



**Zoning Commission**

**April 10, 2023**

**7:00 PM**

- I. Call to Order
- II. Election of Chair, Vice Chair and Secretary for new year
- III. PUD Stage 2 Preliminary Site Plan Review for Christian Brothers Automotive
- IV. Meeting Minutes from 10/17/2022
- V. *Adjourn*

HAMILTON TOWNSHIP ZONING COMMISSION MEETING  
October 17, 2022

The meeting was called to order at 7:00 p.m.

Members present: Amanda Webb  
Brady Hood  
Dan Riegner

Mr. Dan Riegner explained the items before the board this evening and the meeting process. He also swore in all persons wishing to give testimony during this hearing.

Ms. Lindsey Gehring, Zoning Administrator, presented the staff report for the first agenda item for a zoning amendment, located at 5756 S. State Route 48, Maineville, OH 45039. The Property Owners are Ms. Claudia Brausch. The applicant is Shoppes at State Route 48. Our spokesperson this evening is Tim Grieve and/or Sam Echuri. Address is 5756 State Route 48 Maineville, OH 45039. Legal Notice was published in the October 9, 2022, edition of *The Pulse Journal*. Notice was mailed to all property owners within 200 feet of the subject parcels.

The applicant is requesting a zone change from R-1 Single Family Residence to B-2 General Business. This zone change is intended to allow for a retail shopping center. The site aerial was reviewed. Current zoning is R-1 Single Family Residence. Surrounding zoning consists of R-1 Single Family Residence to the north, B-2 General Business to the south, R-1 Single Family Residence to the east as well as some R-2 and B-1 Neighborhood Business to the west. The R-2 Multi-Family residence to the east is the Michel's Farm Subdivision. Our Future Land Use plan does show this particular area as a B-2 district corridor for Hamilton Township. Our review criteria for zoning text and map amendments is as follows, per section 3.7.4 of the Hamilton Township Zoning Code it states: A. the amendment is consistent with the Hamilton Township land use plan, other plans or developments and policies adopted by the Board of Trustees. B. the amendment is consistent with the purpose of the zoning code. C. more than one zoning district is available to implement the land use designation. The applicant must justify zoning being sought and show that it is best suited for the specific sight based upon the policies of the Township. D. any other substantial factor deemed appropriate by the Zoning Commission or Board of Township Trustees.

The Warren County Regional Planning Commission heard this zoning amendment at their September 22, 2022, Executive Committee meeting. With a vote of 13 yes, 0 no, and 1 abstention, the Regional Planning Commission is recommending approval of the zoning map amendment from R-1 Single Family Residence to B-2 General Business zone.

Staff is not aware of any additional comments from County partner organizations therefore staff is recommending approval subject to the following conditions which are compliance with the Warren County Regional Planning Commission conditions, compliance with all Warren County partnership organization conditions, compliance with ODOT conditions and compliance with any Ohio EPA conditions.

Mr. Riegner invited the applicant to speak.

Mr. Sam Echuri came forward to speak. He stated that he is the real estate developer and plans to open a shopping center. He mentioned that he did the Rivers Bend Plaza as well.

Mr. Riegner invited audience members for and against the proposal to speak. Hearing none, Mr. Hood made a motion with a second from Ms. Webb to close public comments.

Roll call as follows:	Brady Hood	Yes
	Amanda Webb	Yes
	Dan Riegner	Yes

Mr. Hood, Ms. Webb and Mr. Riegner all stated that he doesn't have any questions, and that it makes sense.

Mr. Riegner made a motion to approve the zone change subject to the following conditions, subject to the Warren County Regional Planning Commission conditions, any Warren County Partnership Conditions, ODOT conditions as well as Ohio EPA conditions. There was a second from Ms. Webb.

Roll call as follows:	Brady Hood	Yes
	Amanda Webb	Yes
	Dan Riegner	Yes

Next, Ms.

Next, Ms. Gehring, Zoning Administrator, presented the staff report for the PUD Stage 2 Preliminary Plan and Stage 3 Final Site Plan for Tribute Hamilton Township. The property owners are Walmart Stores East. The applicant and spokesperson this evening is Ms. Anne McBride. Addresses to

consider are as follows: Parcel ID: 16064000140 - 6186 South State Route 48, Maineville, OH 45039, Parcel ID: 16064000170- 6216 South State Route 48, Maineville, OH 45039, Parcel ID: 16064000180- South State Route 48, Maineville, OH 45039, Parcel ID: 16052260011- 6274 South State Route 48, Maineville, OH 45039, and Parcel ID: 16052260012- South State Route 48, Maineville, OH 45039. Legal Notice was published in the September 11, 2022, edition of *The Journal News*. Notice was mailed to all property owners within 200 feet of the subject parcels.

Kroger has obtained an option to purchase 5 parcels totalling 22.6 acres, located on the east side of State Route 48, south of Grandin Road in Hamilton Township, Warren County, OH. The plans include a 123,722 square foot Kroger Marketplace Store as well as a Kroger Fuel Center with 9 pumps and 3 commercial outlots for future development. Access for the development would be from an extension of Grandin Road to the north as well as a proposed extension of Towne Center Blvd. to the South. The development would include a pharmacy drive-thru on the northern side of the building, with two service lanes and stacking for five cars. The drive-thru area is also planned for two lanes to serve a financial institution. A total of 15 online pickup spaces are proposed on the north side of the building.

The site aerial was reviewed for the 22.6 acres. Current zoning is B-2 General Business with a PUD overlay. Surrounding zoning consists of B-1 Neighborhood Business and B-2 General Business to the north, B-2 General Business and R-2 Two Family Residence, B-2 General Business to the south, and B-1 Neighborhood Business and B-2 General Business to the west. Our Future Land Use plan does show this particular area as the commercial corridor for Hamilton Township. There are two access points: one from Grandin Road to the north as well as the extension of Towne Center Blvd. to the south. The PUD does encompass 3 additional commercial outlots. There are three total detention basins proposed for this development and proper landscaping scattered throughout as well. Building renderings were reviewed as well as the fuel center. Kroger has changed their signage package to reduce the number of signs installed on their buildings. Aside from one monument sign, there will be the large Kroger identifier on the front of the building as well as the pharmacy drive thru signage and Starbucks. The northern elevation will consist of signs for the drive-thru canopies as well as the click-list pick-up. The eastern elevation will have clearance heights and directional signage for the loading dock and canopy. Signage sizing shall be established during the PUD review process but will be approved via a separate zoning certificate. The Kroger store would be serviced by 611 parking spaces to include 20 handicap spaces, located at the front of the store. Along the Towne Center Blvd. extension there are some sidewalk proposals that go to the east access and have a connection. They have also proposed a 6ft. wide sidewalk along the front State Rt. 48 and Towne Centre Blvd. Open space is proposed at 37% of the site not including the 3 commercial outlots. This does exceed the minimum requirement of 15% per HTZC Chapter 5.5.6.D. Each of the three outlots are approximately .95 acres and will require their own zoning certificates before occupancy. Kroger submitted a detailed lighting plan, they do comply with Hamilton Township's requirements. Review Criteria is from Hamilton Township Zoning Code Chapter 5.5.6 D, it states the following criteria shall be used in decisions regarding all phases of PUD final site plans. 1.) The PUD final site plan shall substantially conform to the approved PUD preliminary plan including any revision or conditions of approval by a Board of Township Trustees. 2.) All necessary legal documentation related to the incorporation of a Homeowners or Property Owners Association for residential PUDs. Other similar associations for non-residential PUDs and copies of any restricted covenants or agreements that are to be recorded have them submitted and approved as part of the PUD final site plan. Such legal documentation shall demonstrate how the common open space will be maintained over the life of the development.

#### Our Partner Organizations:

Warren County Engineers office is currently reviewing the storm drain plans. They said they will get any comments back before the Trustee Meeting 10/5/2022.

Ohio Department of Transportation staff is not aware of any additional conditions at this time.

Warren County Soil and Water Conservation District stated an Earth disturbing permit will be required before ground is broken. If there are any existing streams or ponds on site an environmental assessment will be required to determine jurisdictional authority and necessary permitting.

Warren County Water and Sewer said the layout plan and utility plan do not show a utility easement along State Route 48. This is also being reviewed because that was a condition they had previously put in. Kroger is addressing the issue on their final site plan.

Warren County Health Department and/or Ohio EPA says that the proposal indicates that the property will be served by both public water and sewer and is therefore not under the Health District jurisdiction for those utilities. The property Owners must contact the Warren County Health District regarding plumbing permits and planning review for the food facilities.

**Staff is recommending approval of the Kroger PUD Stage 3 Final Site Plan subject to the following conditions:**

1. Compliance with all Warren County partner organization conditions
2. Compliance with ODOT conditions.
3. Compliance with any Ohio EPA conditions.

Ms. Perelman asked about the current zoning map and the one strip of single family residence across from Towne Center Blvd.

Ms. Gehring stated we just made the amendment for that lot, it is now a B-2 lot.

Ms. Perelman asked about the sidewalk that is going along State Route 48, will it go the entire way up to Grandin Rd. or only to the edge?

Ms. Gehring responded by saying the sidewalks will be 6 ft. wide and it will extend along the entire frontage of the Kroger parcels and the 3 commercial out lots will put the sidewalks in once they are developed.

Ms. Perelman asked if there is anything needed for the lighting?

Ms. Gehring said that they can add that in as a condition. The lighting plan that was submitted does show projections outward and it is going to be an LED light lot, so it will be well lit. There were not specific light fixtures dedicated to the sidewalks.

Mr. Riegner invited the applicant to speak.

Ms. Anne McBride stated that she is representing Kroger. She explained the Stage 3 Plan that they are requesting mirrors the Stage 2 Plan that was approved by the Trustees. The only changes that she is aware of are some minor modifications as a result of discussion with the Warren County Engineers Office on alignment of Grandin Rd. and Towne Center Blvd. She stated that she will check the light level and make sure it is safe, she said she would consider that a .5 foot candles so she will make sure it is at least for the sidewalks.

Mr. Riegner stated that he is a big walker and social interaction person, so sidewalks are a big thing for him. He loves the fact that they are adding these, and wanted to know if there is a possibility of the addition of sidewalks going to Grandin Rd.

Ms. McBride responded by saying that Kroger's engineers are discussing that issue right now with the Warren County Engineers Office.

Ms. Gehring stated that there have been very heavy discussions throughout this process and noted that everyone is in favor of sidewalks for the walkability throughout the Township. They are trying to work through this as fast as they can.

Mr. Riegner asked if there is a concern that a 6 ft. walkway that is proposed may not work?

Ms. Gehring answered by saying she isn't sure of specifics pertaining to that corner. The Carriage house moved into an existing business so they weren't required to do sidewalks.

Mr. Riegner closed public comments.

Ms. Perelman made a motion to recommend approval of the Kroger PUD Stage 3 Final Site Plan subject to the compliance with all Warren County partner organization conditions, ODOT conditions and any Ohio EPA conditions. She also added a note about the lighting for the sidewalks to be added as a condition. There was a second from Mr. Kuvin.

Roll call as follows:	Julie Perelman	Yes
	Dan Riegner	Yes
	Randy Kuvin	Yes

Ms. Perelman stated that they can only approve the minutes from May 9, 2022 & July 11, 2022. They will table the minutes for June 13, 2022.

Ms. Perelman made a motion to approve the Meeting Minutes from May 9, 2022 with an amendment to remove her name listed twice and add Amanda Webb's name to the roll call. There was a second from Mr. Kuvin.

Roll call as follows:	Randy Kuvin	Yes
	Julie Perelman	Yes

Ms. Perelman made a motion to table the June 13, 2022 minutes because the right people were not in attendance. There was a second from Mr. Kuvin.

Roll call as follows:	Julie Perelman	Yes
	Randy Kuvin	Yes
	Dan Riegner	Yes

Ms. Perelman made a motion to approve the July 11, 2022 meeting minutes with a second from Mr. Riegner.

Roll call as follows:	Randy Kuvin	Yes
	Julie Perelman	Yes

With no further business to discuss, Ms. Perelman made a motion to adjourn with a second from Mr. Kuvin.

Roll call as follows: Julie Perelman Yes  
Randy Kuvin Yes  
Dan Riegner Yes

DRAFT



**Hamilton Township Zoning Commission  
Stage 2 PUD Preliminary Site Plan  
Christian Brothers Automotive  
April 10, 2023, at 7:00 PM**

**Owner:** SR 48 DAYCARE LLC, 2135 Dana Ave, Ste 200, Cincinnati, OH 45207

**Applicant:** Christian Brothers Automotive Corporation, 17725 Katy Freeway, Ste 200, Houston, TX 77094

**Spokespersons:** Paula Tolliver and Josh Huffine

**Location:** Parcel ID: 16062600090 - State Route 48, Maineville, OH 45039

**Size:** 1.5015 acres

**Zoning:** B-1 Neighborhood Business PUD

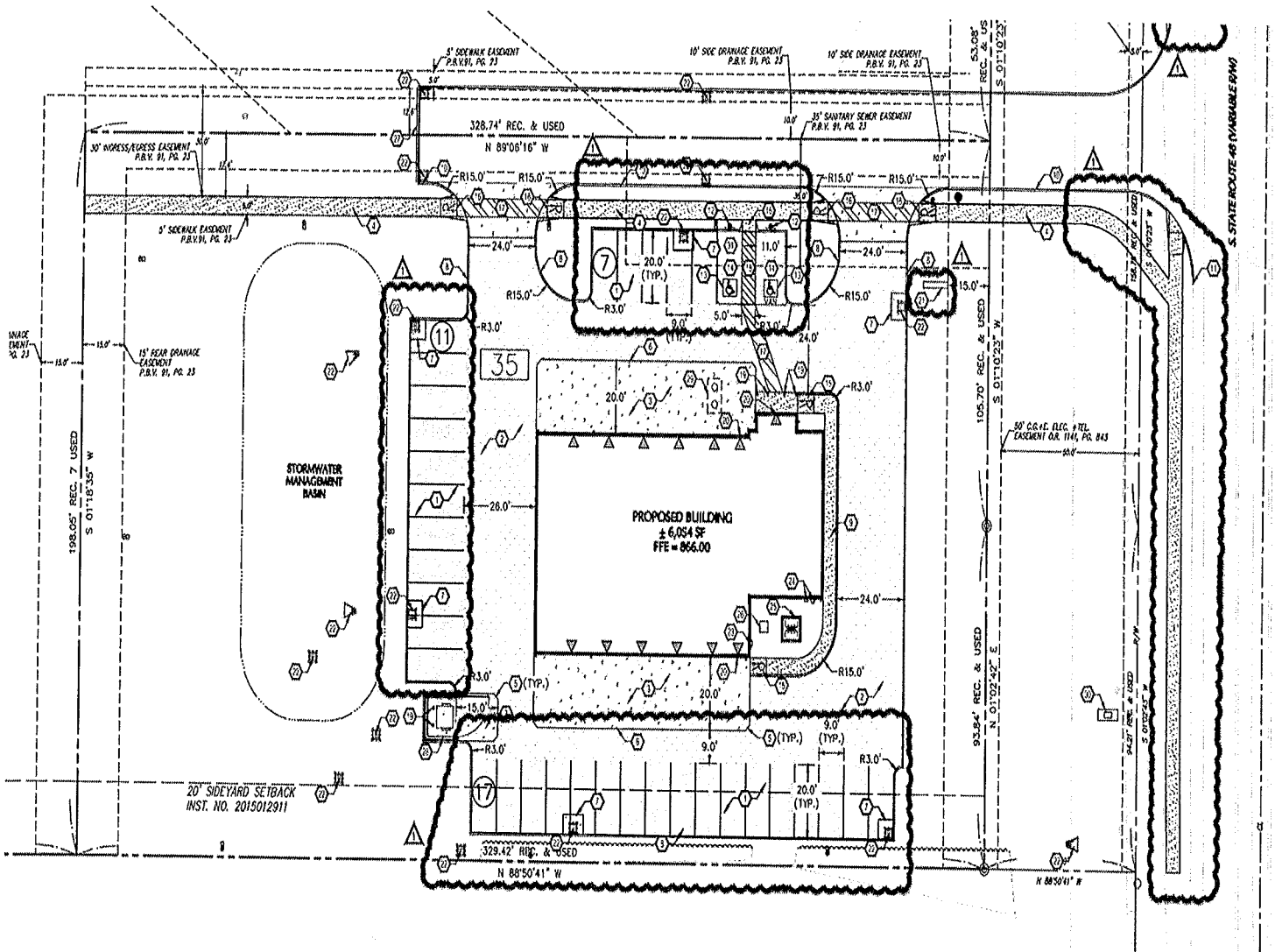
**Request:** Approval of the PUD Stage 2 Preliminary Site Plan





**Project Description:** The applicant is proposing an automotive service business with a 6,054 square foot building including 10 total service bays; 5 on each side of the building. This site was previously rezoned to B-1 PUD in 2014. PUD Stage 1 was approved by the Hamilton Township Trustees on May 7th, 2014 (Resolution# 14-0507B). PUD Standards were proposed at that time. The Automotive Service use is permitted within the B-1 zoning district as well as this PUD.

Access to the site shall be provided off of State Route 48 via a 20' wide drive giving two access points to Christian Brothers Automotive Service. A continuous sidewalk for the length of the parcel on the southern edge of the proposed road/ drive extends into the right-of-way and along State Route 48. An interior site walkway to the front pedestrian entrance is identified as connecting to the proposed sidewalk. The proposed ingress/egress placement also is located partially on the northern adjacent parcel and follows the Holliday Glass Subdivision ingress/egress plan.



The applicant is proposing 35 total parking spaces including two (2) ADA parking spaces. Per the Hamilton Township Zoning Code, only 13 spaces are required and can only be exceeded by 125% of the minimum (16 parking spaces). The applicant has submitted a letter of justification for the added spaces. Please refer to the letter below. No interior parking landscaping is required.



## Christian Brothers Automotive

March 21, 2023

Warren County Regional Planning Commission  
406 Justice Drive  
Lebanon, OH 45036

### Re: Parking Validation Request

Christian Brothers Automotive is not like the typical light automotive service and repair facilities that focuses primarily on high volume and low profitability items such as tire and fluid replacement. Christian Brothers has positioned itself to compete with local dealerships while providing the convenience of a neighborhood shop. Our diagnostic equipment tools and OEM replacement parts sets us apart from the typical automotive repair facility and allows us to serve guests in a very different manner by operating on all makes and models of automobiles.

On a typical day a Christian Brothers location serves approximately 20 guests. We project this business will be a superlative performer that will likely serve more guests than our average location (based on similar locations with closely correlated demographics). Because of the probability of serving an above average number of guests on a daily/weekly basis we believe that we will need an elevated number of parking spaces to offer our customary services which require additional time to complete.

We currently operate over 270 locations and our business data tells us that we will need 33 standard spaces and 2 accessible spaces - with 6 to 8 of those spaces to be occupied by our owner and their staff. Anything less would have a negative effect on our ability to service the guests and will create workflow issues that would be detrimental to both our guests and our staff.

Our store hours are 7:00 am to 6:00 pm Monday through Friday. During the first 3 months of operation, we are also open on Saturdays from 8:00 am– 1:00 pm. We project sales during the first year to be \$2,100,000 and because of this we need at least 35 spaces at this location. Our stores with fewer spaces struggle with the effects of parking shortages every day, and for this reason we are asking for a parking spaces variance.

Please do not hesitate to call should you require additional information or have any questions.

Best,

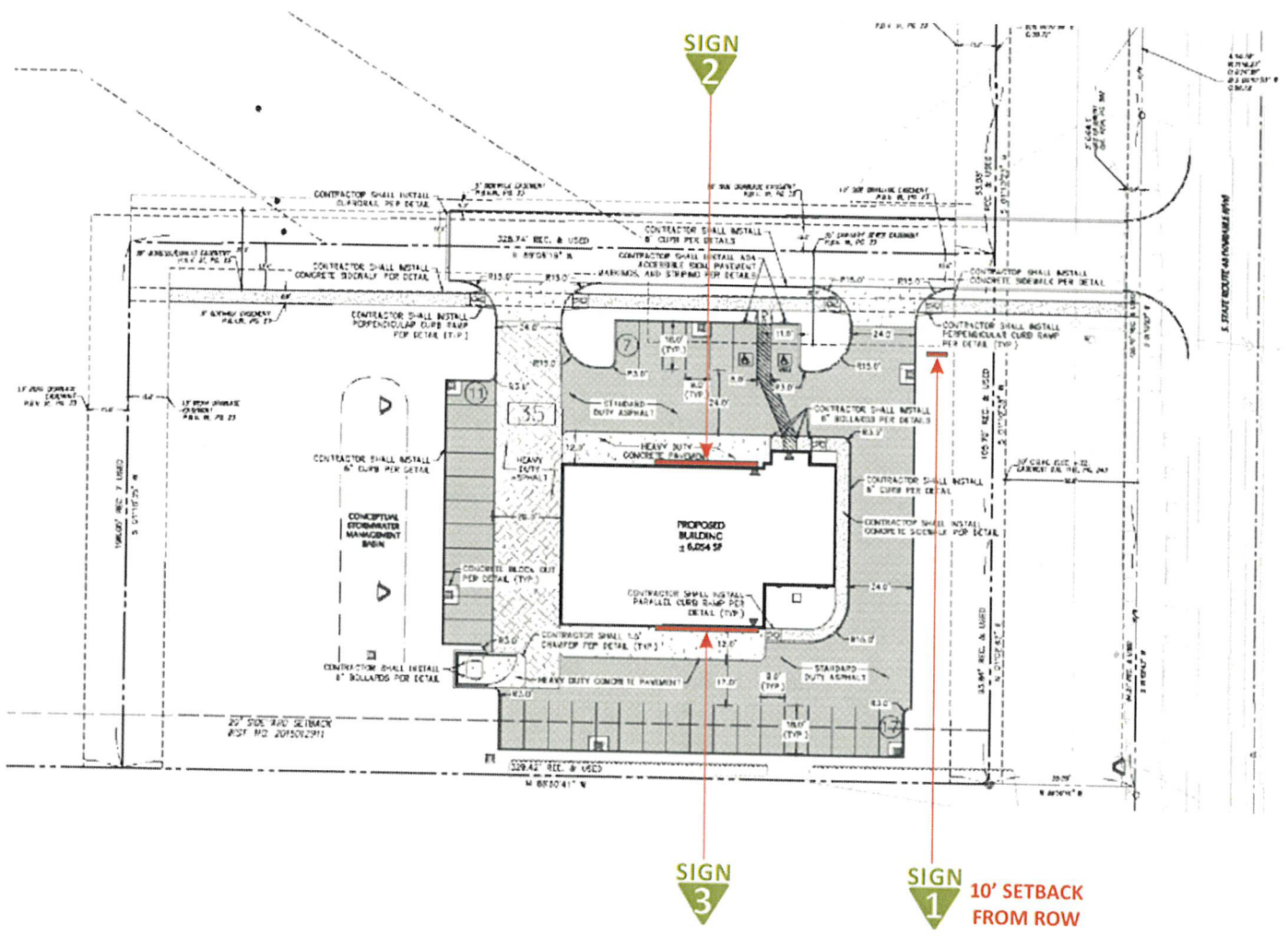
A handwritten signature in blue ink that reads "Paula Tolliver".

Paula Tolliver - Project Manager of Land Acquisitions & Permitting  
Christian Brothers Automotive Corporation  
T: (281) 675-6234 C: (832) 690-6533  
E: [Paula.Tolliver@cbac.com](mailto:Paula.Tolliver@cbac.com)

The applicant provided a detailed landscape plan. The landscape plan shows deciduous trees of different sizes as well as a mix of different bushes and ground cover. The dumpster will be screened with an enclosure. More than 15% of the site is open space, which exceeds the minimum required.

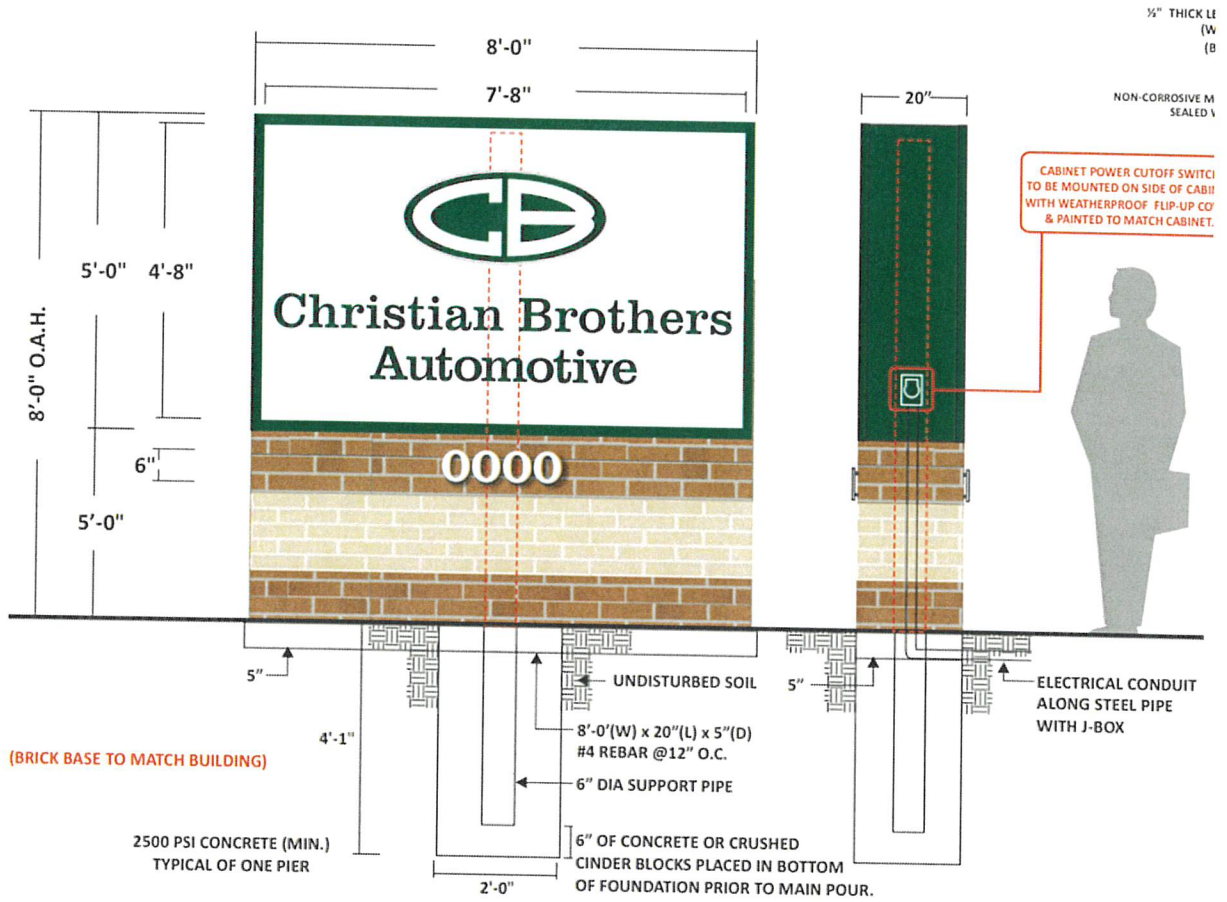
The applicant proposes one stormwater management basin on the site and stormwater pipes on the north and south sides of the parcel. Stormwater management approval will be provided in accordance with the requirements of the Warren County Engineer's Office.

The applicant proposes an 8' tall monument sign to be 10' from the front property line outside of the right-of-way. The base will be made of brick to match the building and will be backlit. They also propose a door sign and two wall signs -one for the northern and southern sides of the building.





**SIGN**  
**1**



The primary façade does not face the street as prescribed in the Hamilton Township Zoning Code. However, the overall building design fits with the code. The design materials consist of modular brick as well as natural limestone.

*Northern Elevation*



**5** FRONT ELEVATION  
SCALE: 3/16"=1'-0"

Southern Elevation (Rear)



3 LEFT SIDE ELEVATION  
SCALE: 3/16"=1'-0"



2 RIGHT SIDE ELEVATION  
SCALE: 3/16"=1'-0"

A revised photometric plan was submitted after RPC and shows a mix of illumination levels at the property line. The applicant will need to make sure that the maximum illumination levels at adjacent property lines are as follows. Staff will review the lighting plan further before a zoning certificate may be obtained.

**E. Illumination Levels**

- (1) Light originating on a site shall not trespass beyond the site to exceed the values in [Table 6-3: Illumination Levels at Property Line](#) when measured at the property line for the following adjacent property types:

**TABLE 6-3: ILLUMINATION LEVELS AT PROPERTY LINE**

ADJACENT LAND USE	ILLUMINATION LEVEL
Residential	0.2 Footcandles
Nonresidential	1.0 Footcandles



## PUD Sketch Plan Review Criteria: 5.5.5.F.

### F. Review Criteria for PUD Preliminary Site Plan

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

- (1) The preliminary PUD plan is in accordance with the PUD sketch plan as adopted by the board of township trustees.
- (2) The arrangement of vehicular access and circulation, including intersections, road widths, channelization structures and traffic controls are adequately designed for the proposed uses and existing surrounding development.
- (3) The design generally addresses stormwater management and erosion control, and avoids flood hazard areas.
- (4) The minimum common open space areas have been designated and designed in accordance with the provisions of this chapter, and shall be conveyed to a legally established home owners or property owners association, commercial management group, the township, or other agency as herein provided.
- (5) That any part of the PUD not used for structures, parking and loading areas, streets, public improvements, or walkways shall be landscaped or otherwise improved for the purpose intended or otherwise left in its natural state.
- (6) The comments and recommendations from the Warren County Engineer's Office and other departments or officials of the township and Warren County, as well as representatives of federal and state agencies including the Soil Conservation Service, the Department of Conservation, the Environmental Protection Agency and similar agencies are adequately addressed.
- (7) The PUD preliminary site plan may vary from the requirements of the zoning code upon approval by the board of township trustees of the preliminary site plan.
- (8) Approval of the PUD preliminary site plan may be conditional upon provisions that are necessary for the protection of public health, safety, and general welfare. The zoning commission or board of township trustees may require that a revised PUD preliminary site plan be submitted if, in its opinion, substantial changes are required to comply with this chapter.

**WCRPC heard this development at their March 23, 2023, Executive Committee meeting. With a vote of 14 yes, 0 no, and 2 abstention, RPC recommends approval of the Christian Brothers Automotive Stage 2 Preliminary Plan with the following conditions:**

1. All plans and proposals from the applicant shall be made conditions of approval unless modified by one of the following conditions.
2. Compliance with the Warren County Subdivision Regulations, the Hamilton Township Zoning Code, the Warren County Thoroughfare Plan, and the PUD Stage 1 conditions of approval (Resolution# 14-0507B).
3. Prior to construction, the applicant shall furnish the Engineer's Office with a set of stormwater calculations. An as-built survey of the basin must also be furnished demonstrating that it was built per plan.
4. Automotive service shall be performed and conducted inside of the building.
5. All vehicles or parts shall be kept inside a building or screened from view of persons on contiguous property or persons using public rights-of-way.
6. An Earth Disturbing Permit from Warren County SWCD will be required if 1 acre or more of land will be disturbed during construction.
7. A right-of-way permit from the Ohio Department of Transportation will be required for any utility crossing State Route 48.
8. The water mains, hydrants, and ancillary components within the development shall be privately owned and maintained.
9. The applicant shall contact the Warren County Health District regarding plumbing permits prior to construction.
10. Parking spaces should be revised to meet Hamilton Township Zoning code requirements both in size of the spaces and quantity.
11. Interior traffic circulation shall be subject to a written review by the Hamilton Township Fire Department.
12. Sidewalks shall comply with Section 7.7.1 (A) of the Hamilton Township Zoning Code and require a minimum width of 4' sidewalk along the frontage of State Route 48.

**Staff is not aware of any additional comments from Partner Organizations and is therefore recommending APPROVAL of the Christian Brothers Automotive PUD Stage 2 Preliminary Plan subject to the following conditions:**

- Compliance with the Warren County Regional Planning Commission conditions (list on previous page) or as stipulated on the Stage 2 Preliminary Development Plan as provided for by Section 5.5.5 (F) (7).
- Compliance with all Warren County partner organization conditions.