



HAMILTON TOWNSHIP

HAMILTON TOWNSHIP ADMINISTRATION

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Joe Rozzi – *Trustee*

Mark Sousa – *Trustee*

Kurt Weber- *Fiscal Officer*

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Kenny Hickey – Director

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Scott Hughes – Police Chief

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Fire and Emergency Services

Brian Reese – Fire Chief

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Maineville, Ohio 45039

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TRUSTEE MEETING AGENDA 8/19/2020

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the tapes as the Official Minutes of the August 5, 2020 Township Trustee Meeting
- Bills before the Board

Public Comments

Human Resources

- Roster Update
- Cemetery Deed
- Job Posting

Public Hearing

- **Motion:** To continue PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E
- 50 Hildenbrant Site Plan Review
- 52 Stephens PUD Stage 1 Site Plan

New Business

- **Resolution 20-0819:** Authorizing Administrator to accept donation of real property from Village of Maineville, Ohio and conveyance of the same to the Station of Maineville, LLC.
- **Motion:** To enter into contract for a Lease Agreement and Right of First Refusal with the Successor Trustees of the Church of Christ, Hopkinsville, Ohio

Work Session

- Accepting Resignations (O.R.C. requirements)
- Job posting protocols

Fiscal Officer's Report

Administrator's Report

Trustee Comments

Adjournment

The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.

The following guidelines protect your rights as well as those of others:

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

Hamilton Township Trustees Meeting

August 5, 2020

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 pm. Mr. Cordrey, Mr. Rozzi, and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the July 15, 2020 Trustee Meeting.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle June 28, 2020 – July 11, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1188034259 – 1188034335.

Roll call as follows:

Joe Rozzi	Yes
Darryl Cordrey	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle June 28, 2020 – July 11, 2020, checks numbered 32301978 - 32302004.

Roll call as follows:

Mark Sousa	Yes
Joe Rozzi	Yes
Darryl Cordrey	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle July 6, 2020 – July 10, 2020, checks numbered 81685 - 81700.

Roll call as follows:

Darryl Cordrey	Yes
Mark Sousa	Yes
Joe Rozzi	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle July 20, 2020 – July 24, 2020, checks numbered 81742 - 81746.

Roll call as follows: Darryl Cordrey Yes
Mark Sousa Yes
Joe Rozzi Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle July 12, 2020 – July 25, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1188768268 – 1188768341.

Roll call as follows: Joe Rozzi Yes
Darryl Cordrey Yes
Mark Sousa Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle July 12, 2020 – July 25, 2020, checks numbered 32349176 - 32349198.

Roll call as follows: Mark Sousa Yes
Joe Rozzi Yes
Darryl Cordrey Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle July 27, 2020 – July 31, 2020, checks numbered 81747 - 81762.

Roll call as follows: Darryl Cordrey Yes
Mark Sousa Yes
Joe Rozzi Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle August 3, 2020 – August 7, 2020, checks numbered 81763 - 81823.

Roll call as follows: Joe Rozzi Yes
Darryl Cordrey Yes
Mark Sousa Yes

Public Comments

Mr. Cordrey opened the floor to public comments at 6:32pm.

No comments were made therefore Mr. Cordrey closed the floor to public comments at 6:33 pm.

Presentation

Mr. Cordrey read a Proclamation claiming August 5, 2020 as Maxine Patrick Day to celebrate Mrs. Patrick's 100th Birthday. Family and friends were hosting a social distancing Birthday parade while Mrs. Patrick watched and waved from the comfort of her home.

Human Resources

Human Resources Manager, Ms. Kellie Krieger requested a motion to hire Mr. Danny Taylor effective August 8, 2020. This is for a part time Firefighter/Paramedic position.

Mr. Cordrey made a motion with a second from Mr. Rozzi to make the above-mentioned hire.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Ms. Krieger requested a motion to off-roll Seasonal Park Crew member Mr. William Clatty effective July 17, 2020.

Mr. Cordrey made a motion with a second from Mr. Rozzi to make the above-mentioned roster update.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

Ms. Krieger requested a motion to approve a one-time carryover of 2019 vacation hours in the amount of 111.75 hours for Officer Shane Brandenburg. He will utilize this time by the end of calendar year 2021.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the vacation carryover.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Ms. Krieger requested a motion to approve a Deed transfer within the Maineville Cemetery. Cecelia Wiseman is transferring lot 520 graves 7 and 8 to Ms. Laura Wilson. The new deed number will be 2020-09.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above mentioned Deed transfer.

Roll call as follows: Joe Rozzi Yes
Mark Sousa Yes
Darryl Cordrey Yes

Public Hearing

Mr. Cordrey made a motion with a second from Mr. Rozzi to open the Public Hearing for PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E at 6:37 pm.

Roll call as follows: Darryl Cordrey Yes
Mark Sousa Yes
Joe Rozzi Yes

Mr. Kraemer presented the Staff Report stating that this is a PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E. The applicant is seeking major and minor modifications to a previously approved site plan. The original site plan was approved in 1996 was proposed to have 200 multi-family units. The revised site plan is now calling for 68 single family patio homes. Minor modifications consist of extending a pathway that leads to the Little Miami High School as well as some mounding adjustments. Warren County Regional Planning Commission recommends approval with compliance for the Warren County Subdivision Regulations and the Hamilton Township Zoning Code; the Township shall revise Resolution 96-414 to include the modified Planned Unit Development Standards and Policies; the developer shall utilize Route 22/3 as access for construction and development; when this gets to Stage 2 the applicant shall indicate which lots will be affected by the 100 year flood plains. The Hamilton Township Zoning Commission heard this on July 13, 2020 and also recommends approval with recommendations given by RPC as well as getting written approval from Little Miami School District for the proposed pathway extension.

Mr. Kraemer stated that there is an easement issue that came up this week. The HOA Board immediately contacted the applicant, D.R. Horton and they are working on a resolution to the issue.

Mr. Brodi Conover, Assistant Law Director, swore in any persons wishing to give testimony for this hearing.

Mr. Centers explained the easement concern mentioning that the HOA still owns the easement and they are working towards a resolution for that. However, that being the case, this Board currently does not have the authority approve this as stated because the HOA is the land owner. If they want to move forward with this, it can be approved contingent upon an agreement between the HOA and the Developer, or there are different options such as continuing the hearing. As is, we do not have the authority to do anything since it is not owned by the applicant.

Richard Arnold with McGill Smith Punshon stepped forward explaining that he is representing D.R. Horton tonight. Mr. Arnold explained that there is an easement concern as it belongs to the HOA. He pointed out that the location of the road on the revised plan, is the same location that was on the original approved plan. D.R. Horton wants to work harmoniously with the HOA to get this resolved.

Mr. Cordrey questioned the path and if it was already installed? He also asked how this will be extended?

Mr. Arnold explained that it will only be extended to the property line.

Lynn Ratliff, Hopewell Valley HOA President, explained that the walking path was supposed to be installed by 2006; it was just installed three months ago after a demand letter was sent to the old developer 20 months ago. They are concerned with the mound adjustments as the mounds were deeded to the Hopewell Valley HOA in March of 2018. The developer also does not own the commercial property in front of Hopewell Valley. In 2005 a PUD modification excluded Parcel's G and E. The modification required the developer to put in a 25 ft. barrier between the single family homes and the proposed multi-family development. Part of the land in question was never part of the HOA but it was deeded to the HOA on December 31, 2019. The old developer took 3.5 acres from Parcel E and sectioned it out for the buffer which was subsequently deeded to the Homeowner's Association. That parcel is not under or enforced by the current by-laws and covenants but it is owned by the HOA. The proposed street was only up to the section E property line. The access would now have to come through the Hopewell Valley subdivision to get to the newly proposed single family patio homes. The current property was never intended to be part of the existing HOA because they were multi-family and would have their own HOA. Now the concern is to finish the 90 homes that are existing with the HOA but to also potentially be able to service an additional 68 homes that were never supposed to belong to them. Continued discussion needs to be had with the developer.

Mr. Sousa asked if the easement was deeded to the HOA by the previous developer within the last year?

Ms. Ratliff responded that it was.

Mr. Sousa expressed understanding the concern about bringing in more single family homes but he mentioned that it may be more appealing to have 68 homes instead of 200.

Ms. Ratliff explained that the HOA loves the lower density but they need more steps taken before they can get into contract. The multi-family was proposed to have its own entrance to 22/3. Now Hopewell Valley would be taking on all of the traffic which is already backed up. They are not opposed to the density change, but a lot needs to be figured out between the HOA and the developer.

Mr. Rozzi asked if there was an HOA meeting coming up that would discuss these issues?

Ms. Ratliff stated that their meeting would be held on August 6, 2020.

Mr. Centers explained that the HOA acceptance is not the Township's call; the access on 22/3 is not the Township's call. Mr. Centers would like to review the Deeds for the mounds/easement to answer any questions and before any decisions can be made on our end.

Mr. Arnold elaborated that they were not going to move the mounds. RPC suggested that the plans show the mounds so that they match the existing regulations of Warren County.

Mr. Cordrey believes that the plan itself is a win as it goes from 200 units to 68. However, the details need to be finalized. He asked if the access was not granted to the easement, would the property still be developed?

Mr. Arnold explained that it is too early for a plan B at this time. Things would need to be reviewed with the HOA before anything else could be considered. He clarified that the access point mentioned on 22/3 for the multi-family was to be used for emergency vehicles only. That was never intended to be a full access.

Mr. Sousa asked if a traffic study was done for 22/3 access?

Mr. Arnold explained that a study from ODOT would need to be obtained for any access.

Mr. Rozzi commented that it is out of our hands until these issues are addressed between the developer and HOA.

Mr. Cordrey would like to see a cleaner plan at this point.

Mr. Sousa asked the Board can get some feedback from the HOA meeting?

Ms. Ratliff responded that their HOA Board would email Mr. Kraemer after the meeting.

Mr. Cordrey made a motion with a second from Mr. Rozzi to continue the hearing for PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

New Business

-Resolution 20-0805: A Resolution authorizing and approving an increase in Township Appropriations in the Fire and EMS Special Levy Fund to reconcile budgets for calendar year 2020.

Mr. Cordrey explained that this appropriation will be the Township portion of the purchase for the new Fire Engine. The remainder will be paid by our insurance company (OTARMA). The amount is \$143,305.47.

Mr. Rozzi asked if delivery is 6-8 months?

Chief Reese stated it will more than likely be around 12 months.

Mr. Sousa clarified that we are paying for this now even though we will not receive it until later. He asked if we received some sort of discount pricing or incentive for paying ahead of time?

Chief Reese stated that we save between eight and nine thousand dollars by paying for it up front.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0805.

Roll call as follows:

Mark Sousa	Yes
Joe Rozzi	Yes
Darryl Cordrey	Yes

Mr. Cordrey made a motion with a second to enter into contract with Sutphen for the purchase of the Fire Apparatus.

Roll call as follows:

Darryl Cordrey	Yes
Mark Sousa	Yes
Joe Rozzi	Yes

-Resolution 20-0805A: A Resolution authorizing and approving an increase in Township appropriations in the Cemetery Fund to reconcile budgets for calendar year 2020.

Mr. Cordrey explained that this Resolution is for the mowing of the cemeteries. This will maintain the mowing for the remainder of the 2020 mowing season. The budget impact is \$13,400.00.

Mr. Rozzi asked how many mows that equals?

Mr. Hickey explained that it will give us 12 more mows. We have extended this through October.

Mr. Centers explained that this is the second year we have brought this to the Board so the 2021 Budget will include a mowing season through October.

Mr. Sousa questioned our revenue for the Cemetery Fund this year, what risk do we run to dip into our reserves?

Mr. Centers explained that the risk is there.

Mr. Rozzi asked if we should repost for bids?

Mr. Centers commented that we are very happy with this contract and they haven't increased our price.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0805A.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

-Resolution 20-0805B: A Resolution authorizing special assessments for artificial lighting in certain lighting districts.

Mr. Cordrey explained this appropriation is for the assessment for certain lighting districts that have been initiated for the end of 2020 tax year and collected in the calendar year of 2021. The budget impact is \$369,265.10. This is a money-in/money-out account.

Mr. Rozzi questioned subdivision sizing and pricing to which Mr. Centers responded that we could get a better break down.

Mr. Hickey explained that this assessment is done through Duke Energy.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0805B.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

-Resolution 20-0805C: A Resolution authorizing and approving an increase in Township appropriations in the Police District Fund to reconcile budgets for calendar year 2020.

Mr. Centers explained that the resurfacing is finished in the Township. We contacted the County and our biggest concern was having those roads done before the start of school; they assured us it would happen and they upheld that so we are very pleased. A list of roads completed can be found online.

Our entrance signs have been re-erected. We got the break-away posts per ODOT's requirements and they look great.

Our sunflower field is expected to bloom in September.

Lastly, he stated that he is glad to be back. He received a lot of compliments on Mr. Hickey's leadership.

Trustee Comments

Mr. Rozzi welcomed Mr. Centers back and expressed a job well done to Mr. Hickey.

Mr. Sousa asked Chief Hughes to talk about some anti-police graffiti that was resolved.

Chief Hughes explained that someone had painted some "rude" graffiti on the overpass at Foster-Maineville Rd. and Old 3C. Our Public Works crew went out on a Saturday morning and painted over the tasteless wording and rolled the entire pillar to make the concrete look professional. They did a really nice job.

Mr. Sousa encouraged everyone to keep their heads up with COVID and our stressful times.

Mr. Cordrey also welcomed Mr. Centers back and congratulated him on his graduation. Everything was smooth running. He also encouraged residents to keep an eye out for our sunflower field blooms to attend. He reminded everyone to stay aware and reach out to the Public Officials as needed.

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 7:44 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

LEGISLATIVE COVER MEMORANDUM

Introduction: August 19, 2020

Effective Date: Next available date

Agenda Item: **Motion**
To continue PUD Stage 1 Revised Site Plan for the Villages of Hopewell Valley Section E

Submitted By: Brent Centers

Scope / Description: There has been no resolve for this PUD Stage 1 Revised Site Plan between the developer and HOA regarding the easement. Until there is an agreement reached, we will continue the matter until a further date.

Budget Impact: \$0

Vote Required for Passage: 2 of 3

The HAMILTON TOWNSHIP TRUSTEES PUBLIC HEARING

Site Plan Review

50 Hildebrant Drive, Maineville, OH 45039

August 19, 2020 6:30PM

- Owner:** D.J. Patel
- Applicant:** D.J. Patel; Wood Architects (Jonathan Wood)
- Spokesperson:** D.J. Patel
- Location:** 50 Hildebrant Dr, Maineville, Ohio 45039
- Size:** 0.5857 acres
- Zoning:** B-1 Neighborhood Business District
- Request:** Site Plan Review to change Uses from a car wash to a convenience store, deli, drive-thru and laundromat.
- History:** The property is zoned B-1 Neighborhood Business District. "48 Car Wash" has been operating on the site for several years.
- Project Summary:** The Applicant seeks approval of a Site Plan Review for "48 Market & Drive-Thru"
- Project Description:** The proposed development consists of a 6,286 SF retail building including 1,825 SF Laundromat, 2,000 SF Convenience Store and 1,201 SF Drive-Thru (plus office space).

The proposed development consists of 6,286 square feet retail commercial building that includes 3,722 square feet (Suite A) consisting of 2,000 square feet convenience store and 1,201 square feet drive-thru (plus office and stock room space) and 1,805 square feet (Suite B) laundromat (called "Tiger Express"). The convenience store space is broken down into 736 square feet "beer cave" and 1,265 square feet sales floor. The remaining 739 square feet consists of office and stock room space.

The building would be approximately 20 feet tall with 10 feet high ceilings. The façade of both buildings would be a combination of white stucco and brick (white brick, dark brick and dark stone veneer- see architecture section).

The Applicant proposes constructing 2 access points to the site, both from Hildebrant Drive – one two-way ingress and egress at the eastern end of the site and a one-way exit at the western end of the site. The Applicant will need to apply to the Warren County Engineer's

Office for an access permit to construct the proposed access points on Hildebrant Drive (see Warren County Engineer's comments).

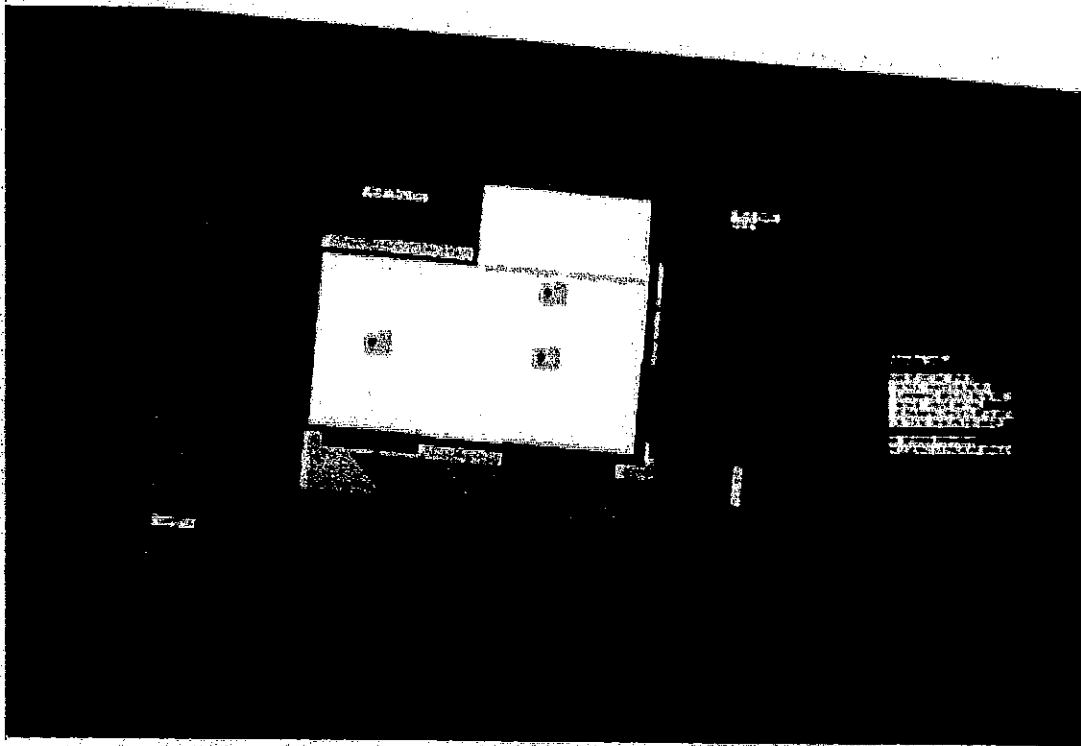
The site plan shows 28 parking spaces serving the building (including 2 handicap accessible spaces) which is 8 more than the required 20 parking spaces for the proposed uses.

Water and Sewer is available for the property, each served via an 8 inch line running along Hildebrant Drive.

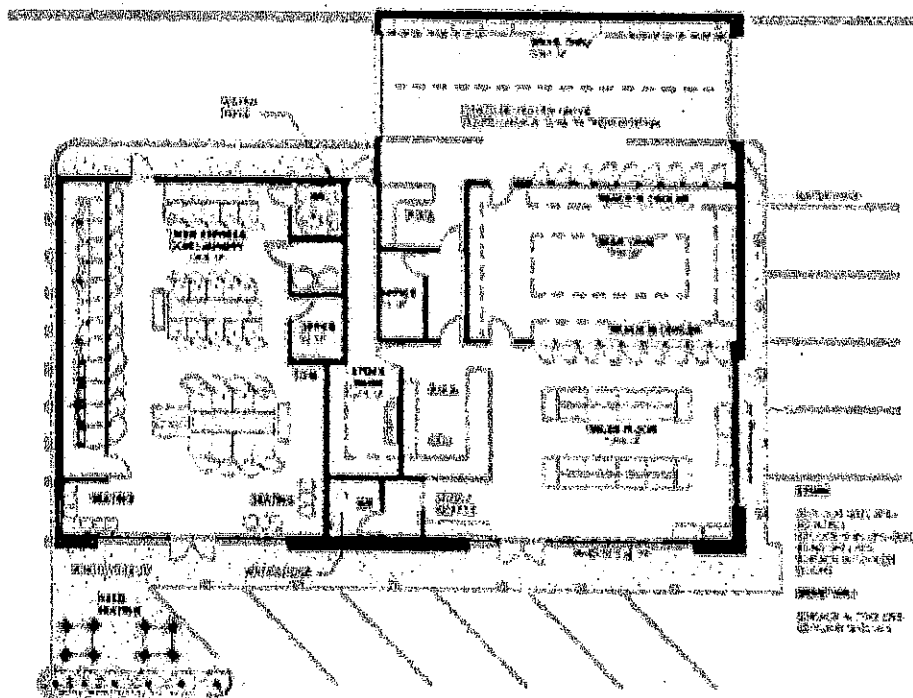
Site Aerial:



Site Plan Summary:



Site Plan



Furniture Plan

Development Standards:

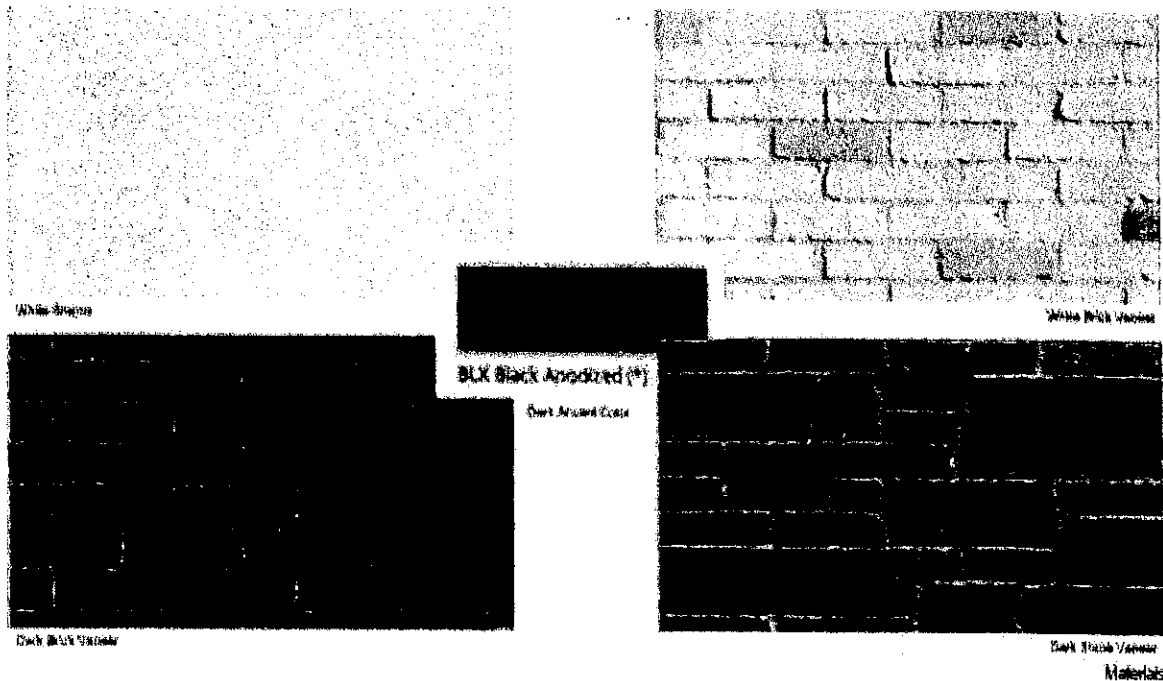
The Hamilton Township Zoning Code (HTZC Table 4-2: Permitted Use Table) allows Retail and Service Commercial Uses and Laundromats in the B-1 Neighborhood Zoning District.

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.
Retail and Service Commercial Use							P	P	P	P	
Laundry or Laundromat							P	P	P	P	

The HTZC does not contain any use-specific regulations for Retail and Commercial Services Uses or Laundromats.

Architecture:

The Hamilton Township zoning inspector shall review and make decisions on architectural features in accordance with the guidelines and standards set forth in *HTZC Section 6.4*. The proposed facade for both the retail building and apartment building is a combination of brick, stone and stucco. The Applicant has provided the following examples to demonstrate the proposed look and feel of the buildings:





Parking:

Chapter 7 of the HTZC outlines rules on parking, loading and circulation that shall be followed.

Table 7-1 sets the required number of parking spaces for Retail and Service Commercial Uses at 1 space per 250 square feet. The proposed convenience store and drive-thru (Suite A) on the property would be 3,722 square feet, necessitating a minimum of 15 parking spaces serving the building. The Applicant is proposing 20 parking spaces for Suite A (including 2 handicapped accessible spaces).

Table 7-1 sets the required number of parking spaces for laundry at 1 space per 400 square feet. The proposed laundromat (Suite B) on the property is 1,825 square feet, requiring a minimum of 5 parking spaces. The Applicant is proposing 28 total parking spaces (including the 2 handicapped accessible spaces).

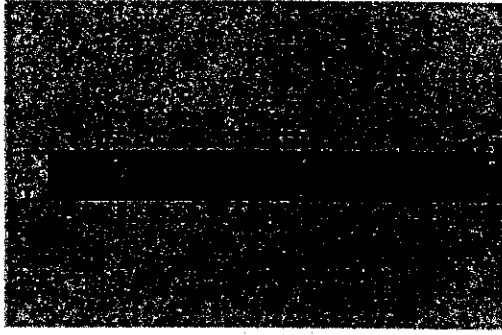
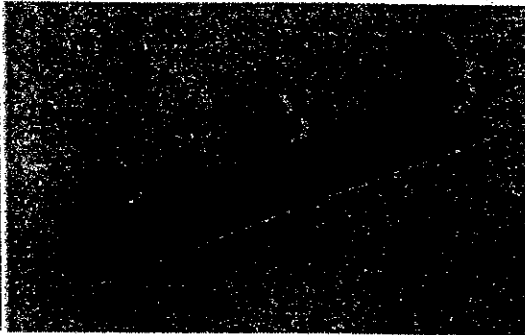


Landscaping: Landscaping for any development shall comply with HTZC Chapter 8: Landscaping Regulations.

TABLE 8-3: MINIMUM INTERIOR SITE LANDSCAPING REQUIREMENTS

PROPOSED USE	MINIMUM LANDSCAPING REQUIREMENT
All uses in residential districts, excluding lots used for single family and two family dwellings	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures; each tree shall have a minimum of 2" caliper.
All uses in business districts	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
All uses in industrial districts	Three trees per 1,000 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
<p>NOTES: Trees planted to satisfy perimeter, vehicular use area perimeter, and interior vehicular use area landscaping requirements may be counted towards the requirements of this section.</p>	

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

BUFFER TYPE	PLAN VIEW	PERSPECTIVE VIEW
Buffer B		
Buffer E		

8.5.3. Vehicular Use Area Perimeter Buffer Requirements

A. Applicability

The provisions of this section shall apply to vehicular use areas containing five or more parking spaces.

B. Perimeter Buffer Requirements

- (1) Landscape planting shall be provided along the perimeter of vehicular use areas as established in Table 8-5: Minimum Requirements for Buffer Types.
- (2) These requirements may be counted towards the property perimeter requirements as set forth in Table 8-4: Type and Width of Perimeter Buffer Required, where perimeter buffer areas are also applicable.

TABLE 8-7: VEHICULAR USE AREA PERIMETER LANDSCAPING REQUIREMENTS

VEHICULAR USE AREA LOCATION [1]	AVERAGE BUFFER WIDTH [2]	MINIMUM PLANT MATERIALS [3]
A vehicular use area adjacent to any property in any district.	10' adjacent to portion of vehicular use area that faces adjacent property; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of linear boundary, or fraction thereof. Trees shall be from Group A, B, or C; and a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
A vehicular use area in any district is adjacent to any public right-of-way or private street. [2]	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of frontage, or fraction thereof; trees shall be from Group A or B. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
Any vehicular use area in an automotive sales or rental use, or truck, trailer, or farm implement sales or service use.	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 30' of frontage, or fraction thereof; trees shall be from Group A or B and shall be a minimum 3" caliper along the entire street frontage. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3' along at least 75% of the street frontage. The remaining street frontage, not to exceed 25%, shall include plantings a minimum of 1' high. [4]

- C. In addition to the requirements shown in Table 8-7: Vehicular Use Area Perimeter Landscaping Requirements, parking lots shall have a perimeter buffer zone with a minimum width of 6.5 feet containing evergreen plant material that will achieve an effective, dense screen of a height of at least three feet at the time of installation. Perimeter buffer zone shall also contain deciduous trees.

8.5.4. Interior Vehicular Use Area Landscape Requirements

A. Applicability

Vehicular use areas on a parcel of two acres or more in any business or industrial district, and for a nonresidential use or multi-family dwelling use in residential district, shall provide interior landscaping as required by this section. No interior landscaping shall be required within a service or storage area.

B. Landscape Requirements

- (1) For each 100 square feet or fraction thereof of vehicular use area, at least five square feet of landscaping area shall be provided.
- (2) The required amount of landscaping area shall be provided in peninsular or island type areas within the vehicular use area.
- (3) Peninsular or island type areas shall contain well drained un-compacted soils.
- (4) The minimum permitted landscape area shall be 64 square feet.
- (5) A minimum of four feet shall be provided from the edge of pavement where vehicles overhang to all trees.

Partner Organization Comments:

Warren County Soil & Water Conservation District Comments:

- The total disturbed area is less than 1 acre, so there is no requirement for an Earth Disturbing permit.
- Ensure the applicant is properly disposing of construction debris/asphalt appropriately since there will be demolition.

Warren County Water & Sewer Department Comments:

- Requirement is to submit a dedicated utility page to gain approval.

ODOT Comments:

- Staff is not aware of any comments from ODOT.

Warren County Engineer's Office:

- Due to the project's small size and less impervious surface area than the existing condition, no stormwater quality control is needed.
- The site plan does not meet the Warren County Access Management Regulations with respect to corner clearance for the full access proposed near State Route 48 and the driveway throat length of less than 35 feet. The Engineer is happy to discuss possible access alternatives with the Applicant.

Staff Recommendation:

Staff recommends the approval of the Site Plan for 50 Hildebrant Drive as the proposed new uses meet the B-1 Neighborhood Business District zoning and all requirements of the Hamilton Township Zoning Code are being satisfied.

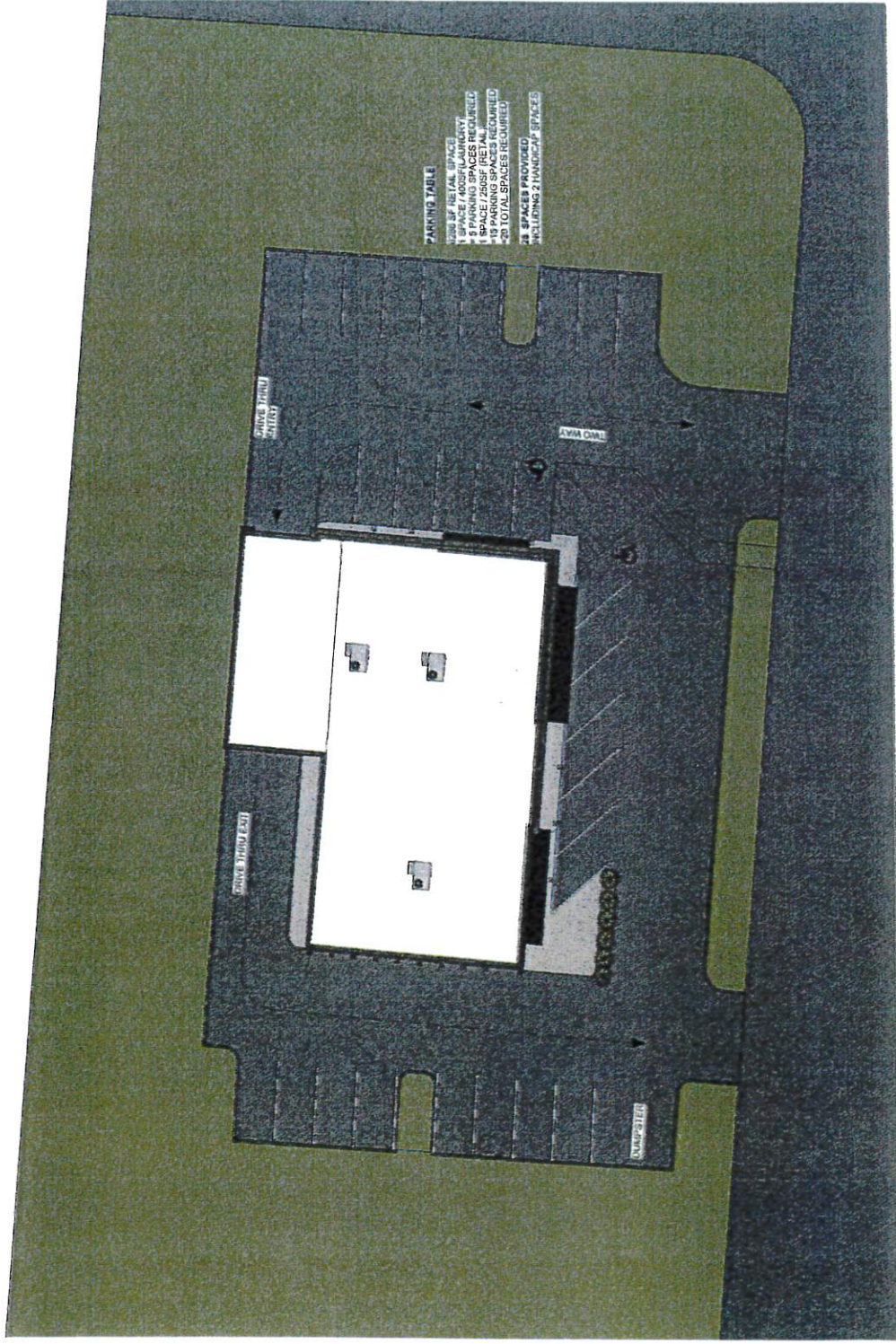


WOOD
ARCHITECTS

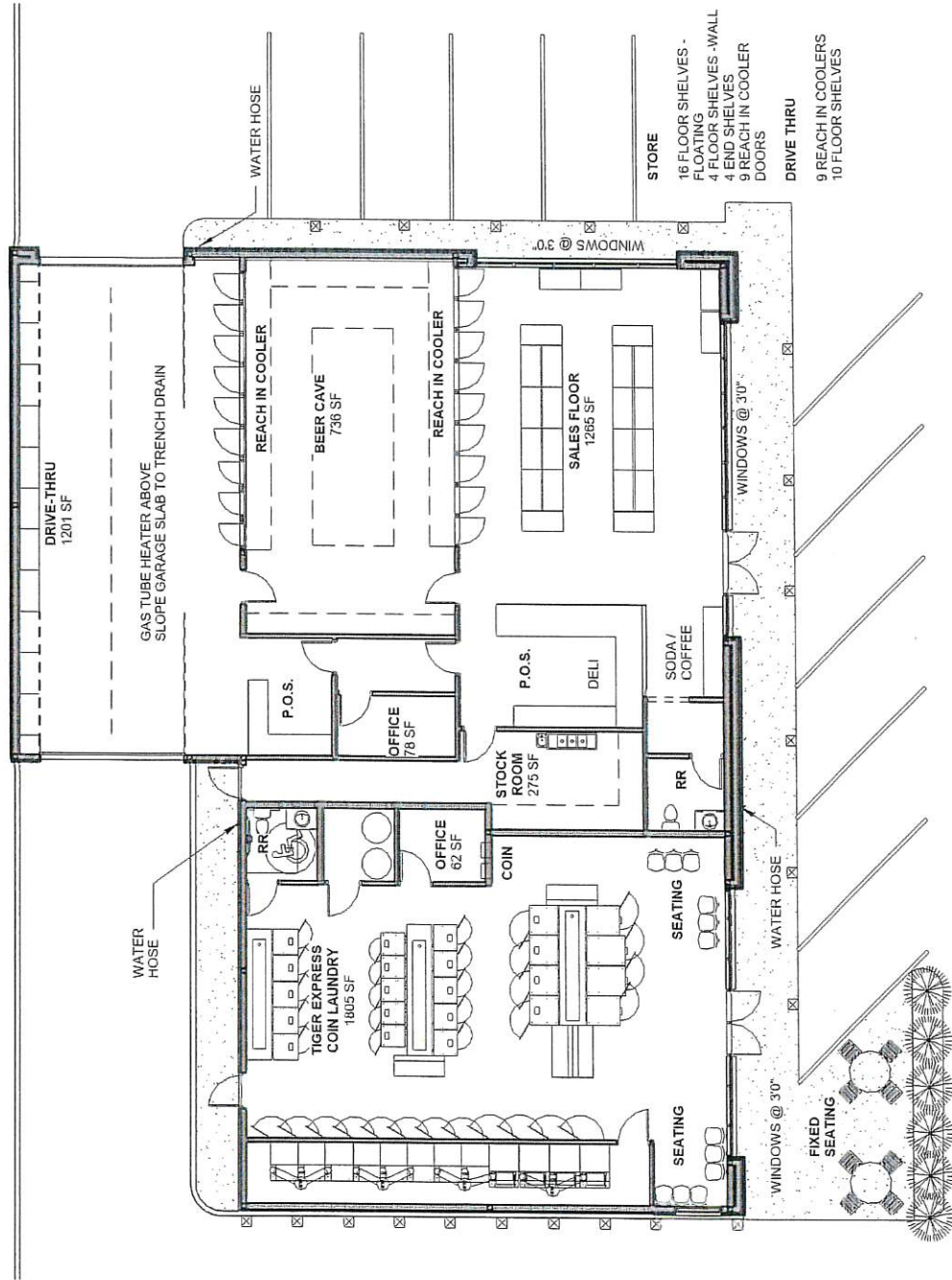
architecture & interior design

HAMILTON TOWNSHIP PLAZA MULTI-TENANT BUILDING | Conceptual Design July 30, 2020

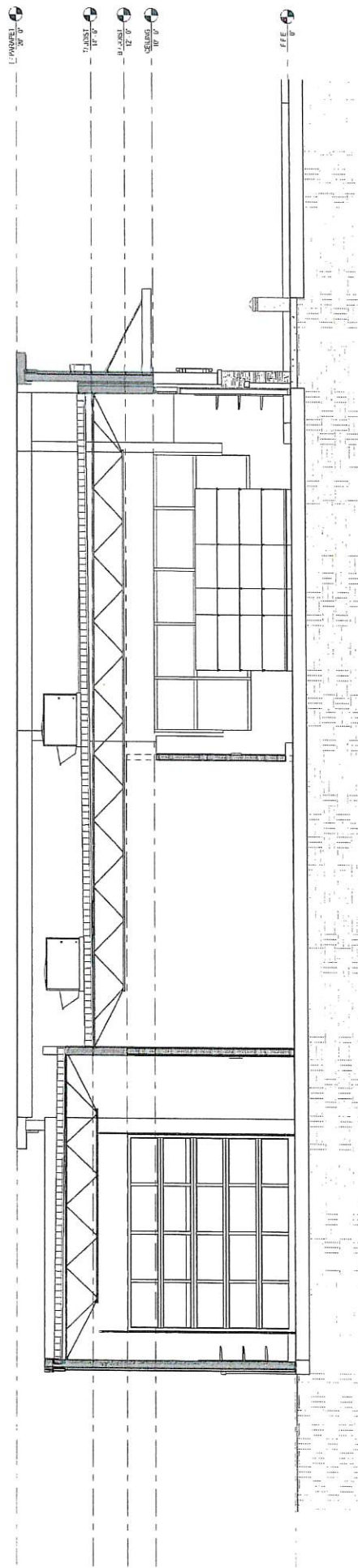




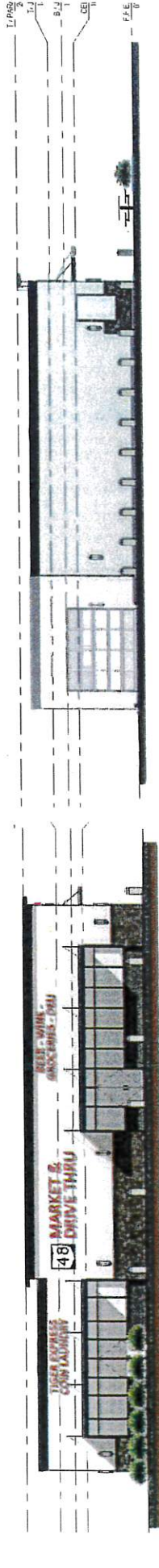
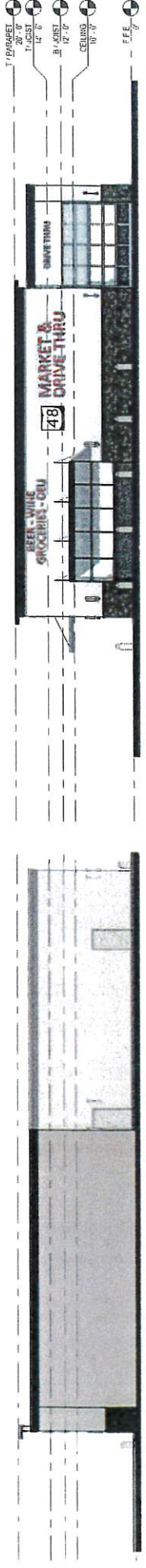
Site Plan



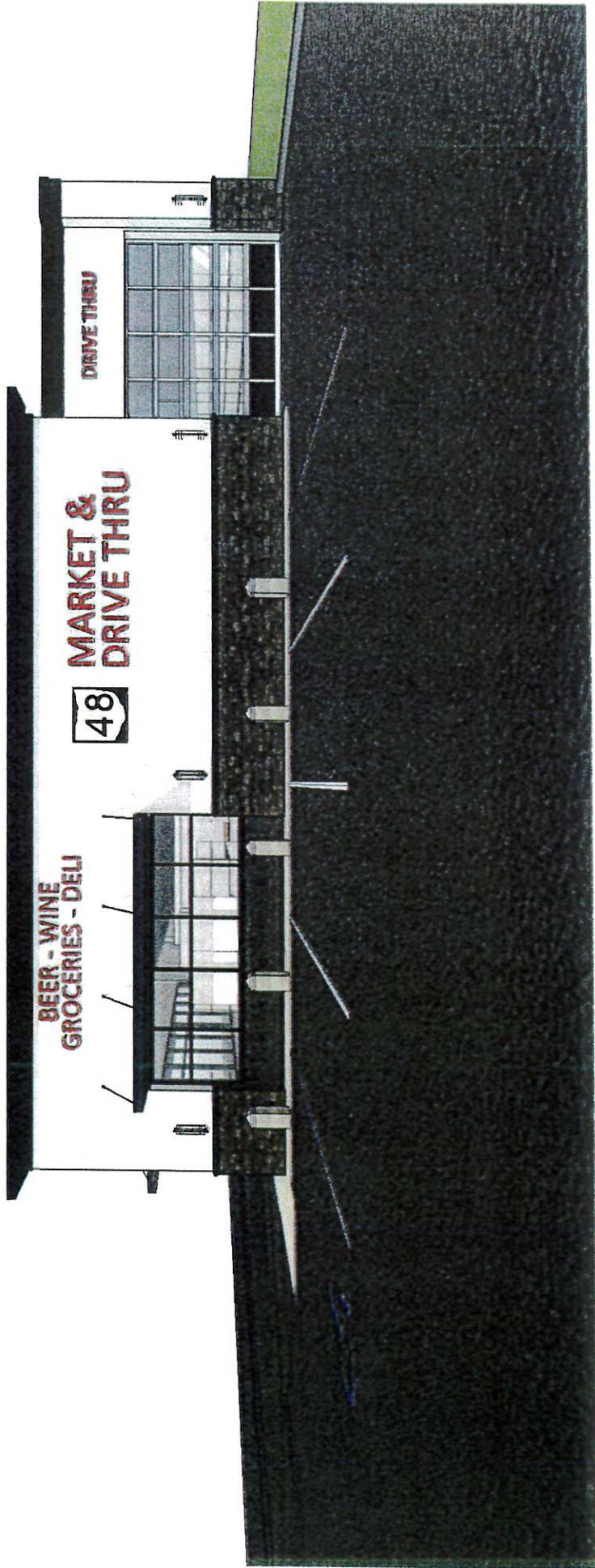
Fixture Plan



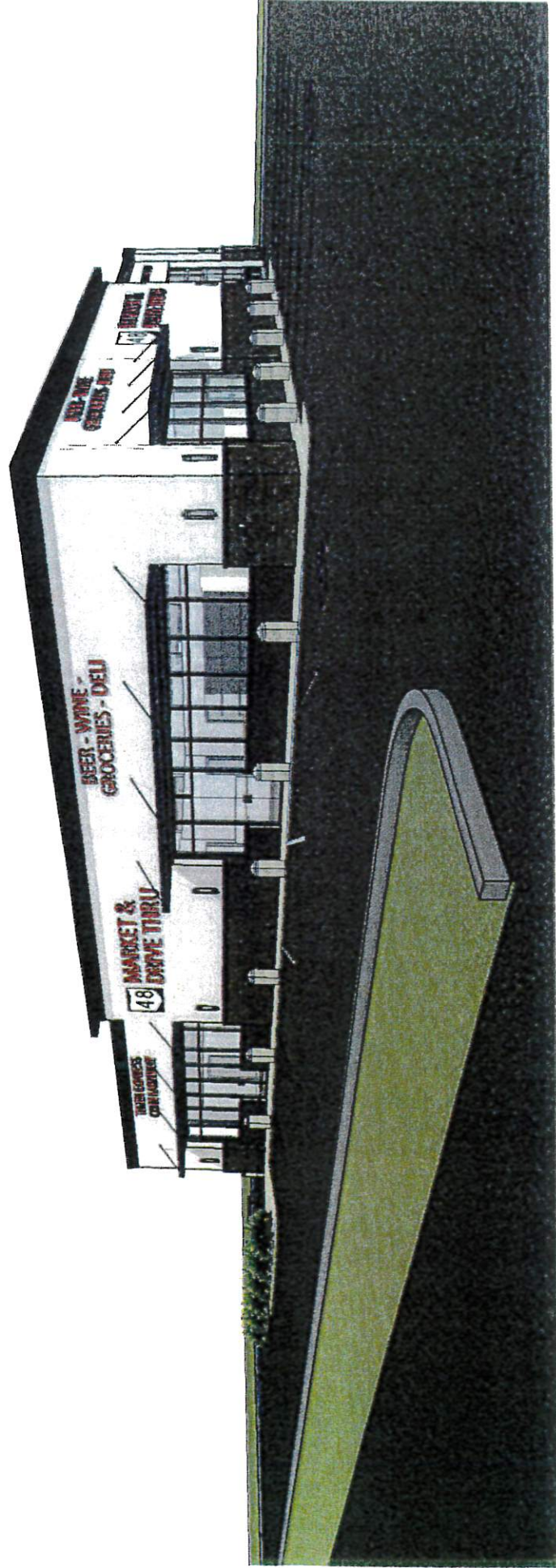
Building Section



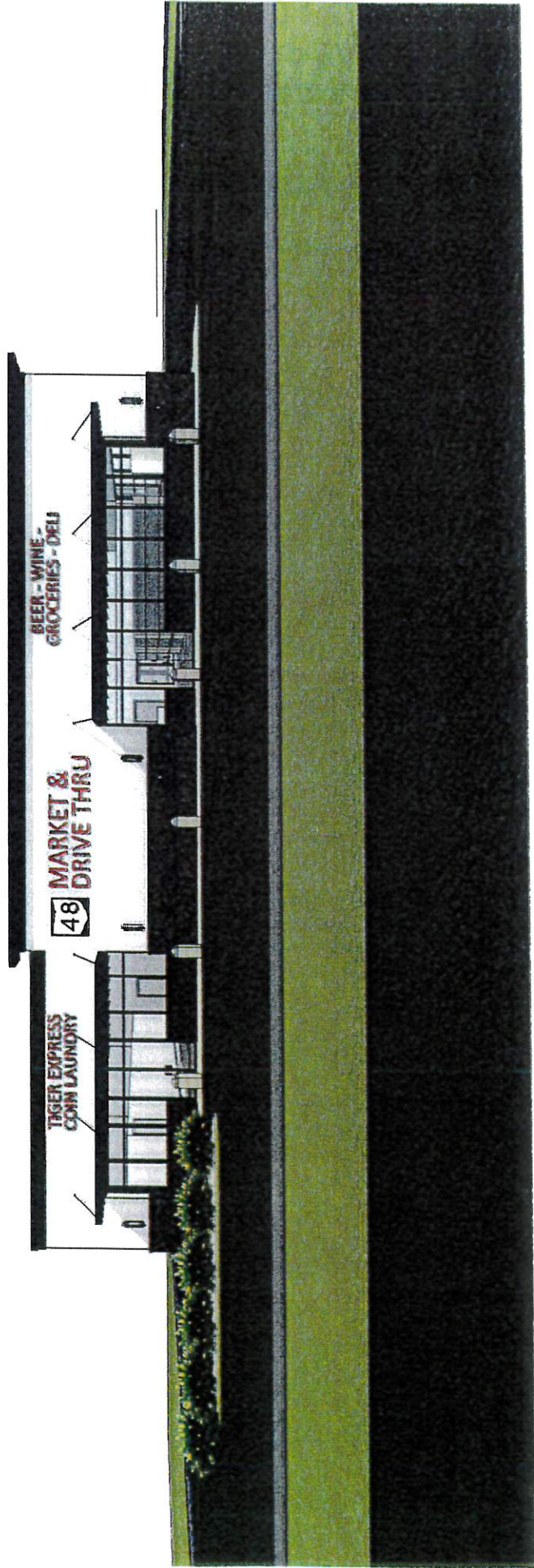
Elevations



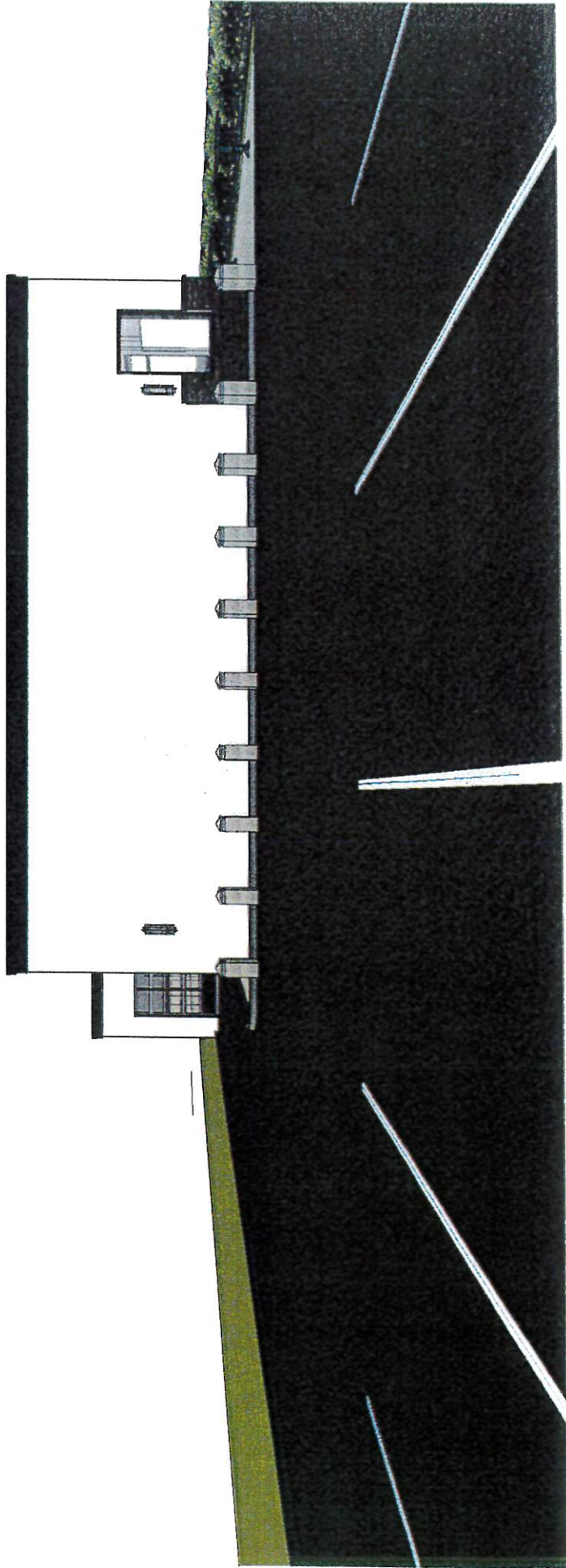
3D View East



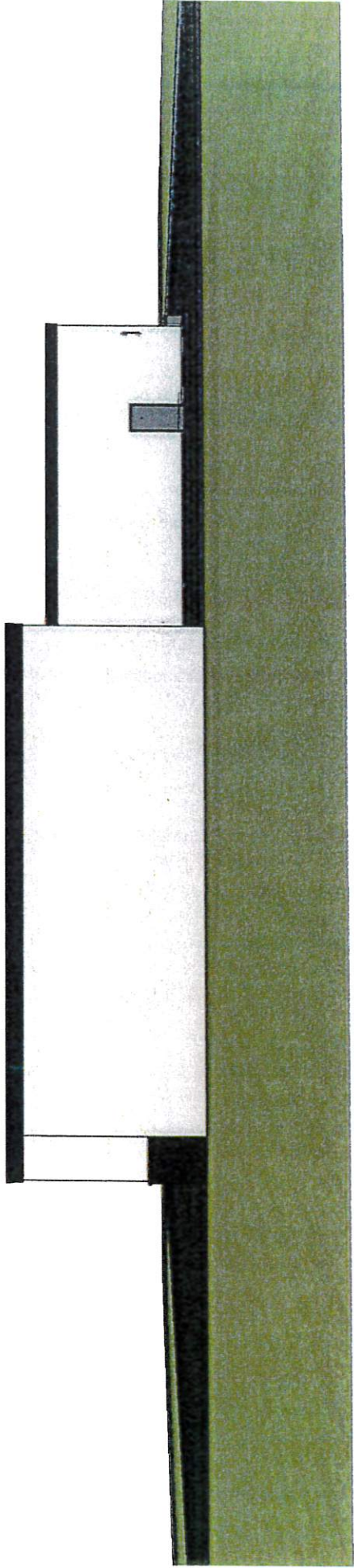
3D View South East



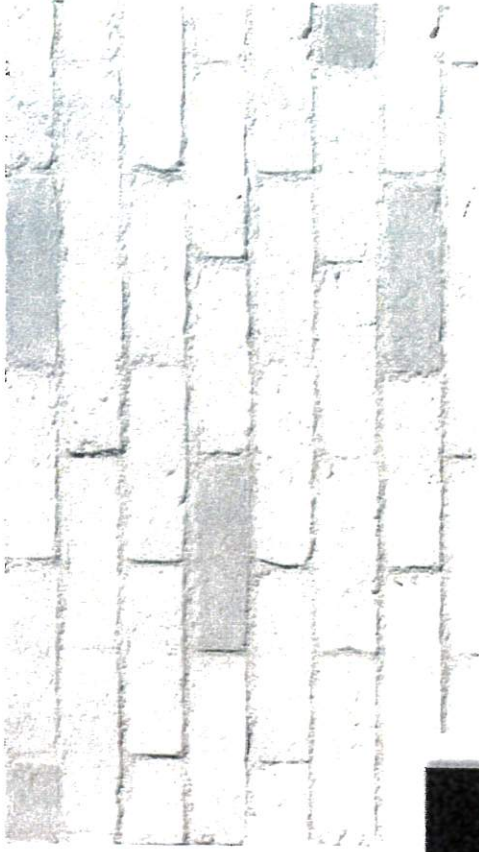
3D View South



3D View West



3D View North



White Brick Veneer



Dark Stone Veneer



BLK Black Anodized (*)

Dark Accent Color

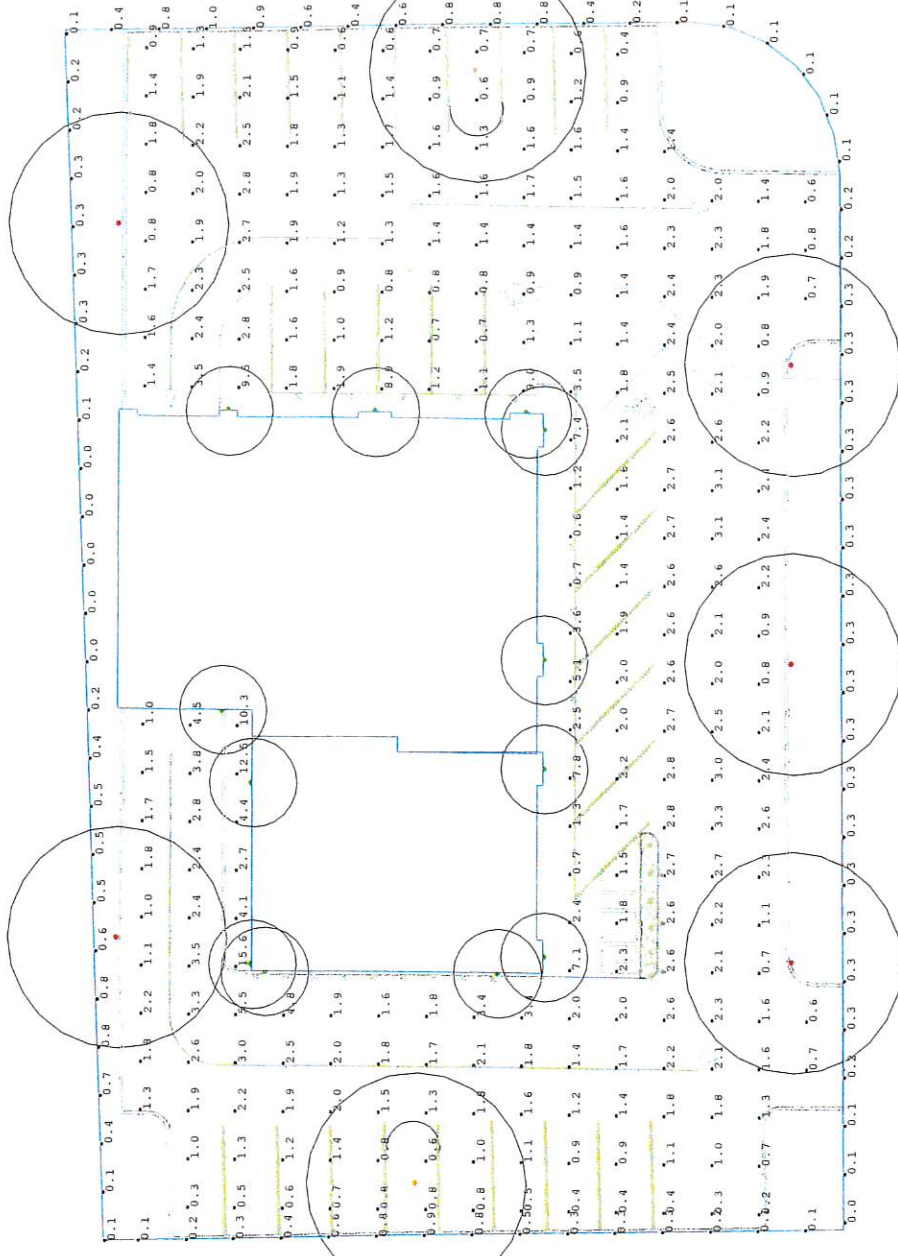
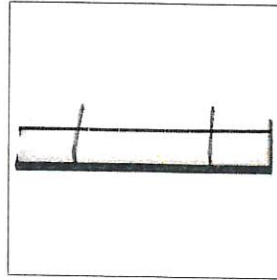


White Stucco



Dark Brick Veneer

Materials



Calculation Summary	Units	Avg	Max	Min	Avg/Min	Max/Min
PARKING LOT	Footcandle	2.03	15.6	0.2	10.15	78.00
PROPERTY LINE GRID	Footcandle	0.34	1.0	0.0	N/A	N/A

Luminaire Schedule	LF	Quantity	Total Watts	Min Lumens
By A	0.000	1	478.250W	2288
By B	0.000	1	195	4274
By C	0.000	1	78.4	5189

Design Control Document Only - (Not for Construction)
 Information provided is for informational purposes only. It is not intended to be used for construction. All construction shall be in accordance with the approved plans and specifications. The Engineer does not warrant the accuracy of the information provided. The Engineer does not assume any liability for the information provided. The Engineer does not assume any liability for the information provided. The Engineer does not assume any liability for the information provided.



Riffle & Associates, Inc
 Lighting & Controls
 2671 Crescentville Rd.
 Cincinnati, OH 45241
 513-771-0002

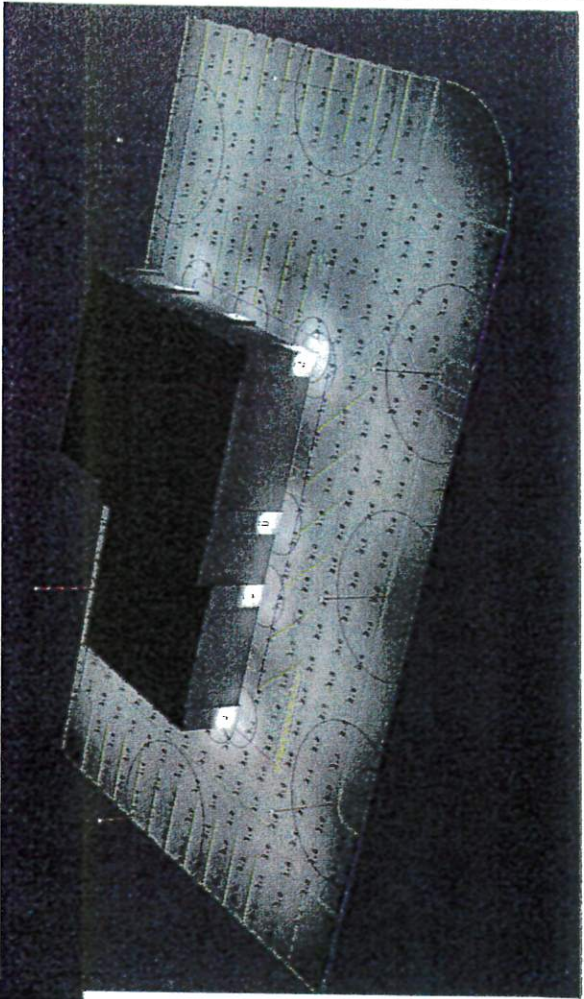
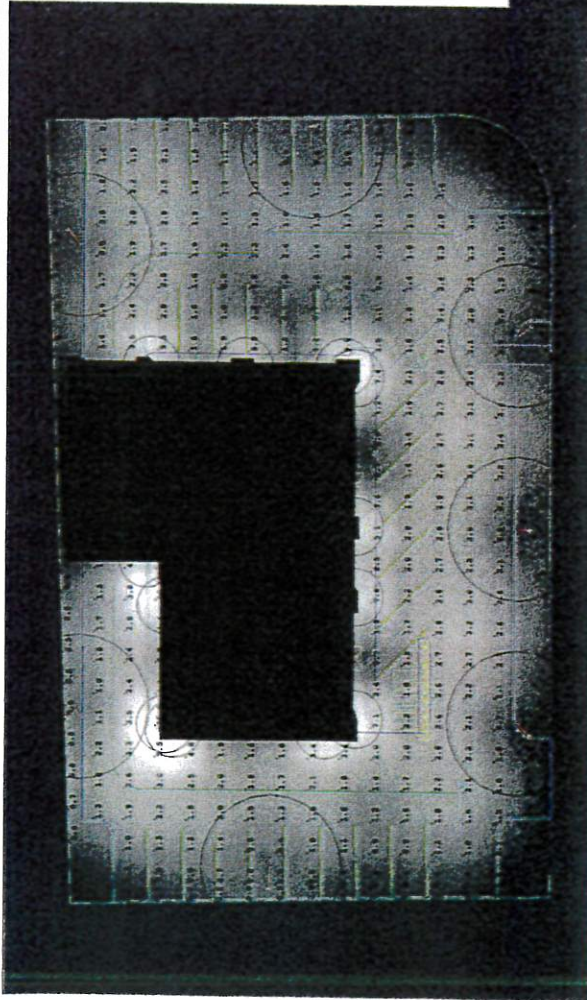
HAMILTON TWP. PLAZA

RIFFLE CINCY20-3854

Drawn By: KENN GRANT

Date: 7/30/2020

Scale: 1" = 10'



Drawn By: KENN GRANT

Date: 7/30/2020

Scale: 1" = 10'

HAMILTON TWP. PLAZA

RIFFLE CINCY20-3854

Riffle & Associates, Inc
 Lighting & Controls
 2671 Crescentville Rd.
 Cincinnati, OH 45241
 513-771-0002





RIFFLE & ASSOCIATES, Inc.
Lighting & Controls

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MISSION STATEMENT

To build lasting relationships with our manufacturers and customers through teamwork, honesty and integrity.
To maximize our market share through education, communication and unequalled service.



The HAMILTON TOWNSHIP TRUSTEES PUBLIC HEARING

PUD Stage 1 Site Plan

Maineville Plaza- 52 Stephens Road

August 19, 2020 6:30PM

***Zoning Commission Recommendation: DENIAL (4-0 Vote).**

Zoning Commission concerns and discussion included:

- **High Density Residential is a concern at this site, and was never meant to be Multi-Family due to the access issues**
- **Inharmonious with surrounding area- apartments don't match the neighboring properties**
- **Concern about there not being any room for detention/retention pond**
- **Mentioned the potential need for a new traffic study to reflect any new proposal for the site**
- **Site is zoned for office use already; potential to be zoned full B-2 Commercial District in the future but not likely Multi-Family**
- **Some discussion about the potential to merge the two buildings into 1 single mixed-use building that is only 2 stories in height; development may possibly be considered if it was more commercial than residential**

Owner: D.J. Patel

Applicant: D.J. Patel

Spokesperson: Joe Cesta: Herdman, Summers, Revelson & Cesta; D.J. Patel: Owner; Joe O'Neil, Cincinnati Commercial Contracting

Location: 52 Stephens Road, Maineville, Ohio 45039

Size: 6.926 acres

Zoning: B-2 PUD

Request: PUD Stage 1 approval for a new retail office building and apartment complex and modification of the list of permissible uses in the B-2 PUD to permit Dwelling, Multi-Family use.

History: The property was rezoned from Rural Residence District to a General Business District PUD (B-2 PUD) on April 26, 2018. The Applicant proposes to put the property to Retail & Service Commercial and Dwelling, Multi-Family use.

Project Summary: The Applicant seeks approval of a PUD Stage 1 site plan in order to construct a retail commercial building and apartment complex on the property. Retail and Service Commercial is a permissible use in the B-2 PUD. However, Dwelling, Multi-Family uses are not permitted in the B-2 PUD. Therefore, the Applicant is also seeking a modification to the B-2 PUD to permit Dwelling, Multi-Family residential use in order to allow construction of the proposed apartment complex.

Project Description: The property is currently vacant/woodland space and is located at the intersection of State Route 28 and Stephens Road. There is an existing pond and one single-family home on the property. The Applicant intends to remove the pond and the home in order to develop the property.

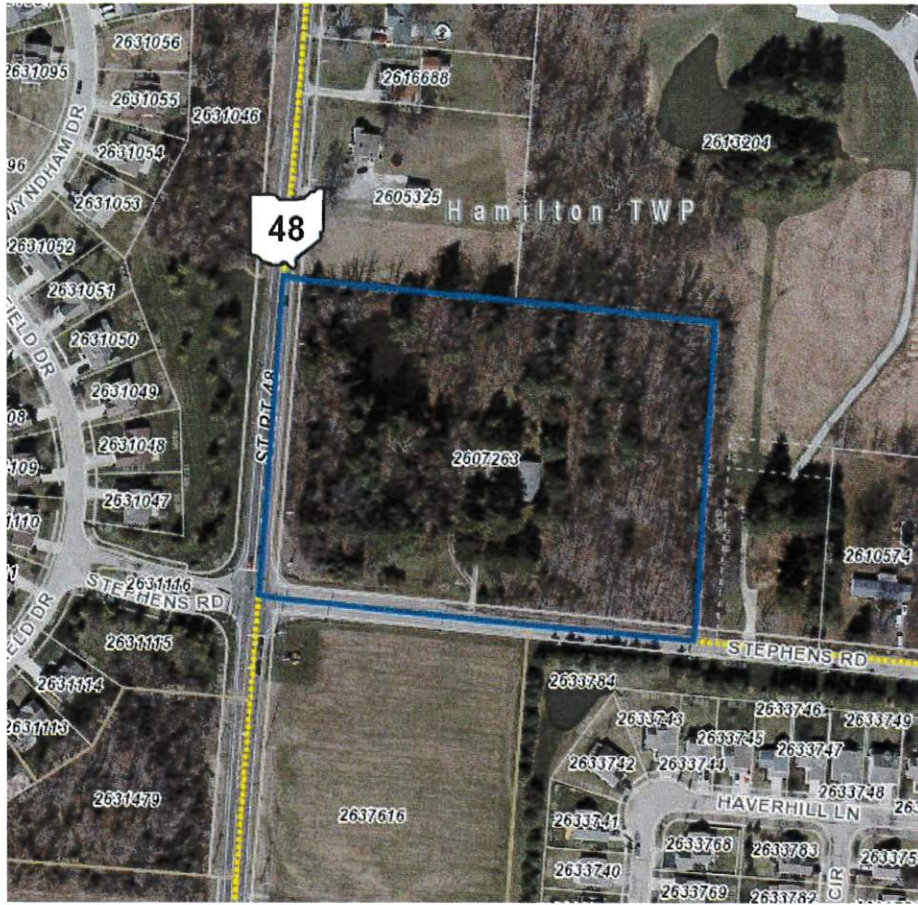
The proposed development consists of a 10,000 square-foot retail commercial building, which would be commonly known as the "Maineville Plaza." The commercial building would have 5 tenant spaces. The project would also include a 55-unit, 3-story apartment complex named the "Comfort Living Apartments." The complex would be 49,800 square feet in size and consist of 39 2-bedroom units at 1000 square feet each and 18 1-bedroom units at 600 square feet each. The commercial building would be approximately 16 feet tall and the apartment building would be approximately 35 feet tall. The façade of both buildings would be a combination of brick, stone and stucco.

The Applicant proposes constructing 2 access points to the site – one from Stephens Road and the other from State Route 48. The Applicant will need to apply to the Warren County Engineer's Office for an access permit to construct the proposed access point on Stephens Road. Application will need to be made to the Ohio Department of Transportation (ODOT) for an access permit to construct the proposed access point on State Route 48.

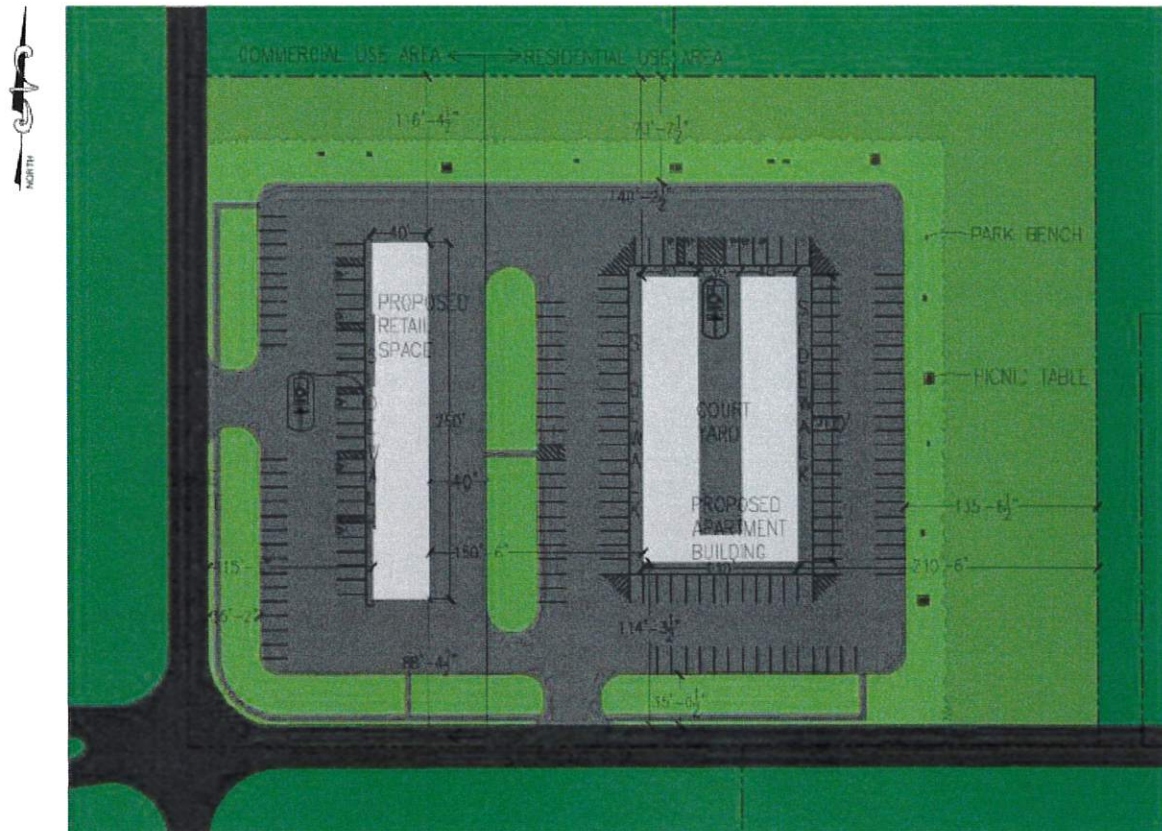
The site plan shows 46 parking spaces serving the retail building (including 5 handicap accessible spaces) and 120 parking spaces serving the apartment building (including 5 handicap accessible spaces). 112,916 square feet of the site would be designated vehicular use area. Approximately 8,336 square feet of the property will be landscaped area. The Applicant proposes clearing trees surrounding the parking lots on all sides of the property in order to provide adequate open space.

A water connection is available for the property (the most likely connection being the water line running parallel to State Route 48). Sewer is not currently available at the property.

Site Aerial:



Site Plan Summary:



Development Standards:

A water connection to the site is available (most likely connection is the water line running parallel to State Route 48). Sewer is not currently available at the property. The Warren County Sewer Department stated the nearest sewers are in the Wethersfield Subdivision (350 away from the property) or the Regency Park Subdivision (500 feet away). Both sewer connection options would involve public sewer main extensions.

The Hamilton Township Zoning Code (*HTZC Table 4-2: Permitted Use Table*) allows Retail and Service Commercial Uses in the B-2 PUD Zoning District.

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
Retail and Service Commercial Use							P	P	P	P	

According to the *HTZC Table 4-2 Permitted Use Table*, Residential Uses are not permitted in the B-2 PUD Zoning District.

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	
AGRICULTURAL USES											
Agriculture – Raising of Crops	P	P	P	P	P	P	P	P	P	P	
Agriculture – Raising of Livestock	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	See 4.8.1
RESIDENTIAL USES											
Adult Family Home or Small Residential Facility	P	P	P	P							
Adult Group Home or Large Residential Facility			P								
Cluster Development, Single Family	PS										See 4.8.2.A
Conservation Design, Single Family	PS										See 4.8.2.B
Dwelling, Attached Single Family			P	PS							See 4.8.2.C
Dwelling, Multi-Family			P								See 4.8.2.D
Dwelling, Single Family	P	P	P	P							
Dwelling, Two Family		P	P								
Institutional Housing	PS	PS	PS	PS							See 4.8.2.E

The HTZC does not contain any use-specific regulations for Retail and Commercial Services Uses. *HTZC Section 4.8.2.D.* sets forth the following use-specific regulation for Multi-Family Dwellings:

D. Dwellings, Multi-Family

There shall be adequate fire extinguishing facilities as approved by the Hamilton Township Fire and Rescue Department appropriate for the height of multi-family dwellings in the R-3 District.

Architecture:

The Hamilton Township zoning inspector shall review and make decisions on architectural features in accordance with the guidelines and standards set forth in *HTZC Section 6.4*. The proposed facade for both the retail building and apartment building is a combination of brick, stone and stucco. The Applicant has provided the following examples to demonstrate the proposed look and feel of the buildings:



(Mason)



(Polaris in North Columbus)

Parking:

Chapter 7 of the HTZC outlines rules on parking, loading and circulation that shall be followed.

Table 7-1 sets the required number of parking spaces for Retail and Service Commercial Uses at 1 space per 250 square feet. The proposed commercial building on the property would be 10,000 square feet, necessitating a minimum of 40 parking spaces serving the building. The Applicant is proposing 46 parking spaces for the commercial building (including 5 handicapped accessible spaces).

Table 7-1 sets the required number of parking spaces for Multi-Family Residential Dwellings at 2 spaces per dwelling unit. The proposed apartment building on the property would have 55 units, requiring a minimum of 110 parking spaces. The Applicant is proposing 120 parking spaces serving the apartment building (including 5 handicapped accessible spaces).

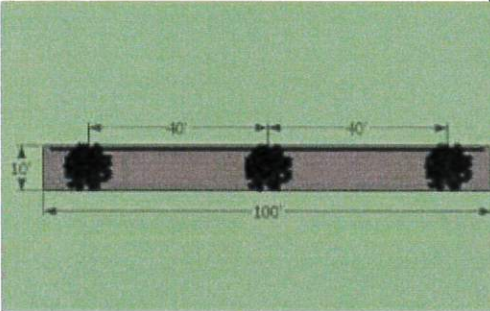
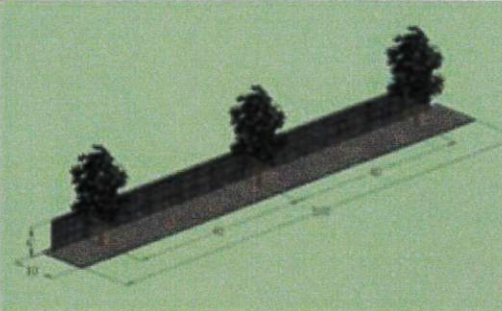
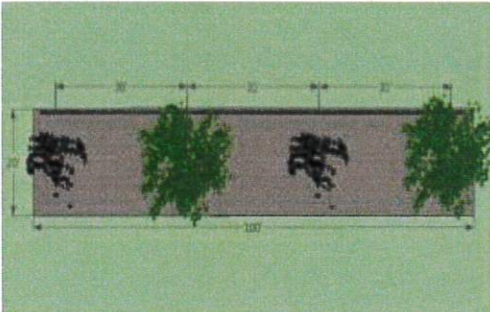
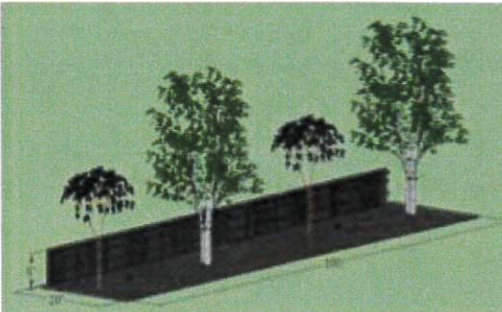
Landscaping: Landscaping for any development shall comply with HTZC Chapter 8: Landscaping Regulations.

TABLE 8-3: MINIMUM INTERIOR SITE LANDSCAPING REQUIREMENTS

PROPOSED USE	MINIMUM LANDSCAPING REQUIREMENT
All uses in residential districts, excluding lots used for single family and two family dwellings	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures; each tree shall have a minimum of 2" caliper.
All uses in business districts	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
All uses in industrial districts	Three trees per 1,000 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
<p>NOTES: Trees planted to satisfy perimeter, vehicular use area perimeter, and interior vehicular use area landscaping requirements may be counted towards the requirements of this section.</p>	

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

BUFFER TYPE	PLAN VIEW	PERSPECTIVE VIEW
<p>Buffer B</p>		
<p>Buffer E</p>		

8.5.3. Vehicular Use Area Perimeter Buffer Requirements

A. Applicability

The provisions of this section shall apply to vehicular use areas containing five or more parking spaces.

B. Perimeter Buffer Requirements

- (1) Landscape planting shall be provided along the perimeter of vehicular use areas as established in [Table 8-5: Minimum Requirements for Buffer Types](#).
- (2) These requirements may be counted towards the property perimeter requirements as set forth in [Table 8-4: Type and Width of Perimeter Buffer Required](#), where perimeter buffer areas are also applicable.

TABLE 8-7: VEHICULAR USE AREA PERIMETER LANDSCAPING REQUIREMENTS

VEHICULAR USE AREA LOCATION [1]	AVERAGE BUFFER WIDTH [2]	MINIMUM PLANT MATERIALS [3]
A vehicular use area adjacent to any property in any district.	10' adjacent to portion of vehicular use area that faces adjacent property; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of linear boundary, or fraction thereof. Trees shall be from Group A, B, or C; and a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
A vehicular use area in any district is adjacent to any public right-of-way or private street. [2]	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of frontage, or fraction thereof; trees shall be from Group A or B. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
Any vehicular use area in an automotive sales or rental use, or truck, trailer, or farm implement sales or service use.	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 30' of frontage, or fraction thereof; trees shall be from Group A or B and shall be a minimum 3" caliper along the entire street frontage. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3' along at least 75% of the street frontage. The remaining street frontage, not to exceed 25%, shall include plantings a minimum of 1' high. [4]

- C. In addition to the requirements shown in [Table 8-7: Vehicular Use Area Perimeter Landscaping Requirements](#), parking lots shall have a perimeter buffer zone with a minimum width of 6.5 feet containing evergreen plant material that will achieve an effective, dense screen of a height of at least three feet at the time of installation. Perimeter buffer zone shall also contain deciduous trees.

8.5.4. Interior Vehicular Use Area Landscape Requirements

A. Applicability

Vehicular use areas on a parcel of two acres or more in any business or industrial district, and for a nonresidential use or multi-family dwelling use in residential district, shall provide interior landscaping as required by this section. No interior landscaping shall be required within a service or storage area.

B. Landscape Requirements

- (1) For each 100 square feet or fraction thereof of vehicular use area, at least five square feet of landscaping area shall be provided.
- (2) The required amount of landscaping area shall be provided in peninsular or island type areas within the vehicular use area.
- (3) Peninsular or island type areas shall contain well drained un-compacted soils.
- (4) The minimum permitted landscape area shall be 64 square feet.
- (5) A minimum of four feet shall be provided from the edge of pavement where vehicles overhang to all trees.

(6) Maximum Contiguous Area

In order to encourage the required landscape areas to be properly dispersed:

- (a)** No individual landscape area shall be larger than 350 square feet in size in parking areas less than 30,000 square feet; and
- (b)** No individual area shall be larger than 1,500 square feet in parking areas over 30,000 square feet.
- (c)** In both cases, a minimum of four feet shall be provided from the edge of pavement where vehicles overhang to all trees.
- (d)** Individual landscape areas larger than the sizes specified above are permitted as long as such area is in excess of the required minimum total interior vehicular landscape area required by [Section 8.5.4.B\(1\)](#).

(7) Minimum Tree Planting Requirement

- (a)** One large tree from Group A or B shall be planted for each 5,000 square feet, or fraction thereof, of vehicular use area. These trees shall be located within the required interior landscape areas.
 - (i)** Two small trees may be substituted for one large tree.
 - (ii)** One and one-half medium trees may be substituted for one large tree.
- (b)** The area not covered by the canopy of the tree, but within an interior landscape area, shall be covered by shrubs, grass, ground cover, landscape gravel, or mulch.

Note: The proposed site plan contains 112,916 square feet of vehicular use area. Thus, the HTZC requires a minimum of 5,650 square feet of landscaped area. The Applicant intends to meet the HTZC vehicular use area landscaping requirements by landscaping 2 sections of the property located in between the commercial and residential buildings (as depicted on the site plan) to create approximately 8,336 square feet of landscaped area.

Signage: All signage would be reviewed by staff and approved via a Zoning Certificate.

PUD Sketch Plan Review Criteria:

F. Review Criteria for PUD Sketch Plan

The following criteria shall be used in recommendations and decisions regarding the PUD sketch plan:

- (1) The PUD sketch plan is consistent with the intent and purposes of the zoning code to promote public health, safety, morals, community stability and the general welfare of Hamilton Township.
- (2) The PUD sketch plan is consistent with the Hamilton Township Land Use Plan and Warren County Thoroughfare Plan.
- (3) The uses proposed will not be detrimental to the present surrounding uses or to the uses authorized under the zoning code for the surrounding real estate, and will be harmoniously related to the surrounding area.
- (4) The PUD sketch plan provides adequate safeguards to protect the general public, owners, and occupants of nearby real estate from nuisances, noise, air pollution, water pollution, soil pollution, visual blight or any other environmental contamination.
- (5) The uses proposed will not be detrimental to existing and potential future surrounding uses and will be harmoniously related to the surrounding area.
- (6) The internal streets and primary and secondary roads that are proposed shall properly interconnect with the surrounding existing primary and secondary road network as designated on the Warren County Official Thoroughfare Plan. A traffic impact study may be required by the township, and the zoning commission and trustees shall coordinate cross access easements or stubbed streets to all adjacent parcels as needed to facilitate better traffic flow between individual developments in conjunction with the Warren County Engineer's Office.
- (7) The minimum common open space areas have been designated in accordance with the provisions of this chapter. The PUD sketch plan shall provide for the preservation of as many trees as practicable.
- (8) The PUD sketch plan may vary from the requirements of the zoning code upon approval by the board of township trustees of the sketch plan.

RPC Recommendation – DENIAL. Reasoning: In summary, the Warren County Regional Planning Commission viewed the current Hamilton Township Land Use Plan indicates 52 Stephens Road as R-1 Single Family Rural Residential District as a major deterrent to recommending approval.

In addition, many nearby residents spoke out in concern about the increased traffic, overall use being too intense for this area, lighting, not comparable with surrounding land uses, height of the apartment building, and that there were no existing commercial uses on the site now.

Warren County Soil & Water Conservation District Comments:

Staff is not aware of any comments from Warren County Soil & Water Conservation District, however, they will be expecting a SWP3 (stormwater protection plan). Warren County Soil & Water Conservation District did place a Stop-Work Order on the site, as the trees cleared was greater than 1 acre.

Warren County Water & Sewer Department Comments:

- Contact number for Warren County Water & Sewer is (513) 695-1377.
- Water is available for the site (the most likely connection is the water line running parallel to State route 48).
- Sewer is not currently available at the property. Sewer connections may be possible at residential subdivisions adjacent to the property. Either option would involve public sewer main extensions.

ODOT Comments:

Staff is not aware of any comments from ODOT.

Warren County Engineer's Office:

- The development site plan include additional right-of-way width consistent with the Warren County Thoroughfare Plan. SR 48 is classified as a Primary Arterial with 105' right-of-way width (52.5' each side of the property centerline) and Stephens Road is a Collector with 80' right-of-way width (40' each side) plus additional width to accommodate turn lanes in the event that the traffic impact study shows that a turn lane(s) is warranted.
- Drive locations and any necessary frontage improvements are required as determined by ODOT and Warren County Engineer's Office.
- Drainage, grading, and a storm water pollution prevention plan must be approved by the Warren County Engineer's Office and Warren County Soil and Water Conservation District.

Staff Recommendation:

Staff recommends the Zoning Commission to recommend “Denial” of this proposed plan to the Hamilton Township Trustees based on the incompatibility of multi-family in this area as well as a large amount of public push-back from nearby residents.

Specifically, the smaller-sized apartment layouts for the 1 and 2 bedroom apartments do not align with the Hamilton Township community, and constructing separate buildings for the commercial and residential uses creates a much larger development footprint than if the two separate buildings were combined into a mixed-use development.

Staff does not agree fully with the Warren County Regional Planning Commission determination regarding the property being slated as R-1 Single Family Rural Residential. Although this is technically the current Land Use listed on the current Hamilton Township Land Use Plan, the site was previously approved in 2018 for B-2 PUD for six potential uses (office, church, government building, event center, cultural or educational institution, or community center), showing the willingness and previous acceptance for this site to become commercial in the future.

Ultimately, staff would encourage the Trustees to continue to work with the land owner suggesting a new proposal that would better fit the Hamilton Township community, whether that be a mixed-use development, commercial and flex industrial/warehouse space, etc.

Another staff note: the landowner has stated willingness to pay to bring sewer to the site across State Route 48, potentially costing between \$50,000 and \$75,000.

Zoning Commission Recommendation:

DENIAL, 4-0.

Summary of Comments Against the Development:

- Increased Traffic Congestion & Safety Concerns
- Infrastructure Concerns
 - Water Supply and Lower Pressure
 - SR 48 only a 2 Lane Road- Access Issues
 - Will over-burden the Stephens Rd./SR 48 Intersection
- Overloading School Capacity
- Decrease in Nearby Property Values
- Light and Noise Pollution
- Non-harmonious fit with the existing residential surroundings
- Disrespect shown to the property with inappropriate/illegal cutting down of many trees without a permit

The HAMILTON TOWNSHIP TRUSTEES PUBLIC HEARING

Site Plan Review

50 Hildebrant Drive, Maineville, OH 45039

August 19, 2020 6:30PM

- Owner:** D.J. Patel
- Applicant:** D.J. Patel; Wood Architects (Jonathan Wood)
- Spokesperson:** D.J. Patel
- Location:** 50 Hildebrant Dr, Maineville, Ohio 45039
- Size:** 0.5857 acres
- Zoning:** B-1 Neighborhood Business District
- Request:** Site Plan Review to change Uses from a car wash to a convenience store, deli, drive-thru and laundromat.
- History:** The property is zoned B-1 Neighborhood Business District. “48 Car Wash” has been operating on the site for several years.
- Project Summary:** The Applicant seeks approval of a Site Plan Review for “48 Market & Drive-Thru”
- Project Description:** The proposed development consists of a 6,286 SF retail building including 1,825 SF Laundromat, 2,000 SF Convenience Store and 1,201 SF Drive-Thru (plus office space).

The proposed development consists of 6,286 square feet retail commercial building that includes 3,722 square feet (Suite A) consisting of 2,000 square feet convenience store and 1,201 square feet drive-thru (plus office and stock room space) and 1,805 square feet (Suite B) laundromat (called “Tiger Express”). The convenience store space is broken down into 736 square feet “beer cave” and 1,265 square feet sales floor. The remaining 739 square feet consists of office and stock room space.

The building would be approximately 20 feet tall with 10 feet high ceilings. The façade of both buildings would be a combination of white stucco and brick (white brick, dark brick and dark stone veneer- see architecture section).

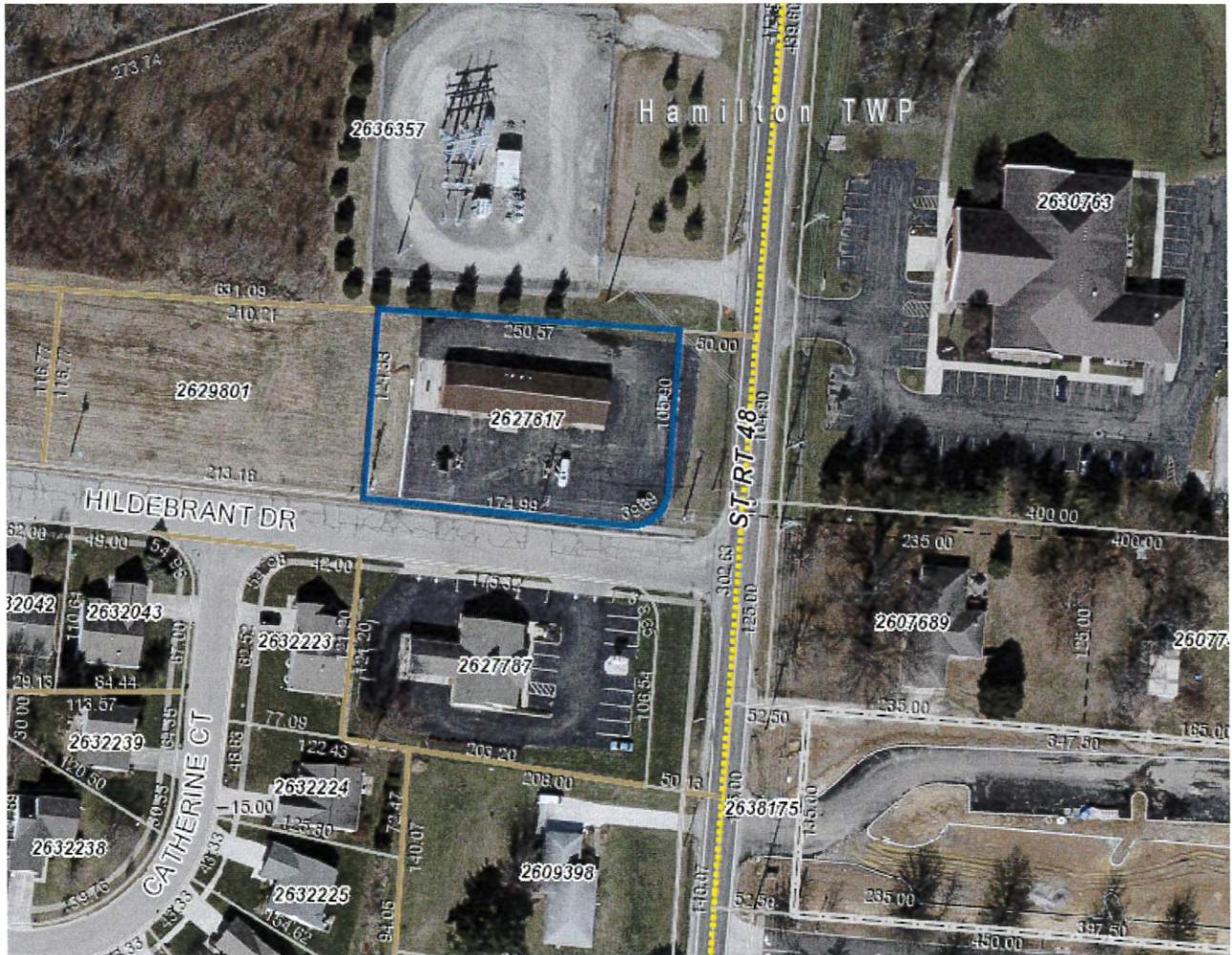
The Applicant proposes constructing 2 access points to the site, both from Hildebrant Drive – one two-way ingress and egress at the eastern end of the site and a one-way exit at the western end of the site. The Applicant will need to apply to the Warren County Engineer’s

Office for an access permit to construct the proposed access points on Hildebrant Drive (see Warren County Engineer's comments).

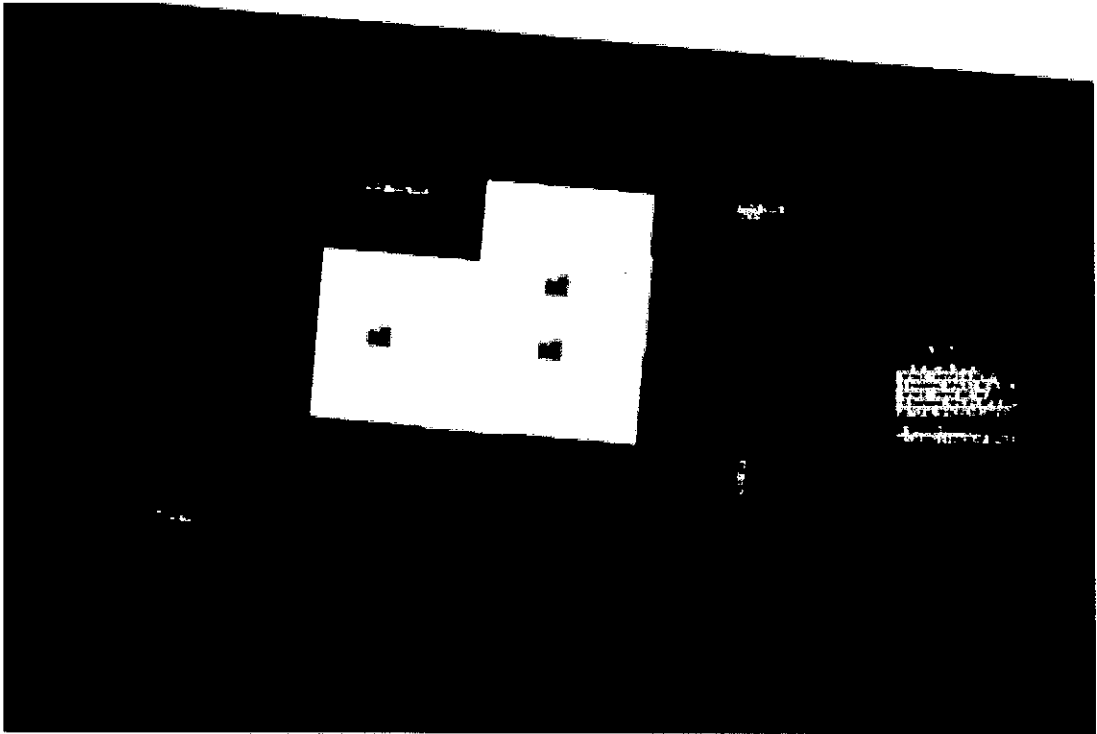
The site plan shows 28 parking spaces serving the building (including 2 handicap accessible spaces) which is 8 more than the required 20 parking spaces for the proposed uses.

Water and Sewer is available for the property, each served via an 8 inch line running along Hildebrant Drive.

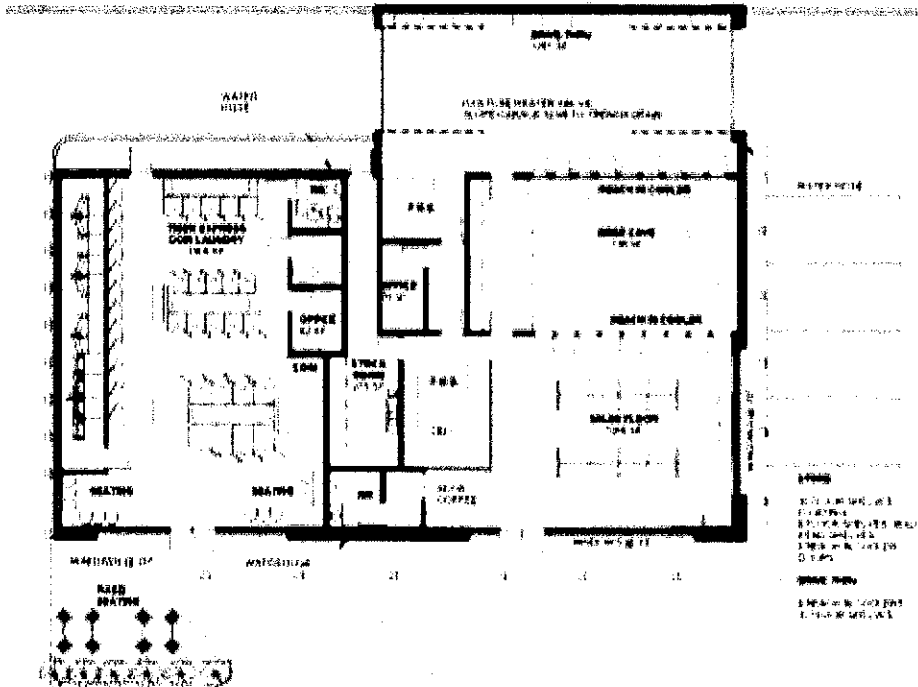
Site Aerial:



Site Plan Summary:



Site Plan



Fixture Plan

Development Standards:

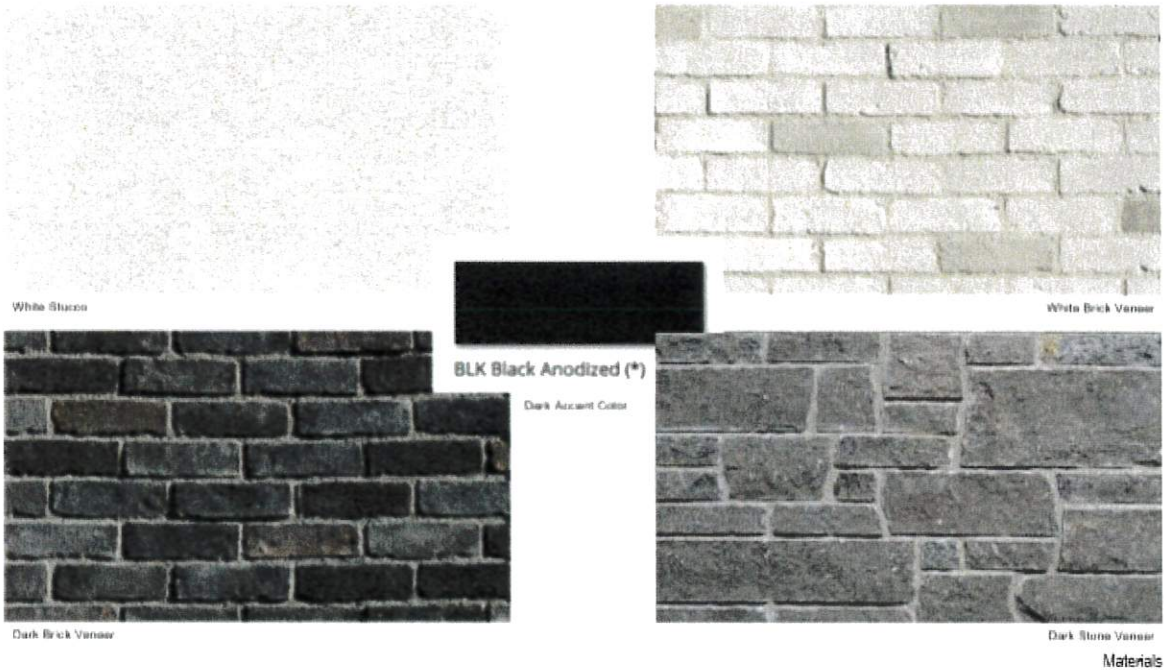
The Hamilton Township Zoning Code (*HTZC Table 4-2: Permitted Use Table*) allows Retail and Service Commercial Uses and Laundromats in the B-1 Neighborhood Zoning District.

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
Retail and Service Commercial Use							P	P	P	P	
Laundry or Laundromat							P	P	P	P	

The HTZC does not contain any use-specific regulations for Retail and Commercial Services Uses or Laundromats.

Architecture:

The Hamilton Township zoning inspector shall review and make decisions on architectural features in accordance with the guidelines and standards set forth in *HTZC Section 6.4*. The proposed facade for both the retail building and apartment building is a combination of brick, stone and stucco. The Applicant has provided the following examples to demonstrate the proposed look and feel of the buildings:





Parking:

Chapter 7 of the HTZC outlines rules on parking, loading and circulation that shall be followed.

Table 7-1 sets the required number of parking spaces for Retail and Service Commercial Uses at 1 space per 250 square feet. The proposed convenience store and drive-thru (Suite A) on the property would be 3,722 square feet, necessitating a minimum of 15 parking spaces serving the building. The Applicant is proposing 20 parking spaces for Suite A (including 2 handicapped accessible spaces).

Table 7-1 sets the required number of parking spaces for laundry at 1 space per 400 square feet. The proposed laundromat (Suite B) on the property is 1,825 square feet, requiring a minimum of 5 parking spaces. The Applicant is proposing 28 total parking spaces (including the 2 handicapped accessible spaces).

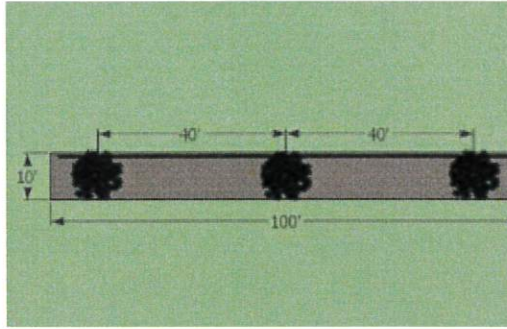
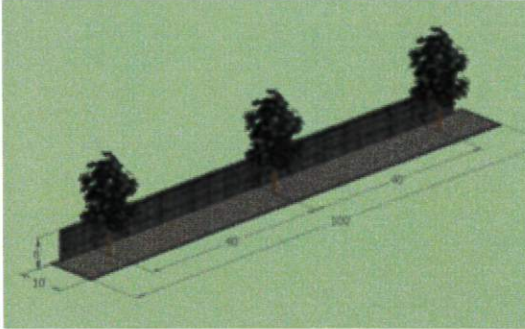
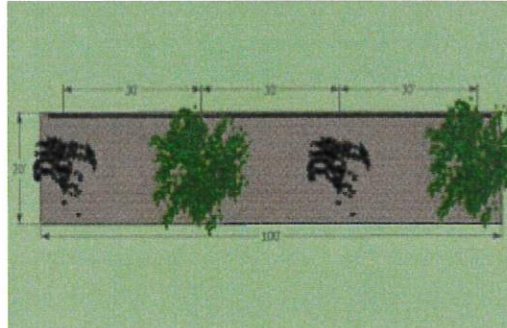
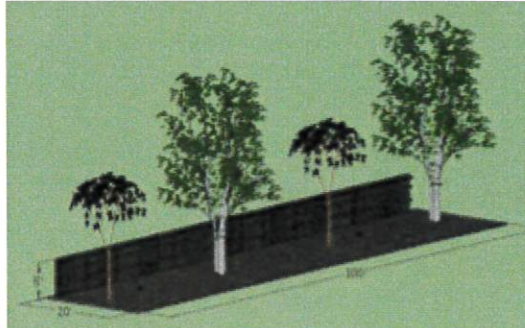
Landscaping: Landscaping for any development shall comply with HTZC Chapter 8: Landscaping Regulations.

TABLE 8-3: MINIMUM INTERIOR SITE LANDSCAPING REQUIREMENTS

PROPOSED USE	MINIMUM LANDSCAPING REQUIREMENT
All uses in residential districts, excluding lots used for single family and two family dwellings	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures; each tree shall have a minimum of 2" caliper.
All uses in business districts	One tree per 500 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
All uses in industrial districts	Three trees per 1,000 square feet, or fraction thereof, of building ground floor area for all structures, and each tree shall have a minimum of 2" caliper; plus there shall be landscaped areas equal to 20 square feet for every 1,000 square feet of building coverage areas, or fraction thereof. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complimentary to the overall architecture of the surrounding buildings.
<p>NOTES: Trees planted to satisfy perimeter, vehicular use area perimeter, and interior vehicular use area landscaping requirements may be counted towards the requirements of this section.</p>	

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

BUFFER TYPE	PLAN VIEW	PERSPECTIVE VIEW
Buffer B		
Buffer E		

8.5.3. Vehicular Use Area Perimeter Buffer Requirements

A. Applicability

The provisions of this section shall apply to vehicular use areas containing five or more parking spaces.

B. Perimeter Buffer Requirements

- (1) Landscape planting shall be provided along the perimeter of vehicular use areas as established in [Table 8-5: Minimum Requirements for Buffer Types](#).
- (2) These requirements may be counted towards the property perimeter requirements as set forth in [Table 8-4: Type and Width of Perimeter Buffer Required](#), where perimeter buffer areas are also applicable.

TABLE 8-7: VEHICULAR USE AREA PERIMETER LANDSCAPING REQUIREMENTS

VEHICULAR USE AREA LOCATION [1]	AVERAGE BUFFER WIDTH [2]	MINIMUM PLANT MATERIALS [3]
A vehicular use area adjacent to any property in any district.	10' adjacent to portion of vehicular use area that faces adjacent property; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of linear boundary, or fraction thereof. Trees shall be from Group A, B, or C; and a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
A vehicular use area in any district is adjacent to any public right-of-way or private street. [2]	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 40' of frontage, or fraction thereof; trees shall be from Group A or B. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3'.
Any vehicular use area in an automotive sales or rental use, or truck, trailer, or farm implement sales or service use.	10' adjacent to portion of vehicular use area that faces public right-of-way or private street; 4' minimum distance to all trees from the edge of the paving where vehicles overhang.	1 tree per 30' of frontage, or fraction thereof; trees shall be from Group A or B and shall be a minimum 3" caliper along the entire street frontage. And a continuous planting, hedge, fence, wall or earth mound with an average height of 3' along at least 75% of the street frontage. The remaining street frontage, not to exceed 25%, shall include plantings a minimum of 1' high. [4]

- C.** In addition to the requirements shown in [Table 8-7: Vehicular Use Area Perimeter Landscaping Requirements](#), parking lots shall have a perimeter buffer zone with a minimum width of 6.5 feet containing evergreen plant material that will achieve an effective, dense screen of a height of at least three feet at the time of installation. Perimeter buffer zone shall also contain deciduous trees.

8.5.4. Interior Vehicular Use Area Landscape Requirements

A. Applicability

Vehicular use areas on a parcel of two acres or more in any business or industrial district, and for a nonresidential use or multi-family dwelling use in residential district, shall provide interior landscaping as required by this section. No interior landscaping shall be required within a service or storage area.

B. Landscape Requirements

- (1) For each 100 square feet or fraction thereof of vehicular use area, at least five square feet of landscaping area shall be provided.
- (2) The required amount of landscaping area shall be provided in peninsular or island type areas within the vehicular use area.
- (3) Peninsular or island type areas shall contain well drained un-compacted soils.
- (4) The minimum permitted landscape area shall be 64 square feet.
- (5) A minimum of four feet shall be provided from the edge of pavement where vehicles overhang to all trees.

(6) Maximum Contiguous Area

In order to encourage the required landscape areas to be properly dispersed:

- (a) No individual landscape area shall be larger than 350 square feet in size in parking areas less than 30,000 square feet; and
- (b) No individual area shall be larger than 1,500 square feet in parking areas over 30,000 square feet.
- (c) In both cases, a minimum of four feet shall be provided from the edge of pavement where vehicles overhang to all trees.
- (d) Individual landscape areas larger than the sizes specified above are permitted as long as such area is in excess of the required minimum total interior vehicular landscape area required by [Section 8.5.4.B\(1\)](#).

(7) Minimum Tree Planting Requirement

- (a) One large tree from Group A or B shall be planted for each 5,000 square feet, or fraction thereof, of vehicular use area. These trees shall be located within the required interior landscape areas.
 - (i) Two small trees may be substituted for one large tree.
 - (ii) One and one-half medium trees may be substituted for one large tree.
- (b) The area not covered by the canopy of the tree, but within an interior landscape area, shall be covered by shrubs, grass, ground cover, landscape gravel, or mulch.

Signage: All signage would be reviewed by staff and approved via a Zoning Certificate.

Partner Organization Comments:

Warren County Soil & Water Conservation District Comments:

- The total disturbed area is less than 1 acre, so there is no requirement for an Earth Disturbing permit.
- Ensure the applicant is properly disposing of construction debris/asphalt appropriately since there will be demolition.

Warren County Water & Sewer Department Comments:

- Requirement is to submit a dedicated utility page to gain approval.

ODOT Comments:

- Staff is not aware of any comments from ODOT.

Warren County Engineer's Office:

- Due to the project's small size and less impervious surface area than the existing condition, no stormwater quality control is needed.
- The site plan does not meet the Warren County Access Management Regulations with respect to corner clearance for the full access proposed near State Route 48 and the driveway throat length of less than 35 feet. The Engineer is happy to discuss possible access alternatives with the Applicant.

Staff Recommendation:

Staff recommends the approval of the Site Plan for 50 Hildebrant Drive as the proposed new uses meet the B-1 Neighborhood Business District zoning and all requirements of the Hamilton Township Zoning Code are being satisfied.

LEGISLATIVE COVER MEMORANDUM

Introduction: August 19, 2020

Effective Date: Next available date

Agenda Item: **Resolution 20-0819**
RESOLUTION AUTHORIZING ADMINISTRATOR TO ACCEPT DONATION OF REAL PROPERTY FROM VILLAGE OF MAINEVILLE, OHIO AND CONVEYANCE OF THE SAME TO THE STATION OF MAINEVILLE, LLC

Submitted By: Brent Centers

Scope / Description: This parcel was donated to the Township in conjunction with the sale of the old Fire Station 76 because it was not originally deeded to the Township.



Budget Impact: \$0

Vote Required for Passage: 2 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on August 19, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey – Trustee, *Board Chair*
Joseph P. Rozzi – Trustee
Mark Sousa – Trustee

Mr. _____ introduced the following resolution and moved for its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 20-0819**

**RESOLUTION AUTHORIZING ADMINISTRATOR TO ACCEPT DONATION OF
REAL PROPERTY FROM VILLAGE OF MAINEVILLE, OHIO AND CONVEYANCE
OF THE SAME TO THE STATION OF MAINEVILLE, LLC**

WHEREAS, the Village of Maineville, Ohio (the “Owner”) is the owner of certain real property (the “Property”), more particularly described in the Real Property Donation Agreement attached hereto as Exhibit A (the “Agreement”), which it has offered to donate to the Township upon the terms and conditions contained in the Agreement;

WHEREAS, the Property is contiguous to certain other real property that has been owned by the Township for decades, and it appears the Property was inadvertently omitted at the time the Township acquired its contiguous property;

WHEREAS, the Property has been used as though it were already owned by the Township for decades;

WHEREAS, the Township staff has already performed the necessary due diligence regarding the Property and has determined that all contingencies of the Agreement have been met to the satisfaction of the Township;

WHEREAS, the Board of Township Trustees is authorized by R.C. 505.10(A) to accept, on behalf of Hamilton Township, the donation of any real property for any township use; and

WHEREAS, the Property was intended to be transferred to The Station of Maineville, LLC as part of the sale of the property located at 69 Fosters Maineville Road, Maineville, Ohio 45039 to put both properties into joint ownership once again.

NOW THEREFORE, be it resolved by the Board of Trustees of Hamilton Township, County of Warren, Ohio:

SECTION 1. The Board of Township Trustees does hereby find that it is in the best interest of Hamilton Township, Warren County, Ohio to enter into the

Agreement attached hereto as Exhibit A, and does hereby authorize the Township Administrator to execute that Agreement and take such other action as he deems necessary to effectuate the purpose and intent of that Agreement.

SECTION 2. The Board of Township Trustees does hereby find further that all contingencies in the Agreement relating to the donation of the Property to the Township have been met to the satisfaction of the Township and intends this Resolution to operate in satisfaction of Section 1(c) of the Agreement.

SECTION 3. The Board of Township Trustees authorizes the Township Administrator to take all action he deems necessary to accept the donation of the Property from the Owner, to close the transaction contemplated in the Land Donation Agreement, to effectuate the transfer of the Property from the Owner to the Township, and subsequently to effectuate the transfer of the Property from the Township to The Station of Maineville, LLC.

SECTION 4. This Resolution shall be effective from the earliest date permitted by law.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph P. Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 19th day of August, 2020.

Attest:

Kurt Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on August 19, 2020.

Date: _____

Kurt Weber, *Fiscal Officer*

LEGISLATIVE COVER MEMORANDUM

Introduction: August 19, 2020

Effective Date: Next available date

Agenda Item: **Motion**
To enter into contract for a Lease Agreement and Right of First Refusal with the Successor Trustees of the Church of Christ, Hopkinsville, Ohio

Submitted By: Brent Centers

Scope / Description: This agreement was reached between the Township and Trustees of the Church of Christ in Hopkinsville regarding the parking area between the church and the Hamilton Township Community Center.

This agreement formalizes the current agreements between the Township and the Church of Christ and provides the first right of refusal to the Township upon any potential sale of the Church of Christ.

Budget Impact: \$0

Vote Required for Passage: 2 of 3

LEASE AGREEMENT AND RIGHT OF FIRST REFUSAL

Effective as of _____, 2020 (the "Effective Date"), **SUCCESSOR TRUSTEES OF THE CHURCH OF CHRIST, HOPKINSVILLE, OHIO**, whose tax mailing address is c/o Cecil Lumley, 5872 Roachester Osceola Road, Morrow, Ohio ("Landlord") and **THE BOARD OF TRUSTEES OF HAMILTON TOWNSHIP, WARREN COUNTY, OHIO**, an Ohio political subdivision whose primary address is 7780 South State Route 48, Hamilton Township, Ohio 45039 ("Tenant") agree as follows:

- 1. Parking Lot.** Landlord is the owner of certain real property located at 115 Route 22 & 3, Maineville, Ohio 45039, Warren County parcel ID no. 16054000350 (the "Property"). Tenant wishes to lease and use the parking areas located on the Property (the "Premises"), and Landlord wishes to grant the same under the terms and conditions of this Lease Agreement and Right of First Refusal.
- 2. Grant of Parking Lease.** For and in consideration of the mutual covenants of the parties hereto, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord Leases the Premises to Tenant for Tenant's non-exclusive use, provided that on Sundays from 7:30 a.m. until 1:00 p.m. the Premises shall be reserved for exclusive use by Landlord.
- 3. Renewal of Term.** The Term of this Lease shall be for three (3) years beginning on September 1, 2020 and continuing until August 31, 2023 (the "Term"). Unless terminated as set forth in this Lease, the Term shall automatically renew for successive periods of three years each, in perpetuity except as limited by statute, upon the same terms and conditions contained herein. Landlord may give written notice to Tenant of its intent not to renew this Lease at any time between ninety and one hundred eighty days before the expiration of the then-current term, whereupon the Lease shall terminate at the expiration of the then-current term.
- 4. Rent.** Tenant shall pay Ten Dollars to Landlord on or before the first day of each Term.
- 5. Repairs and Maintenance.** Except as otherwise stated herein, Landlord is responsible for ongoing maintenance of the Property and for ensuring that the Property remains in good condition, including the parking areas that constitute the Premises. Notwithstanding the foregoing, Tenant shall be responsible for snow and ice removal from the Premises upon the same schedule and at the same regularity and quality as Tenant treats other properties owned by Tenant for snow and ice removal.
- 6. Taxes and Assessments.** Landlord will pay all real estate taxes and assessments on the Property.
- 7. Utilities.** Landlord will pay all charges accruing during the Term of this Lease for utilities servicing the Property.
- 8. Default.** Tenant shall be in default of this Lease if Tenant shall fail to keep and perform any of the terms, covenants or conditions of this Lease to be kept and performed by it, and such

failure continues for 30 days after written notice from Landlord, however if such failure cannot be cured within 30 days despite the exercise of best efforts by Tenant, then Tenant shall be granted a reasonable amount of time to cure such failure. If Tenant is in default of this Lease, Landlord may, at its option, terminate this Lease and/or otherwise pursue all available remedies accorded by law or equity. Landlord shall be in default of this Lease if Landlord shall fail to keep and perform any of the terms, covenants or conditions of this Lease to be kept and performed by it, and such failure continues for 30 days after written notice from Tenant, however if such failure cannot be cured within 30 days despite the exercise of best efforts by Landlord, then Landlord shall be granted a reasonable amount of time to cure such failure. If Landlord is in default of this Lease, Tenant may, at its option, terminate this Lease and/or otherwise pursue all available remedies accorded by law or equity, including specific performance of the terms of this Lease.

9. **Right of First Refusal.** Landlord may market the Property for sale at any time. If Landlord receives a bona fide offer to purchase the Property at any time within fifteen (15) years after the Effective Date (the "Refusal Period"), Landlord shall promptly notify Tenant in writing. Tenant shall have thirty (30) days after receipt of such notice to enter into a purchase agreement with Landlord on the same or better terms than those received by Landlord in the bona fide offer to purchase. If Tenant fails to respond within such thirty (30) day period or declines to match or exceed the bona fide offer, Landlord may sell the Premises to offeror upon the terms of the bona fide offer and this Right of First Refusal shall terminate. If Landlord does not sell the Premises to offeror upon the terms of the bona fide offer, this Right of First Refusal shall remain effective the remainder of the Refusal Period. This Section 9 shall last for the entirety of the Refusal Period notwithstanding any earlier termination of the parking lease portions of this agreement.
10. **Sale of Property.** To allow Tenant to seek alternative locations, Landlord agrees to notify Tenant of its intent to sell the Property prior to offering the Property for sale or prior to accepting any offer to sell the Property during the Term.
11. **Termination.** Tenant may terminate this Lease at any time upon 90 days' written notice to Landlord, provided that the provisions of Section 9 shall survive any termination of this Lease.
12. **Alterations.** Tenant may not make any alterations, additions or improvements to the Property without Landlord's prior consent, except that Tenant will be permitted to install and maintain parking signage on the Premises in accordance with all applicable laws, zoning ordinances, and governmental regulations. Tenant shall obtain all required permits for such signs and install and maintain them at its sole cost and expense.
13. **Insurance and Indemnification.** Landlord will at all times maintain a policy of commercial general liability insurance covering bodily injury and property damage liability, with a combined single limit of at least \$1,000,000 to protect against liability to the public or to any invitee of Landlord or Tenant incidental to the use of or resulting from any accident occurring in or upon the Property. Landlord shall protect, indemnify and hold Tenant harmless from and against any and all loss, claims, liability or costs (including court costs and attorney's fees) incurred by Tenant by reason of the

negligence, gross negligence, or willful misconduct of Landlord or its agents, employees, contractors, or invitees.

14. **No Broker.** Landlord and Tenant each warrant to the other that they have dealt with no broker who would be entitled to a commission by reason of the execution of this Lease.
15. **Notices.** All notices, requests and other communications hereunder will be in writing and will be sent by (a) personal delivery, (b) overnight courier service that regularly maintains a record of its deliveries, charges prepaid or (c) certified U.S. mail, postage prepaid, return receipt requested, and addressed to the following addresses, or to such other address of which Landlord or Tenant will have given notice to the other as herein provided:

If to Landlord, to:

If to Tenant, to: Hamilton Township
 c/o Township Administrator
 7780 South State Route 48
 Hamilton Township, Ohio 45039

All such notices, requests and other communications will be deemed to have been sufficiently given for all purposes hereof on the date of delivery, if sent by personal delivery, the day after deposit with the carrier if sent by overnight courier service, or upon receipt or rejection if sent by certified U.S. mail, return receipt requested. Either party may change its address by notice to the other in accordance with this Section 14.

16. **Entire Agreement.** This Lease may be executed in two or more counterparts, all of which shall be read together and be construed as one instrument. A facsimile or PDF copy of a signature shall be as binding as an original signature. This Lease constitutes the entire agreement of the parties and supersedes all prior oral or written understanding regarding its subject matter.
17. **Governing Law.** This Agreement will be governed by and construed in accordance with Ohio law.

[SIGNATURE PAGE FOLLOWS]

LANDLORD:

SUCCESSOR TRUSTEES OF THE CHURCH OF CHRIST OF HOPKINSVILLE, OHIO

Bob Braden, Successor Trustee

Norman Runyan, Successor Trustee

Cecil L. Lumley, Successor Trustee

Clinton Todd, Successor Trustee

Charlie McAninch, Successor Trustee

STATE OF _____)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2020, by _____, Successor Trustee of the Church of Christ of Hopkinsville, Ohio, on behalf of such entity.

Notary Public
My Commission Expires:_____

STATE OF _____)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2020, by _____, Successor Trustee of the Church of Christ of Hopkinsville, Ohio, on behalf of such entity.

Notary Public
My Commission Expires:_____

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)
COUNTY OF _____)

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COUNTY OF _____)

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Notary Public
My Commission Expires: _____

STATE OF _____)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2020, by _____, Successor Trustee of the Church of Christ of Hopkinsville, Ohio, on behalf of such entity.

Notary Public
My Commission Expires: _____

TENANT:

BOARD OF TRUSTEES OF HAMILTON TOWNSHIP, WARREN COUNTY, OHIO

By: _____

Print Name: _____

Title: Township Administrator

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, _____ of the Board of Trustees of Hamilton Township, Warren County, Ohio, an Ohio political subdivision on behalf of such political subdivision.

Notary Public

My Commission Expires: _____

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