

Hamilton Township Trustee Meeting

August 3, 2022

Trustee Board Chairman, Joe Rozzi, called the meeting to order at 6:00 p.m. Mr. Rozzi and Mr. Cordrey were present.

The *Pledge of Allegiance* was recited by all.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the clerk's journal and accept the tapes as the Official Meeting Minutes of the July 20, 2022, Trustee Meeting.

Roll call as follows: Joe Rozzi Yes
 Darryl Cordrey Yes

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the bills as presented before the Board.

Roll call as follows: Darryl Cordrey Yes
 Joe Rozzi Yes

Public Comments

Mr. Rozzi opened the floor to public comments at 6:03pm.

No comments were made; therefore Mr. Rozzi closed the floor to public comments at 6:04pm.

Human Resources

Human Resources Manager, Ms. Kellie Krieger, requested a motion to modify the Director of Public Works job description as presented to the Board.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the modification of the job description.

Roll call as follows: Joe Rozzi Yes
 Darryl Cordrey Yes

Next, Ms. Krieger requested a motion to add an additional School Resource Officer. This position was proposed and will be paid in full by the Little Miami School District.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey to approve the additional SRO position.

Roll call as follows: Darryl Cordrey Yes
 Joe Rozzi Yes

Public Hearing

Township Law Director, Mr. Ben Yoder explained the hearing procedures and swore in all persons wishing to give testimony during the hearing.

Mr. Rozzi made a motion with a second from Mr. Cordrey to open the Public Hearing at 6:08pm.

Roll call as follows: Joe Rozzi Yes
 Darryl Cordrey Yes

Zoning Administrator, Ms. Lindsey Gehring stated that our first hearing this evening was for a Zoning Amendment for property located at 6301 State Route 48, Maineville, OH, 45039. The property owner is Mr. Matthew Bergantino. Our applicant and spokesperson this evening would be Ms. Anne McBride. The subject parcel ID is 1605226002. Legal notice was published in the Sunday, July 24th edition of the *Pulse Journal of Warren County* as well as sent to neighboring property owners within 200 feet.

The parcel for review is located directly east of the existing Towne Center Boulevard and just north of the existing Shooters Restaurant. The applicant is requesting a rezoning from R-1 single family residence zone to B-2 General Business Zone. The zone change is intended to allow the property to be included in the proposed Kroger development for the extension of Towne Center Boulevard, stormwater management areas, as well as landscaping and signage. The Warren County Thoroughfare Plan and Hoptown Access Management Plan show that the extension of Towne Center Blvd. will align with the existing intersection of Towne Center and State Route 48 to the west. There will also be a road connection from Grandin Road to the North. The Future Land Use Plan does show that the expected use for this area is B-2 General Business. This Zoning Amendment was heard through the Warren County Regional Planning Commission on June 23rd where they voted to recommend approval. The Hamilton Township Zoning Commission also heard this amendment at their July 11th meeting, and they also unanimously voted to recommend approval. Staff is not aware of any additional comments and is therefore recommending approval of the rezoning request from R-1 single family residence zone to B-2 general business zone subject to compliance with all Warren County partner organization requirements.

Mr. Rozzi invited the applicant to speak. Ms. Anne McBride stated that this property is about 6.4 acres has a very limited width as it is approximately only 200 feet wide. Included in this rezoning

is the dedication of right-of-way for the expansion of State Route 48. This request is in compliance with the Future Land Use Plan and Comprehensive Plan.

Mr. Rozzi invited those in favor of the project to speak. Seeing none, he invited those in opposition to speak. No one approached the podium therefore Mr. Rozzi closed the public comments portion of the hearing.

Mr. Cordrey and Mr. Rozzi both commented that this is pretty straight forward and falls in line with development discussions for our area.

Mr. Rozzi made a motion to approve the Zoning Amendment for 6301 State Route 48, Maineville, Ohio, 45039. There was a second from Mr. Cordrey.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Ms. Gehring stated that our next presentation is for consideration of a Stage 2 Preliminary Site Plan for the Kroger Marketplace development. Legal notice was published in the Sunday, July 24th edition of the *Pulse Journal of Warren County* as well as sent to neighboring property owners within 200 feet. The property owners are Ms. Maria Rombes and Mr. Terry Knecht. Our applicant and spokesperson this evening is Ms. Anne McBride. The subject parcels 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; Parcel ID: 16052260012- South State Route 48, Maineville, OH 45039. Kroger has obtained an option to purchase 5 parcels totaling 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 an extension of Towne Center Boulevard 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 Kroger store would be serviced by 611 parking spaces to include 20 handicap spaces, located at the front of the store.

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 5.6.3.B*. Each of the three outlots are approximately .95 acres and will require their own zoning certificates before occupancy. Signage sizing shall be established during the PUD review process but will be approved via a separate zoning certificate.

Current Zoning is B-2 General Business with a PUD. Surrounding Zoning consists of B-1/B-2 to the North, B-2 to the South, B-2/R-2 to the East and B-1/B-2 to the West. The Future Land Use Plan does designate this area as our commercial corridor therefore this proposal is compliant with the Land Use Plan and the Comprehensive Plan. Site renderings were reviewed including the building façade and signage sizing to include the following: Kroger marketplace letter set with cart to be 555 sq.ft., pharmacy drive-thru letter set- 80 sq. ft., pickup letter set- 44.1 sq. ft., Starbucks logo sign-25 sq.ft., pharmacy canopy lettering- 32.6 sq. ft., drive-thru canopy enter lettering- 3.9 sq. ft., drive-thru canopy exit lettering- 2.7 sq. ft., drive-thru canopy open/closed sign- 1 sq.ft., fuel canopy letter sets- 11.25 sq. ft., fuel canopy price sign- 45.5 sq. ft. and a monument sign- 184.5 sq. ft.

Ms. Gehring discussed the PUD Preliminary Site Plan Review Criteria found in HTZC Chapter 5.5.5.F. WCRPC heard this development proposal at their June 23, 2022, Executive Committee meeting. With a vote of 11 yes, 0 no, and 1 abstention, RPC recommends approval for the Kroger PUD Stage 2 Preliminary Plan with the following conditions:

1. The development shall comply with the Hamilton Township Zoning Code and the PUD stage 1 Resolution adopted by the Hamilton Township trustees.
2. The internal vehicle circulation shall be reviewed and approved by the Warren County Engineer's Office.
3. Compliance with the Warren County Soil & Water Conservation District (SWCD) standards. Approval of the erosion and sediment control plan by the Warren County SWCD prior to earthmoving activities
4. A stormwater management plan shall be reviewed and approved by the Warren County Engineer's Office.
5. The Ohio Department of Transportation and the Warren County Engineer's Office shall review and approve the traffic impact analysis. Any road improvements deemed necessary by ODOT and/ or the Warren County Engineers shall be installed by the developer. The ODOT and Warren County Engineer's Office shall determine the timing of improvements.
6. Compliance with the Warren County Thoroughfare Plan, Hoptown plan, and the Hamilton Township Comprehensive Plan.
7. Access for the outlet shall be limited to internal access and no additional curb cuts along State Route 48 are permitted. Cross access easements for each outlot shall be provided.
8. Compliance with the Warren County Water and Sewer Department standards and requirements. Any improvements or requirements deemed necessary to support the proposed uses shall be installed by the developer.
9. Compliance with the Warren County health department standards and requirements for the proposed plumbing and retail food establishments.
10. Verification from Hamilton Township that the proposed site lighting complies with the Hamilton Township zoning code.
11. Sidewalks shall be installed along all frontage roads, which includes State Route 48, Towne Center Blvd, and Grandin Road, and have a width of no less than six feet. The sidewalk shall connect to all internal sidewalk connections.

12. Dumpster locations shall be enclosed and screened in accordance with Section 8.5.5 of the Hamilton Township Zoning code.

Conditions given from the Warren County Engineer's Office were also reviewed in reference to the development. These conditions consist of information related to access permits, additional lanes for traffic flow, the review and agreement of modifications to the Warren County Thoroughfare Plan and Hoptown 2010 Access Management Plan, curb and gutter grading requirements, sidewalk construction and stormwater design standards.

Staff is not aware of any conditions at this time from The Ohio Department of Transportation. Prior to PUD Stage 3 Trustee approval, staff will contact ODOT to notify of the proposed change in use and two access points for the site. Warren County Soil & Water Conservation District states that 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 & Sewer Department states the Layout Plan and the Utility Plan do not show a utility easement along State Route 48. An easement will likely be needed to extend gravity sewer and water to the outlots. Warren County Health Department and/or Ohio EPA states that the proposal indicates that the properties will be served by both public sewer and public water and is therefore not under the health districts jurisdiction for those utilities. The property owners, or their designee, must contact the Warren County Health District regarding plumbing permits and plan review for the food facilities.

The Hamilton Township Zoning Commission heard this development at their July 11, 2022, meeting. They unanimously voted to approve the recommendation of the Kroger PUD Stage 2 Preliminary Plan subject to the following conditions: Compliance with the Warren County Regional Planning Commission conditions 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. Compliance with ODOT conditions. Compliance with any Ohio EPA conditions. At this time Staff is recommending approval of the Kroger PUD Stage 2 Preliminary Plan subject to the following conditions:

1. Compliance with the Warren County Regional Planning Commission conditions or as stipulated on the Stage 2 Preliminary Development Plan as provided for by Section 5.5.5 (F) (7).
2. Compliance with all Warren County partner organization conditions.
3. Compliance with ODOT conditions.
4. Compliance with any Ohio EPA conditions.

Mr. Rozzi asked how this will co-exist with the State Route 48 widening project?

Mr. Weber spoke on this matter stating improvements for this development will be independent from the State Route 48 project which will be beginning in 2023/2024.

Ms. Anne McBride stepped forward to speak on the development. She reiterated the details discussed in the staff report. All access to outlots will be internal from the Kroger lot. Lighting Plan does show that they will be using LED lighting plans that do comply with our zoning requirements. The landscaping plan does also comply. Kroger has opted to do a reduced signage package from what they used to do, to modernize their look. She also explained that this is roughly a 25-million-dollar investment.

Mr. Cordrey expressed concerns about traffic and the landscaping. He also questioned the main entrance design to which Ms. McBride explained that it is a combination of glass and brick.

Mr. Rozzi invited those in favor of the development to speak. Seeing none he invited those in opposition to speak.

Matt Saylor lives in the Michels Farm subdivision and expressed concerns with privacy and road safety in reference to the Grandin Road extension.

Ms. McBride stated that Kroger wants to be good neighbors. The store sits back 428 feet from the eastern property line and at the closest point to any property line, they are still 294 feet. They are expecting to leave as much existing buffering/landscaping as they can.

Mr. Rozzi closed the public comments portion of the meeting to begin deliberations.

Mr. Cordrey stated that he would like to see the landscaping/lighting plan but after years of discussions, this project is finally coming to light.

Mr. Rozzi asked when the Board could expect to see the Stage 3 Final Site Plan. Ms. Gehring explained that that would be dependent upon when the applicant is ready to submit. Any and all details will be included and reviewed.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the PUD Stage 2 Preliminary Plan for the Kroger Marketplace to be located on State Route 48, subject to the four conditions as proposed by staff.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Work Session

- Financial contribution to the sidewalk project along St. Rt. 48

Mr. Weber mentioned that the expansion of 48 is planned to be constructed in 2023/2024. The State and County are happy with the funding that was secured for this overall project. The idea was brought up to see if the Board of Trustees would be interested in funding any part of the project and the Warren County Engineers Office thought to ask in reference to the sidewalk construction. The Township Comprehensive Plan requires sidewalks to be installed when new development occurs. The idea is to have sidewalks from the existing Kroger on Rt. 48 down to Nunner Road. The pricing for sidewalk construction is approximately \$500,000.

Mr. Cordrey asked if there was a specific number needed?

Mr. Weber stated that the benefit of the township putting money towards the sidewalks, would be money left at the county level to potentially do future bridge projects in the township. The project will still move forward if the township does not contribute however there are bigger benefits if they do.

Both Trustees liked the idea of the sidewalks and would like to discuss further at the next meeting when Mr. Centers and Mr. Sousa are present.

Fiscal Officer's Report

Nothing to report at this time. The report will be given at the next meeting for the month of July.

Trustee Comments

Mr. Cordrey stated that National Night Out was great and the turnout was great as well. He reminded everyone that Picnic in the Park would be held on August 6th at Mounts Park.

Mr. Rozzi apologized for not making it to National Night Out but heard it was a wonderful event.

Executive Session

Mr. Rozzi made a motion with a second from Mr. Cordrey to enter into Executive Session in reference to O.R.C. 121.22 (G) (1) to consider the appointment, employment, or compensation of a public employee or official at 7:00pm.

Roll call as follows: Joe Rozzi Yes
 Darryl Cordrey Yes

Mr. Rozzi made a motion with a second from Mr. Cordrey to come out of Executive Session at 7:45pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Adjournment

With no further business to discuss, Mr. Rozzi made a motion, with a second from Mr. Cordrey, to adjourn at 7:45pm.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes