

HAMILTON TOWNSHIP ZONING COMMISSION MEETING  
February 14, 2022

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

Members present: Dan Riegner  
Amanda Webb  
Brady Hood  
Randy Kuvin

Mr. Dan Riegner explained the meeting process and swore in all persons wishing to give testimony during this hearing.

Ms. Lindsey Gehring, Zoning Administrator, stated that this hearing is to discuss a rezoning for property located at 6426 South State Route 48, Maineville, OH 45039. The applicant is Mr. David Korte, Executor of Estate. The property owner is Ms. Betty Abrams. The spokesperson for this hearing is Mr. Chris Breda with Myers Y. Cooper Company. The review criteria that the Zoning Commission needs to consider, was reviewed. Legal Notice was published in the January 30, 2022, edition of *The Journal News*. Notice was mailed to all property owners within 200 feet of the subject parcel. The subject property is located two parcels south of the Shooters restaurant on 48.

The applicant has a zoning change from R-1 Single Family Residence to B-2 General Business to allow neighborhood retail use. Surrounding zoning consists of B-2 General Business and R-1 Single Family Residence to the North, B-2 General Business to the South and East, and a mix of B-1 Neighborhood Business and B-2 General Business to the West. The Hamilton Township 2020 Comprehensive Plan as well as the proposed Future Land Use Plan show State Route 48 as being a commercial corridor for Hamilton Township. This particular area is showing mixed use which would allow for residential, commercial, retail services and offices. B-2 is in line with the direction that we are expecting this area to move in.

The Warren County Regional Planning Commission heard this Zoning Amendment at their January 27, 2022 meeting. They voted with 14 yays, 0 abstentions, and 0 nays to approve the rezoning. Warren County Soil and Water Conservation District did comment that there is a stream traversing diagonally through the property and although streamside setbacks are voluntary in Warren County, the Soil and Water Conservation District would like to encourage the building and developing to incur outside of these boundaries. In addition, any earth disturbing or tree removal does require an Earth Disturbing Permit through the Warren County Soil and Water Conservation District. Before this can be obtained, an environmental assessment must be done to determine and jurisdictional permits that may be required along that stream.

Staff recommends approval of this zoning amendment conditional upon meeting all partner organization requirements.

Ms. Webb questioned if approval of this amendment would require a buffer along the stream?

Ms. Gehring stated that the assessment will need to be done in order to determine proper mitigation and protocols moving forward.

The Board agreed to not want to lock the developer into any certain conditions with the stream. The Soil and Water Conservation District made the comment encouraging them to build outside of stream boundaries, but that does not lock the developer in to not disturbing anything around the stream.

Mr. Riegner invited the applicant to speak.

Mr. Chris Breda with Myers Y. Cooper Company approached the podium to address the Board. He gave a brief history of the company stating that it had been around since 1895 and is a fourth generation company. Their specialization is neighborhood retail/shopping centers. They have existing developments in Florence, Montgomery, Mariemont and other locations. The re-zone is consistent with the Future Land Use Plan and it will allow them to pursue commercial development for this location. They are envisioning a 20-21,000 sq. ft. retail center. Myers Y. is working with environmentalists right now to decide how to best approach the stream concerns.

Mr. Riegner asked how far back the stream sits.

Mr. Breda showed the Board on the mapping where the stream is located.

Ms. Webb asked if there are any tenants in mind?

Mr. Breda stated that they do not have any specifics yet but they have thought of categories that they will pursue.

Mr. Riegner invited those in favor and in opposition to speak. No comments were made.

Ms. Webb asked for clarification on the next zoning step and if it would come back before the Zoning Commission.

Ms. Gehring stated that the Trustees will review and ultimately approve the rezoning but if the developer is seeking straight zoning, they will turn in their application for staff to review and then a hearing will be held with the Board of Trustees. Therefore it would not come before the Zoning Commission Board.

Mr. Kuvin made a motion with a second from Ms. Webb to close the public comment portion of the hearing.

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

The Board held their public deliberations. No concerns were made.

Mr. Hood made a motion to approve the Zoning Amendment as written with conditions as written, from Warren County Soil and Water Conservation District. There was a second from Ms. Webb.

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

Motion carries.

A motion was made by Mr. Hood with a second from Mr. Kuvin to approve the January 10, 2022 Zoning Commission meeting minutes.

Roll call as follows:	Brady Hood	Yes
	Randy Kuvin	Yes
	Amanda Web	Yes
	Dan Riegner	Yes

Ms. Gehring mentioned that staff was in the early stages of discussing a Zoning Code re-write. Ideally this would take place over several months with the help of a committee consisting of staff, zoning board members and resident involvement.

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

All in favor.