

HAMILTON TOWNSHIP ZONING COMMISSION MEETING
May 9, 2022

The meeting was called to order at 7:02 p.m.

Members present: Amanda Webb
Randy Kuvin
Julie Perelman

Ms. Amanda Webb explained the meeting process and swore in all persons wishing to give testimony during this hearing.

Ms. Perelman made a motion to table the meeting minutes from the February 14, 2022, Zoning Commission meeting.

Roll call as follows: Amanda Webb Yes
Julie Perelman Yes
Randy Kuvin Yes

Ms. Lindsey Gehring, Zoning Administrator, presented the staff report for Tribute Hamilton Township/ Hamilton Township Pointe Stage 1 PUD Sketch Plan. The property owner is Wal-Mart Stores East, LP, P.O. Box 8050 MS 0555, Bentonville, AR 72716. The applicant is Mr. George Flynn with Lee and Associates. The Parcel IDs for the subject development are 1605251038 and 1605277016 located on Towne Center Blvd., Maineville, OH 45039. Legal Notice was published in the May 1, 2022, edition of *The Journal News*. Notice was mailed to all property owners within 200 feet of the subject parcels.

The request this evening is for a Stage 1 PUD Sketch Plan approval for a mix of residential and commercial uses. The applicant is proposing a mixed-use development which will encompass an amenity driven residential community of approximately 312 up-scale multi-family units. The multi-family buildings will be 4-story buildings with elevators and will be of up-scale, urban design. The amenities will include a clubhouse, pool, sidewalks both throughout the development and around the green space and retention pond.

The commercial aspect of the project will consist of 4 lots including a convenience store, a fast casual restaurant, an oil change store, and a national bank branch.

This project is in keeping with the Hamilton Township Comprehensive Plan as described on pages 50 and 51. In addition, the development will be the catalyst for additional commercial development both across the street and to the south and east as it will provide additional access as described in the Hoptown 2010 Access Management Plan.

The site aerial was reviewed and is just under 27 acres. The commercial developments, referred to as lot 2, will be closer to State Route 48 with the residential buildings on the larger wooded parcel, referred to as lot 1. Lot 1 is currently zoned B-2 General Business with a PUD overlay. Lot 2 is B-2 General Business. Surrounding zoning consists of B-2 General Business and M-1

Light Industry to the North, B-1, B-2 and R-3 to the south, B-2 and R-1 to the east and M-1 to the west. Our Future Land Use plan does show this particular area to be a mixed-use area. Hamilton Township does not have a direct mixed-use zoning category at this time.

The Warren County Thoroughfare Plan as well as the Hoptown Management Plan highlight that a road, commonly referred to as 'Road A' is required to be developed in this area. This is something that the project developer will be constructing. It will extend off of Towne Center Blvd. to the west and will connect to Grandin Road to the Northwest. The site plan does show one stub street. Access to the commercial lots would be from Towne Center Blvd., while access to the residential complex would be from the proposed road, as well as a second access to the North off of Rivers Bend Drive. There will be two designated open space areas for the residential proposal; open space one consists of 4.0266 acres and open space 2 consists of 2.1498 acres equaling approximately 27.7% of open space which does exceed the minimum requirement of 20%. The commercial open space consists of .8746 acres which equates to approximately 18.8% which also exceeds the 15% minimum requirement. Mailboxes will be located within cluster units in the lobby of each building. The applicant is proposing 618 parking spaces. Two-thirds of the units (208) are expected to be 2 bedrooms; one third (104) will be one-bedroom units. The PUD Sketch Plan Review Procedures were reviewed.

WCRPC heard this development proposal at their April 28, 2022, Executive Committee meeting. RPC Staff stated that they were unable to make a recommendation for the following reasons:

- They stated that the base zoning for the development was missing. The application submitted does not identify the proposed zoning district and it is unclear if the applicant would like to retain the current zoning with modifications in the form of a PUD overlay or propose another base zoning. This information was conveyed to the Township and the Township's responded in the form of a letter addressed to WCRPC. The Hamilton Township Zoning Code allows a mix of uses within a PUD but there is not a base zoning district of "Mixed-Use" in the Township's Zoning Code. This site is identified as "Mixed-Use" on the Future Land Use Map (FLUM).
- The applicant does not provide any deviation from the zoning standards. It is difficult to identify deviation from the base zoning when the base zoning is unknown.
- The submitted site plan varies from the Warren County Subdivision regulations. However, if approved, this should not be construed as a permitted deviation from the subdivision regulations.

The RPC Staff recommends that if the proposal is approved by the Hamilton Township Trustees, approval should not constitute any deviation from the Warren County Subdivision Regulations or the Warren County Thoroughfare Plan and should comply with the Warren County Subdivision Regulations, the Hamilton Township Zoning Code, and the Warren Thoroughfare Plan. If the application is approved, the addition of the following conditions are recommended:

- The development shall comply with the Warren County Subdivision Regulations and the Hamilton Township Zoning code.
- Prior to PUD Stage 2 approval, the applicant shall verify sewer service and approval from the Warren County Water and Sewer Department.

- Prior to Final Plat approval, the applicant shall obtain access permits and perform a traffic impact that is reviewed and approved by the Warren County Engineer's Office and ODOT.

Chapter 5.6.1. Permitted Uses were reviewed for the Board. Any use may be included within a PUD regardless of the underlying zoning. It is essential however, that the PUD be planned, developed, and operated in accordance with the approved PUD plan. The PUD plan must assure that the uses, structures, and developments are properly integrated with the surrounding area and promote the health, safety, morals, general welfare and provides for a wholesome environment, free of nuisances for the entire community. Development of the PUD property shall comply with the use regulations established during the Stage 1 and Stage 2 PUD plans and the underlying zoning district as determined by the board of township trustees. Ms. Gehring stated that these regulations were included in the presentation because when the Engineer turned in the application, they had mistakenly written that they were applying for a mixed-use zoning; because the township does not have a mixed-use designation, this was held against them at the WCRPC meeting. The applicant is aware that the established zoning will need to be B-2 and R-3 with a PUD.

Staff is recommending approval for the PUD Stage 1 Sketch Plan for property located on Towne Center Blvd., Parcel Ids 1605251038 and 1605277016, Maineville, OH 45039 with the following conditions: compliance with all regulations of the HTZC, compliance with all Warren County Partner organization conditions, compliance with ODOT conditions, and compliance with any Ohio EPA conditions.

Mr. Kuvin asked for clarification on the existing zoning. Ms. Gehring stated that the larger parcel is B-2 General Business with a PUD; the smaller parcel is B-2 General Business.

Together, the map and general area was reviewed for the Board again.

Ms. Webb asked about the deviations per Warren County regulations. Ms. Gehring believes those references were pertaining to the construction of the access points.

Ms. Webb questioned the open space requirements. Ms. Gehring stated that those details would be discussed during stage 2; tonight, the consideration will be for the overall development layout.

Orientation of the buildings was discussed to face 'Road A'.

Mr. Kuvin questioned why there were not two separate applications since there are two separate parcels in question.

Ms. Gehring stated that the applicant would be able to answer that question.

Mr. Kuvin stated that his idea of mixed-use is a mix of use integrated throughout the overall parcel, this is very clearly two separate parcels and uses.

Ms. Perelman questioned letters of intent for the commercial lots. Ms. Gehring stated that we did not have documentation of those LOI's but it was our understanding that the developer has at least two out of the four.

Ms. Perelman asked if they would be looking to approve just the commercial lots or what they could actually be.

Mr. Kuvin stated that they wouldn't have the authority to recommend approval for what the commercial lots would be.

Several residents from the Indian Lakes subdivision expressed concern over privacy, trespassing, noise, and light pollution as well as water runoff and traffic.

There was an expression of discouragement and disappointment with the applicant not being present.

Ms. Webb made a motion with a second from Ms. Perelman to close the public comments portion of the hearing.

Details to address all concerns expressed this evening, will be a part of Stage 2. Those requirements must be met before an actual zoning certificate may be obtained. Tonight's hearing is very preliminary and all we are looking at is the overall site proposal.

Ms. Webb made a motion with a second from Ms. Perelman to reopen the public comments portion of the meeting.

Concerned citizens spoke about the green space and overall open space for the project in relation to the detention pond and the walking trails. They just want this development to minimize the impact on the existing homes to the south.

Ms. Perelman made a motion with a second from Mr. Kuvin to close the public comments portion of the meeting.

Roll call as follows:	Julie Perelman	Yes
	Randy Kuvin	Yes
	Amanda Webb	Yes

The Board held their public deliberations stating that they did not feel comfortable making a recommendation without the applicant being present.

Ms. Perelman mentioned wanting to dive into the overall township plan to figure out how this plan fits.

Ms. Gehring stated that the comprehensive plan was recently redone, and a copy is available on our website. That document is setting the tone for future of the township and how we would like to move forward. Its not a secret that we are a bedroom community, and we need more commercial growth to help relieve the property tax burdens for our community.

Ms. Perelman made a motion to table the request for the Stage 1 Sketch Plan for parcels on Towne Center Blvd. until the applicant can be present. There was a second from Mr. Kuvin.

Roll call as follows: Randy Kuvin Yes
Amanda Webb 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
Julie Perelman Yes