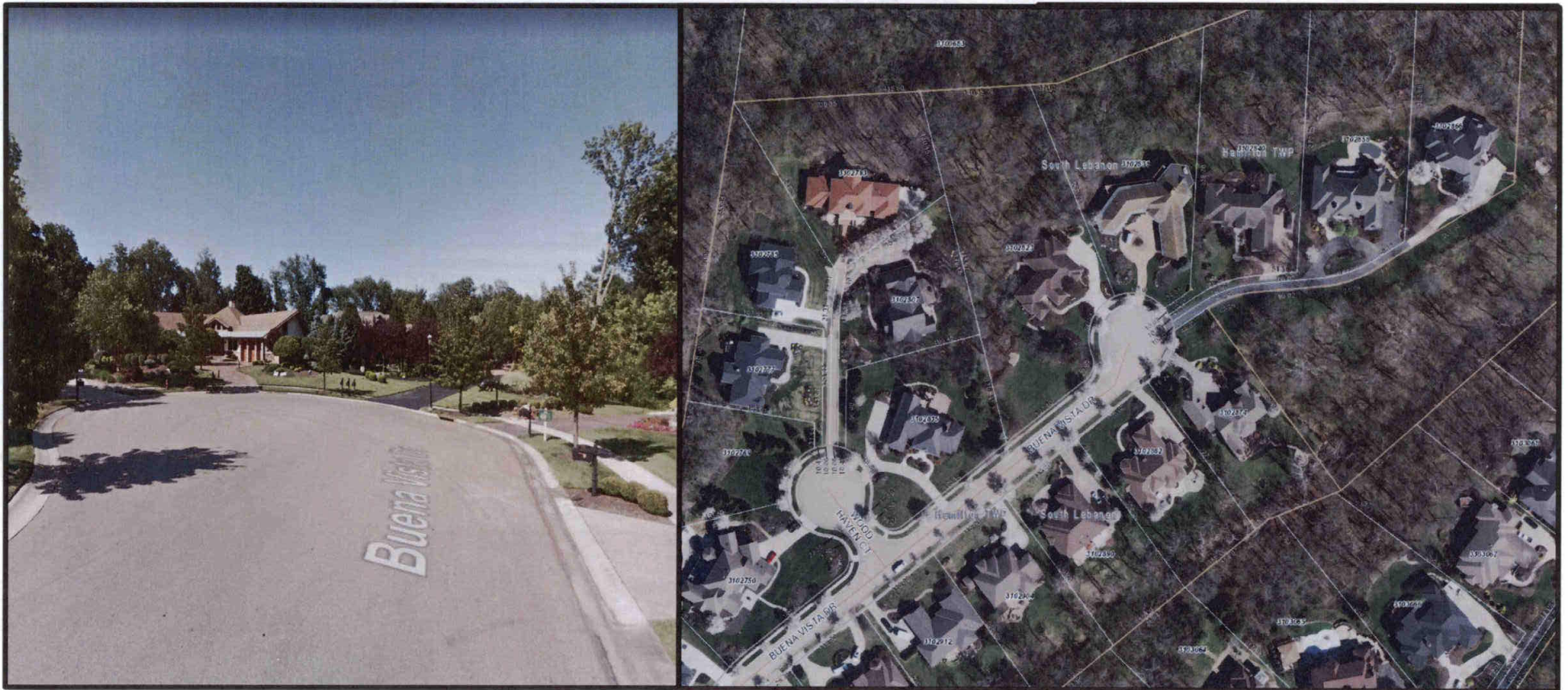
Riverview Drive, South Lebanon

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



THOROUGHFARE

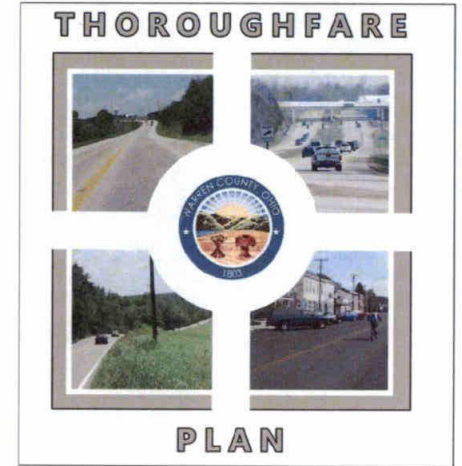
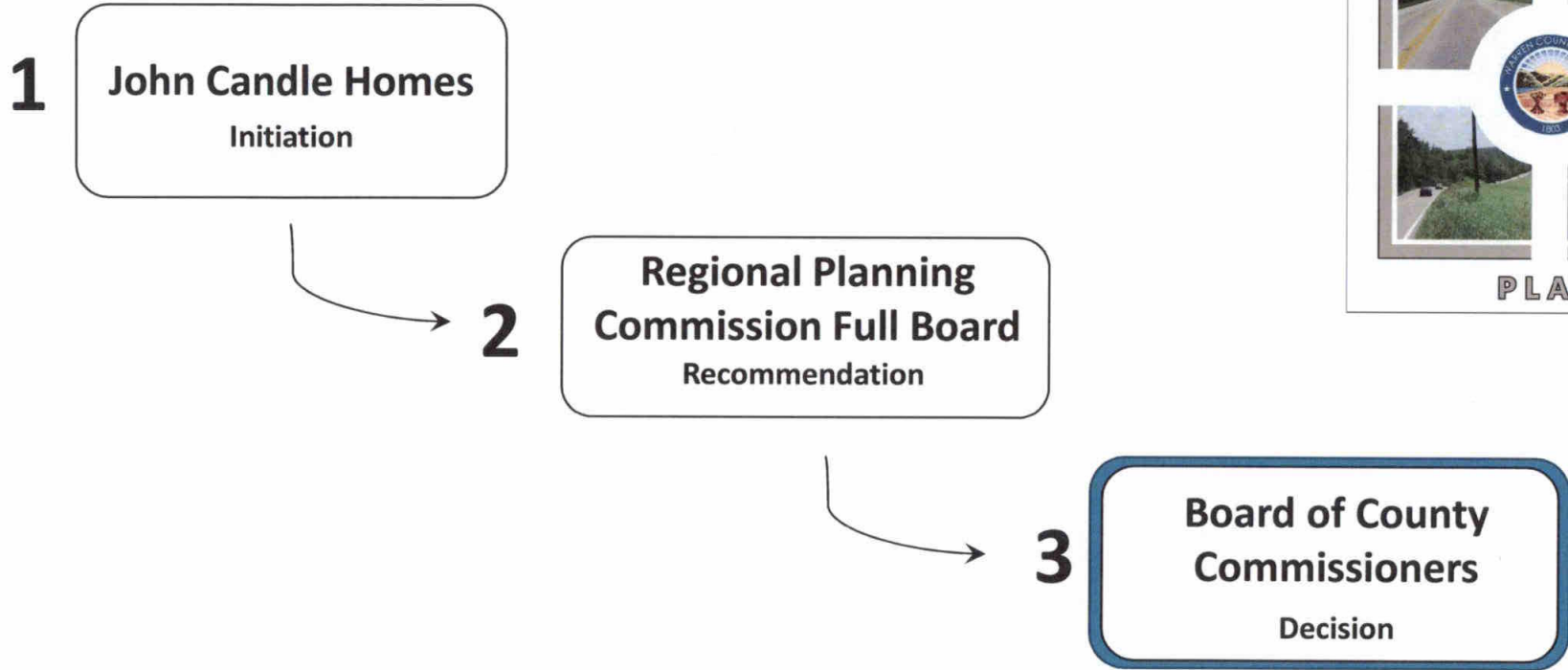


PLAN



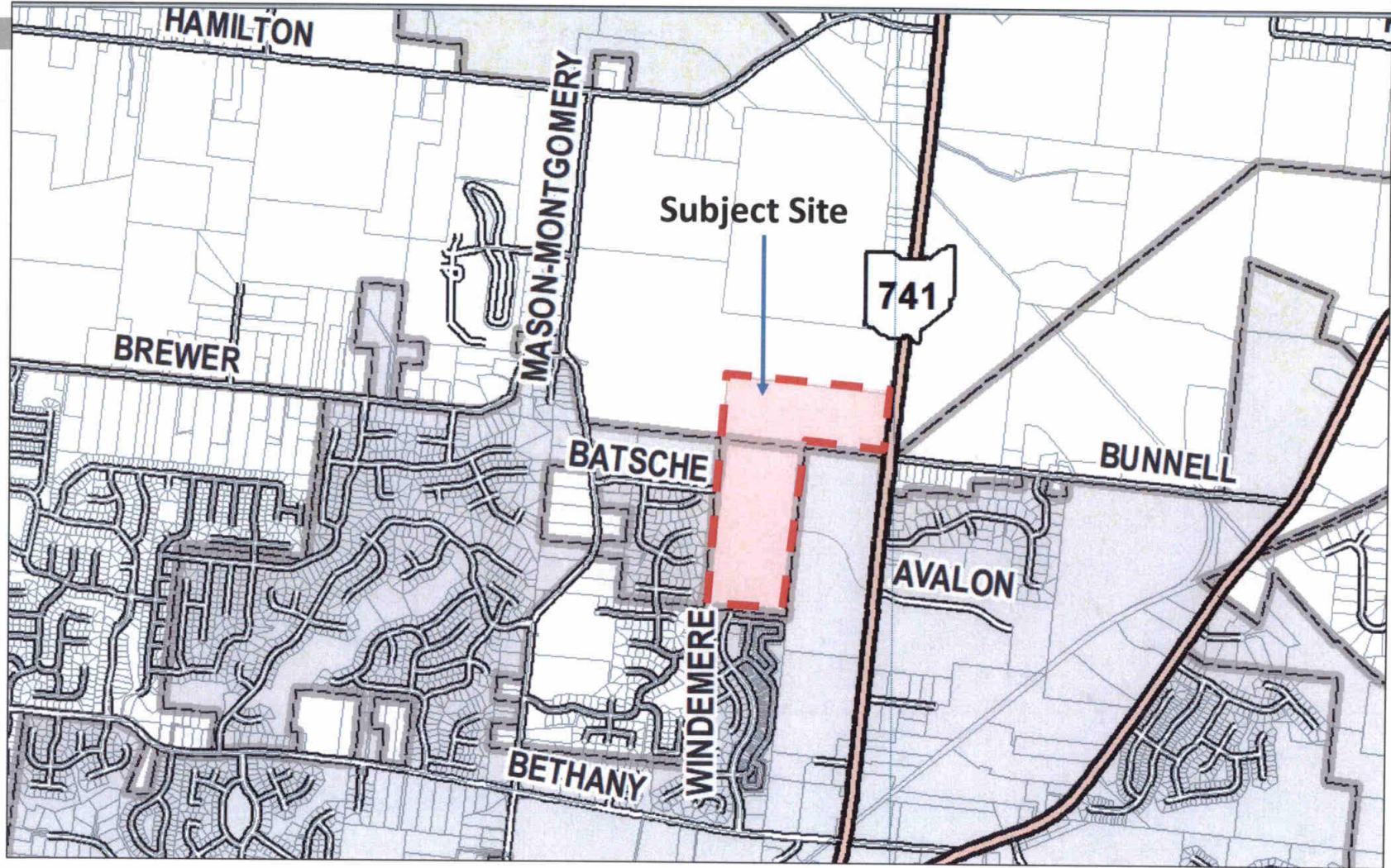
PROPOSED AMENDMENTS WARREN COUNTY THOROUGHFARE PLAN

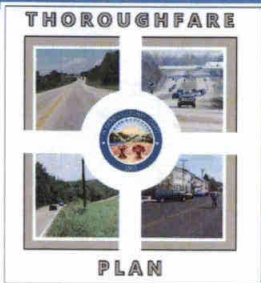
Process





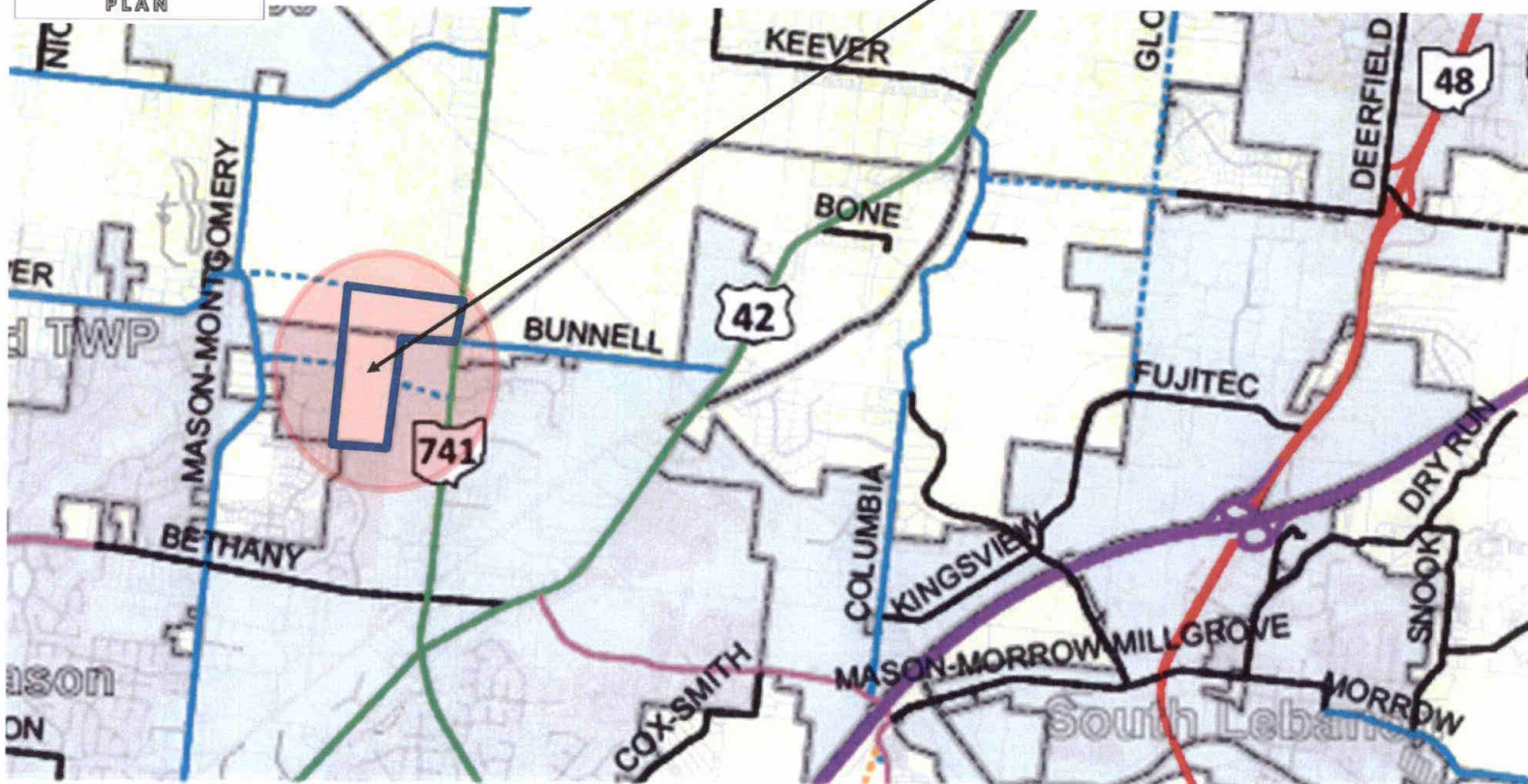
Subject Site





REQUESTED AMENDMENTS-MAP Functional Classification Map (Section 3)

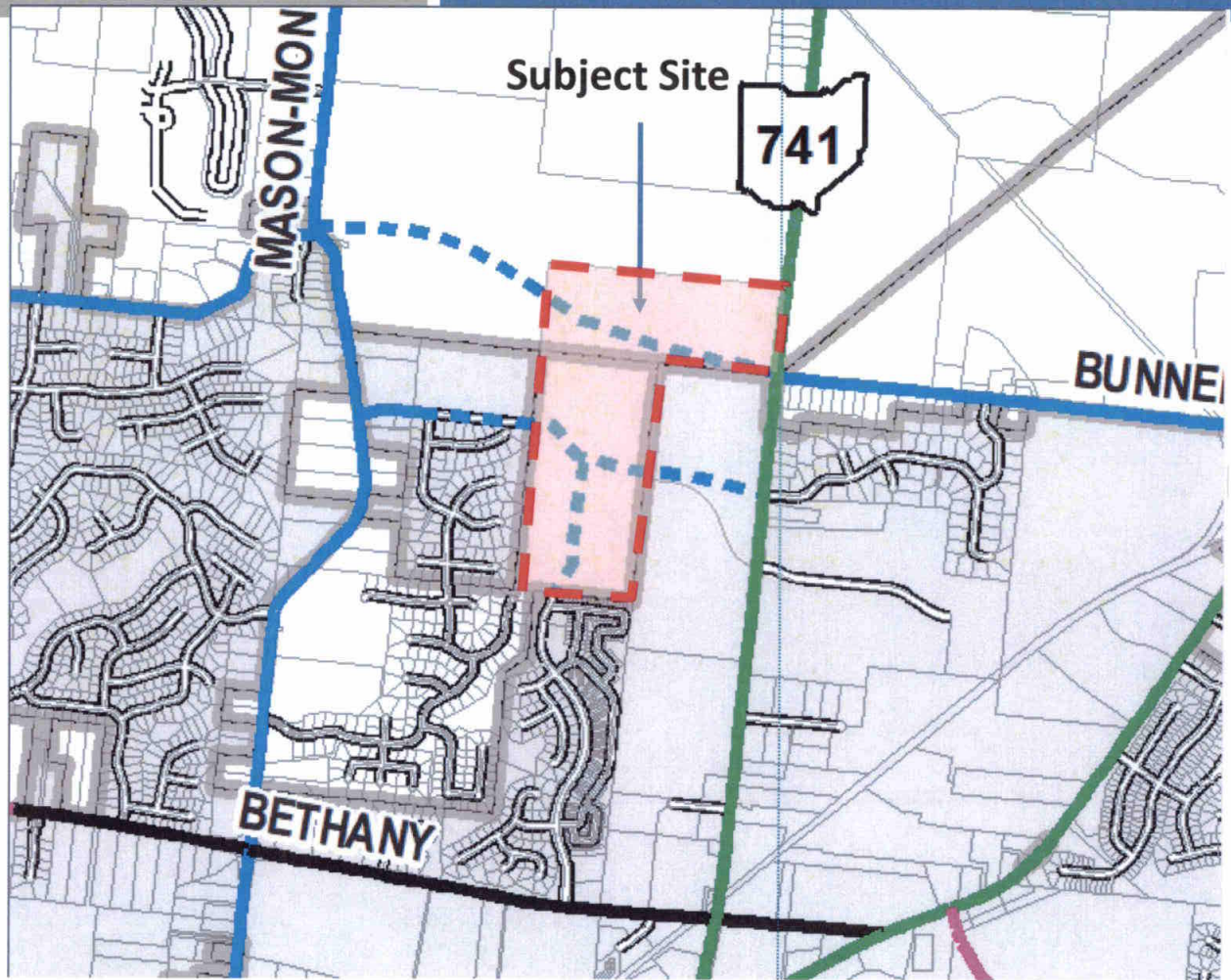
Remove future Thoroughfare Plan roadways from the subject site.



- 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



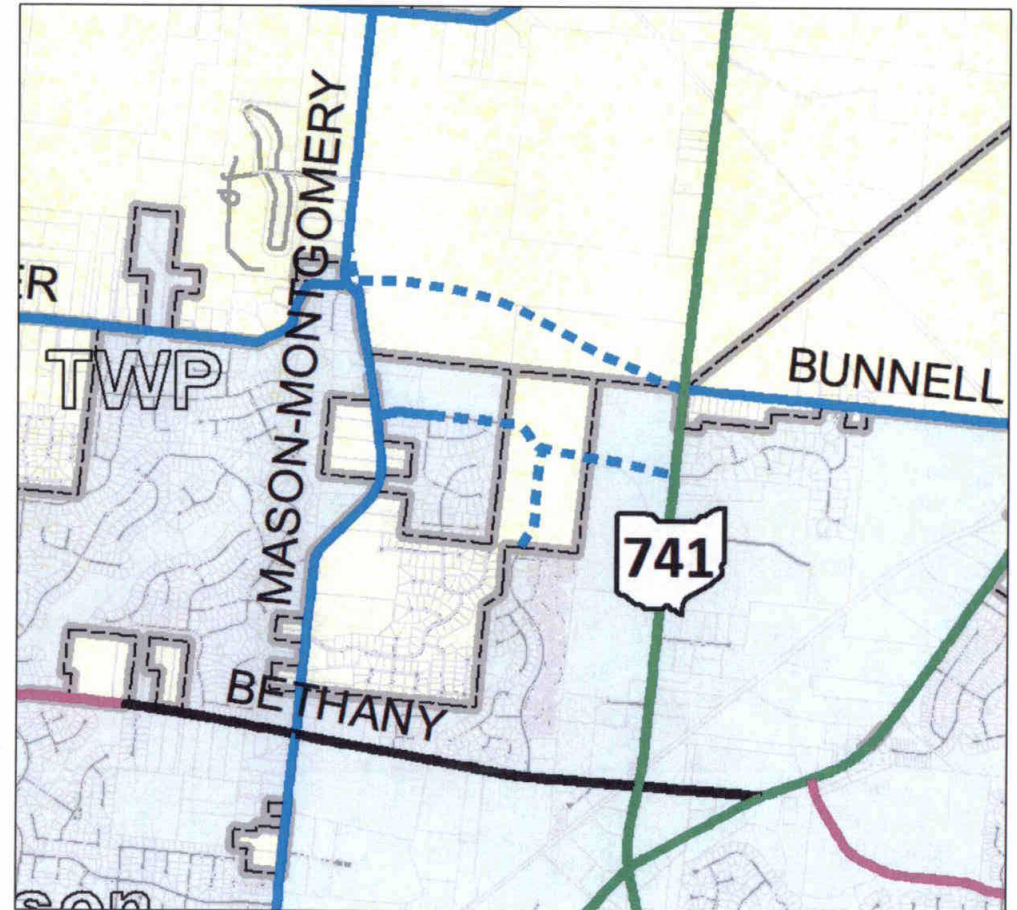
Current

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.

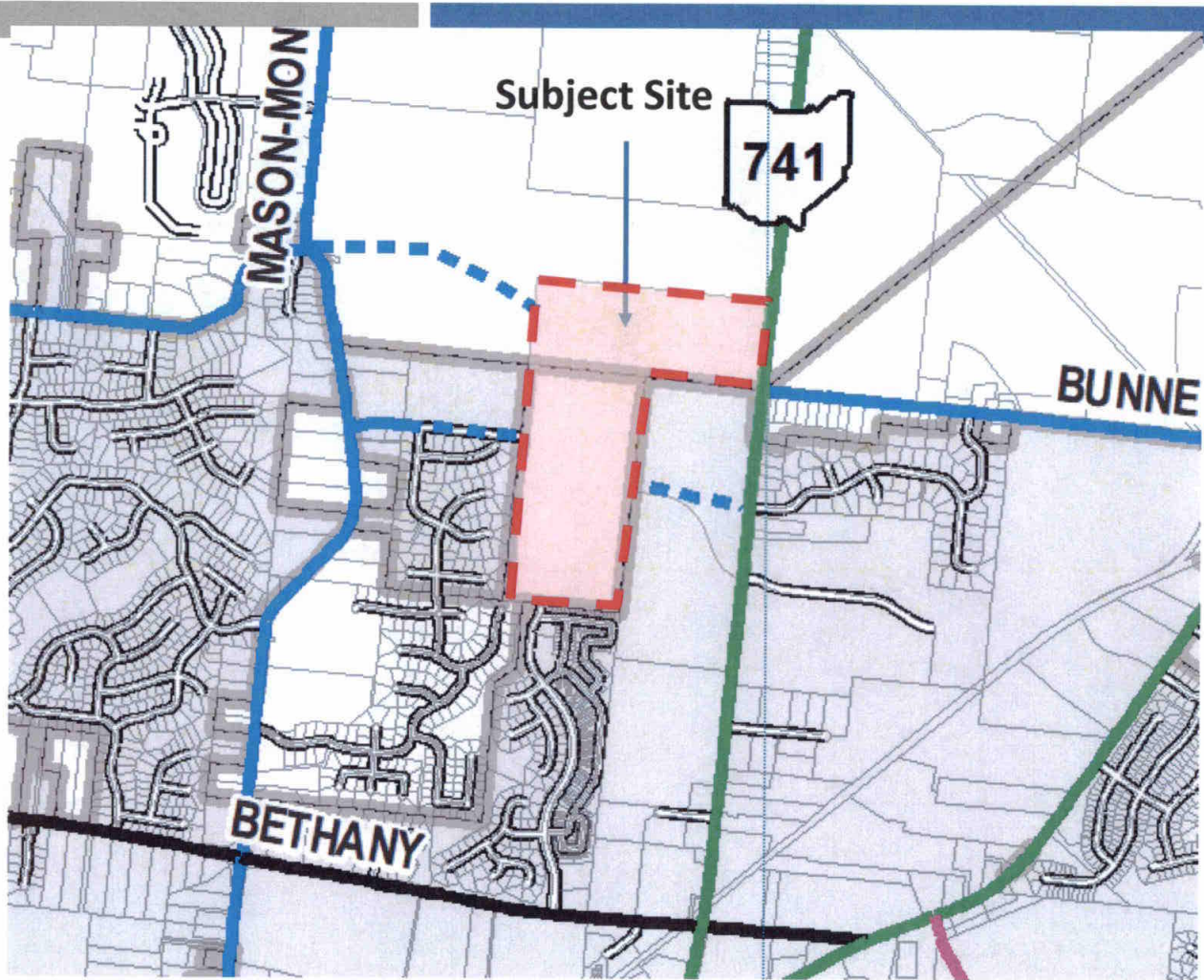
One within the Turtlecreek portion & the other within the Deerfield portion.

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

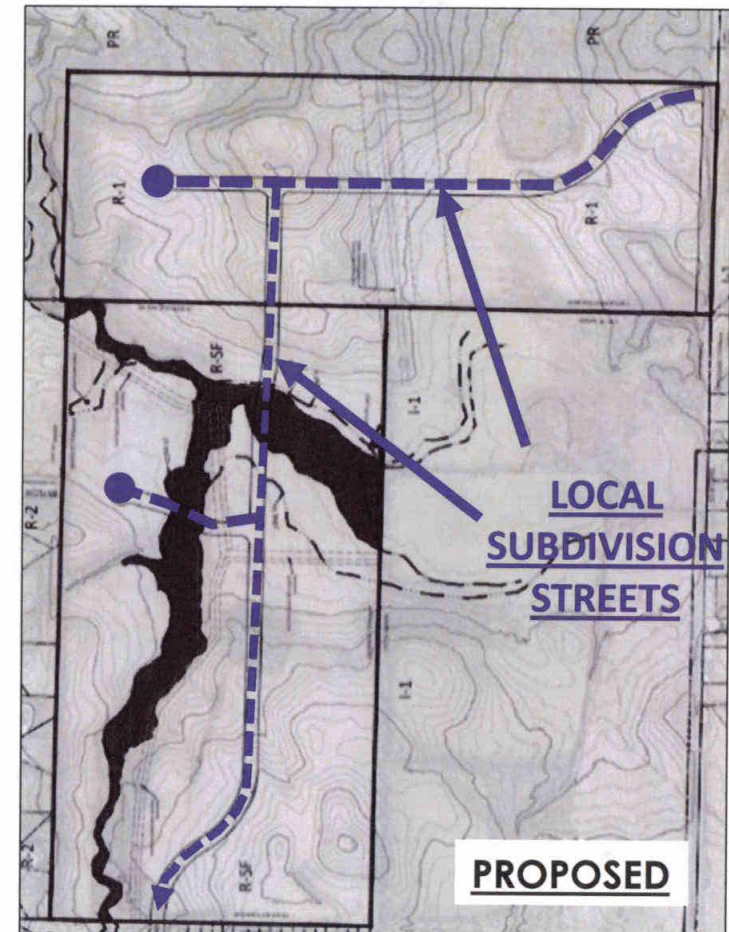
- Collector
- Interstate
- Local Road
- Major Collector/Distributor
- Primary Arterial
- Primary Collector/Distributor
- Secondary Arterial
- Vacation



Applicant's Proposal

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

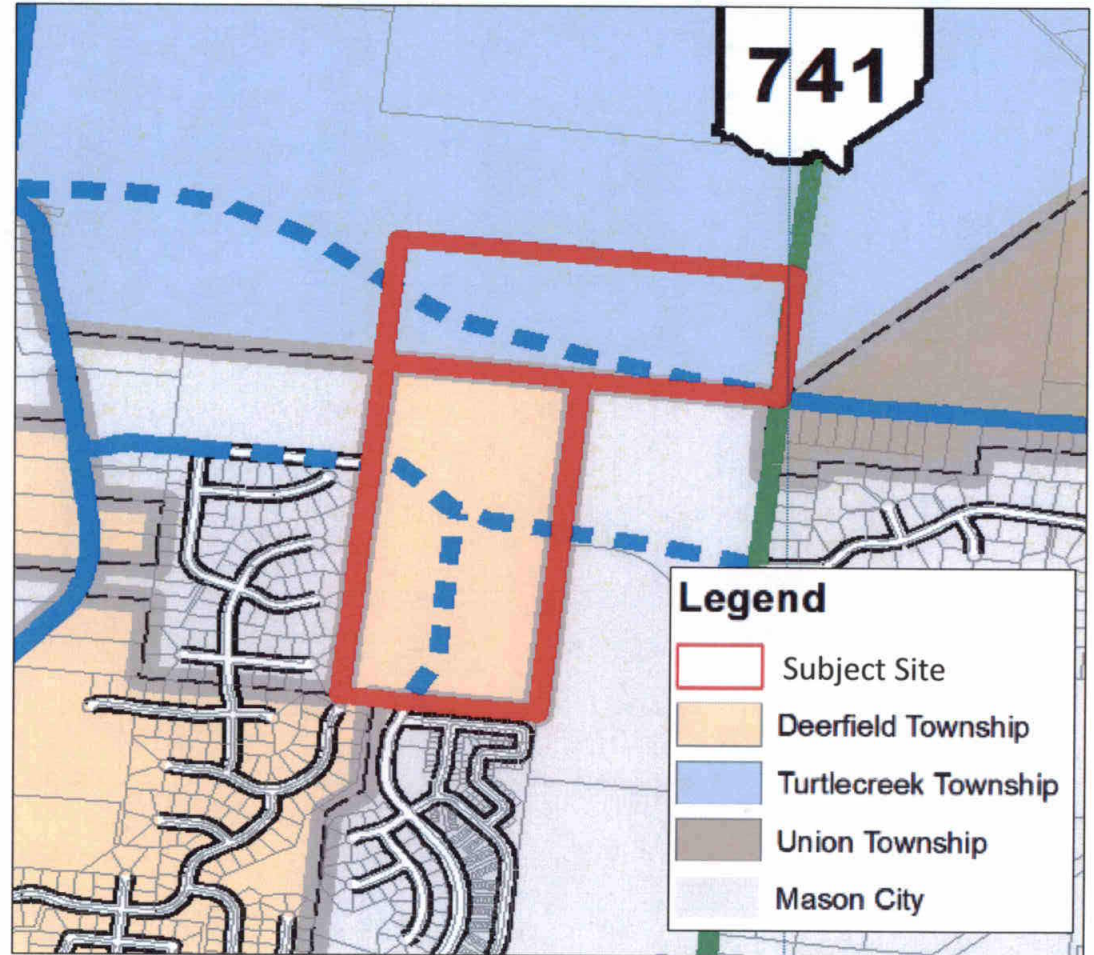
Jurisdictions

- City of Mason
- Turtlecreek Township
- Deerfield Township.

Southern Portion: Deerfield Township

Northern Portion: Turtlecreek Township,

Warren County Zoning





Zoning

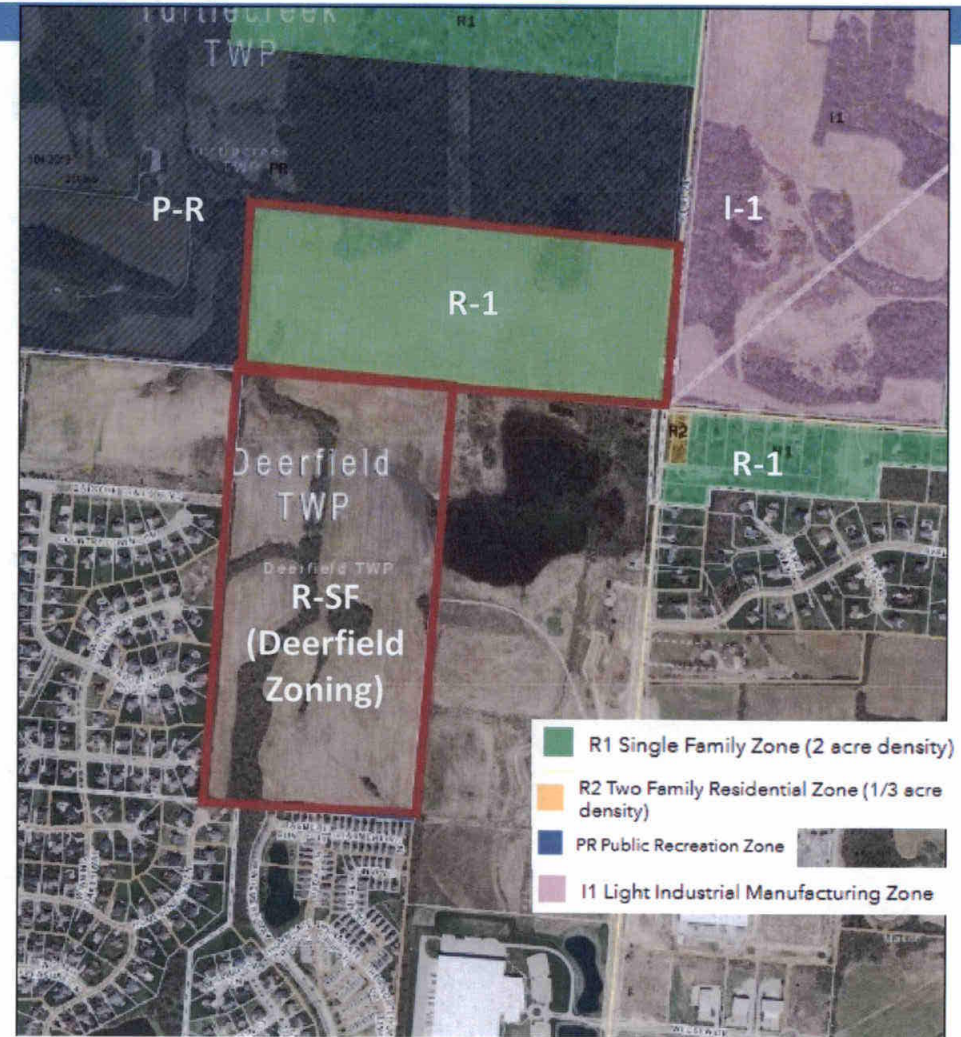
Warren County Zoning

Northern Portion (Turtlecreek Township):

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

Surrounding zoning - Turtlecreek Township

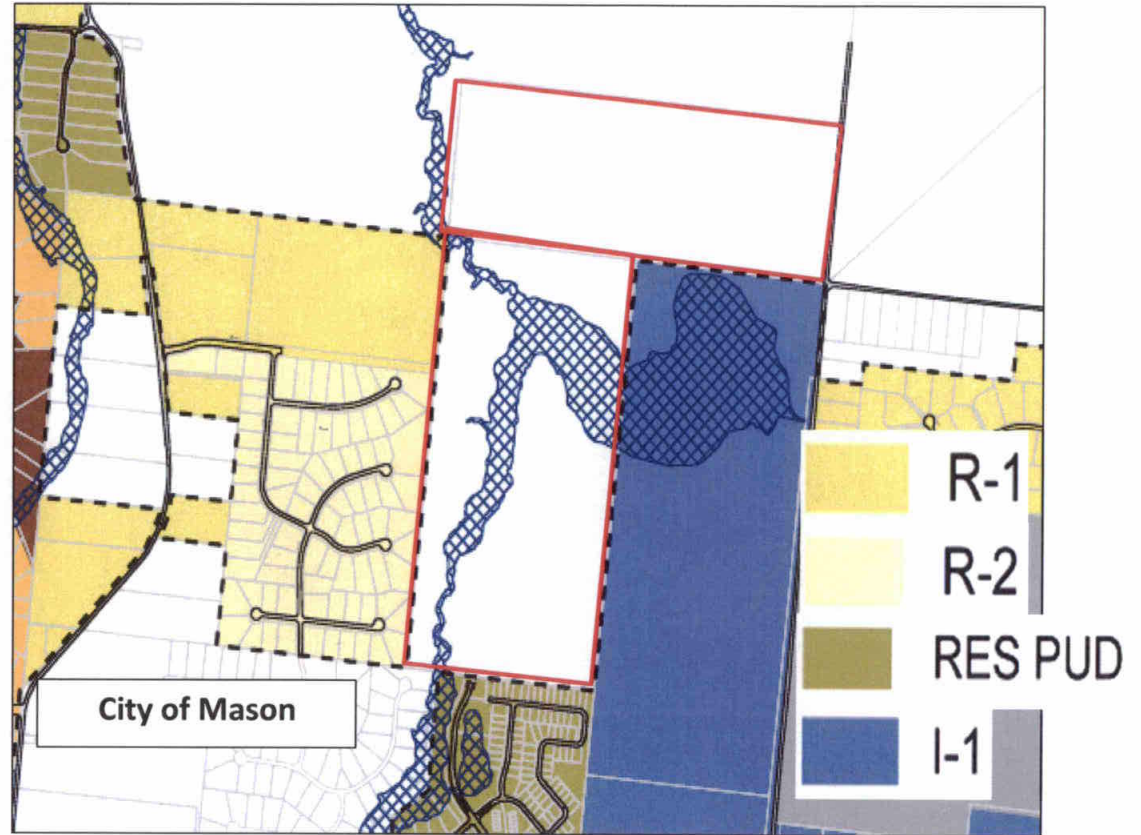
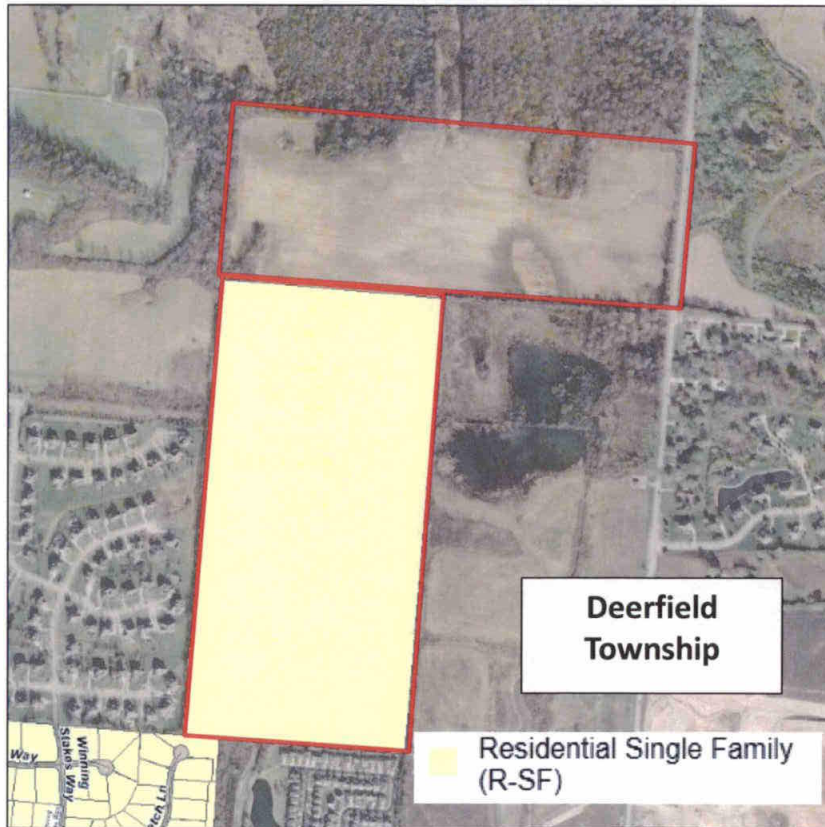
1. Public Recreation (P-R) Zone
2. Light Industrial Manufacturing Zone (I-1).





Zoning

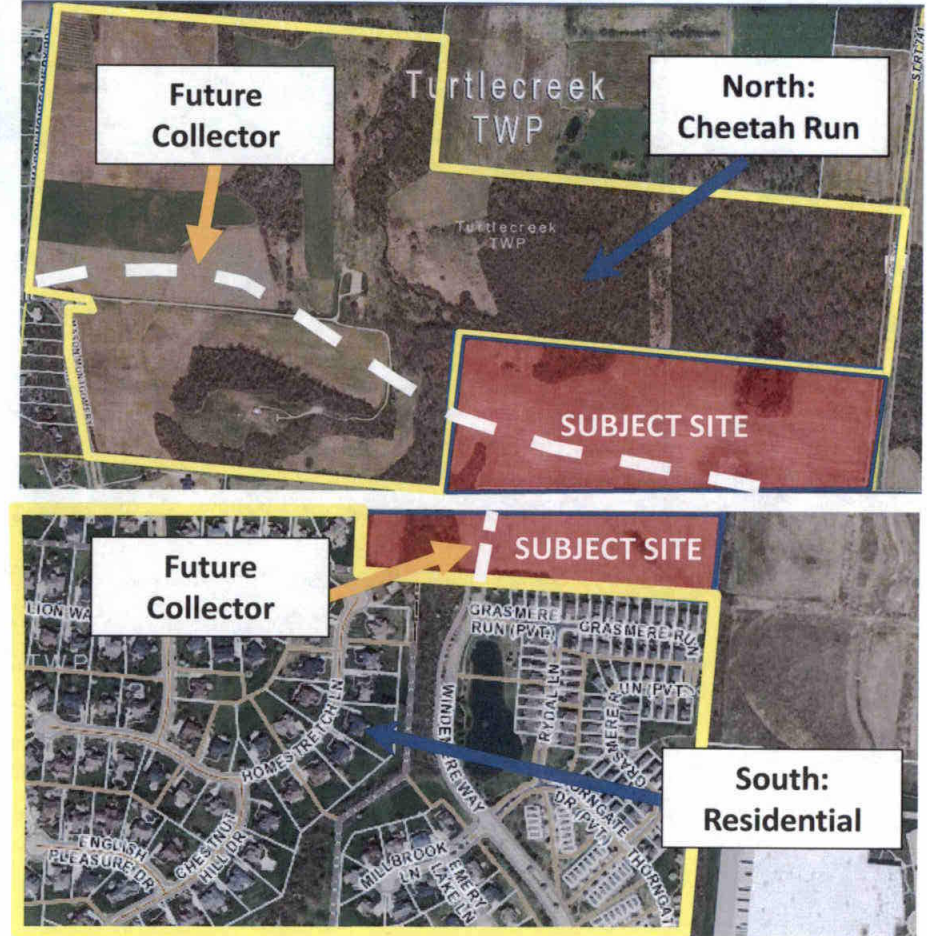
Zoning – Deerfield Township & City of Mason





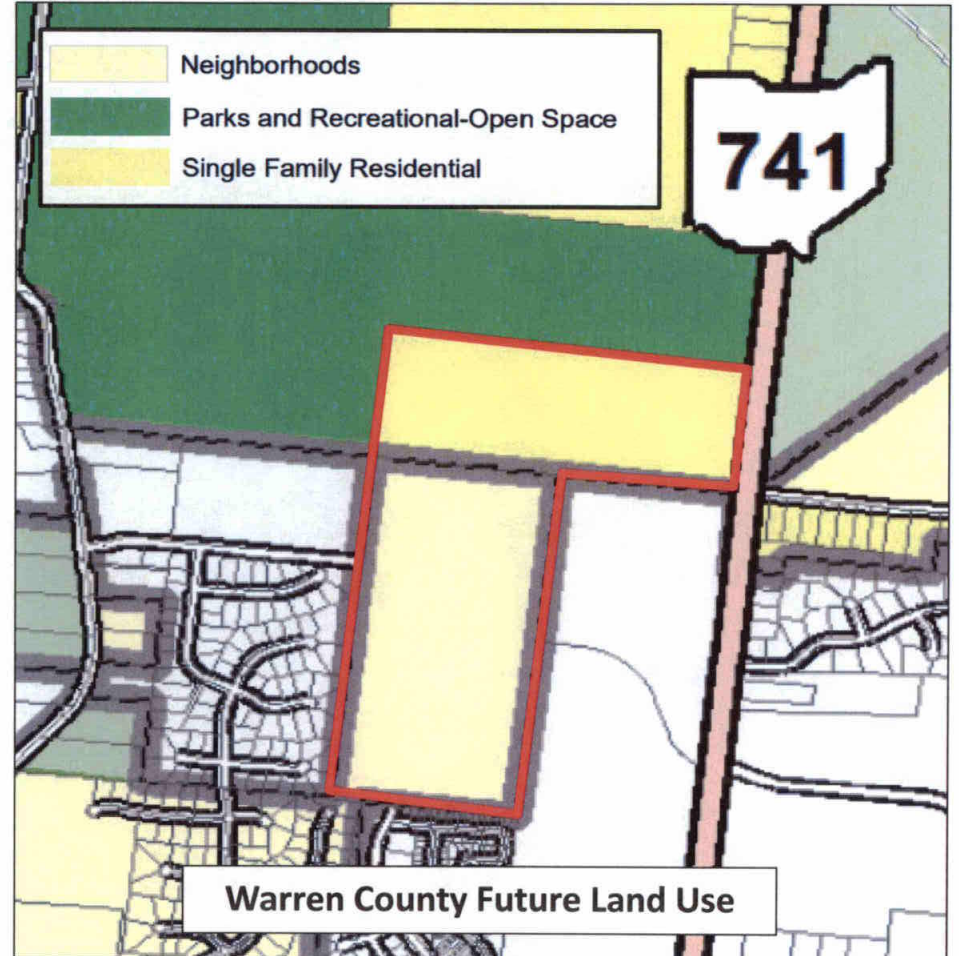
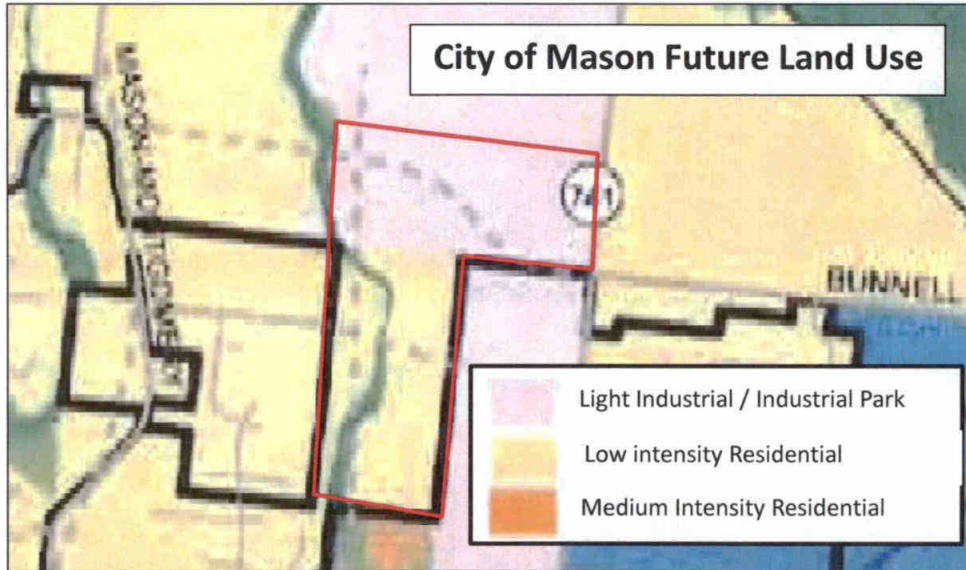
Surrounding Land Uses and Future Collector Locations

| | 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) |





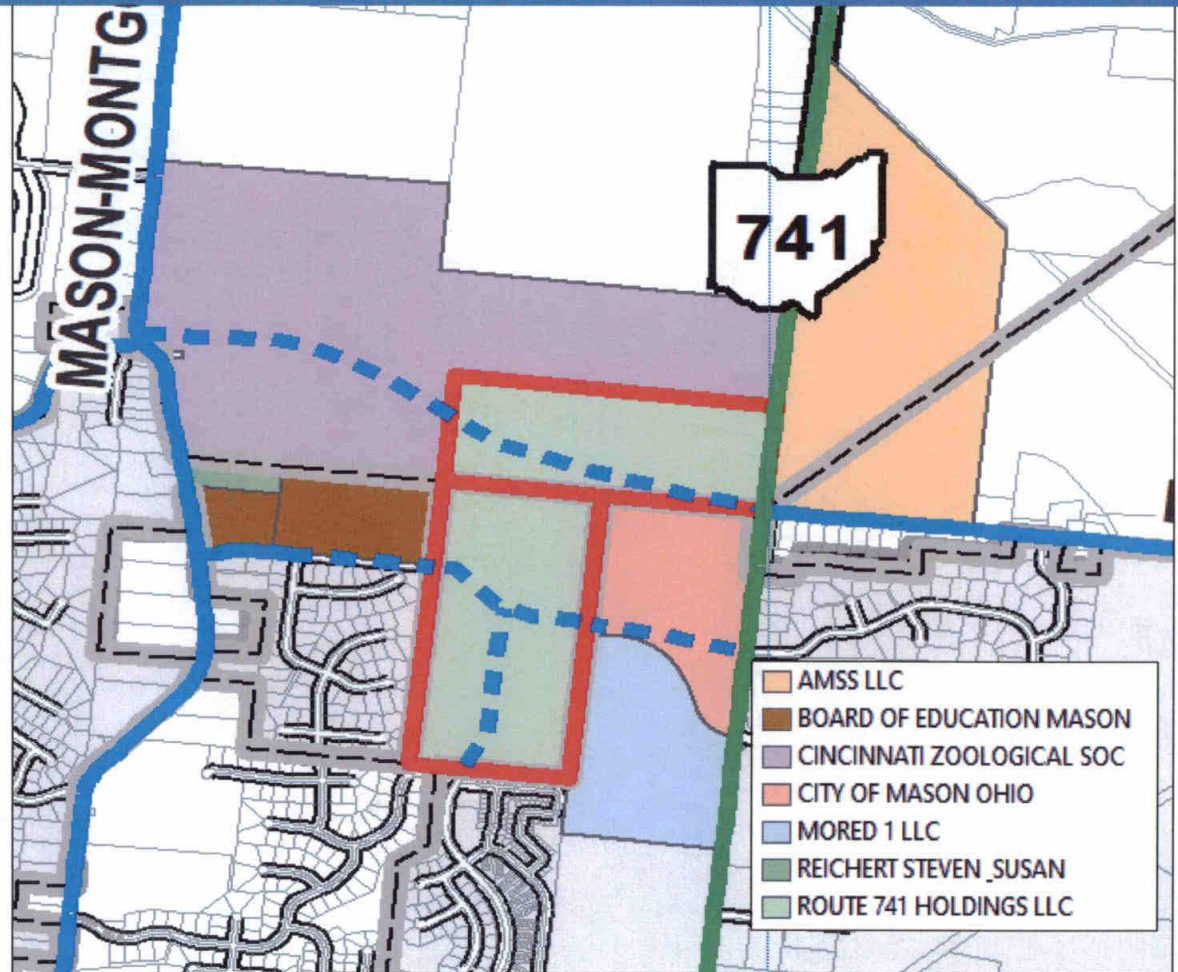
Future Land Use





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

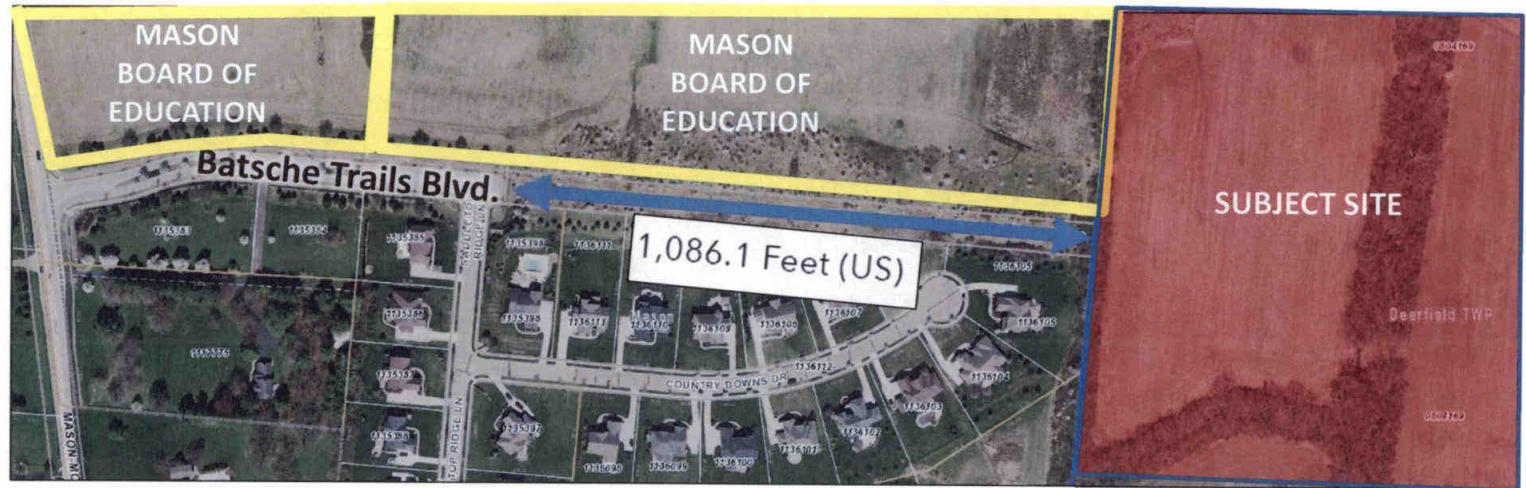
Sales History

| 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 |



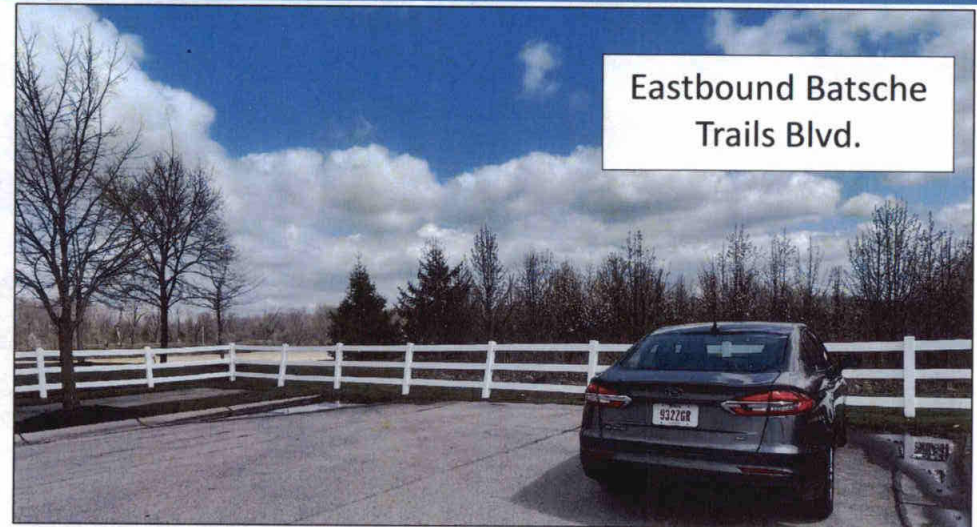
Batsche Trails Blvd.

- 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.



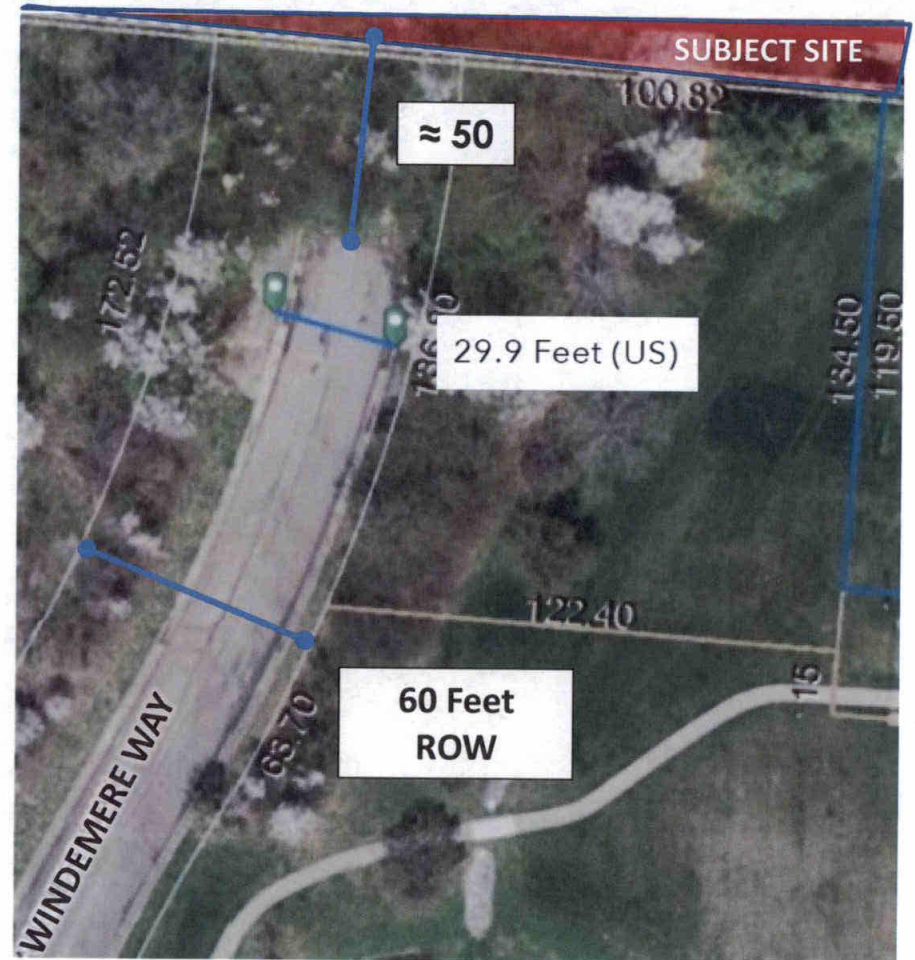
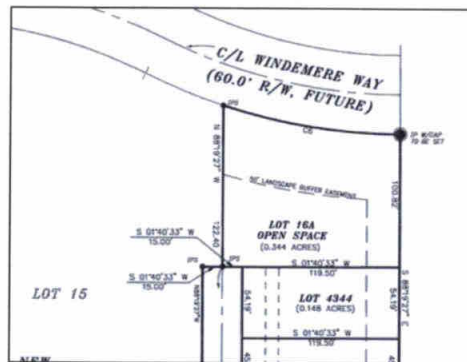
| | |
|--|----------------|
| Functional Classification | Collector Road |
| Right-of-Way Width | 60 feet |
| Roadway Width (Back of curb to back of curb) | 41 feet |

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 ≈ 50 feet from property line.**





Windemere Way



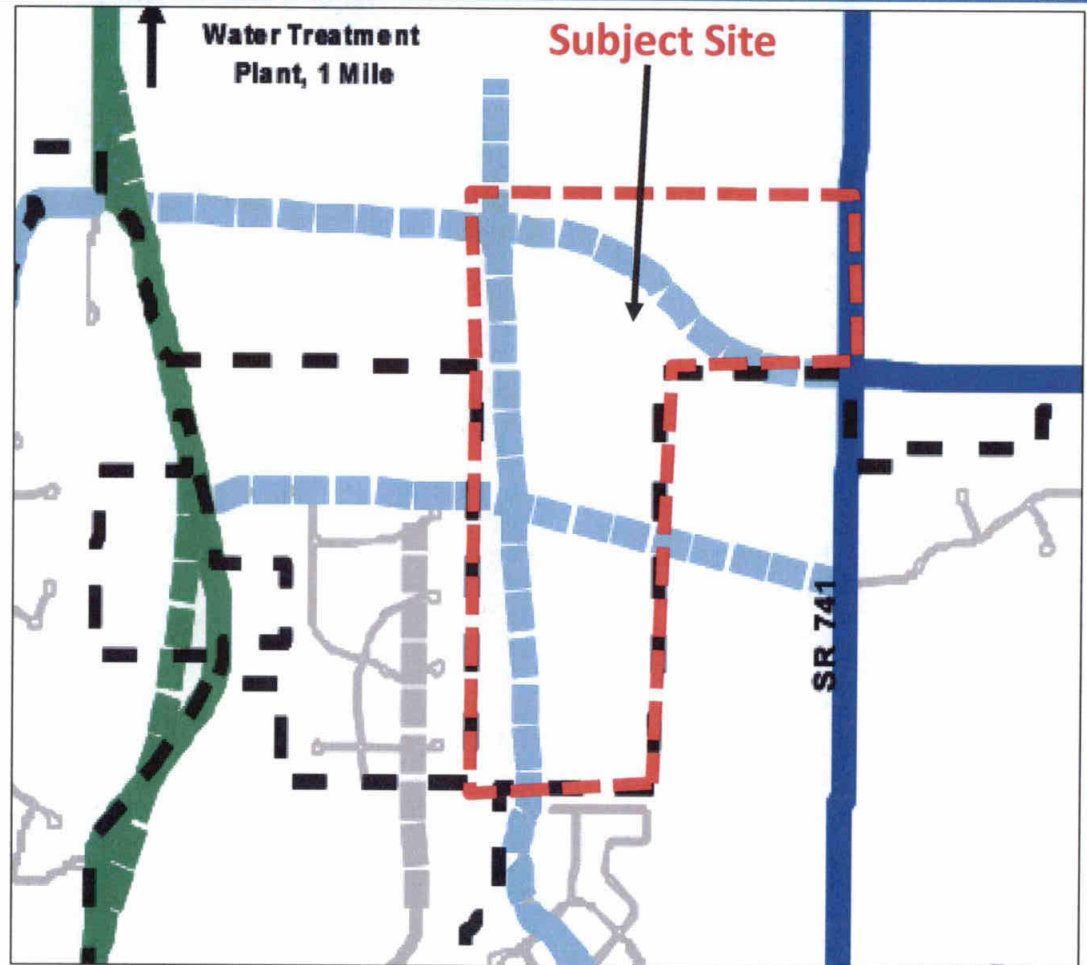
| | |
|---|----------------|
| Functional Classification | Collector Road |
| Right-of-Way Width | 60 feet |
| Roadway Width (Back of curb to back of curb) | 41 feet |



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



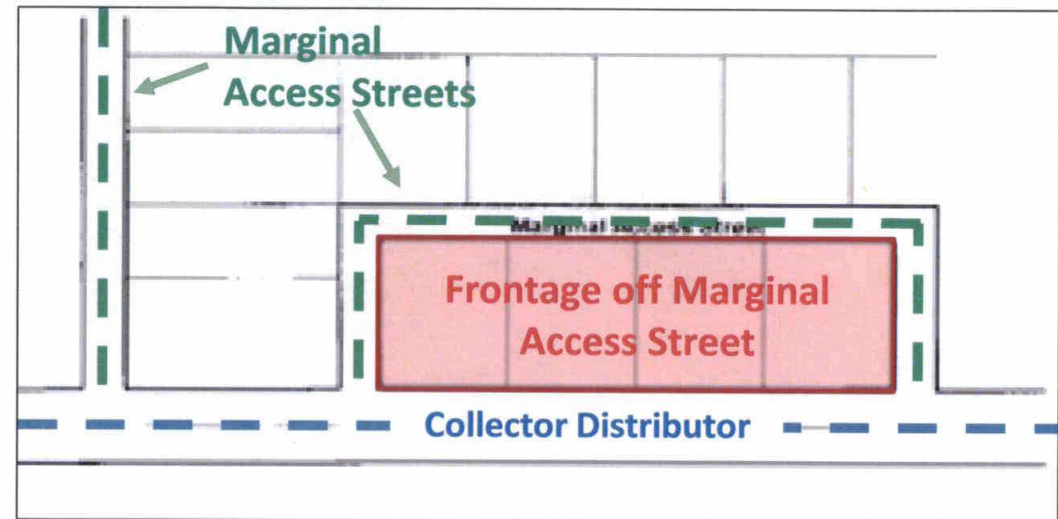
Difference Between a Collector and Local Subdivision Street

| | Collector | Local Subdivision Streets |
|--------------------------------|---|---|
| Right-of-Way Width | 60 feet | 60 feet |
| Roadway / Travel Lane Width | Paved roadway: 36 feet Travel lane width: 18 feet | Paved roadway: 24 feet Travel lane width: 12 feet |
| Speed Limit | 35 MPH | 25 MPH |
| Access Spacing (for driveways) | 660 feet (Unsignalized)/1320 feet (Signalized) | N/A |
| Thoroughfare Plan | Illustrated | Not Illustrated |
| Marginal Access Street | Required | Not Required |
| 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.



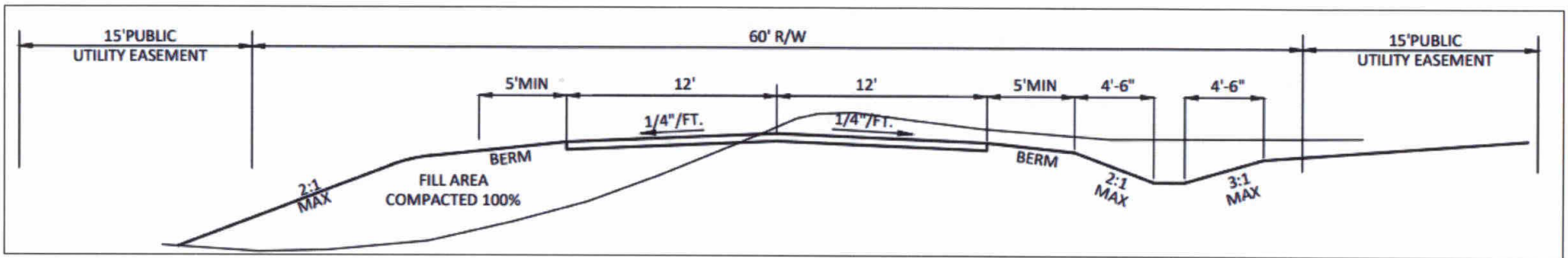
Marginal Access Street Definition:

“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:

| | |
|--------------------------------|-------------------------------|
| Right-of-Way | 60 feet |
| Roadway Width | 24 feet / 12 foot paved lanes |
| Public Utility Easement | 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

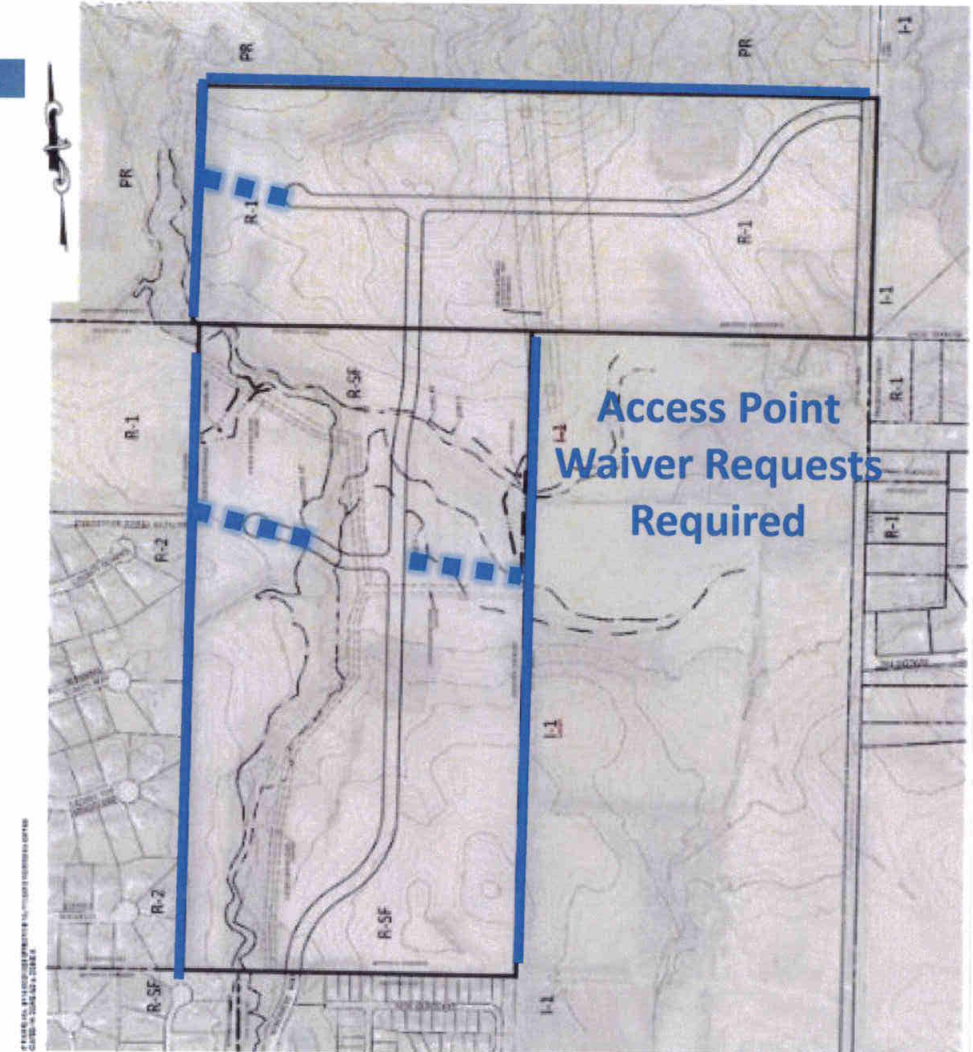


Subdivision Review Connectivity

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,

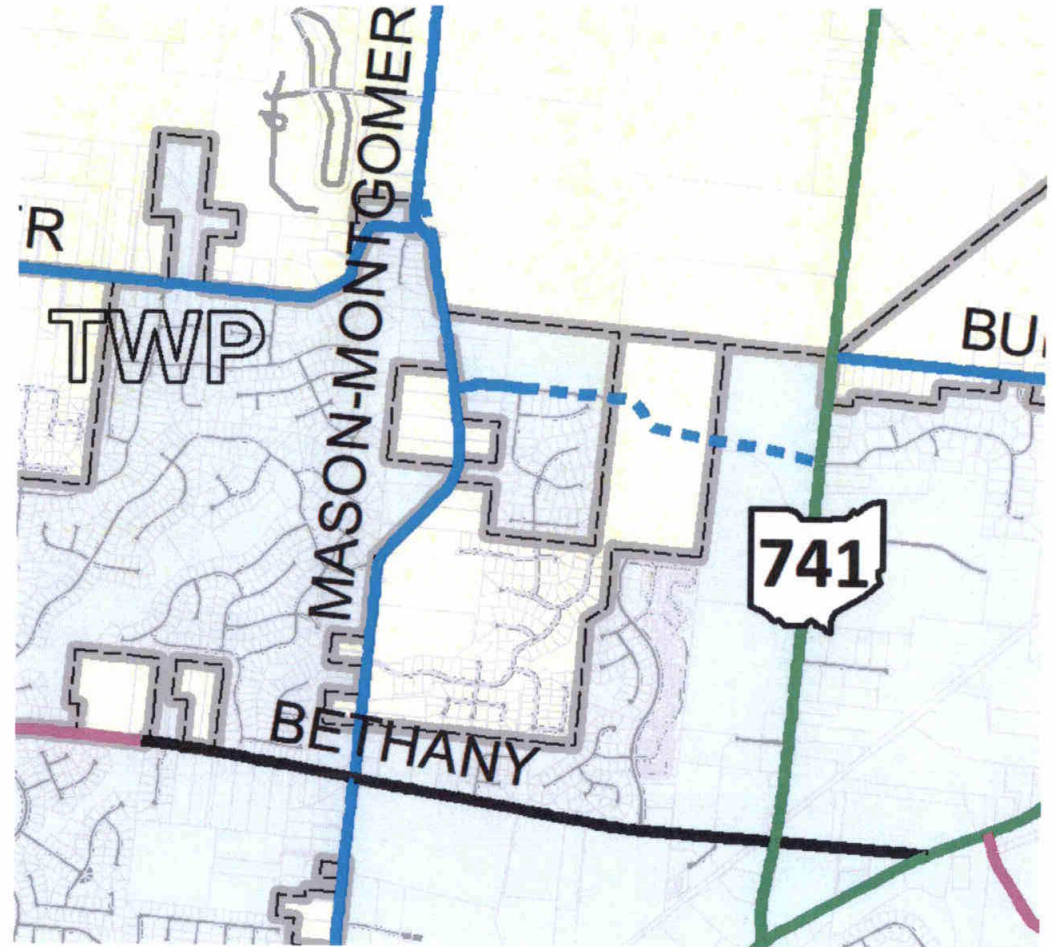
Kurt E. Weber, PE, PS
Chief Deputy Engineer
Warren County Engineer's Office



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.

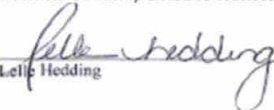
The developer has made a request to modify the Warren County Thoroughfare Plan, to prevent an east/west collector from running through the proposed residential neighborhood.

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

4900 Parkway Drive, Suite 150 Deerfield Township, Ohio 45040
513-701-6958 • 513-701-6996 Fax • www.choosedeerfield.com



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,

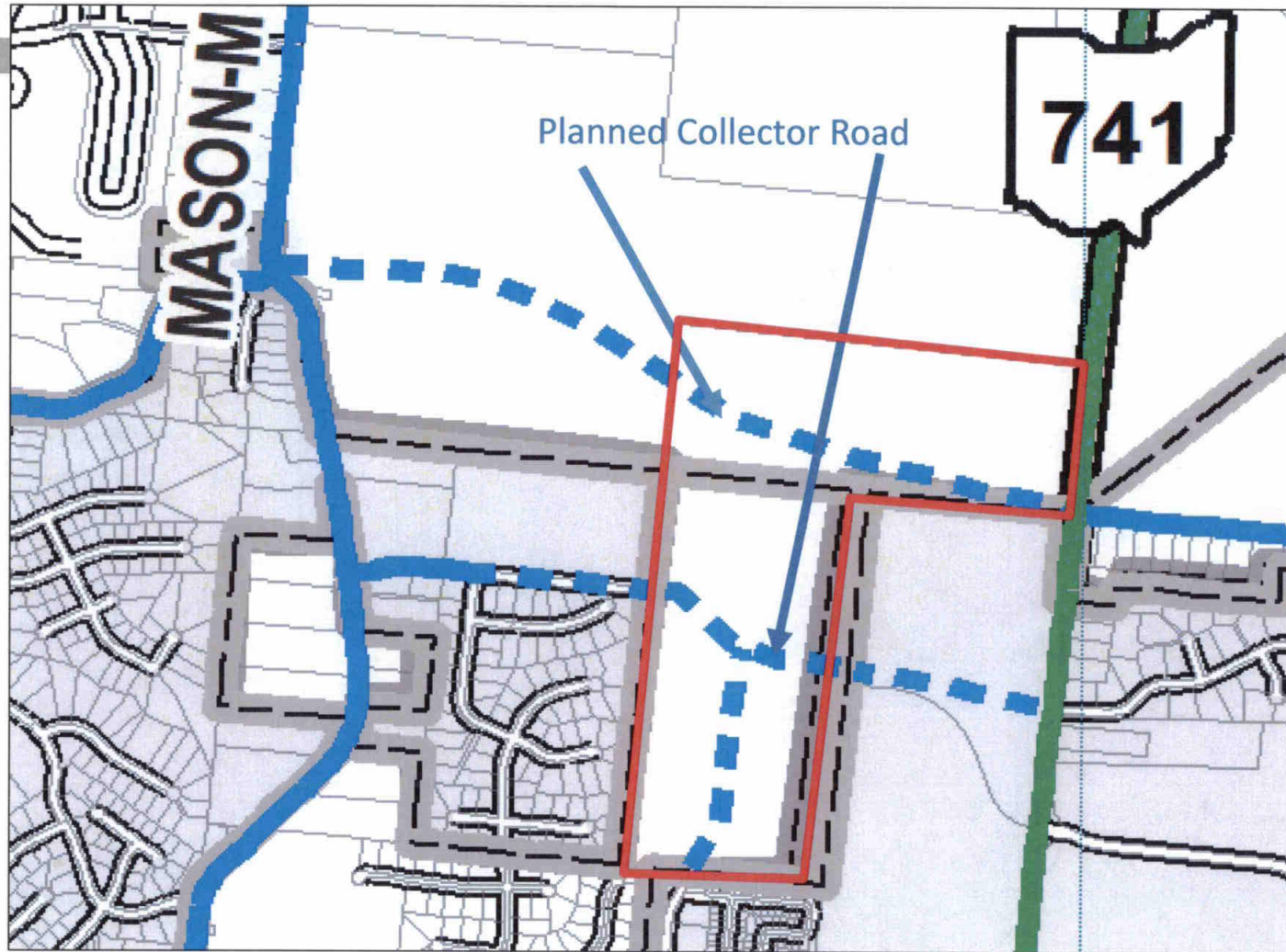
A handwritten signature in cursive script that reads 'Daniel F. Jones'.

Daniel F. Jones
Board of Trustees Turtlecreek Township
Chairperson

DFJ/tb
Cc: file

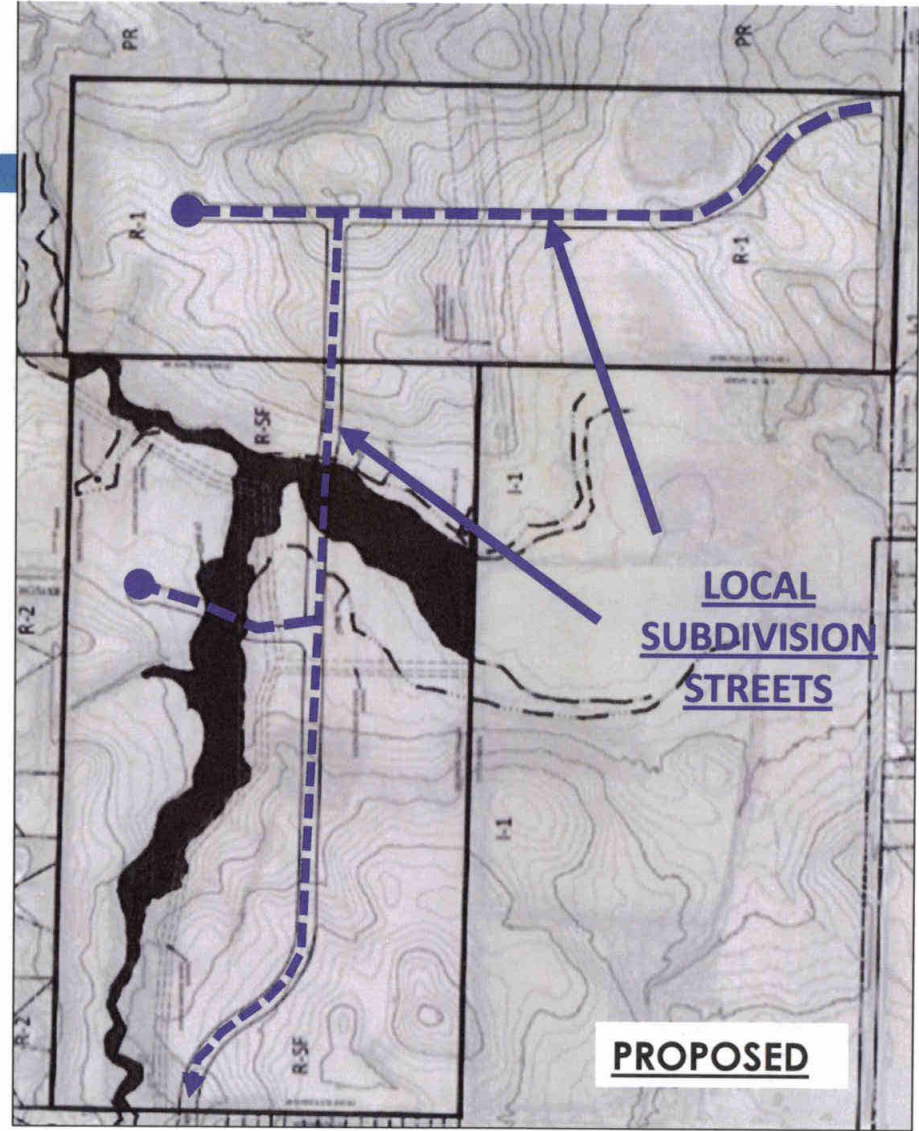
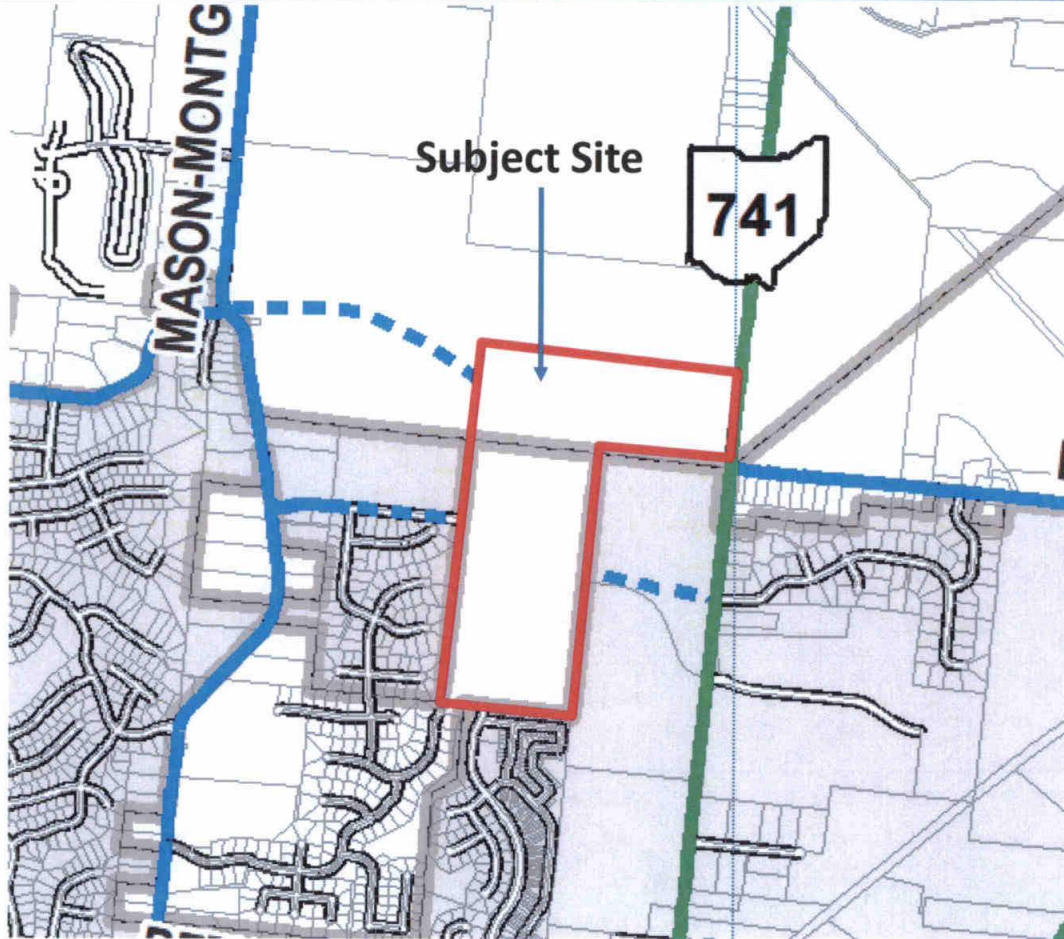


Summary – Existing Conditions



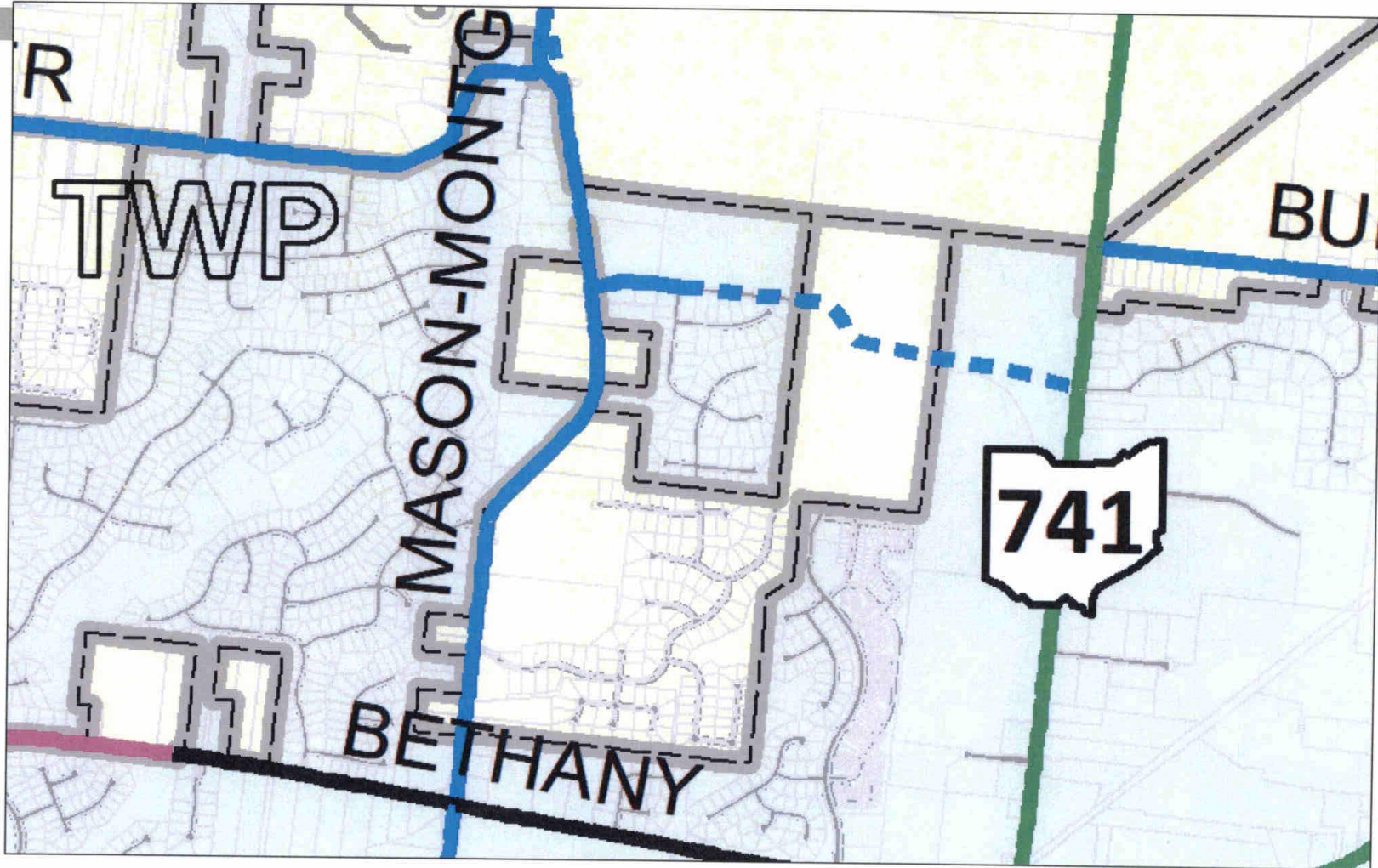


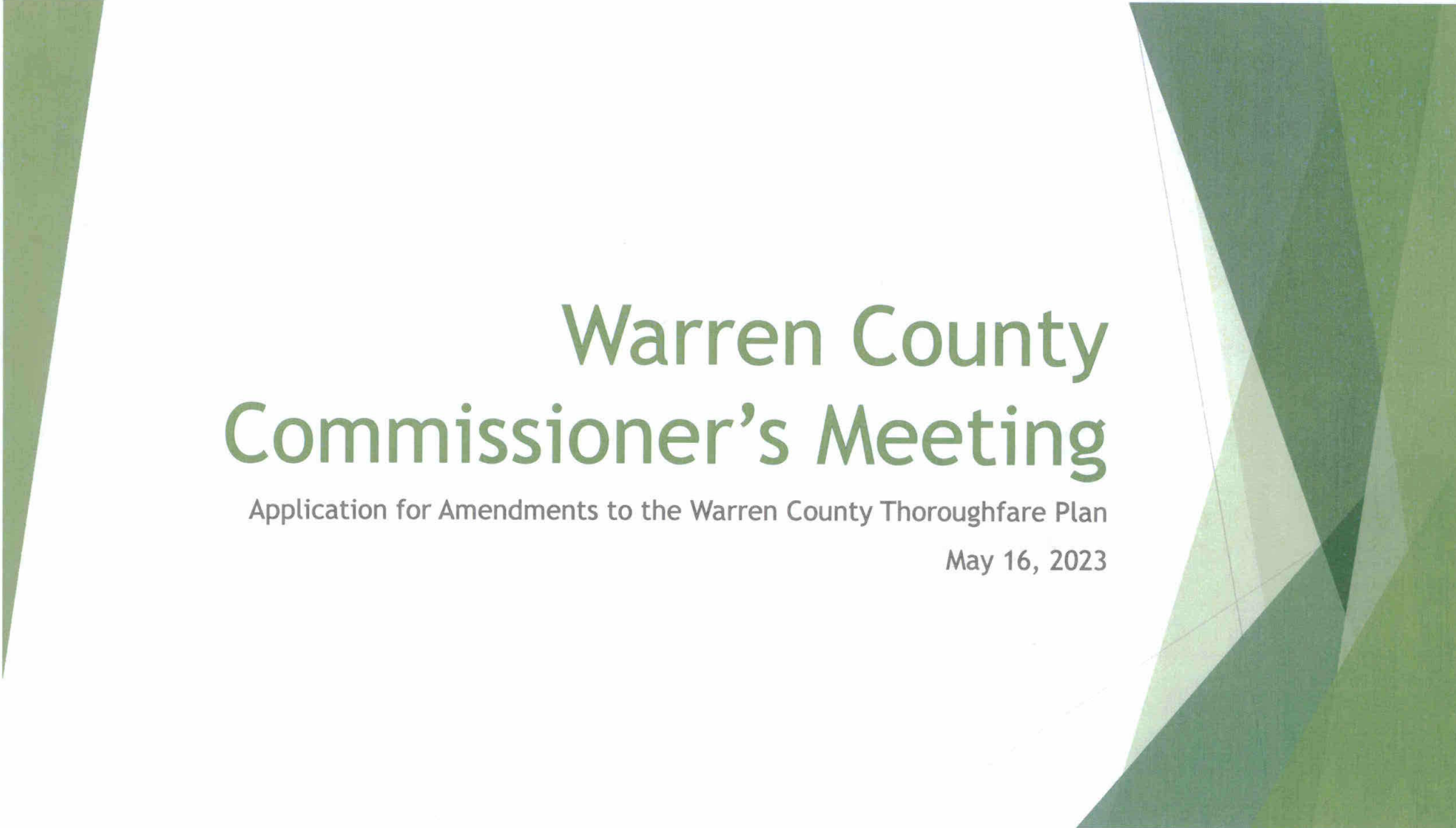
Summary – Applicant’s Request





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



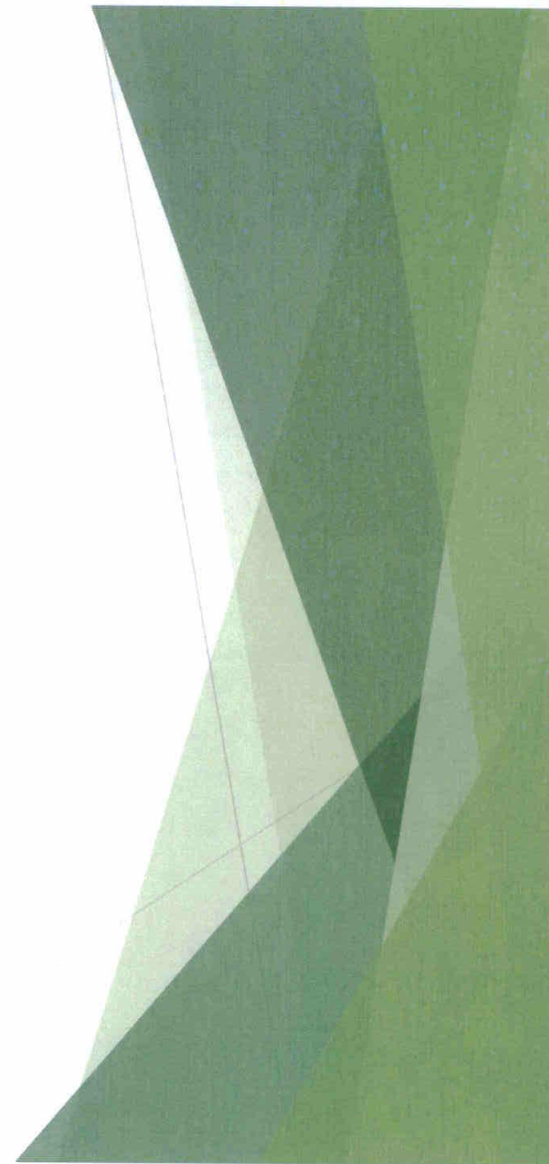
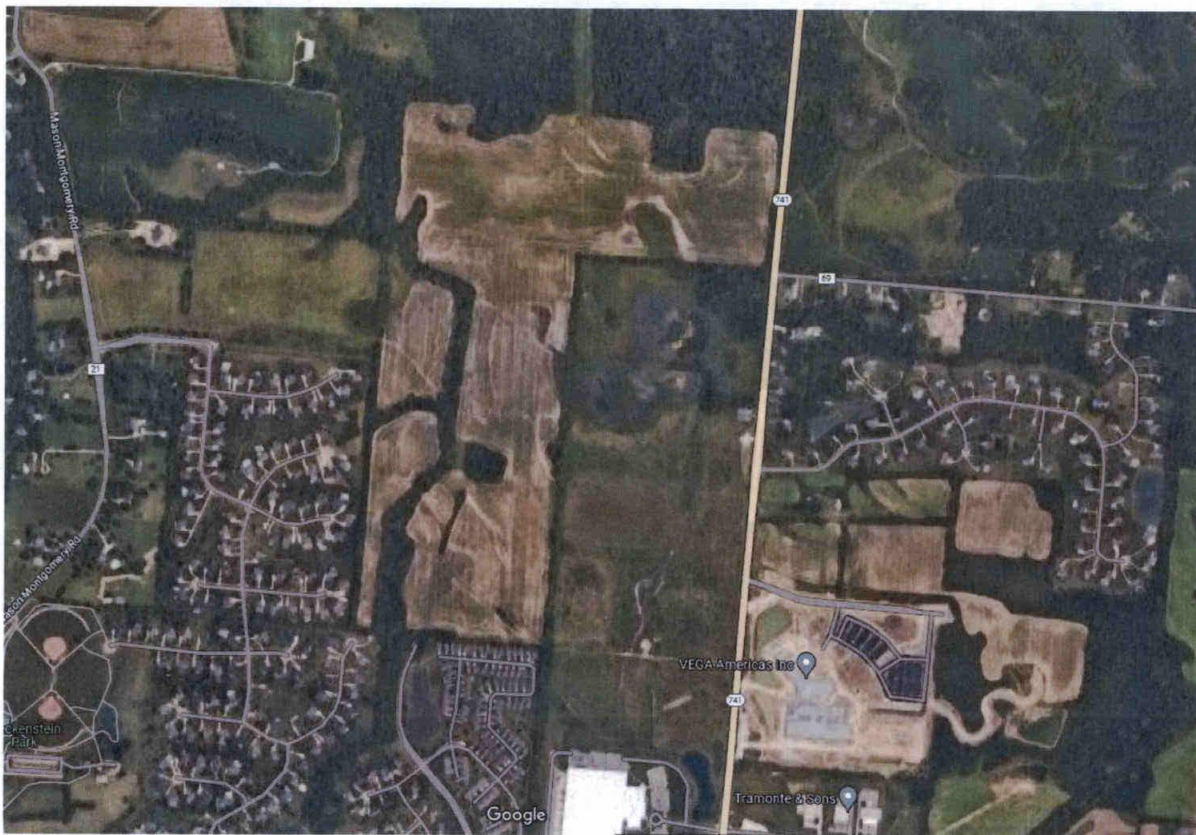


Warren County Commissioner's Meeting

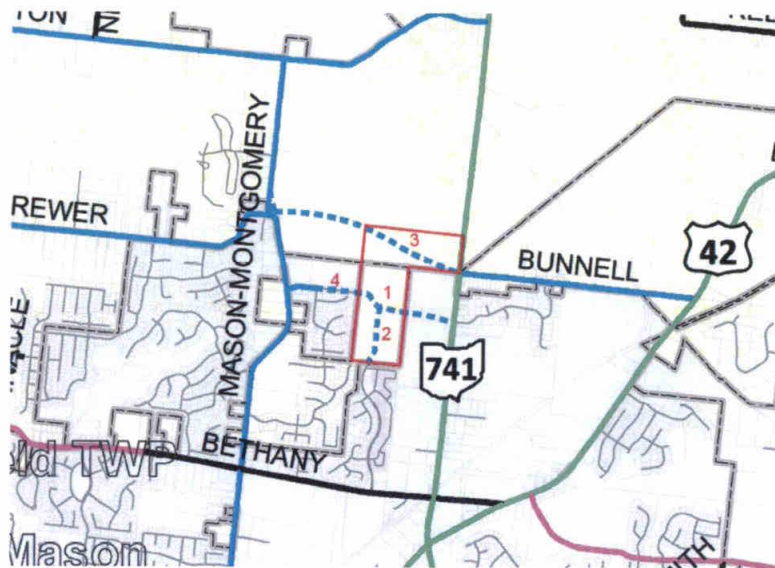
Application for Amendments to the Warren County Thoroughfare Plan

May 16, 2023

Existing Property

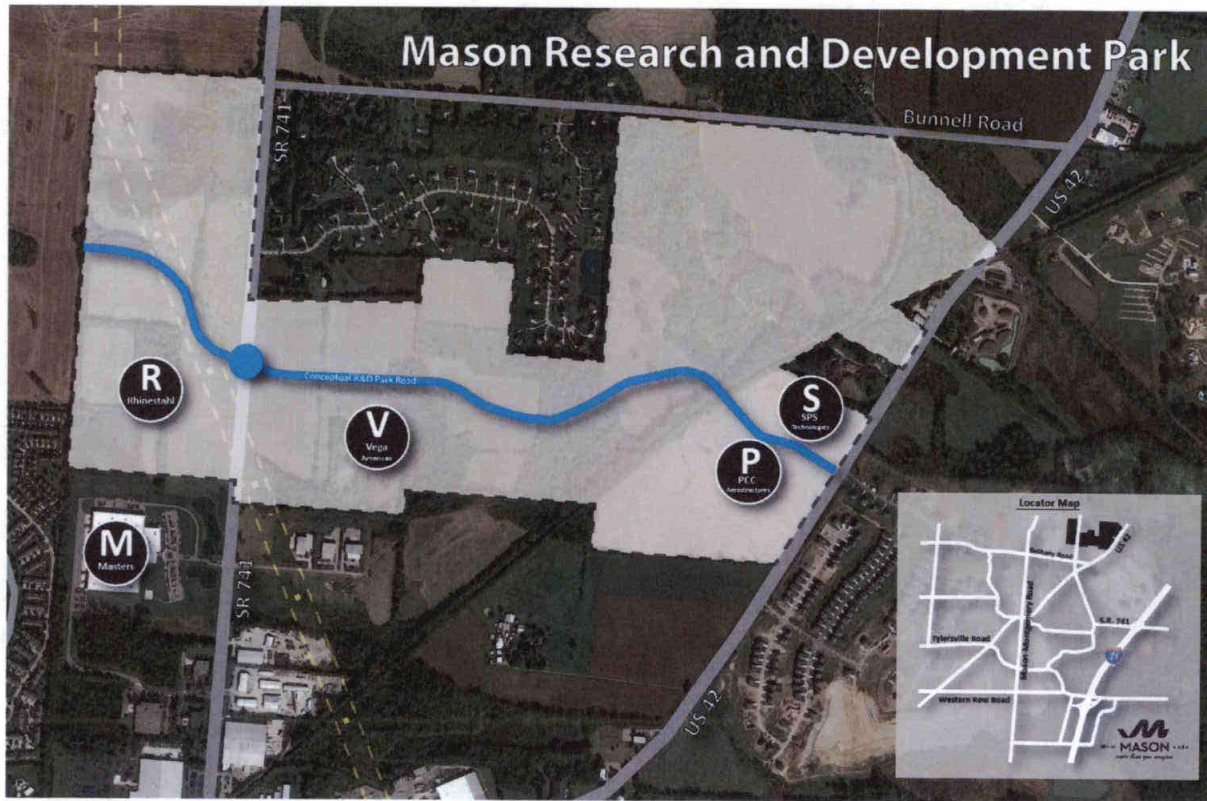


Thoroughfare Plan

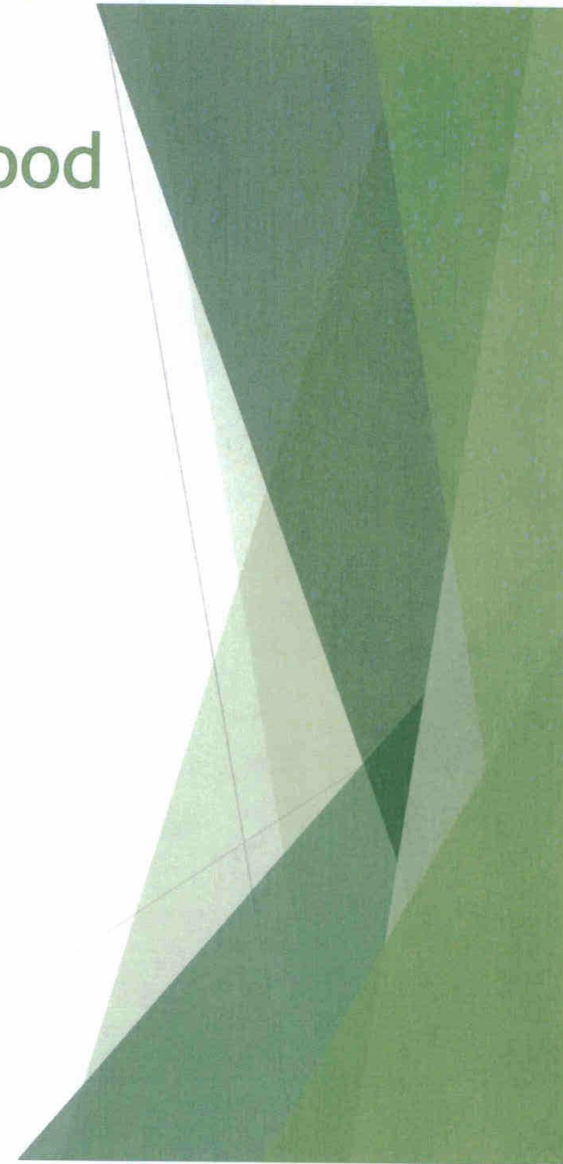
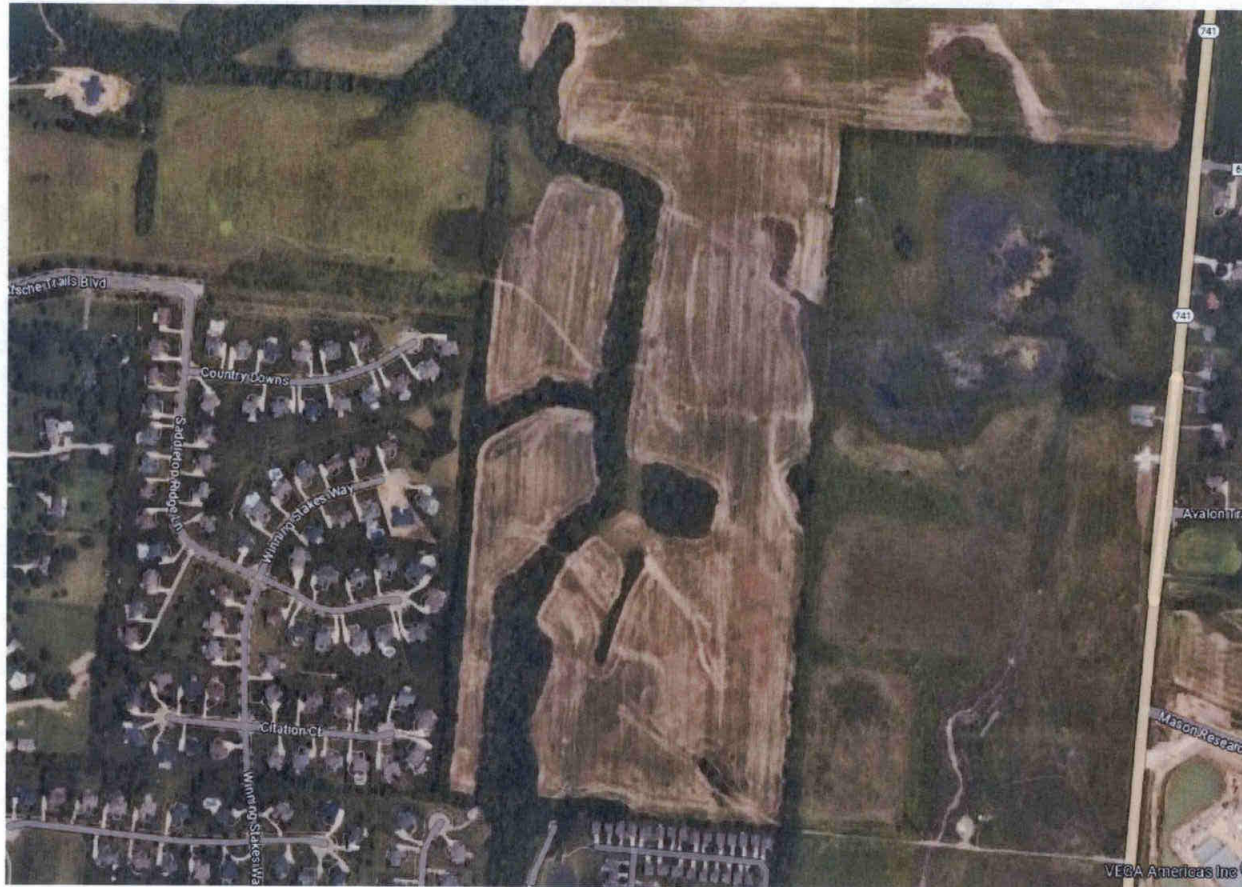


- ▶ Thoroughfare Plan proposes a Collector Roadway to pass through Turtlecreek Township property to the North, and two (2) Collector Roadways to pass through Deerfield Township property to the South.
- ▶ Deerfield Township has submitted a letter stating they do not want the Thoroughfare Plan on this property.
- ▶ Warren County Planning Commission recommended removal of the Collector on Turtlecreek, and the N/S Collector on Deerfield.

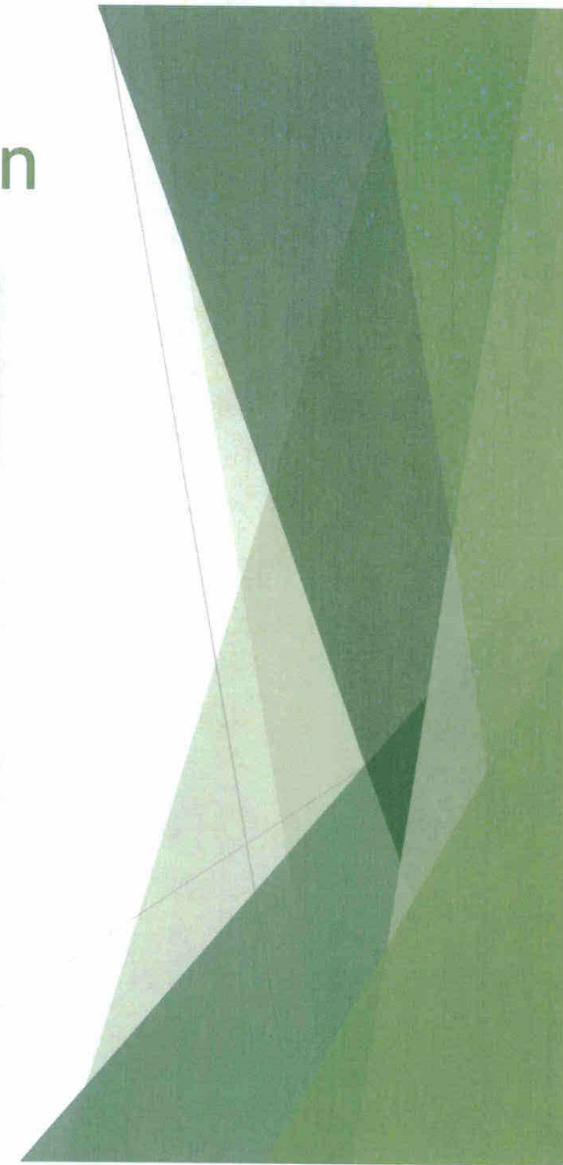
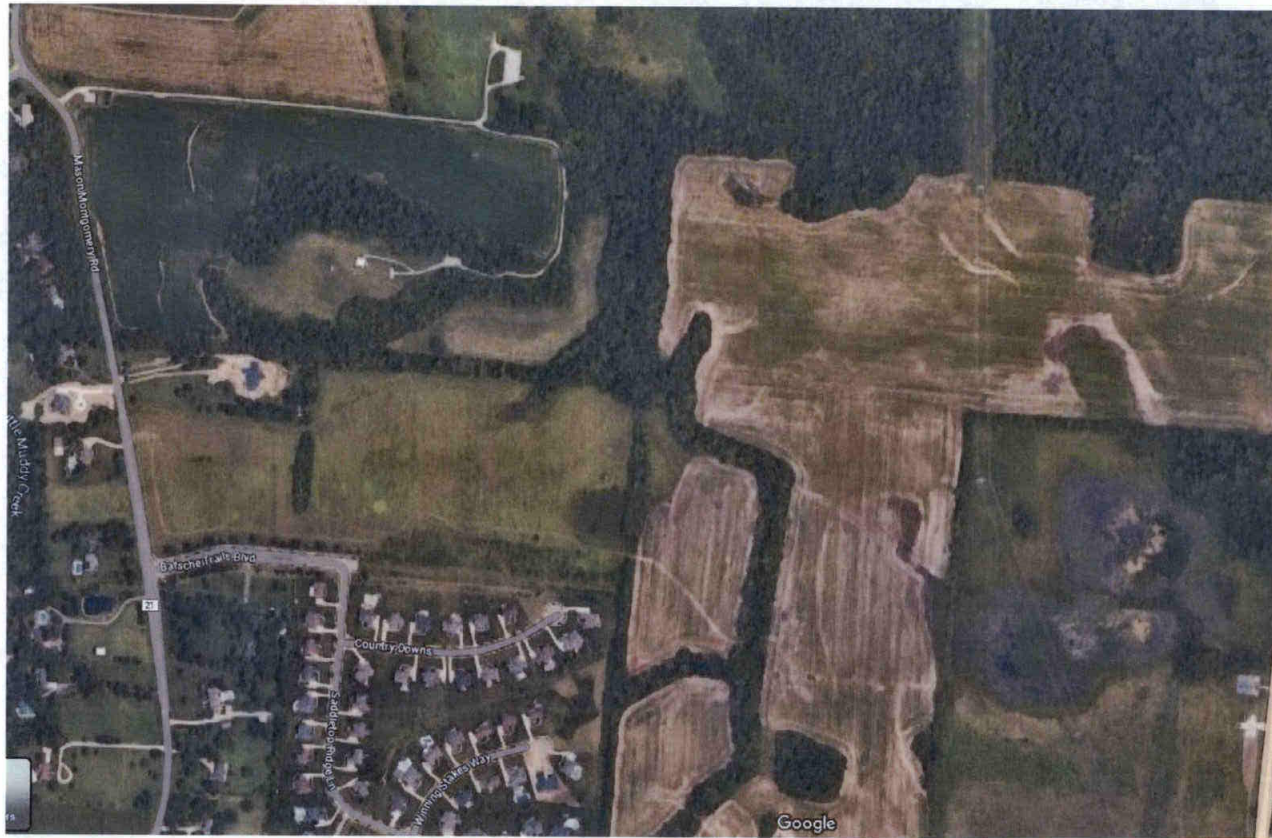
Mason Property (East) - Industrial



Residential Property (West) - Neighborhood



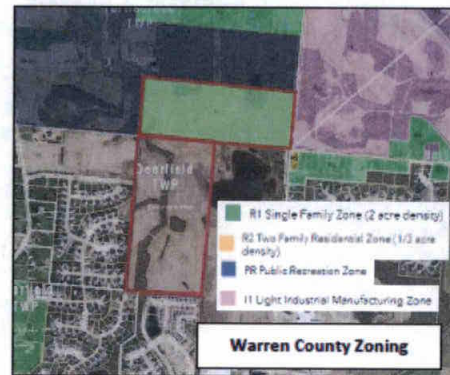
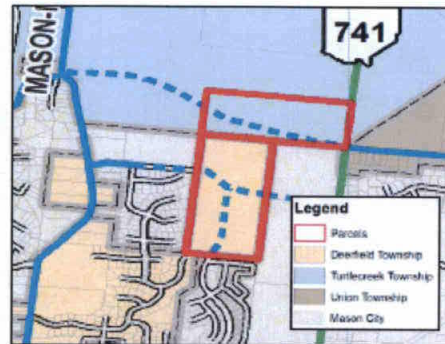
Zoo Property (Northwest) - Cheetah Run



The Plan is No Longer Appropriate

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.

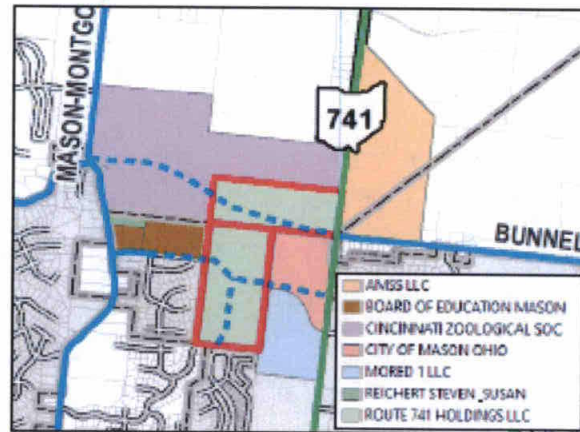


| | Surrounding Uses | Zoning/Jurisdiction |
|-------|-------------------------------|----------------------|
| North | Cincinnati Zoo Cheetah Run | PR (Turtlecreek TWP) |
| South | Residential | RES PUD (Mason) |
| East | Vacant | I-1 (Mason) |
| West | Residential/Vacant | R-1 & R-2 (Mason) |

Neighboring Residential, Board of Education, Zoo Properties

Ownership

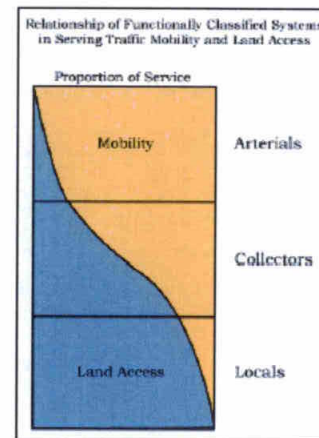
The current ownership of surrounding parcels impacts the existing Warren County Thoroughfare Plan development. East of the southern parcel (Deerfield parcel) is owned by the Mason Board of Education. West of the southern parcel (Deerfield parcel) is owned by the City of Mason. On the northern parcel (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.



Collector Road Safety Risk

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)

Speed Limit at 35 MPH v. 25 MPH



The Engineer & RPC Supports Removal of 2/3 Roadways

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

Turtlecreek Twp Doesn't Oppose Change

EXHIBIT G - TURTLECREEK TOWNSHIP COMMENTS



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
405 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,

Deerfield Twp Doesn't Want Collector



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,

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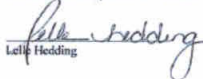
The developer has made a request to modify the Warren County Thoroughfare Plan, to prevent an east/west collector from running through the proposed residential neighborhood.

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

The E/W Connector on Deerfield Will Cost \$1.5 Million+

Tufts Development - Thoroughfare Segments Preliminary Construction Cost Estimate

05/11/23

| Item | Segment 1 | Segment 2 | Segment 3 | Segment 4 | TOTAL |
|--|------------------------|------------------------|------------------------|----------------------|------------------------|
| Site Preparation | \$ 181,400.00 | \$ 252,900.00 | \$ 372,700.00 | \$ 134,300.00 | \$ 941,300.00 |
| Erosion Control | \$ 12,500.00 | \$ 18,300.00 | \$ 21,600.00 | \$ 8,550.00 | \$ 60,950.00 |
| Storm Sewer | \$ 690,808.00 | \$ 165,684.00 | \$ 226,022.00 | \$ 73,704.00 | \$ 1,156,218.00 |
| Electric, Telephone, Gas & CATV | \$ 47,800.00 | \$ 58,700.00 | \$ 90,500.00 | \$ 37,400.00 | \$ 234,400.00 |
| Paving | \$ 645,925.00 | \$ 839,972.00 | \$ 1,308,901.00 | \$ 502,865.00 | \$ 3,297,663.00 |
| Total Estimated Construction Cost | \$ 1,578,433.00 | \$ 1,335,556.00 | \$ 2,019,723.00 | \$ 756,819.00 | \$ 5,690,531.00 |

Constitutional Protection of Land Rights

- ▶ The U.S. Supreme Court has stated that “the government may not deny a benefit to a person because he exercises a constitutional right.” *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 604 (2013).
- ▶ The government may only condition development of a property on conditions where “there is a ‘nexus’ and ‘rough proportionality’ between the property that the government demands and the social costs of the applicant’s proposal.” *Id.* at 605-06.

Test for Unconstitutional Exactions

- ▶ (1) Is there a **reasonable connection** between the need for additional capital facilities and **growth in population** generated by the subdivision?
- ▶ (2) If a reasonable connection exists, is there a **reasonable connection** between the **expenditure of costs** and the **benefit** accruing to the subdivision?

Home Builders Ass'n of Dayton v. City of Beavercreek, 89 Ohio St.3d 121, 126 (Ohio 1999)

Nexus Between Costs & Benefits

▶ Costs to Subdivision

- ▶ \$1.5M in construction costs
- ▶ Loss in developable land
- ▶ Safety concerns for residents and children
- ▶ Devaluing property due to existence of collector road
- ▶ Collector road Deerfield Township opposes

▶ Benefit to Subdivision

- ▶ ???

COSTS vs. BENEFIT?
Justified by growth?

