



Zoning Commission

January 13, 2020

7:00 PM

Call to Order

- I. Approval of Minutes
 - December 9, 2019
- II. Review of Meeting Process
- III. Election of Chair, Vice Chair & Secretary
- IV. Applications
 - 1) **Burger King** Restaurant & Drive-Thru
 - 2) Consideration of Zoning Regulations: **CBD Oil-specific Retail Stores**

Adjourn



Zoning Commission
Notice of Public Hearing

Date of Meeting: January 13, 2020

Time of Meeting: 7:00 PM

Location of Meeting: Hamilton Township Administration Building
7780 South State Route 48, Hamilton Township

Request: The Hamilton Township Zoning Commission has scheduled a Public Hearing for Monday, January 13, 2019, at 7:00PM to consider a Revised PUD Stage 2 plan for a Burger King restaurant located at 5463 State Route 48, Maineville, OH 45039.

Property Location: 5463 State Route 48, Maineville, OH 45039

Property Owner: Carrols Restaurant Group LLC

Engineer: The Mannik & Smith Group (with RVP Engineering as supporting engineer)

The plans for the project are available for review at the Administration Building Monday thru Friday between 8:00am and 5:00pm. Those with questions or concerns regarding the project are encouraged to review the plans and attend the meeting.

Alexander Kraemer
Hamilton Township
Economic Development and Zoning Director

The HAMILTON TOWNSHIP ZONING COMMISSION

PUD Stage 2 & 3 Revised Site Plan

Burger King

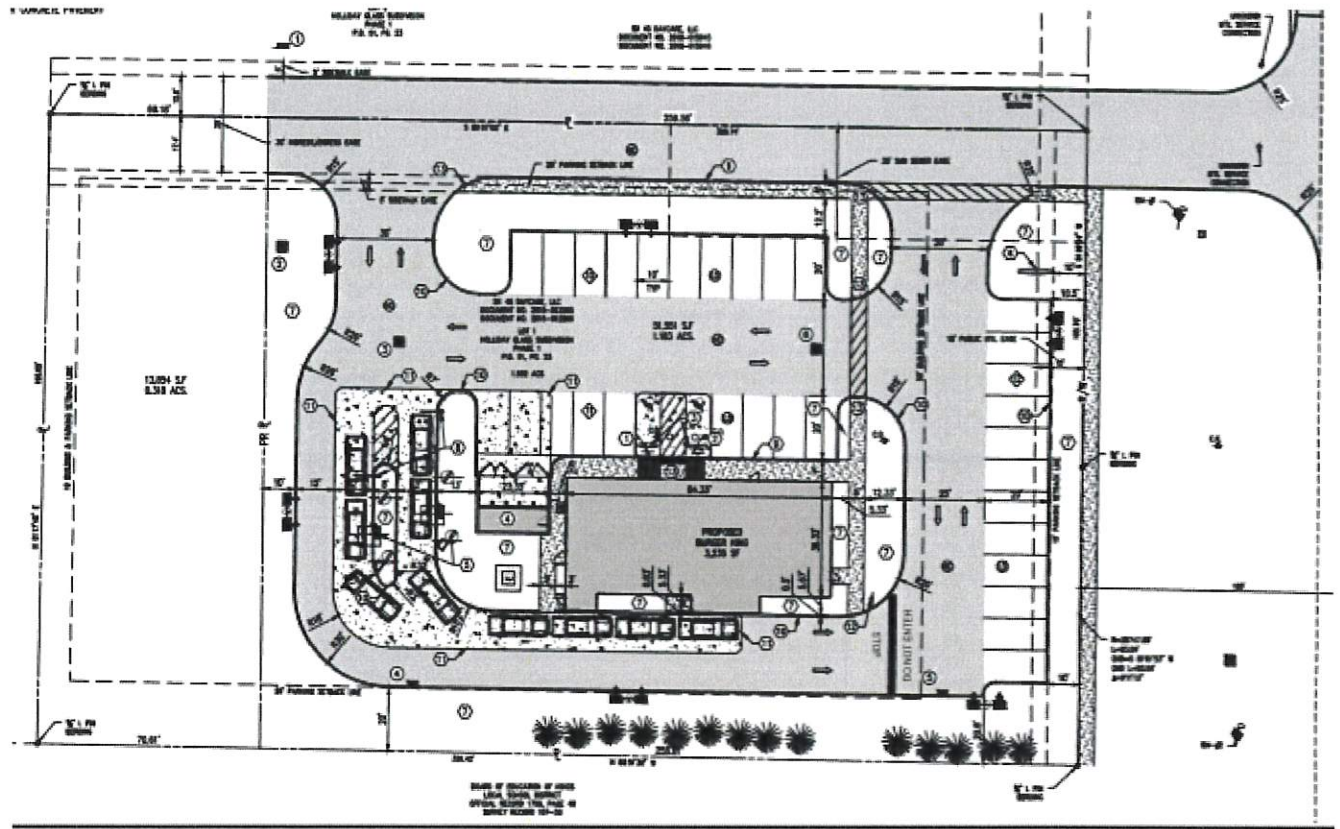
January 13, 2020 at 7:00PM

- Owner:** Carrols LLC
- Applicant:** The Mannik & Smith Group
- Spokesperson:** Ralph Terbrueggen- Mannik & Smith; Amanda Aldridge- Carrols
- Location:** 5463 State Route 48, Maineville, OH 45039
- Size:** 1.502
- Zoning:** B-1 PUD
- Request:** PUD Stage 2 & 3 approval for a new Burger King Restaurant.
- History:** Parcel 1606260009 was originally platted as the Holliday Glass Subdivision, Lot 1, comprised of 1.502 acres. State Route 48 Daycare LLC had proposed a “Kiddie Academy” back in 2014 that ultimately wasn’t developed. Carrols LLC purchased the 1.5015 acre parcel from SR 48 Daycare for \$350,000 on September 24, 2019.
- Project Summary:** The Owner and Applicant seek to construct new 3,235 SF Burger King Restaurant with drive-thru.
- Project Descriptions:** The proposed project includes the construction of a 3,235 SF Burger King restaurant with a drive-thru on Lot 1 of the Holiday Glass Subdivision. The building will have a brick masonry base, stone vertical accents and stucco for the remainder of the building façade.
- A right turn lane is proposed on SR 48. The site plan shows 33 parking spaces (including two handicap accessible spaces) with 29% open space. Pavement is asphalt or concrete, noted on the plans.
- Site signage will include a ground mounted monument type sign and building signage. There is also directional signage noted on the plans.
- Stormwater detention is accounted for by a modification to the existing pond in the northwest corner of the subdivision property.
Site lighting will be LED type.
A landscape plan is provided following the Hamilton Township requirements.

Site Aerial:



Site Plan Summary:



Develop. Standards: All utilities including water, gas and sewer are available on site already.

The Hamilton Township Zoning Code (HTZC Table 4-2: Permitted Use Table) allows for restaurants in B-1 zoning districts.

USE P = Permitted Use PS=Permitted Use with Use-Specific Standards C = Conditional Use	ZONING DISTRICTS										ADDITIONAL REQUIREMENTS
	R-1	R-2	R-3	R-4	M-H	T-C	B-1	B-2	M-1	M-2	
Printing Shop								P	P	P	
Race Track or Course										P	
Restaurant							PS	PS	PS	PS	See 4.8.3.J

HTZC Section 4.8.3.J outlines requirements for restaurants with drive-thru service:

J. Restaurants

- (1) A restaurant with drive-in and/or drive-through service, and restaurants that provide dancing or entertainment shall be set a minimum of 100 feet from any residential district.
- (2) All audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within 300 feet of any residential dwelling unit.
- (3) A restaurant that provides dancing or live entertainment is not permitted in the B-I District.

- The Burger King will be over 175 feet from any residence district.

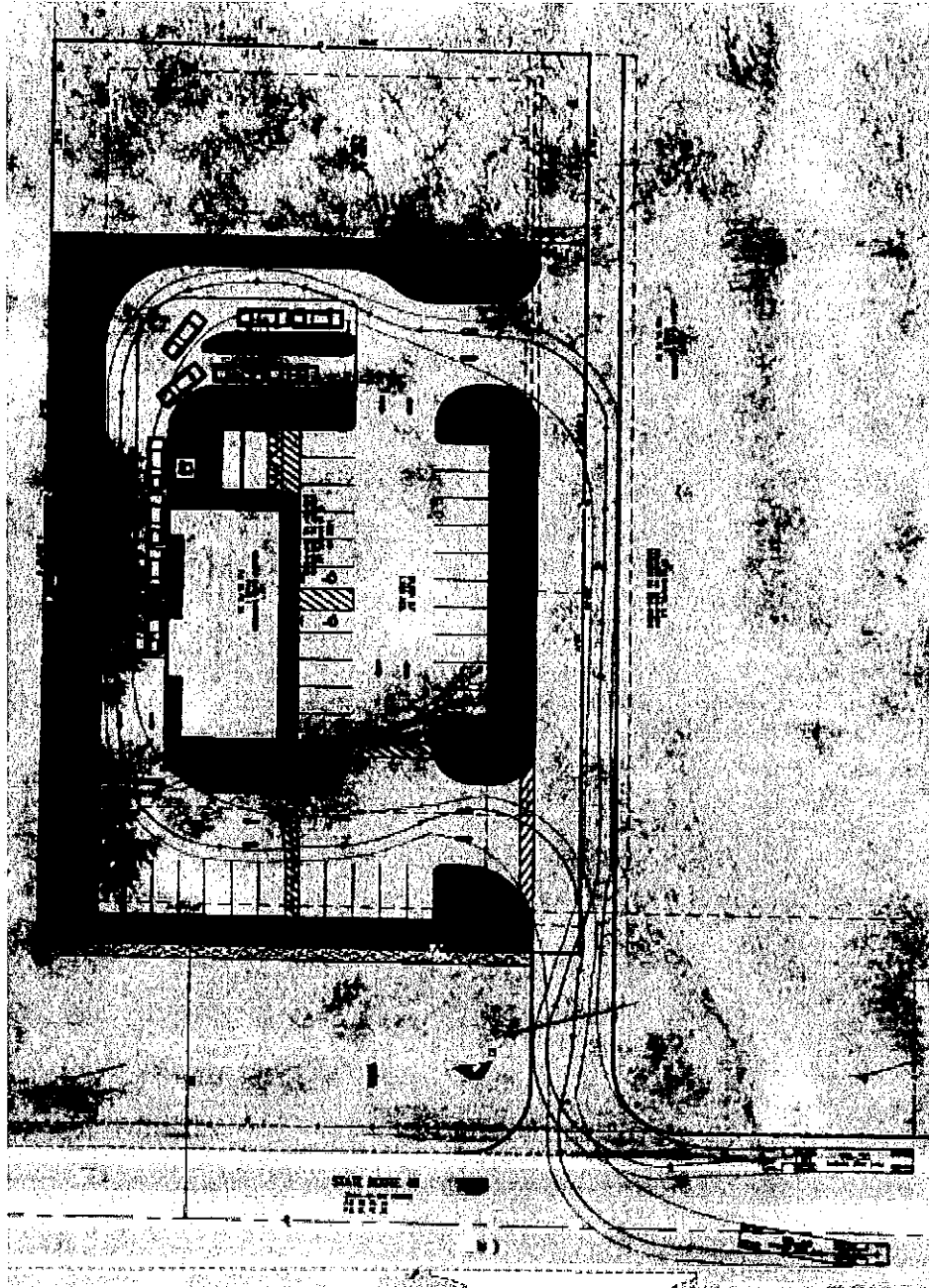
Architectural:

The architectural design standards are in compliance with Hamilton Township Zoning Code Section 6.4.5 as the building will have a brick masonry base, stone vertical accents and stucco for the remainder of the building façade.



Parking:

Chapter 7 of the Hamilton Township Zoning Code outlines rules on parking, loading and circulation that shall be followed. Table 7-1 sets the required number of parking spaces for restaurants at 1 space per 100 square feet. The Burger King is proposed to be 3,235 SF, meaning 33 spaces are required. Burger King is proposing 33 parking spaces, with 2 handicap accessible spaces.



Stacking Space Reqs: Burger King's drive-thru *meets HTZC Table 4-6 Stacking Space Requirements*, minimum of 6 cars measured from the pick-up window and with a separate stacking lane with a minimum width of 10 feet, set back 25 feet from the right-of-way and a minimum of 9 feet by 18 inches in size (see Table 4-6 on next page).

TABLE 4-6 STACKING SPACE REQUIREMENTS

ACTIVITY	MINIMUM STACKING SPACES (PER LANE)	MEASURED FROM
Financial Institution or Automated Teller Machine (ATM)	5	Teller or Window
Fuel or Gasoline Pump Island	2	Pump Island
Full Service Automotive Washing Establishment	6	Outside of Washing Bay
Restaurant	6	Pick-Up Window
Self-Service or Automotive Washing Establishment	2	Outside of Washing Bay
Other	As determined by the zoning inspector	

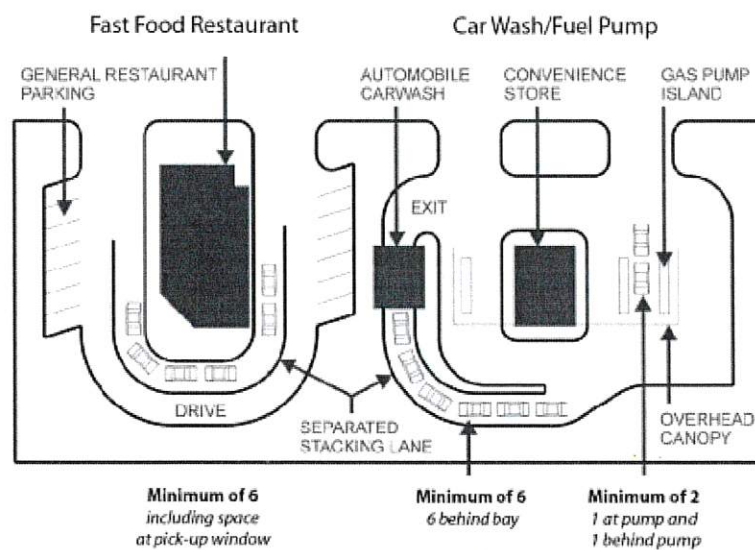


Figure 4-1: Location of Stacking Spaces and Lanes

Note that the stacking lanes are oriented toward the side and rear yards rather than the front yard.

- (b) Stacking lanes shall be provided for any use having a drive-through facility and shall comply with the following standards:
 - (i) Drive-through stacking lanes shall have a minimum width of 10 feet.
 - (ii) Stacking lanes shall be set back 25 feet from rights-of-way.
 - (iii) Stacking spaces shall be a minimum of nine feet by 18 feet in size.

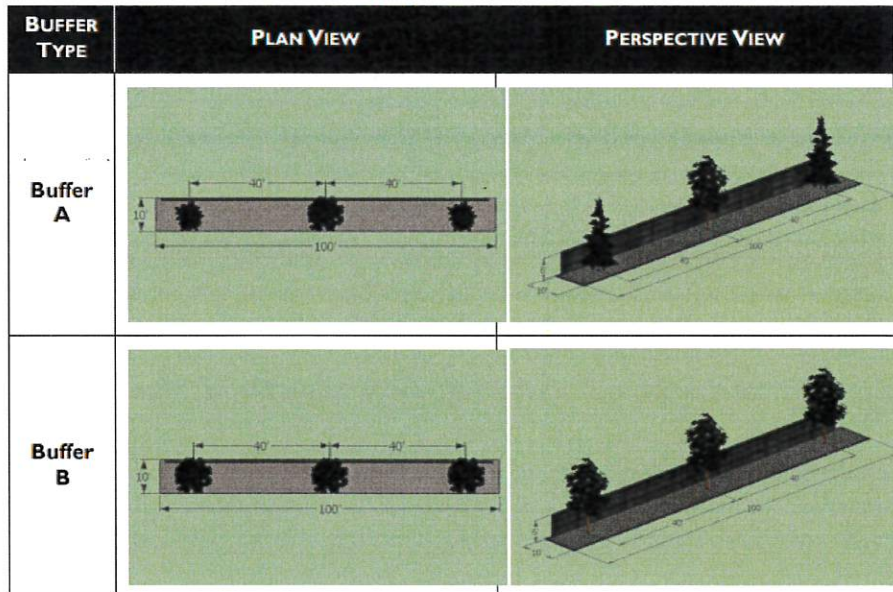
Landscaping:

Landscaping for any addition to buildings or parking lots shall comply with Hamilton Township Zoning Code Chapter 8: Landscaping Regulations.

Note: There is currently a significant wooded area providing a natural buffer between the proposed Burger King site and South Lebanon Elementary School. It is recommended that this be maintained.

PROPOSED USE	ADJACENT TO (AVERAGE WIDTH – BUFFER TYPE)[1]			
	RESIDENTIAL DISTRICT	BUSINESS DISTRICT	INDUSTRIAL DISTRICT	FREEWAY, ARTERIAL OR COLLECTOR STREET RIGHT-OF-WAY [2]
Business District	10 feet – Buffer "B"	None	15 feet – Buffer "B"	10 feet – Buffer "E"
"B"	1 tree per 40 feet of linear boundary or street frontage, or fraction thereof; trees shall be from Group A or B. And a continuous combination 6' high planting, hedge, fence, wall or earth mound with no single material being used exclusively for more than 150 linear feet. Alternate materials used for breaks must run for a minimum of 15 linear feet. [2]			
"E"	1 tree per 30 feet of boundary, or fraction thereof; trees shall be from Group A. And a continuous 6' high planting, hedge, wall, fence or earth mound.			

TABLE 8-6: ILLUSTRATION OF LANDSCAPE BUFFER TYPES



Service Structures:

The trash enclosure will match the building material.

Signage:

Site signage will include a ground mounted monument type sign and building signage. There is also directional signage noted on the plans. All signage will be reviewed by staff and approved via a Zoning Certificate.

Lightning:

Site lighting will be LED type. The illumination intensity along a portion of the southern boundary is higher than allowed. South Lebanon Elementary School is an Institutional Education facility, which means illumination levels cannot exceed 1.0 footcandles at the property line, and currently plans show two different locations where illumination goes from 1.1 to 1.8 illumination. (See attached Illumination Plan sheet).

TABLE 6-3: ILLUMINATION LEVELS AT PROPERTY LINE

ADJACENT LAND USE	ILLUMINATION LEVEL
Residential	0.2 Footcandles
Nonresidential	1.0 Footcandles

RPC Comments:

- The applicant shall install road improvements as deemed necessary by the Ohio Department of Transportation and Warren County Engineer’s Office based on the traffic study required of the applicant.
- A sidewalk inclusive of cross-walk markings shall be provided along the entire private street frontage.
- The developer shall provide improvements to the Warren County central sanitary sewer and water systems as deemed necessary by the Warren County Sanitary Engineer to serve the use.
- Compliance with stormwater management standards as required by the Warren County Engineer’s Office.
- Erosion and sediment control plan approval and compliance as required by the Warren County Soil & Water Conservation District.
- Landscaping, lighting, and signage subject to Hamilton Township Trustees approval.
- Building exterior materials and character subject to Hamilton Township Trustees approval.

Warren County Soil & Water Conservation District Comments:

- Staff is not aware of any comments from Warren County Soil & Water Conservation District

Warren County Water & Sewer Department Comments:

- Contact number for Warren County Water & Sewer is (513) 695-1377.
- Minimum 24” vertical clearance between all water and sewer.
- Water tap will be performed by WCWS after tap fees have been paid
- Sewer tap will need to be coordinated with our office as we will need to submit ODOT permit.

ODOT Comments:

- ODOT is requiring a right turn lane on State Route 48 to facilitate the proposed restaurant use on the site. Burger King is complying with these regulations.

Warren County Engineer's Office:

- Stormwater basin cannot be approved as presented because the existing off-site pond is showing up as "Waters of the State." A new design or a determination that the pond is not a "WOTS" is needed.

Staff Recommendation:

Staff recommends approval based on meeting the comments from affiliated partner organizations below:

1. Compliance with the Hamilton Township Zoning Code and recommendations from Zoning Commission.
2. Compliance with recommendations from Warren County Regional Planning Commission (RPC).
3. Compliance with the requirements of the Warren County Soil & Water Conservation District.
4. Compliance with the requirements of Warren County Engineers Office, specifically stormwater basin requirements and future recommendations from any pending Traffic Impact Studies.



Application to the
ZONING COMMISSION
7780 South SR 48

Hamilton Township, OH 45039

PUD STAGE 3

APPLICANT

Name

The Mannik & Smith Group (Ralph Terbrueggen)

Address

10200 Alliance Road, Suite 135

Cincinnati, OH 45242

Phone Number (513) 437-3222 x1403

Email rterbrueggen@manniksmithgroup.com

OWNER

Name

Carrols LLC (Amanda Aldridge)

Address

968 James Street

Syracuse, NY 13203

Phone Number (901) 515-6865

Email aaldrige@carrols.com

SUBJECT PROPERTY

Street Address 5463 SR 48, Maineville, OH 45039

Parcel ID Number 16062600090 (Holiday Glass Sub Lot1) Acreage 1.502

Current Zoning B-1 PUD

APPLICATION REQUIREMENTS

- Filing Fee
- Site plan drawn to scale showing subject property and all properties within 200 feet and including but not limited to the following:
 - o Final location of all proposed structures and improvements
 - o Final location of streets, drives, and parking areas
 - o Traffic Impact Study, if required at Stage 2
 - o Final locations of stormwater management and erosion control measures
 - o Total amount of open space
 - o Final landscape plan with species, quantity and size
 - o Final photometric plan and cut sheets of proposed light fixtures
 - o Location of any proposed ground signs
- Legal documentation of any proposed property owner association
- Documentation of any restrictive covenants to be recorded on the property
- Statement explaining in detail the development plans for the property
- Owner affidavit

Applicant Signature

12/05/19

Date

For Township Use Only

Application file date _____

Fee _____ Check Number _____ Receipt Number _____

Zoning Commission Meeting _____

Date of Legal Advertisement _____

Date of Notice to Adjoining Owners _____

Date of Public Hearing _____

Recommendation of the ZC Approved _____ Denied _____ Tabled _____

Trustees Meeting

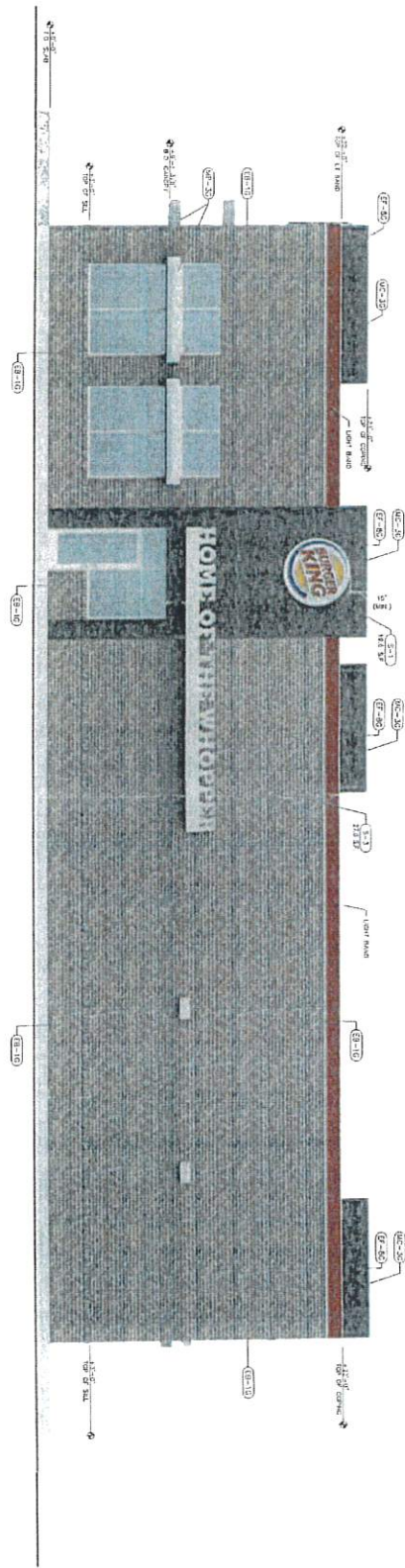
Date of Legal Advertisement _____

Date of Notice to Adjoining Owners _____

Date of Public Hearing _____

Action of the Board of Trustees Approved _____ Denied _____ Tabled _____

Additional Comments



1 MAIN ENTRANCE ELEVATION
SCALE: 1/8" = 1'-0"



3 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

BK -
STATE ROUTE 4B
MAINEVILLE, OH
ROC-60 G.G. TALL

PROJECT NUMBER
C.S.#

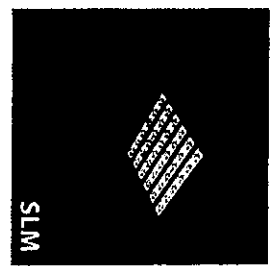
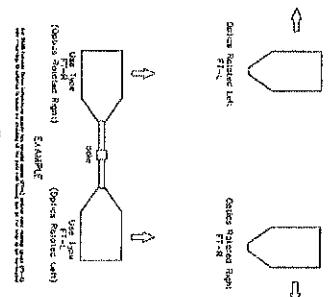
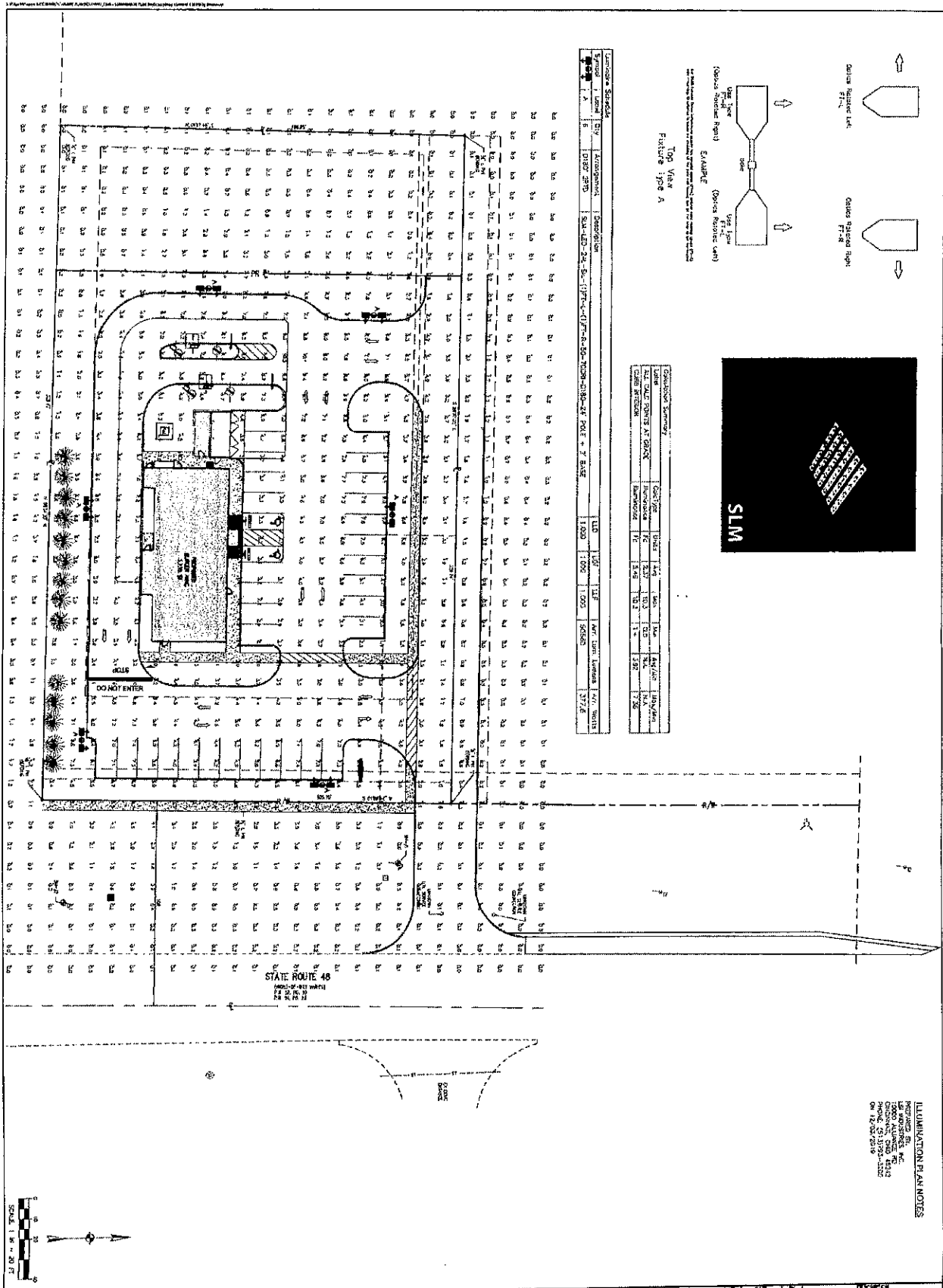
RESTAURANT FOR:
Corals Corporation
966 James Street P.O. Box 6969
Syracuse, New York 13217-6969
(515) 424-0513

DAVID A. YOUSE, ARCHITECT
955 W. 3RD AVENUE COLUMBUS, OH 43212
P.614-297-1020 DYOUSEOFWSARCHITECTS.COM



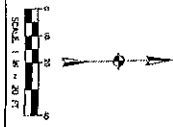
BURGER KING
CORPORATION

ISSUE DATE:	DEC. 4, 2013
REVISIONS	



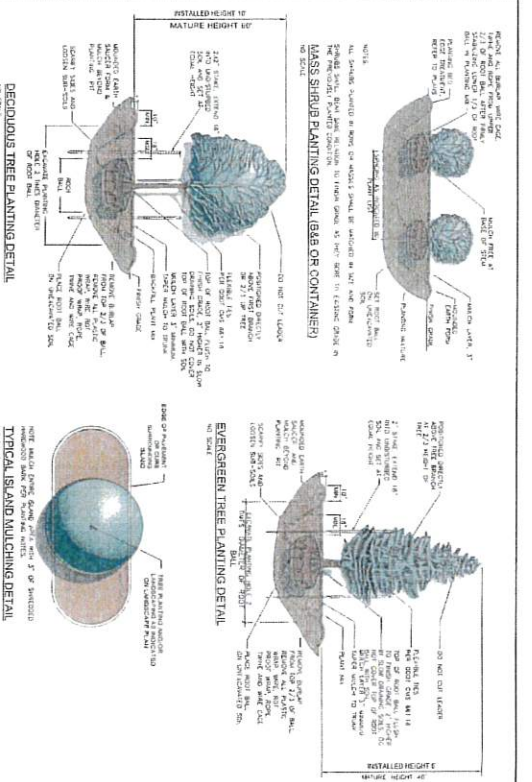
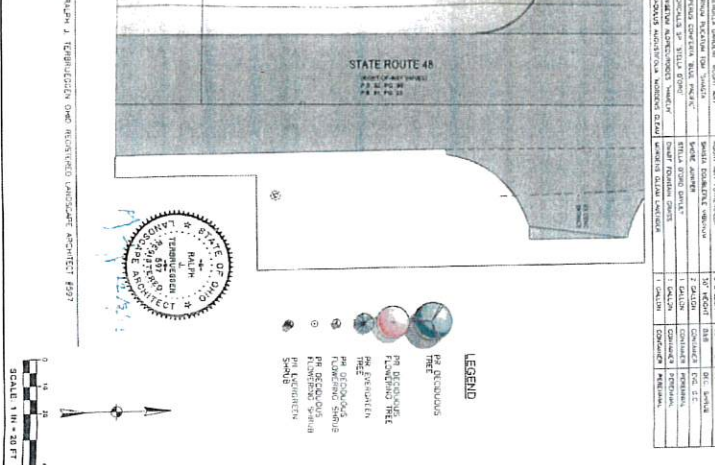
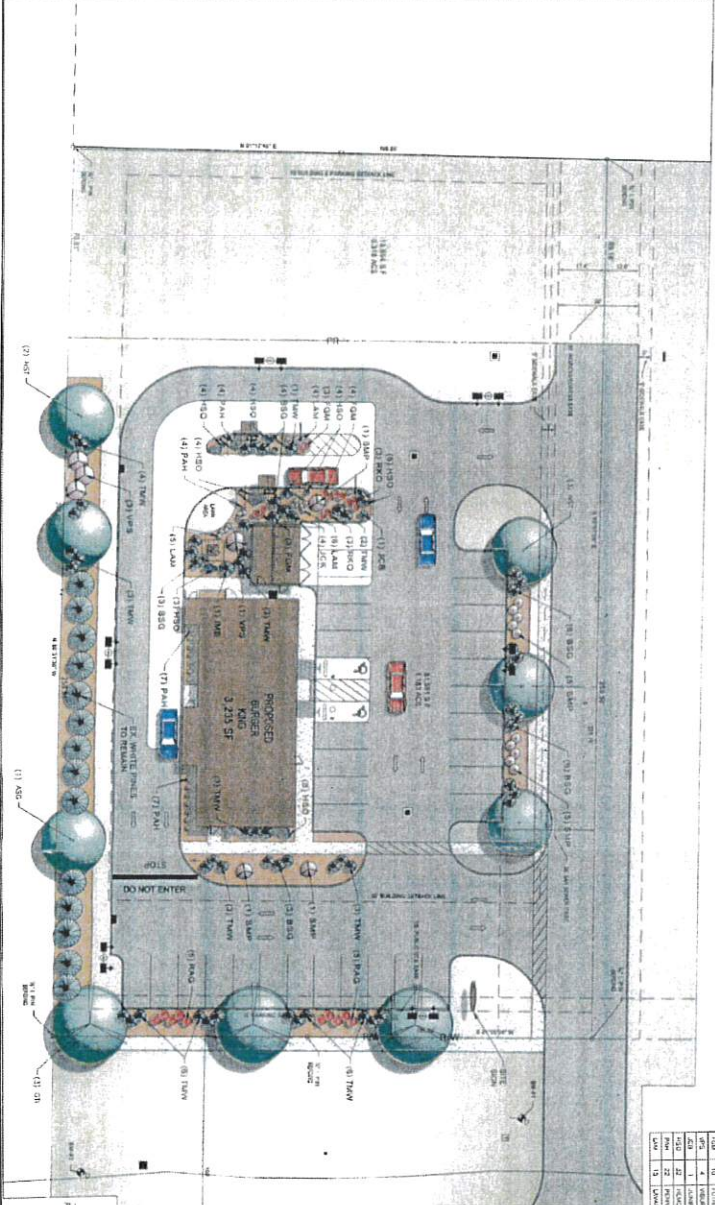
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System	Level	Altitude	Description	LED	Watt	Watt	Watt	Watt	Watt	Watt	Watt
1	1	1	1	1	1	1	1	1	1	1	1



ILLUMINATION PLAN NOTES
 1. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE ILLUMINANCE CODE OF PRACTICE (ICP) FOR COMMERCIAL DISTRICTS, 2010 EDITION, CHAPTER 10.1.1.1.
 2. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE ILLUMINANCE CODE OF PRACTICE (ICP) FOR COMMERCIAL DISTRICTS, 2010 EDITION, CHAPTER 10.1.1.2.
 3. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE ILLUMINANCE CODE OF PRACTICE (ICP) FOR COMMERCIAL DISTRICTS, 2010 EDITION, CHAPTER 10.1.1.3.
 4. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE ILLUMINANCE CODE OF PRACTICE (ICP) FOR COMMERCIAL DISTRICTS, 2010 EDITION, CHAPTER 10.1.1.4.
 5. ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE ILLUMINANCE CODE OF PRACTICE (ICP) FOR COMMERCIAL DISTRICTS, 2010 EDITION, CHAPTER 10.1.1.5.

C0800	ILLUMINATION PLAN	DEVELOPMENT PLAN FOR	PREPARED FOR	 MANNIK SMITH GROUP 1100 WILMINGTON ROAD SUITE 100 CINCINNATI, OH 45240-1774 TEL: 513.632.8850 FAX: 513.766.0822 WWW.MANNIKSMITHGROUP.COM	1000 WILMINGTON ROAD SUITE 100 CINCINNATI, OH 45240-1774 TEL: 513.632.8850 FAX: 513.766.0822	PROJECT DATE: 11/11/2011 PROJECT BY: CSM/STW DRAWN BY: DCS CHECKED BY: BJT
		BURGER KING	CARROLS CORPORATION		300 JAMES STREET SPRINGFIELD, OH 45504	PROJECT NO.: 11111111 SHEET NO.: 11111111
ST RT 48, HAMILTON TWP, WARREN CO, OH						



GENERAL LANDSCAPE PLANTING NOTES

1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE STATE OF OHIO, CHAPTER 1501.01, AND THE NATIONAL LANDSCAPE ARCHITECTURE SOCIETY, INC. (NLA) STANDARD SPECIFICATIONS FOR PLANTINGS, 1995 EDITION, LATEST REVISIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE STATE OF OHIO, CHAPTER 1501.01, AND THE NATIONAL LANDSCAPE ARCHITECTURE SOCIETY, INC. (NLA) STANDARD SPECIFICATIONS FOR PLANTINGS, 1995 EDITION, LATEST REVISIONS.
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LANDSCAPE PLANT LIST

NO.	QUANTITY	PLANT NAME	SIZE	PLANT CODE
1	100	PA DECIDUOUS TREE	10\"/>	

1100 ALLIANCE ROAD SUITE 103 CHICAGO, IL 60642-4754 TEL: 312.414.3333 FAX: 312.759.9207

PROJECT DATE: 11/02/2019 PROJECT NO: 19030000 DRAWN BY: [Name] CHECKED BY: [Name]

PRELIMINARY NOT FOR CONSTRUCTION

DEVELOPMENT PLAN FOR **BURGER KING**

ST RT 48, HAMILTON TWP, WARREN CO, OH

PREPARED FOR: **CARROLS CORPORATION**
454 JAMES STREET SYRACUSE, NY 13207

Mannik Smith GROUP
TECHNICAL SKILL. CREATIVE SPIRIT.
www.MannikSmithGroup.com

SCALE: 1/8" = 20' FT

LANDSCAPE PLAN



WARREN COUNTY REGIONAL PLANNING COMMISSION

MEETING DATE: December, 19, 2019
TO: WCRPC Executive Committee
FROM: Robert Ware, Subdivision Specialist
SUBJECT: Revised Neyer PUD Stage 2 Plan for a Burger King restaurant

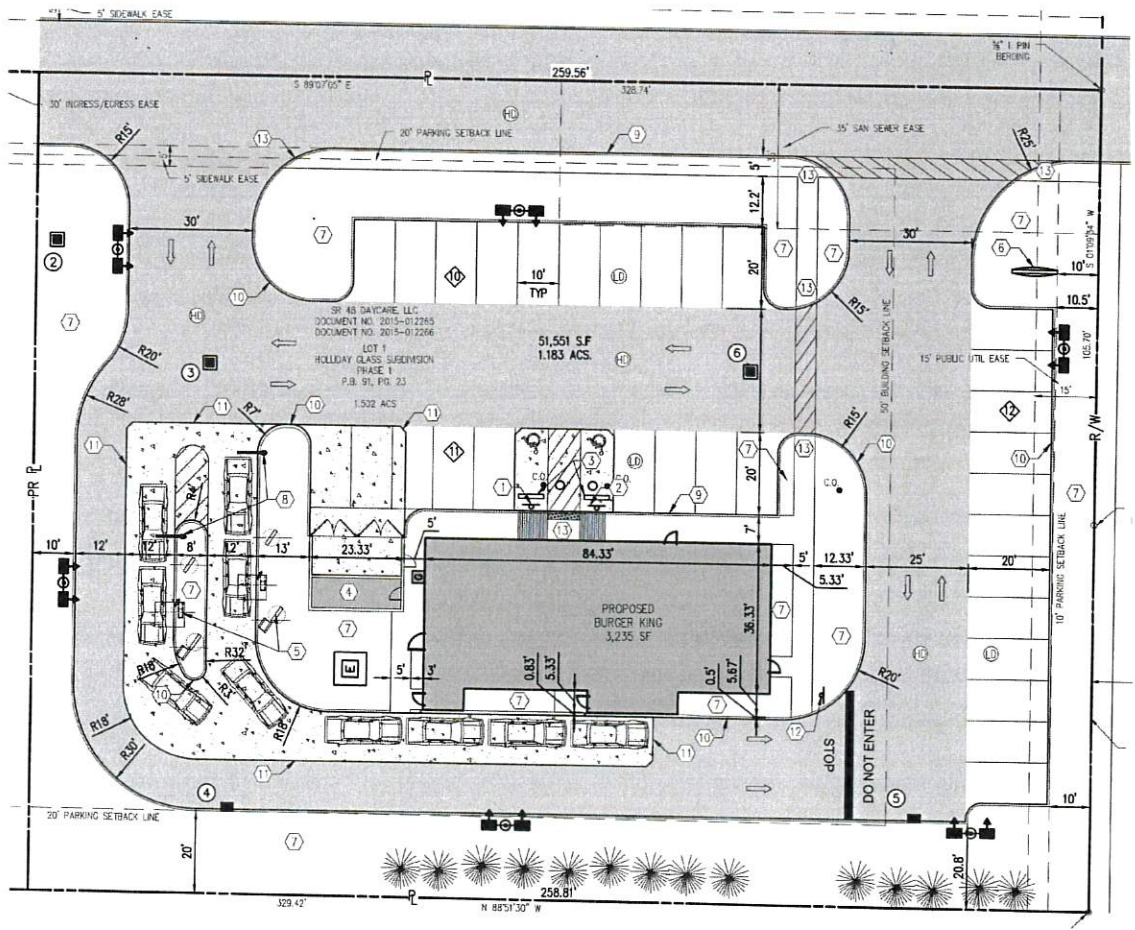
GENERAL INFORMATION

Site Owner: Carrols Restaurant Group LLC
Applicant/Engineer: The Mannik & Smith Group
Supporting Engineer: RVP Engineering
Site Address: 5463 State Route 48
Township: Hamilton
Parcel ID: 16-06-260-009-0
Size: 1.502 acres
Zoning: B-1 PUD
Water & Sewer: Warren County



PROPOSAL

The applicant proposes development of the site for a 3,235 s.f. Burger King restaurant, with drive-thru service, as shown below.



STAFF RECOMMENDATION

Recommend **approval** of the proposed PUD Stage 2 plan, as submitted, subject to the following conditions:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions.
2. Compliance with the Hamilton Township Zoning Code and PUD Stage 1 conditions for approval.
3. The applicant shall install road improvements as deemed necessary by the Ohio Department of Transportation and Warren County Engineer's Office based on the traffic impact study required of the applicant.
4. A sidewalk inclusive of cross-walk markings shall be provided along the entire private street frontage.
5. The developer shall provide improvements to the Warren County central sanitary sewer and water systems as deemed necessary by the Warren County Sanitary Engineer to serve the use.
6. Compliance with stormwater management standards as required by the Warren County Engineer's Office.
7. Erosion and sediment control plan approval and compliance as required by the Warren County Soil and Water Conservation District.
8. Landscaping, lighting, and signage subject to Hamilton Township Trustees approval.
9. Building exterior materials and character subject to Hamilton Township Trustees approval.

STAFF ANALYSIS

Submittal

The site plan submittal was accompanied by detailed plans for grading, utilities, storm water pollution protection, road improvements, lighting photometric analysis, landscaping, and signage. Building floor plan and elevation details were also provided, inclusive of showing proposed wall signage.

Zoning

The plan for the proposed Burger King replaces the prior approved plan for a Kiddie Academy preschool. Restaurants are permitted in the B-1 PUD zoning district. Hamilton Township Zoning Code Section 4.8.3(J)(1) specifies that restaurants with drive-through service shall be set back 100 feet from any residential district. The proposed restaurant rear setback does not meet this requirement. Therefore, dense landscaping is planned along the site's southern boundary to compensate for the reduced setback (44.83') provided from the adjacent R-1 zoned South Lebanon Elementary School property, subject to Hamilton Township Trustees approval. Landscaping will be reviewed by the Township Trustees at PUD Stage 3.

Access

Vehicular access is provided to and from S.R. 48 by the private street that serves the 3 lots in the PUD. The developer is adding a right-turning lane on S.R. 48 as required by the ODOT to facilitate the proposed restaurant use of the site. The developer is providing sidewalks along the roads and walkways around the building as required for pedestrian access. Bike racks are recommended, but are not required by zoning for uses containing less than 50 parking spaces.

Storm Water Management

Storm water management is accommodated through an off-site retention basin that is located to the west on Lot 3 of the PUD. This is subject to approval of the Warren County Engineer's Office.

Lighting

The proposed lighting satisfies Zoning Code requirements, except the illumination intensity along a portion the southern boundary is higher than allowed. The Township Trustees should address this matter at PUD Stage 3 and possibly mitigate the lighting impact with by a redesign of the lighting fixtures.

Signage

The proposed signage is in compliance with the Zoning Code regulations.

Building Exterior

The materials and character of the building exterior shall be to the satisfaction of the Township Trustees.