



**STAFF REPORT TO THE  
FAIRFIELD TOWNSHIP ZONING COMMISSION  
MEETING DATE: June 16, 2021**

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<b>CASE:</b>	<b>FTZC21-2C</b>
<b>APPLICANT:</b>	<b>MI Homes of Cincinnati</b>
<b>LOCATION:</b>	<b>Liberty-Fairfield Road – north of State Route 4</b> <b>A0300-019-000-013, A0300-019-000- 028, A0300-020-000-021,</b> <b>A0300-020-000-022, A0300-020-000-023, A0300-020-000-0024,</b> <b>A0300-020-000-039 &amp; A0300-020-000-033</b>
<b>CURRENTLY ZONED:</b>	<b>A-1 Agricultural District</b>
<b>REQUEST:</b>	<b>Zone change from A-1 to R-PUD- Residential Planned Unit Development District</b>

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**SITUATION OF PROPERTY**

The subject property is located in the northeast portion of Fairfield Township. The property is located on the west side of Liberty Fairfield Road, north of Tonya Trail, south of Fairfield Falls Drive (Att. 1). The property is comprised eight parcels totaling 67.404 acres. The subject parcels are all currently zoned A-1, Agricultural District. Properties to the north are zoned R-PUD and A-1 and include the Fairfield Falls subdivision, property to the west are zoned R-PUD and A-1 and include the approved Timber Hill Subdivision and Butler County MetroParks property, property to the south are zoned B-PUD and B-2, property to the east is located in Liberty Township and are zoned R-PUD and includes the Reserves at Elk Pointe subdivision.(Att. 2).

**DESCRIPTION OF REQUEST**

The applicant has submitted a Preliminary PUD plan and is requesting a zone change from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) on eight parcels that are comprised of a total of 67.404 acres.

**FINDINGS OF FACT**

The Preliminary PUD for the Timber Trails subdivision includes 137 single family residential lots on the 67.404 acres. The proposed lots would have a minimum square footage of 8,680 sqft, lot frontage would be a minimum of 62 ft, front yard setback would be 30 ft, side yard setbacks would be 5ft and 10 ft, and rear yard setback would be 30ft. The proposed open space is 30.2% (20.38 acres) which exceeds the minimum 25% requirement. The proposed open space includes two pocket parks, a walking path, entrance gateway on Liberty-Fairfield, an open space buffer to the south, and a large natural area on the west side of the development. The majority of the open space is located in the western area in the vicinity of the stream which contains steep topography. The landscape plan shows the inclusion of street trees on both sides of the street throughout the development as well as a series of 3 ft tall landscaped berms along Liberty Fairfield Road. The

proposal includes 5 ft wide sidewalks on both sides of the proposed streets. In addition, the applicant is requesting a waiver of sidewalks along Liberty Fairfield Road.

**Timber Trails – R-PUD Proposed Lot Information**

Lot Frontage	Front Yard Depths	Side Yard Widths		Rear Yard Depth
		One	Both	
62 ft.	30 ft.	5 ft.	10 ft.	30 ft.

The proposal includes the 6 lots located in the southwest corner of the property, these lots are to be connected to the future Timber Hill Development to the west. The development plan states that construction would be completed in 4 phases over a period of 6 years. Proposed primary access to the site will be provided approximately 1,365 linear feet north of Tonya Trail and secondary access is proposed at Wesley Way. Butler County Water and Sewer will provide public utilities to the site. Connections to public water will be made at Liberty-Fairfield Road, Wesley Way and on the south end of Fairfield Falls development. Public sanitary sewer can be connected into at the north end of the development. Both water and sewer utilities are of adequate size and have capacity available to serve this development.

**Butler County Planning Commission**

The Butler County Planning Commission has recommended approval of the proposed zone change for Timber Trails with comments. The 18 comments provided by Butler County are provided below.

1. Adjacent PUD (Timberhill) needs to be revised to allow connection to White Pine Lane.
2. Construct roadway connection to Wesley Way before development of 40th lot.
3. No access to Liberty Fairfield for Lots 1-3, 120-131. Consider a larger berm along Liberty-Fairfield to match east side of road.
4. Stream buffer is required on both sides of all blue line streams. Ensure that sufficient buildable area remains on adjoining lots (20, 26-30, 37-39, 42-46).
5. Recommend pedestrian connection from White Pine Lane to rest of the subdivision.
6. Developer to restripe Liberty-Fairfield Road as necessary for dedicated NB turn lane.
7. Ditch and berm improvement plans for main thoroughfare are to be submitted at the same time the subdivision construction drawings are. Improvement plan must meet the standards of the Butler County Thoroughfare Plan
8. Submit a preliminary drainage report per Section 4.07 of the Subdivision Regulations.
9. Comply with NPDES Permit for Storm Water Discharges Associated with Construction Activity.
10. Steep slopes (12% or greater) are present near cul-de-sacs of White Pine (Road A), Burroughs Ct, Appalachian Ct., and Superior Ct. A geotechnical foundation report/recommendation for lots located on steep slopes should be submitted.



11. High water table is present in portion of development.
12. Existing ponds to be utilized as storm water facilities must meet requirements of Subdivision Regulations, 5.08 (H). To determine if existing pond meets requirement mentioned, provide a report to BCEO. Developer may need to repair or reconstruct pond to current standards.
13. Provide BCEO & township with a cul-de-sac detail showing typical utilities (sanitary MH, fire hydrant, storm CB, streetlight) with driveway aprons. Township may want to consider reconfiguration of lots and/or limiting width of driveways within PUD to better accommodate snow removal and maintenance.
14. Existing homes need to abandon any existing septic tanks with permits and inspections from Health District. Any existing private water wells need to be abandoned by a private water contractor with Health District inspections.
15. Provide access easement for Detention Basin 3 and retention basin 2.
16. Sewer upsizing from 12" to 15" on west boundary line.
17. Water looping required.
18. Lift station fees will apply to this development.

Relevant Sections of the Fairfield Township Zoning Resolution:

616. R-PUD PLANNED UNIT DEVELOPMENT DISTRICT

PURPOSE. The Residential-Planned Unit Development District (R-PUD) is intended to provide a permissive and alternate zoning procedure for residential development and housing. The Planned Unit Development District shall be used only when a relatively large landholding under unified ownership is planned and developed as a unit in accordance with an approved overall Preliminary PUD Plan and subsequently detailed Final PUD Plan for each section of the total landholding. The planning and development of the Planned Unit Development shall be carried out in such a manner as to have minimum adverse effects on the natural features and environment of the planned unit tract and its surrounding areas. Planned Unit Development typically features varied setback lines, dwelling types and "cluster" type site planning whereby provisions for maximum overall "gross" density are established to permit creation of usable common space without jeopardizing the overall intent of the Zoning Resolution or the public health, safety and welfare.

616.2 DESIGN STANDARDS.

(c) COMMON OPEN SPACE. There shall be reserved, within the tract to be developed on a planned unit basis, a minimum percentage of land area of the entire tract for use as common space.

**The minimum percentage of land area to be reserved shall be 25%. This common open space shall not consist of isolated or fragmented pieces of land, which would serve no useful**

**purpose.** Included in this common open space may be such uses as pedestrian walkways, parkland, open areas, golf courses, bridle paths, drainage ways, swimming pools, clubhouses, tennis courts, and other lands of essentially open character, exclusive of off-street parking areas and street rights-of-way. Ownership of this common open space either shall be transferred to a legally established Homeowners Association or be dedicated to Fairfield Township and proper legal documents necessary for such transfer or dedication shall be approved by the Fairfield Township Trustees. Common open space that includes clubhouses, golf courses or other

recreational facilities may remain in private ownership. However, size of such areas shall be determined by the Fairfield Township Board of Trustees. If accepted by the Township, all areas except for any open space areas so donated which are in excess of the minimum requirements approved hereunder shall be restricted to open space uses.

#### 615.2 PROCEDURE.

**(b) The Zoning Commission may explicitly impose special conditions relating to the Planned Unit Development with regard to the type and extent of public improvements to be installed, as well as to landscaping; development, improvement and maintenance of common open space; and other pertinent development characteristics.**

### **Fairfield Township Vision Plan**

The Future Land Use Map shows the proposed property reserved as Business Planned Unit Development (B-PUD). It should be noted that a lot to the east was recently approved to be changed to R-PUD (Timber Hill subdivision).

#### Recommended Residential Design Guidelines (excerpts)

- Utilize cluster subdivisions as the preferred design option particularly where a substantial proportion of open space generates more compact lot layouts.
- **At least 20% of the gross land area should be active open space**, which may include parks or recreation areas, trails, public squares, etc. Recommended natural resource protection of wetlands, floodplains and natural habitats is in addition to this 20% open space.

### **STAFF COMMENTS**

Based on the staffs review of the submitted plans it appears that attention and consideration has been given to the existing, neighboring business and residents with the inclusion of the buffer on the south of the property as well as the buffer that is provided to the north with the open space that includes Retention Pond #1. To further protect neighboring properties and the future residents of the development staff would like to see the size and location of the berm on Liberty-Fairfield Road to extend the length of the development, similar to the berm that was incorporated in the development of the Reserves at Elk Pointe subdivision across the street from the site. Staff would also like to see the maintenance of the fence, landscaping, and berm be the responsibility of the HOA. To further embrace the intent of the Fairfield Township Vision Plan, staff would also like to see an increase of active open space within the development. Staff has concerns with the non-traditional cul-de-sacs (Superior Court and Burroughs Court) in the development as it relates to snow removal in the public road. It looks like there may need to be more space planned for the placement of snow. Staff also has concerns with the access point planned on Wesley Way (on the southern portion of the property). The properties located on Wesley Way are commercial in nature and includes a towing company and automobile repair station.

The zone change to a R-PUD on the property if approved would not be an endorsement of the precise location of uses, configuration of parcels or engineering feasibility which are to be reviewed in the subsequent preparation of the Detailed Site Development Plan to be reviewed as part of the Final PUD process. If the property is rezoned to R-PUD and the Preliminary PUD is



ultimately approved by the Fairfield Township Board of Trustees, the applicant will then be required to seek approval of the Final PUD plan.

### **STAFF RECOMMENDATION**

Based on the findings of fact, the Fairfield Township Zoning Resolution, the Fairfield Township Vision Plan & the submitted proposal, staff makes the recommendation to **approve with conditions** the request to change the property to a R-PUD.

### **ACTION:**

The Fairfield Township Zoning Commission shall recommend to the Fairfield Township Board of Trustees to either approve, approve with conditions, or deny, the applicant's request for a zone change.

Should the Zoning Commission **approve** the applicant's request, the following conditions should be considered:

#### **Conditions of Approval**

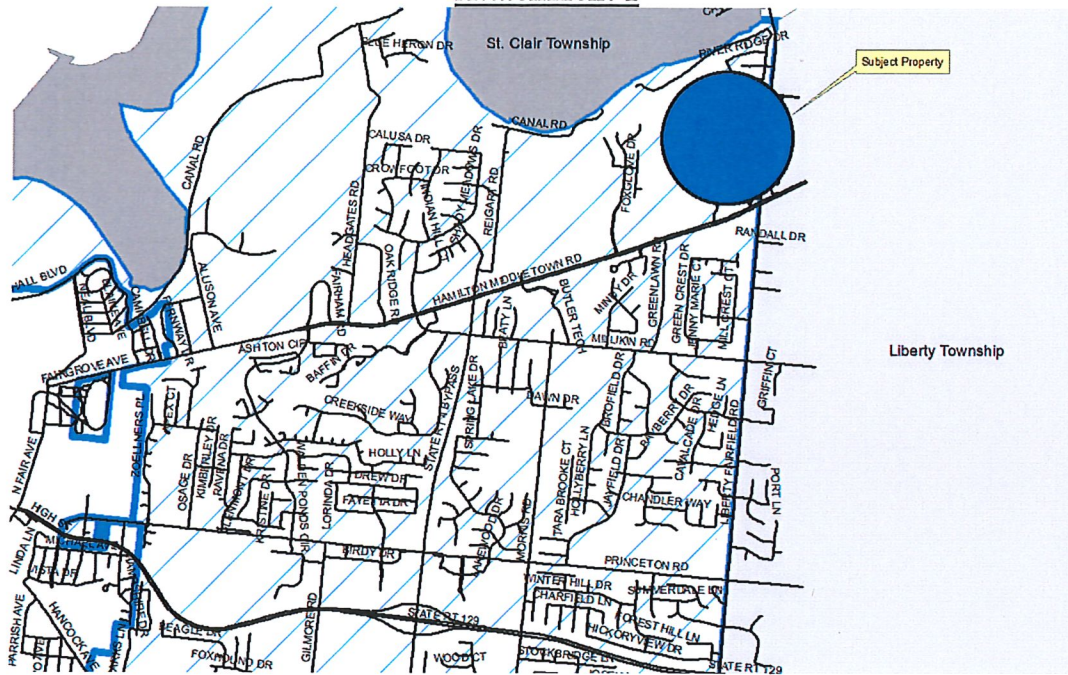
1. Incorporate comments submitted by the Butler County Planning Commission.
2. Plans should indicate who is responsible for the maintenance of the vegetation, berms, and fence along Liberty-Fairfield Road - possibly through an easement to be maintained by HOA.
3. Increase height and length of berms located on Liberty Fairfield.
4. Would like to see an increase in active open space (parks, trails, gathering areas, ect.) within the development. Potential pedestrian connection/trail connecting to white pine lane to access the park.
5. Require a curbed vegetative median at the Wesley Way access.
6. All utilities should be placed underground.
7. Hydrants should be installed with 5" Stortz Fittings instead of the Threaded connection on the steamer fitting.
8. Remove the non-traditional double cul-de-sac on Superior Court and Burroughs Court to ease snow removal and create more space for snow to be placed.



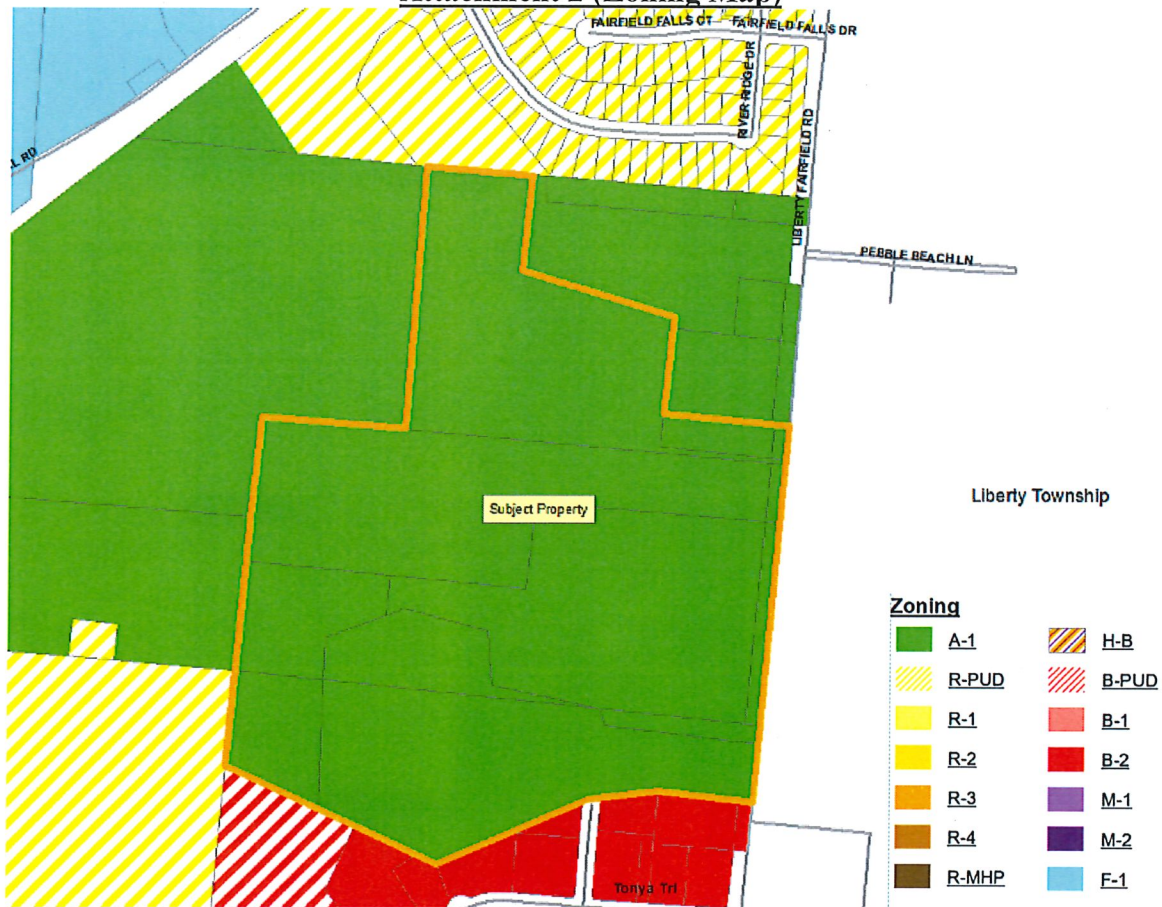
**Chuck Goins**

**Zoning Administrator, Fairfield Township**

## Attachment 1

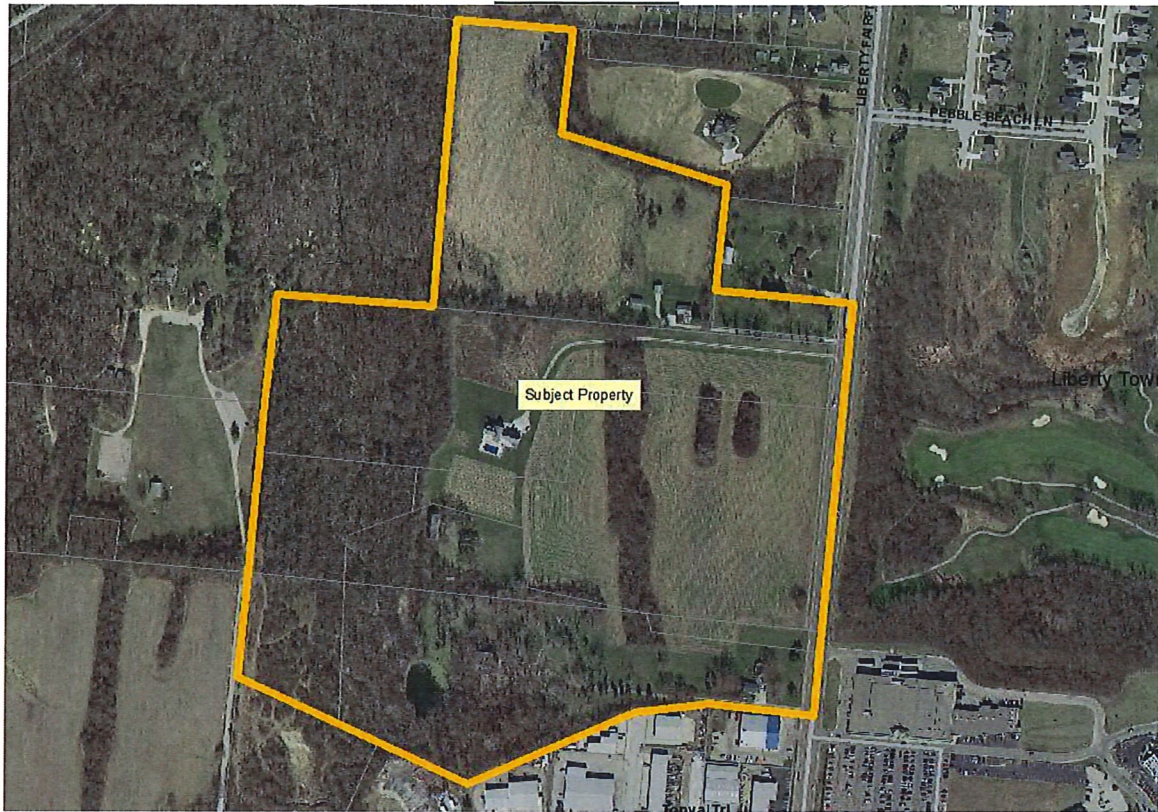


## Attachment 2 (Zoning Map)

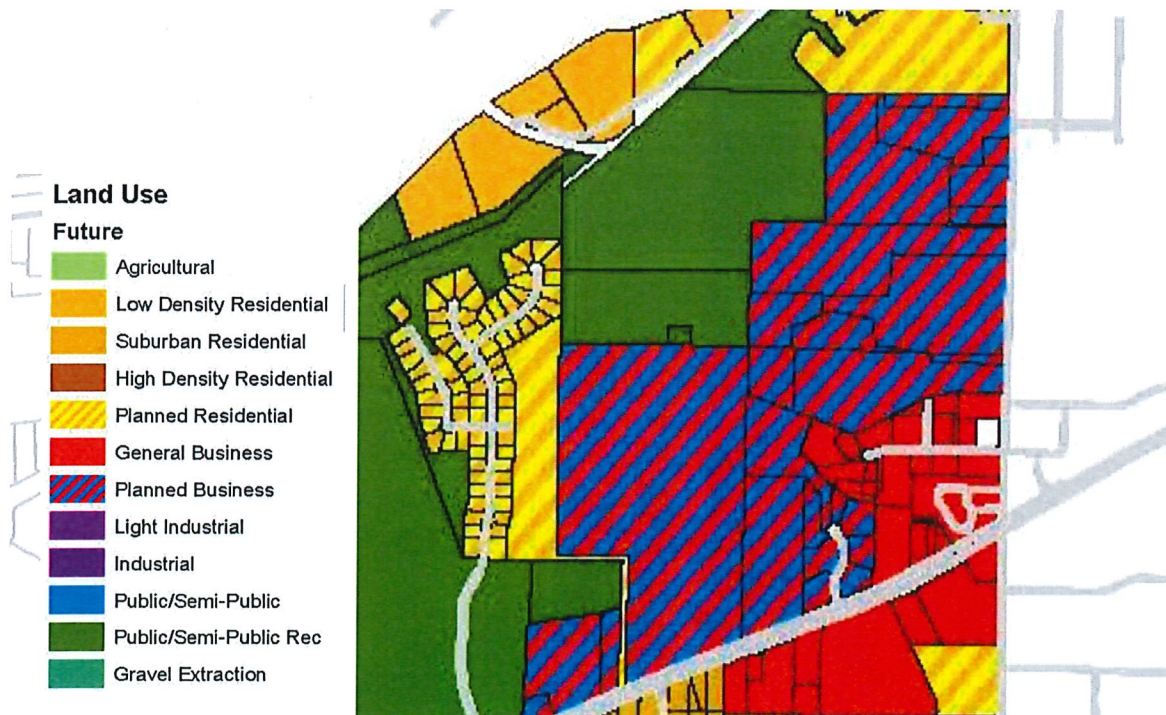




### Attachment 3



### Attachment 4 (Future Land Use Map)





# Attachment 5

