The May 9, 2022 special meeting of the Delhi Township Board of Trustees was called to order at 6:00 p.m. by Chairperson Cheryl A. Sieve at the Administration Building, 2nd Floor Board Room, 934 Neeb Road. Trustee Michael D. Davis, Trustee Rosanne K. Stertz, Fiscal Officer James J. Luebbe, Administrator Jack Cameron, and Law Director Bryan E. Pacheco were also present.

OPEN THE MEETING:

- The Board received certification that the rules adopted pursuant to Section 121.22 of the Ohio Revised Code were complied with for the meeting.
- The meeting began with the Pledge of Allegiance.

OPENING COMMENTS:

1. Purpose of the Special Meeting
   Trustee Sieve confirmed the purpose of the meeting to hear statements from the Trustees, and their final decisions to deny, to modify, or to approve the Zoning Commission's recommendation concerning the Applicant's rezoning request; as well as a review of some open items that will be addressed by the Township Administrator. She confirmed that they will not be hearing statements from the property owner, or the residents.

2. Township Administrator Jack Cameron
   Mr. Cameron addressed the open items:

   - Emergency response runs to Indian Lookout – regarding conflicting numbers submitted by a resident, Mr. Cameron confirmed that the Township vetted the numbers that were submitted by BRG back in November, after addressing the police reports with the Cincinnati Police Department, who confirmed that BRG is one of the better apartment operators.
   - Annexation of the property – Mr. Cameron confirmed that annexation is a fairly simple process if the property owner and the municipality would agree to go that route. If the rezoning would get denied, he considered annexation to be a real threat.
   - Transfer of school district – if the property is annexed, Cincinnati could petition to transfer the school district designation.

3. Statement from the Township's Law Director Bryan Pacheco
   Mr. Pacheco reviewed the legislation that would be considered by the Board:

   - A resolution, to adopt the recommendation of the Zoning Commission, would deny the request to change the property's zoning designation.
   - A resolution, to deny the Zoning Commission's recommendation, would approve the request to rezone the property and allow the development to move forward.
   - Wording was added to Section 1 of the resolutions concerning Section 9.2 of the Zoning Resolution.
   - Suggested the process for the Board to communicate their positions after giving their statements, then make a motion to either approve or deny the Zoning Commission's recommendation.

TRUSTEES' STATEMENTS:

- Trustee Davis stated reasons for his decision, based on Section 9.2 of the Zoning Resolution, that the Planned Unit Development, and the design as presented, would not be considerate enough to the adjacent single-family neighborhood, and does not protect the best interests of the residents, affirming that he would like to protect the current single-family zoning.

  o A Motion, to approve the Zoning Commission's recommendation, which would deny the applicant's rezoning request, was made by Trustee Davis. The Motion failed for lack of a second.

- ○ Trustee Stertz moved to consider the resolution denying the recommendation of the Zoning Commission. The Motion, to consider denying the recommendation of the Zoning Commission, failed for lack of a second.

- Trustee Sieve stated reasons for her decision to support the Zoning Commission's recommendation, under Section 9.2 of the Zoning Resolution: taking into consideration all aspects of the life and safety of our residents relating to fire, police, development and quality of life; the parcels' original single-family designation was for good reason; the development plan, being intrusive, and a visible impact to the adjoining neighborhood.

- Trustee Stertz stated reasons for supporting the Planned Unit Development classification, while taking into consideration the concerns of the residents: the proposed development, as submitted, meets our zoning regulations and standards; the additional requirements that have been added to make it a more comfortable transition; the legality of the issue and guidelines surrounding Section 9.2 of the Zoning Resolution; consideration of the serious implications how the request could evolve, whether it would be denied or approved.

- Trustee Sieve affirmed a quorum by the Board to uphold the decision of the Zoning Commission. With that decision, she informed the residents that the Board would turn the matter over to them to challenge.

- Law Director Pacheco informed the Board they would need a motion to adopt, to modify, or to reject the Zoning Commission's recommendation.

MOTION TO DETERMINE CONCENSUS:

Trustee Davis moved and Trustee Sieve seconded to approve the Zoning Commission's recommendation to deny the applicant's rezoning request. Trustees Davis and Sieve voted YES. Trustee Stertz voted NO. Motion carried.

READING & ADOPTION OF THE RESOLUTION:

Resolution 2022-024
Trustee Davis introduced and moved the adoption of a resolution, adopting the recommendation of the Delhi Township Zoning Commission, in case ZC2021-04, denying the rezoning of properties located at 98 and 134 Anderson Ferry Road (Parcels 640-0033-0153-00 and 540-0033-0154-00) from "C" Residence District to "PUD" Planned Unit Development, and dispensing with the second reading. Trustee Stertz seconded.

Final comments from the Board addressing the residents.

Trustee Davis moved and Trustee Stertz seconded to dispense with the second reading. Trustees Davis, Stertz and Sieve voted YES.

Trustees Davis voted YES, Trustee Stertz voted NO, and Trustee Sieve voted YES, during roll call to adopt the resolution. Resolution adopting the Zoning Commission's recommendation to deny the applicant's rezoning request was adopted.

ADJOURN MEETING:

With no further business to come before the Board, a motion to adjourn was moved by Trustee Davis and seconded by Trustee Stertz. Trustees Davis, Stertz and Sieve voted YES. Motion carried.

Approved: _____, Fiscal Officer

_____, Chair

_____, Trustee

_____, Trustee