



**BOARD OF COUNTY COMMISSIONERS**  
**WARREN COUNTY, OHIO**

406 Justice Drive, Lebanon, Ohio 45036

[www.co.warren.oh.us](http://www.co.warren.oh.us)

[commissioners@warrencountyohio.gov](mailto:commissioners@warrencountyohio.gov)

Telephone (513) 695-1250

Facsimile (513) 695-2054



SHANNON JONES

DAVID G. YOUNG

TOM GROSSMANN

**WORK SESSION AGENDA**

*February 4, 2025*

- #1     9:05     *Public Hearing—Continuation to Consider Request from The Myers Y. Cooper Company to Depart From the Original Thoroughfare Plan Relative to the Hopkinsville 2021 Access Management Plan in Hamilton Township*
- #2     9:30     *Public Hearing—Continuation to Consider Rezoning Application of Immobiltec USA to Rezone Approximately 10.0059 Acres from Community Commercial Business Zone “B2” to Light Industrial Manufacturing Zone “I1” in Franklin Township*
- #3     10:00     *Investment Advisory Board Meeting*

The Board of Commissioners’ public meetings can now be streamed live at [Warren County Board of Commissioners - YouTube](#)

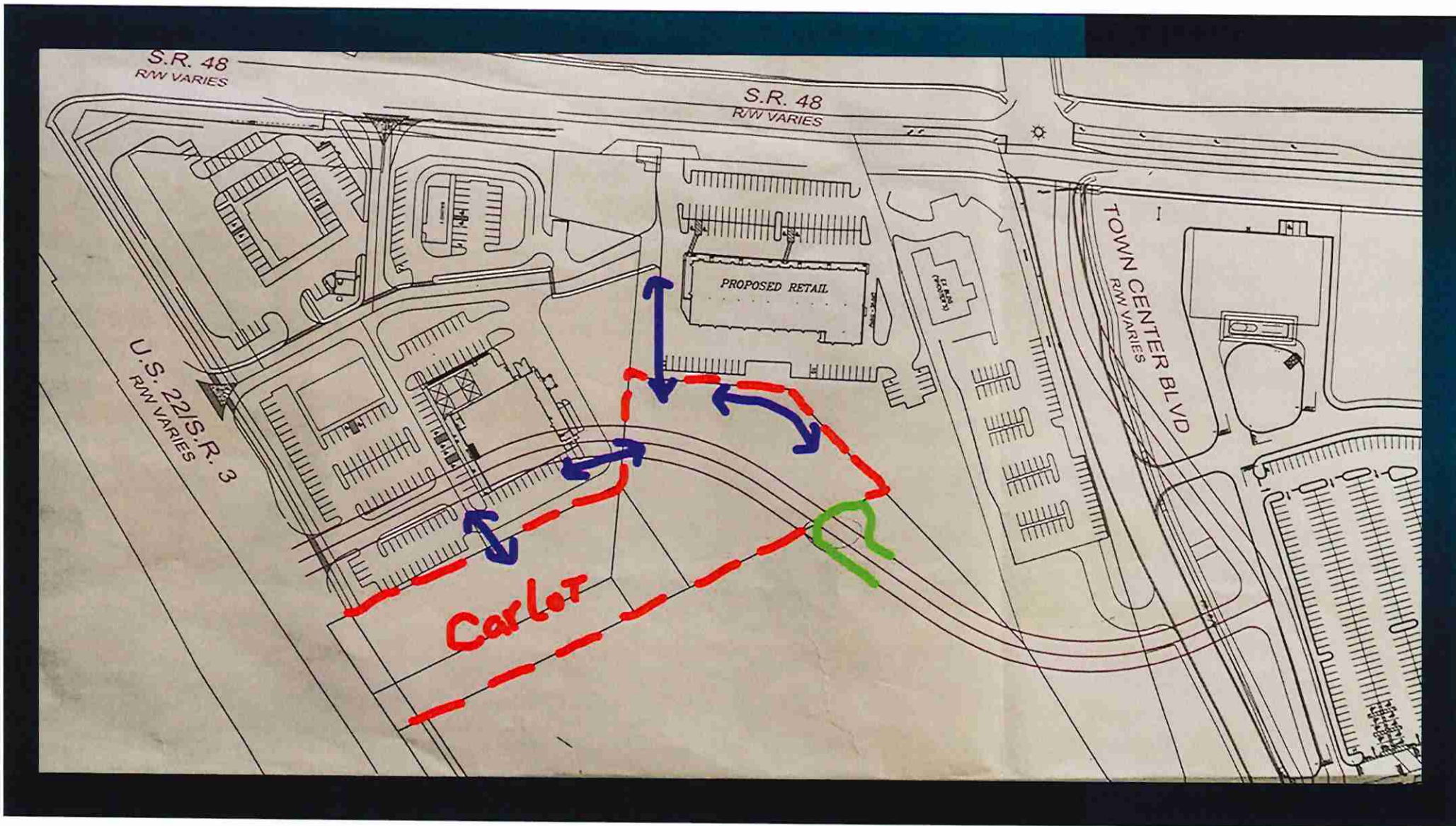
# 5/3<sup>rd</sup> Parcel Development

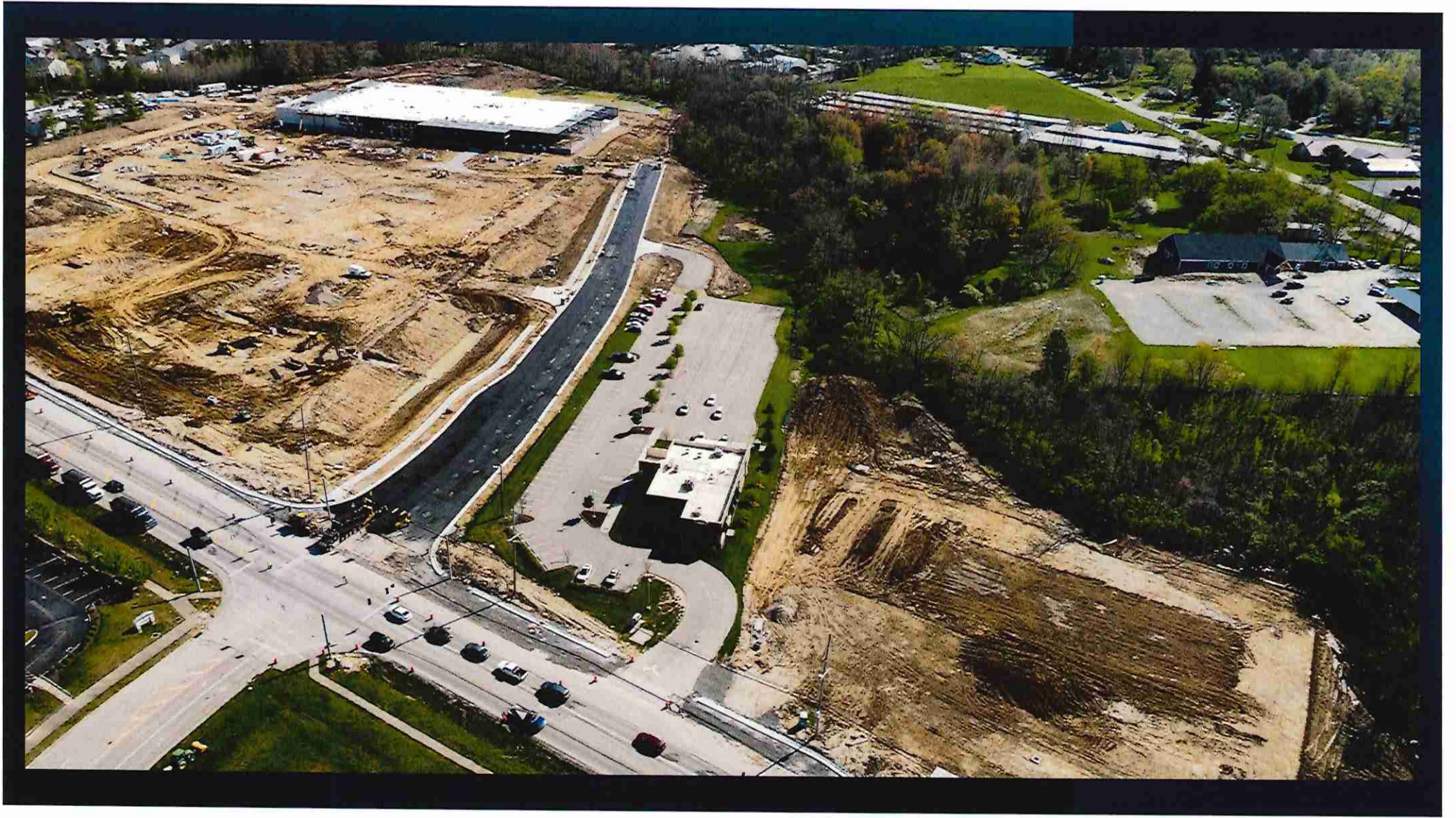
BOCC Hearing

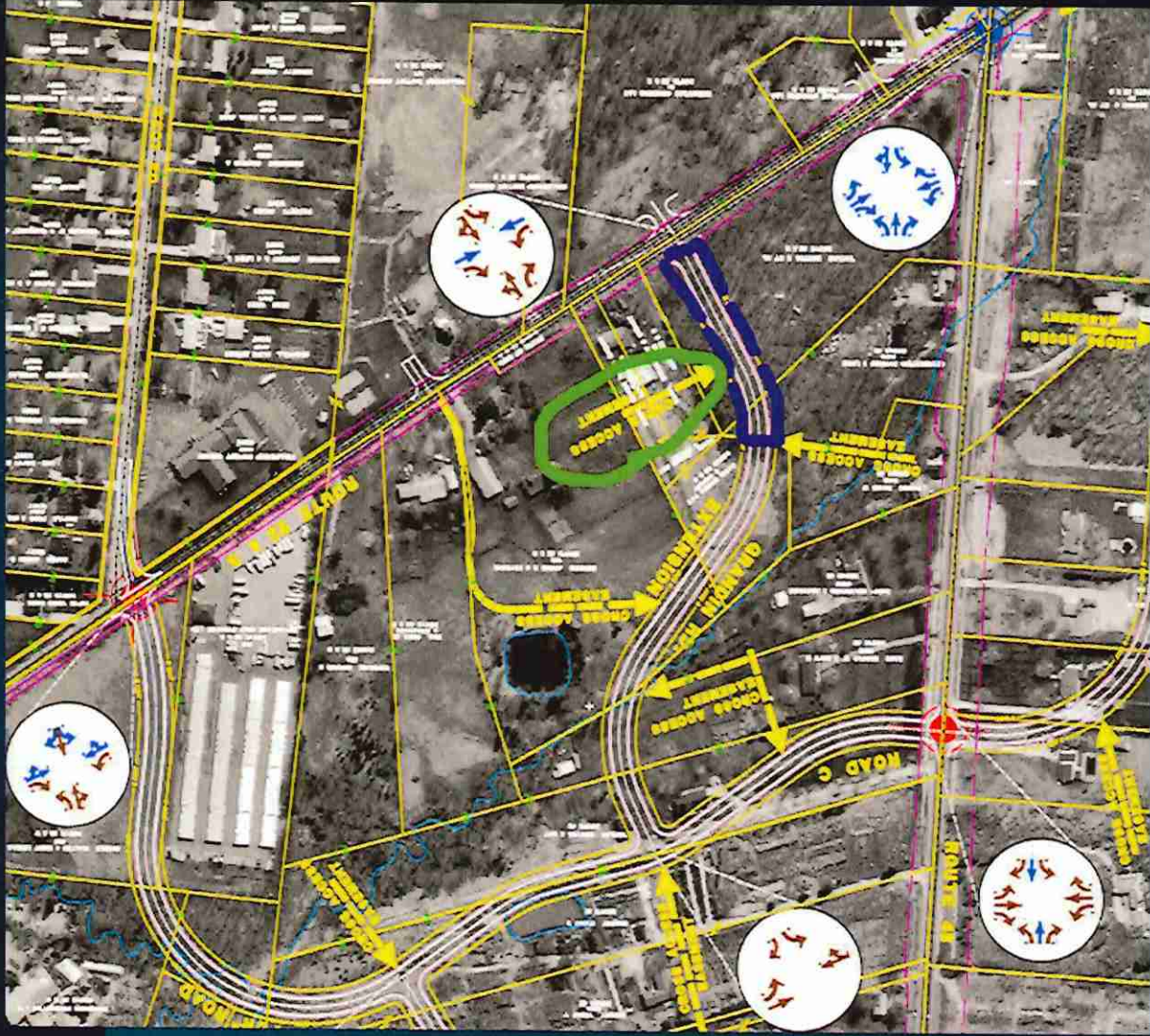
December 3, 2024 (Feb 4, 2025 Continuation)











**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 25-0102

Adopted Date January 21, 2025

CONTINUING THE PUBLIC HEARING TO CONSIDER A REQUEST FROM THE MYERS Y COOPER COMPANY TO DEPART FROM THE OFFICIAL THOROUGHFARE PLAN

WHEREAS, due to the non-receipt of the Ohio Department of Transportation's Traffic Impact Study the Engineer's Office has requested a continuance of the Public Hearing.

NOW THEREFORE BE IT RESOLVED, to continue the public hearing to consider a request from the Myers Y Cooper Company to depart from the Official Thoroughfare Plan; said public hearing to be continued to February 4, 2025, at 9:05 a.m.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea

Mrs. Jones – yea

Resolution adopted this 21<sup>st</sup> day of January 2025.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc: Engineer (file)  
Public Hearing file  
Bruce McGary





## **Administrator - 9/18/24 Trustee Meeting**

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Decades ago, the Warren County Thoroughfare Plan was adopted to provide guidance to development activity and public improvements of main roads. One component of the Plan is an area of Hamilton Township known as the Hoptown Connector. This component of the Plan was last revised in 2010.

The property located at the northeast corner of the intersection of SR 48 and US 22/3 are vacant parcels totaling approximately 7 acres that have been owned for over 20 years by the 5/3 Bank corporation. They have marketed the property unsuccessfully for many years. Earlier this year local developer the Myers Y. Cooper Company worked with the current owner for an option to purchase the property for commercial development. The subject site is already zoned Business and for decades been identified on the Hamilton Township Land Use Plan to be developed for commercial development. The potential developer has preliminarily marketed the site to the national retail community and has received strong interest from the retail and retail sectors.

The Cooper Company's due diligence period includes finding out from ODOT and the Warren County Engineer the number of curb cuts that will be allowed from fronting roadways. The proposed development has now been met with a substantial challenge as the Warren County Engineer's Office is asking that the developer donate a substantial amount of the property as public right-of-way and construct at the developer's expense a public street that would connect Towne Center Boulevard with US 22/3. That requirement would cause the development to remove two of the five proposed retail buildings and render the development unbuildable.

The Hoptown Plan has been in place for many years and should be reevaluated based on recent development activity. One of the goals of the Hoptown Plan to relieve traffic from the intersection of 48 and 22/3 can be met with this proposed development as the developer is also the owner of the adjacent property to the north and can record cross access easements to provide access from US 22/3 with the new extension of Towne Center Boulevard, and therefore, all the way to the new Kroger development. The reduction of developable land reduces property value and function, which is contrary to one of the Plan's objectives.

Also, adding a large volume of though traffic less than 600 feet from the intersection of SR 48 and US 22/3 does not reduce the traffic issue the Hoptown connector is intended to relieve. We believe

that it would be more functional and beneficial to locate a connector road from Towne Center Boulevard to US 22/3 further to the east than this property at the corner.

The subject site is the premier commercial corner within our community and holds the most immediate benefit to obtain the types of retail options that residents desire. I am asking this Board to adopt a resolution in support of the Board of County Commissioners to vary from the Hoptown Plan.

Precedence was set in 2022 when the Board of County Commissioners approved a variance from the Thoroughfare Plan to accommodate the new Kroger store that is being completed currently.

We are a bedroom community that supports commercial development within the community to not only provide our residents with more convenient options for their purchases, as well as to increase the sales tax collections for Warren County, but most importantly to diversify the tax base for the benefit of our residents and school districts.

The following motion is requested by the Board of Hamilton Township Trustees from the Administrator:

**Motion to approve resolution 24-0918B, a resolution to support a variance to the Warren County Thoroughfare Plan for Myers Y. Cooper's proposed development on the corner of State Route 48 and US Route 22/3.**

The Township of Hamilton, Warren County, Ohio Board of Trustees met in regular session on September 18, 2024, at 6:00 p.m. at Hamilton Township, Warren County, Ohio, with the following Trustees present:

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

Mr. Cordrey presented the following Resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY, OHIO  
RESOLUTION NUMBER 24-0918B**

**A RESOLUTION SUPPORTING A VARIANCE TO THE HOPTOWN PLAN COMPONENT  
OF THE WARREN COUNTY THOROUGHFARE PLAN TO ACCOMMODATE  
COMERCIAL DEVELOPMENT AT THE INTERSECTION OF SR 48 AND US 22/3**

**WHEREAS**, the vacant property at the northeast corner of the intersection of SR 48 and US 22/3 has been zoned for commercial development, marketed unsuccessfully, and has been designated for commercial development for decades on the Hamilton Township Land Use Plan, and;

**WHEREAS**, the subject property is the premier commercial corner within Hamilton Township and holds the most immediate benefit to diversify the tax base and obtain the types of retail options that residents desire, and;

**WHEREAS**, a developer now has an option to purchase the land for a desirable commercial development, to include as many as five new buildings for retail and restaurant uses and has strong interest from national retailers who desire to make investments at the site, and;

**WHEREAS**, the Hoptown Plan component of the Warren County Thoroughfare Plan is decades old and recommends that a public street consume developable land needed for building location to connect US 22/3 with Towne Center Blvd., which would cause the community to lose the proposed commercial development, and;

**WHEREAS**, reduction in developable land reduces the property value and function, which is contrary to the Hoptown Plan, and;

**WHEREAS**, adding a large volume of through traffic less than 600 feet from the intersection of SR 48 and US 22/3 does not reduce the traffic issue the Hoptown connector is intended to relieve, and it would be more functional and beneficial to locate a connector road from Towne Center Boulevard to US 22/3 further to the east than this property at the corner; and

**WHEARAS**, the goal of the Hoptown Plan to have interconnectivity can still be achieved as the developer owns the adjacent parcel to the north and can record cross access easements to connect the subject property to the new extension of Towne Center Boulevard, adjacent developments, and US 22/3.

**WHEREAS**, there is precedence for modifying the Hoptown Plan when it was done recently to accommodate the new Kroger store on State Route 48.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of Hamilton Township, Warren County, Ohio that a variance to the Hoptown Plan component of the Warren County Thoroughfare Plan be supported to accommodate commercial development at the intersection of SR 48 and US 22/3.

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

Joseph P. Rozzi –	Aye <input checked="" type="checkbox"/>	Nay _____
Mark Sousa	Aye <input checked="" type="checkbox"/>	Nay _____
Darryl Cordrey	Aye <input checked="" type="checkbox"/>	Nay _____

Resolution adopted this 18<sup>th</sup> day of September, 2024.

Attest:

Leah Elliott

Leah M. Elliott, Fiscal Officer

Approved as to form:

Benjamin J. Yoder  
Benjamin J. Yoder, Law Director

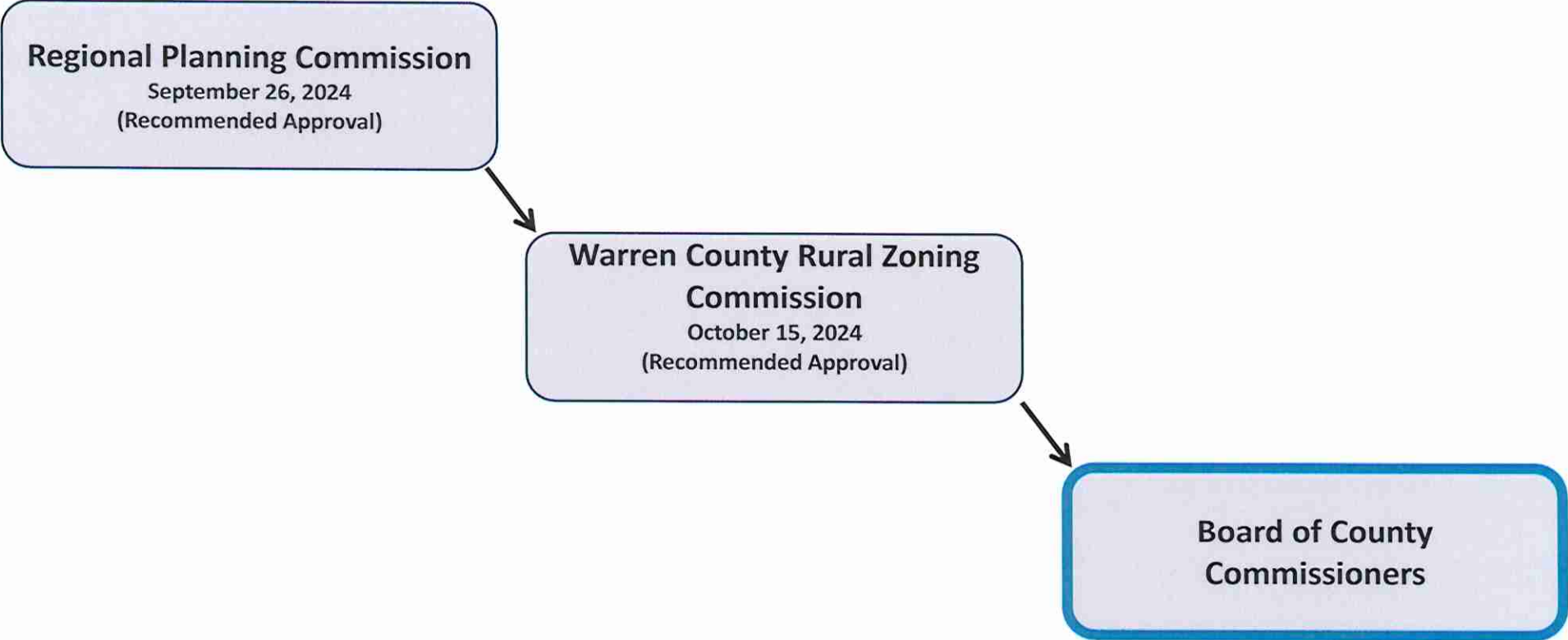
I, Leah M. Elliott, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of September 18<sup>th</sup>, 2024.

Date: 9/18/2024

Leah Elliott  
Leah M. Elliott, Fiscal Officer

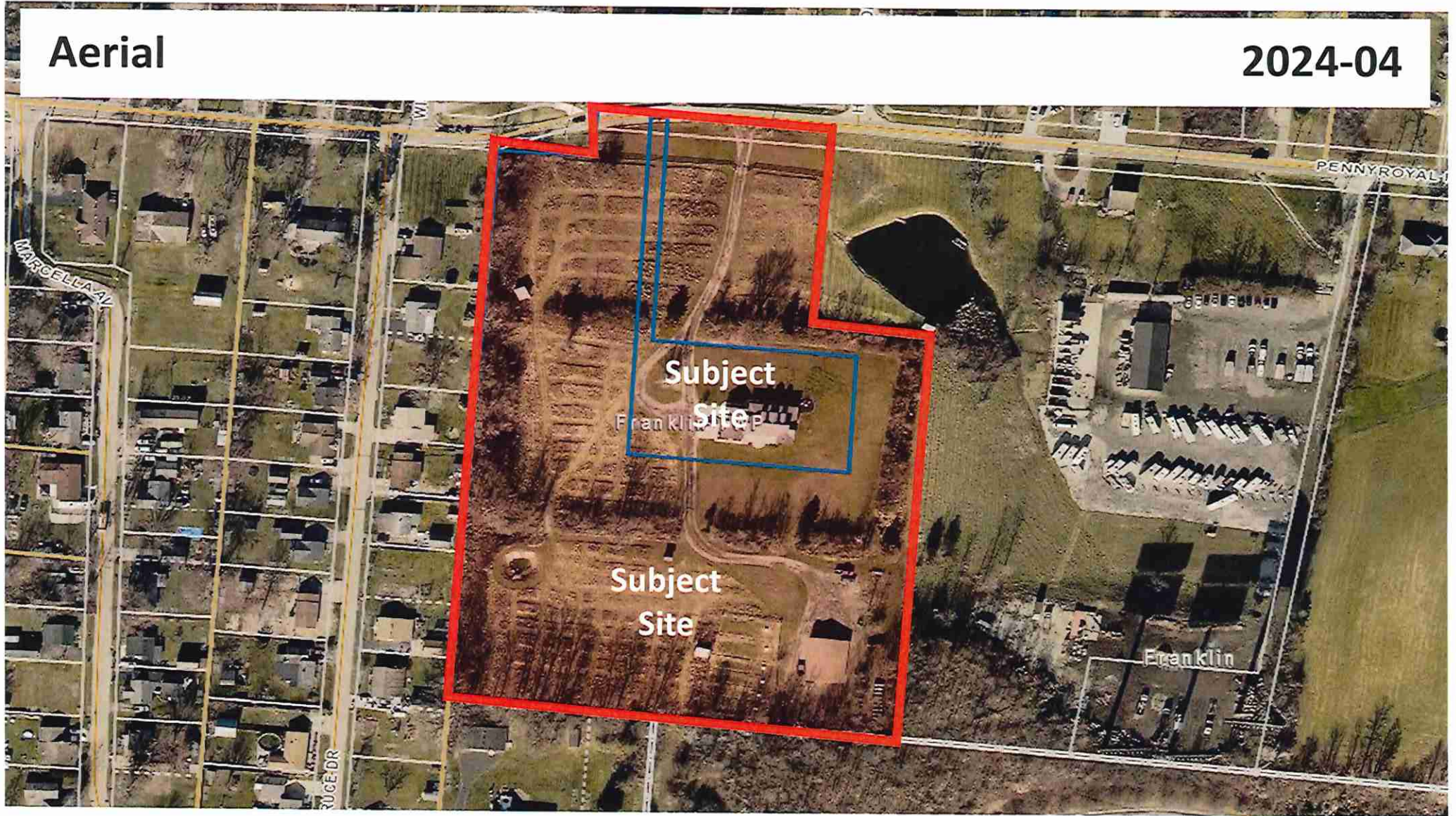
<b>PP EXHIBIT #1</b>		
<b>CASE #</b>	2024-04	
<b>APPLICANT/OWNER/AGENT</b>	Immobiltec USA, Inc.	
<b>TOWNSHIP</b>	Franklin	
<b>PROPERTY LOCATION</b>	<b>ADDRESS</b>	3489 Pennyroyal Rd. Franklin, Ohio 45005
	<b>PIN</b>	04-21-400-048
<b>PROPERTY SIZE</b>	10.0059 Acres Approx: 393 ft of road frontage	
<b>CURRENT ZONING DISTRICT</b>	B2 Community Commercial Businesses Zone	
<b>FUTURE LAND USE MAP (FLUM) DESIGNATION</b>	Single Family Residential	
<b>EXISTING LAND USE</b>	RESIDENTIAL	
<b>ZONING REQUESTED</b>	"I1" Light Industrial Manufacturing Zone	
<b>ISSUE FOR CONSIDERATION</b>	To rezone the property from an "B2 Community Commercial Businesses Zone to "I1" Light Industrial Manufacturing Zone, to allow access to their business on the back piece of property.	

# Rezoning Process



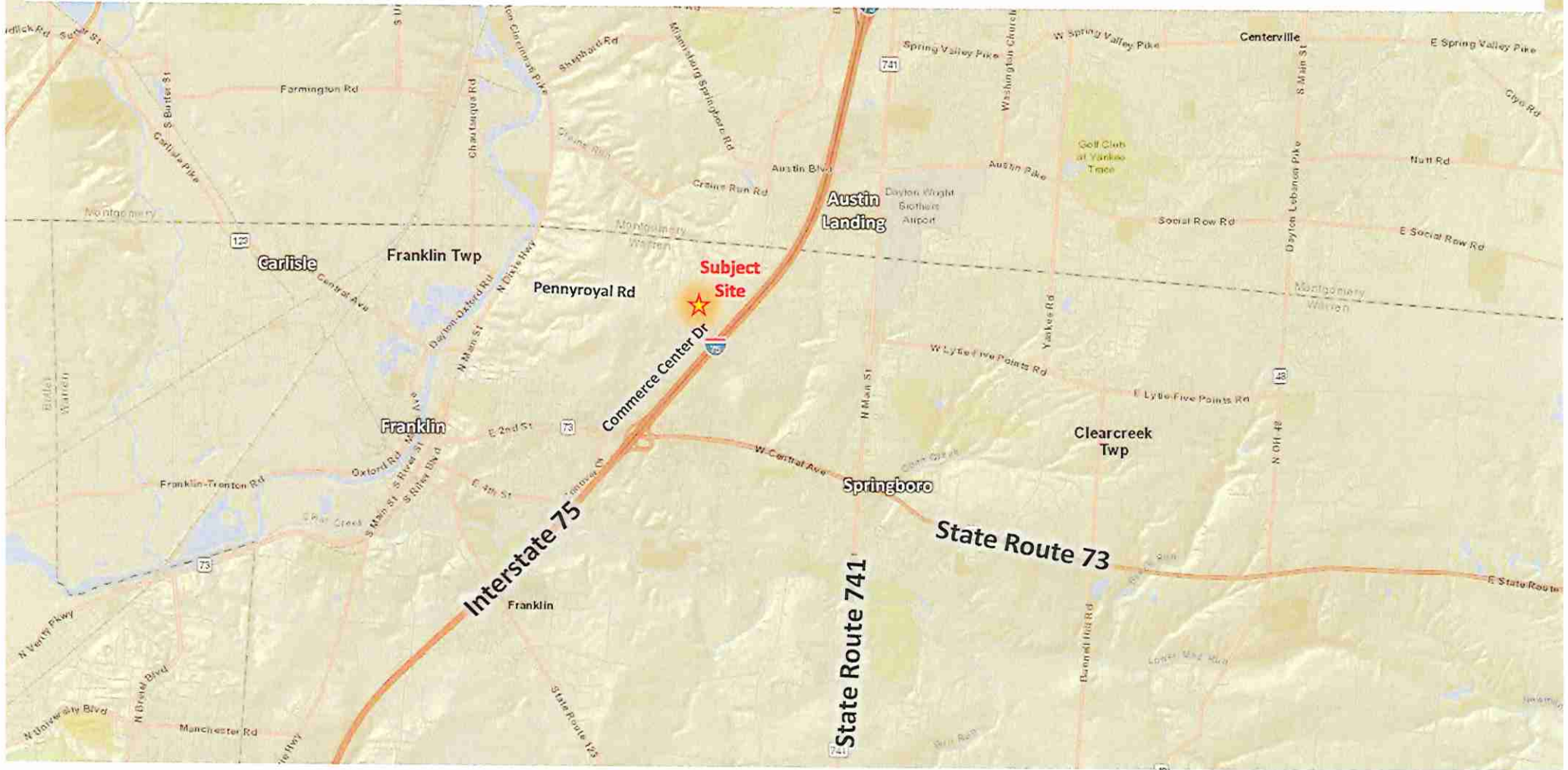
Aerial

2024-04



# Vicinity

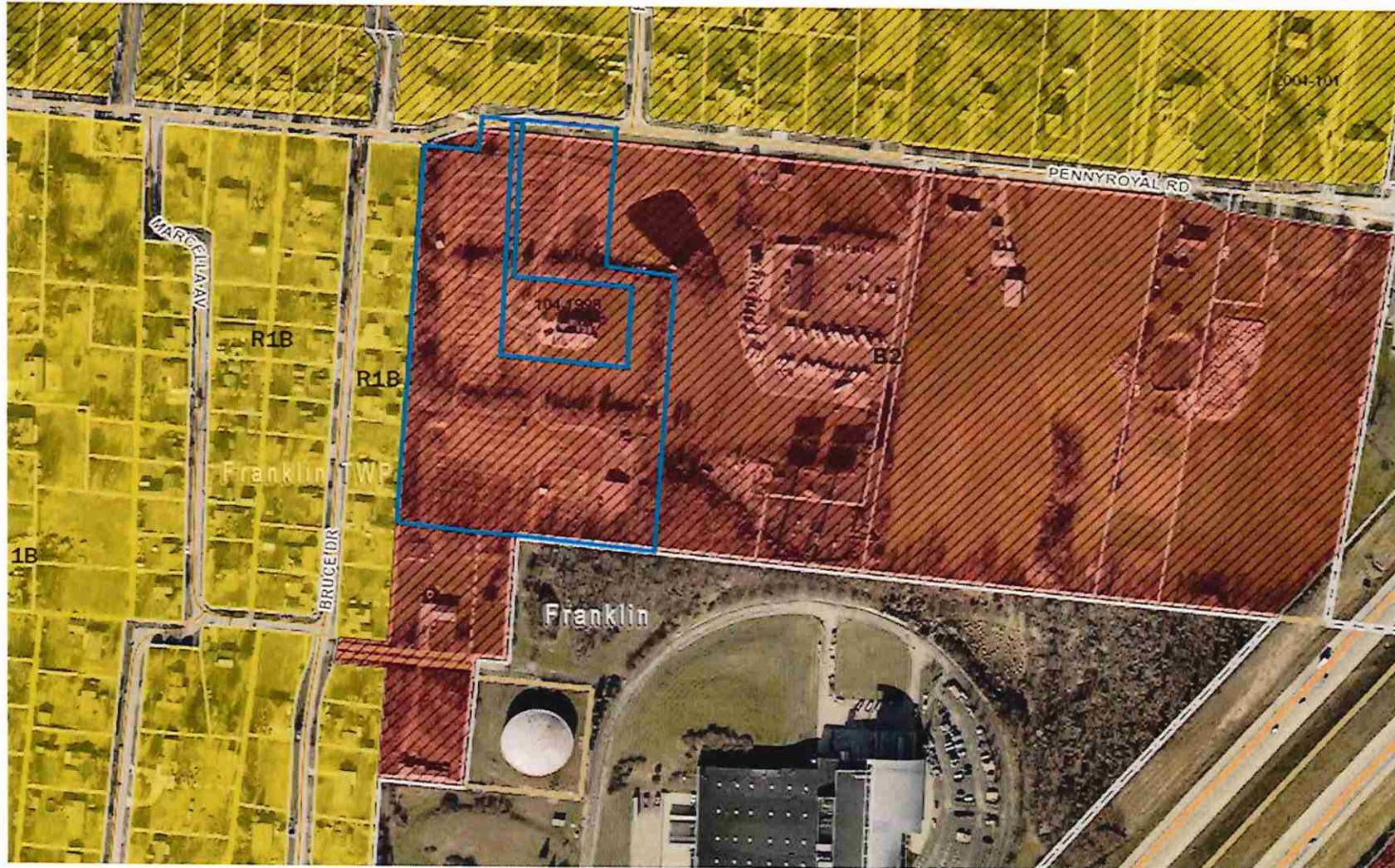
2024-04





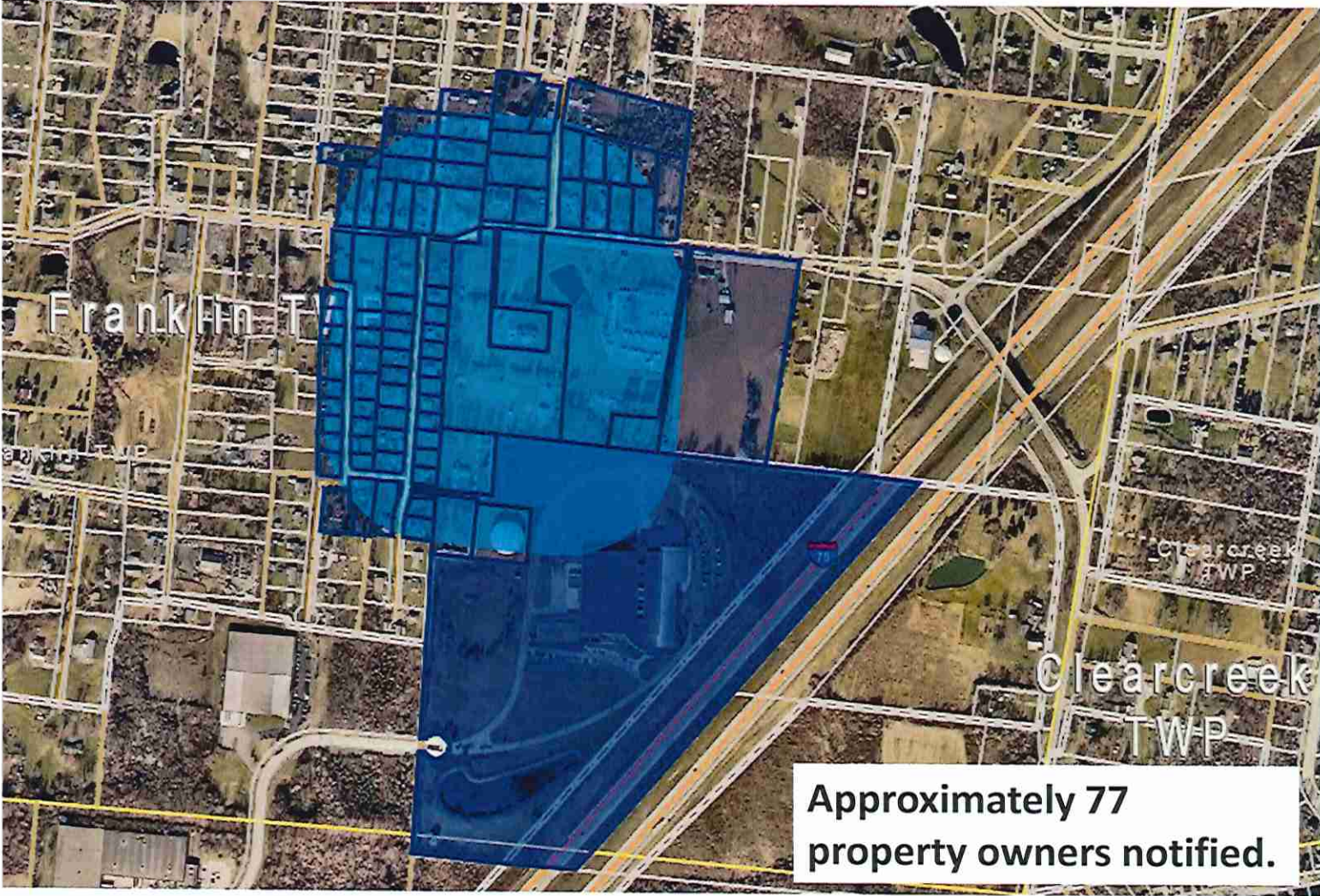
# FLOOD & ZONING MAP

2024-04



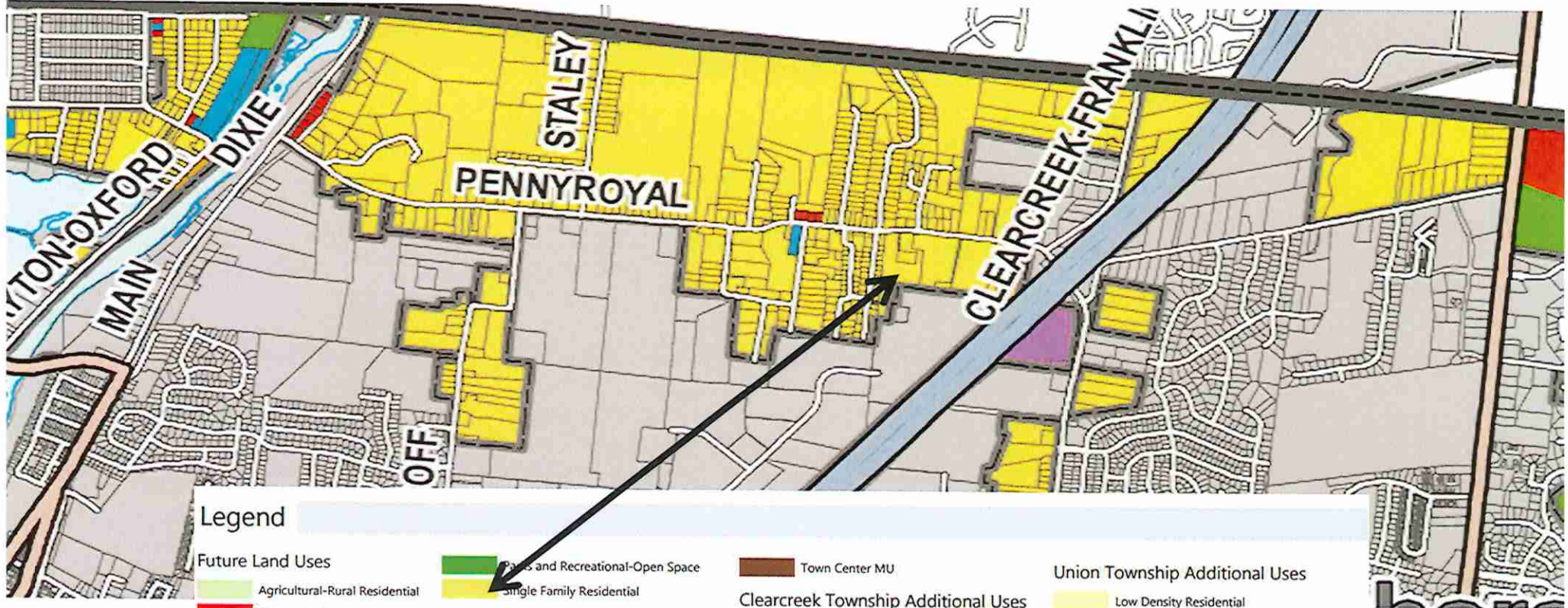
# Notification Map

2024-04



# Future Land Use

2024-04



## Legend

### Future Land Uses

- Agricultural-Rural Residential
- Commercial
- Industrial
- Mixed-Use Neighborhood
- Multi-Family Residential
- Office
- Protection Area
- Public-Semi-Public

### Parks and Recreational-Open Space

- Parks and Recreational-Open Space

### Deerfield Township Character Areas

- Single Family Residential
- Low Density Rural Neighborhoods
- Med Density Rural Neighborhoods
- Neighborhood MU
- Neighborhoods
- Office Park
- Regional Highway Commercial

### Town Center MU

- Town Center MU

### Clearcreek Township Additional Uses

- Township Residential

### Hamilton Township Additional Uses

- Rural Residential

### Salem Township Additional Uses

- Mixed Use
- Mixed Use Light Ind/Office

### Union Township Additional Uses

- Low Density Residential

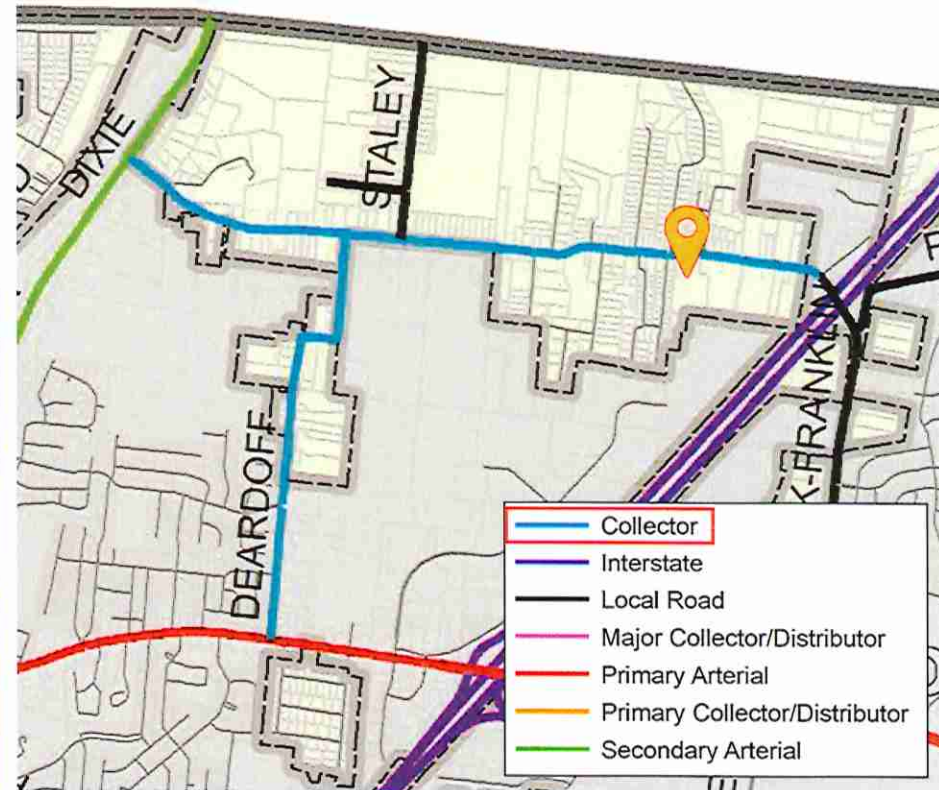
### Wayne Township Additional Uses

- Mixed Use Commercial/Industrial
- Mixed Use Residential

# Warren County Thoroughfare Plan

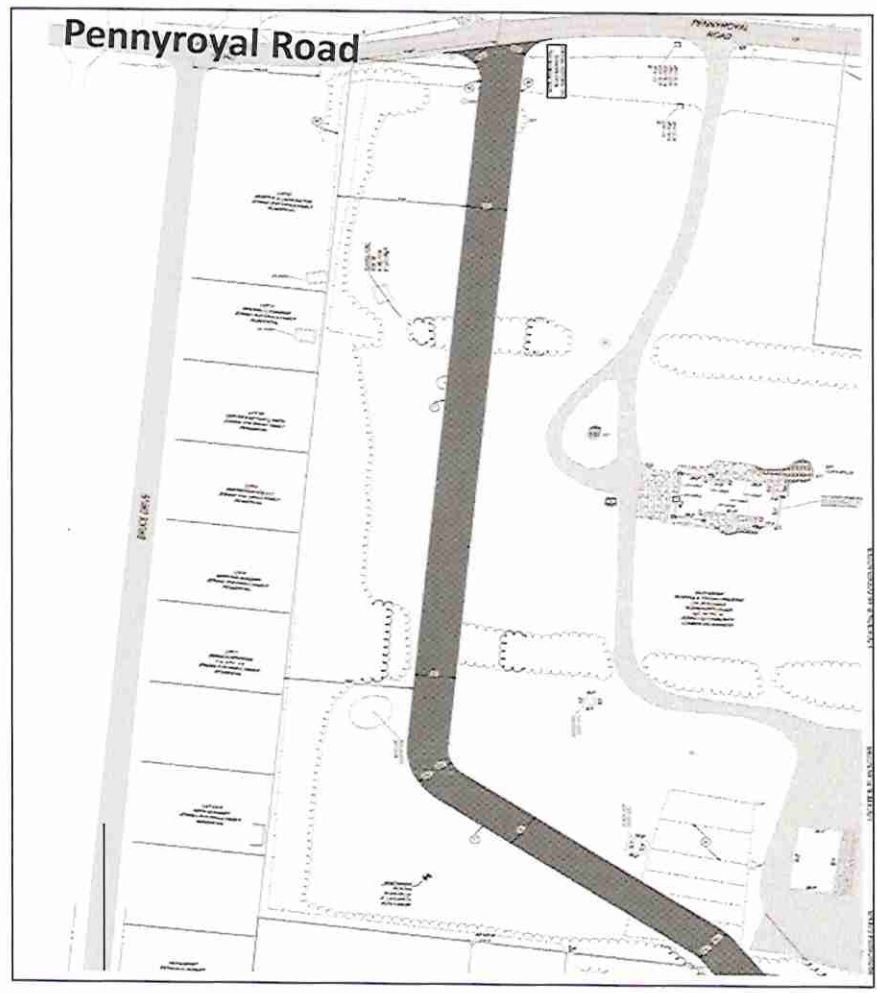
2024-04

- ~432.60 feet of road frontage, with one access point (driveway) on Pennyroyal Road (Collector Road).
- AADT along Pennyroyal Road: **5,601 Drivers (TIMS)**



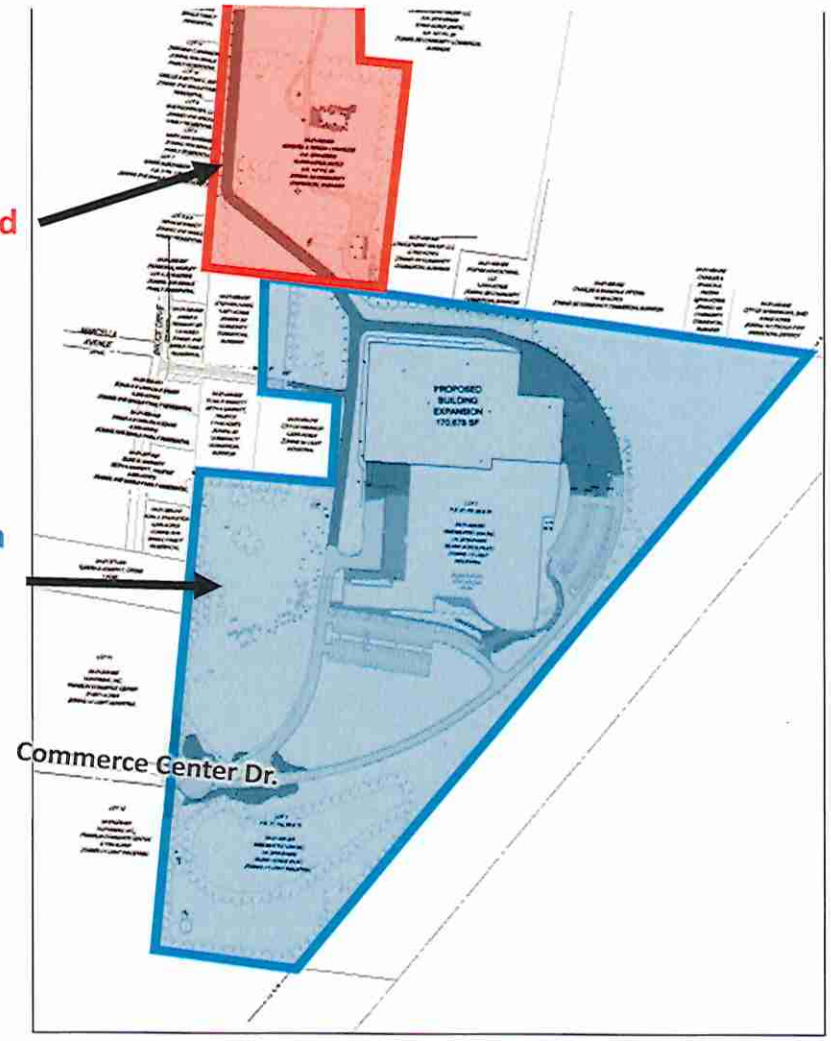
# Concept Plans

2024-04



Subject Site within unincorporated Franklin Township

Portion within the City of Franklin



# Driveway Culvert Permit Application

2024-04

Office of Permit No. 7692  
**Warren County Engineer FRA**

183 Markey Road  
Lebanon, Ohio 45036  
http://www.warren.org

NEIL F. TUNISON, P.E., P.S.  
WARREN COUNTY ENGINEER

Phone: (513) 695-3201  
Fax: (513) 695-3123  
Email: N.Fisher@co.warren.oh.us

**Driveway Culvert Permit Application**

*Applicant to complete block below and return to address above.*

**Current address**  
 Name: Immobiltee USA, Inc. Date: 9-12-2024  
 Address: 5800 Cummins Center Drive Phone: 737-365-7844 Home: \_\_\_\_\_ (City)  
 City & Zip: Franklin, Ohio 45005 Email: \_\_\_\_\_

**Proposed driveway information**  
 Road Name: Pennycuik Road Subdivision: \_\_\_\_\_  
 Building Permit No. \_\_\_\_\_ Sublot No. \_\_\_\_\_ Lot No. \_\_\_\_\_  
 Address shall not be assigned without Sublot No.

Driveway use:  Residential  Commercial  Second drive  Field access  Replacement

**To be completed by Engineer's Office. Culvert Specifications**

**To be completed by Engineer's Office.**

Mouse number assigned in this transaction: \_\_\_\_\_  
 Specifications to applicant: 9-13-2024  
 Final approval date: \_\_\_\_\_  
 Warren County Engineer - Neil F. Tunison, P.E., P.S.  
 Permit Coordinator - Jason Fisher  
 See Access permit for other instructions  
 Additional comments: \_\_\_\_\_

Re-grade the ditch across frontage for the proper depth below the edge of pavement

**WARREN COUNTY ENGINEER'S OFFICE**  
 105 Markey Road, Lebanon, Ohio 45036  
 Main Ph: (513) 695-1364 Fax (513) 695-2967  
 CTN. (513) 925-3301 DAY. (937) 425-3301

**ACCESS PERMIT**  
(PLEASE PRINT)

Access Permit # \_\_\_\_\_ (attach application)  
 Effective Date 9-13-2024

The permit under the conditions stated in the application or stated below (with the condition stated below superseding the application) is hereby:

Granted  Denied

Justification for denial (if applicable): \_\_\_\_\_

Conditions for approval if other than the information or conditions outlined in the application (including attachments): This permit is approved for a total of 10 heavy truck and 80 vehicle trips per day. Re-grade the ditch across property frontage for the proper depth below the edge of pavement for culvert installation and proper drainage.

CHECK whichever applies:

This preliminary access approval will remain valid for a period of ten years beyond the effective date unless noted otherwise in the permit conditions.  
 This access permit will remain valid for a period of two (2) years beyond the effective date unless noted otherwise in the permit condition.

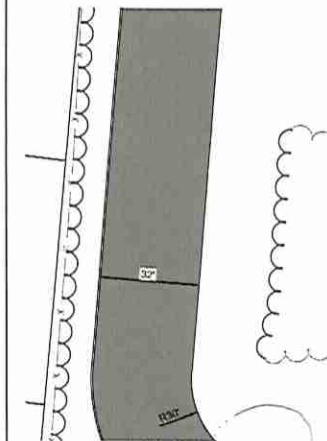
By: Neil F. Tunison Date: 9-13-2024  
 County Engineer

Jason Fisher Date: 9-13-2024  
 County Representative

Entered into GIS \_\_\_\_\_ initials \_\_\_\_\_ date \_\_\_\_\_

B-4

This permit is approved for a total of **10 heavy trucks** and **80 vehicle trips** per day.



# RPC Executive Committee Recommendation

2024-04

The RPC Executive Committee recommends **approval** of the **Immobiltec USA Inc. Rezoning** from B2 to I1 to the Warren County Rural Zoning Commission (RZC).

# Rural Zoning Commission Recommendation

**2024-04**

A motion was made to recommend approval with modifications to the BOCC, Warren County Commissioners, for the map amendment of case # 2024-04 Immobiltec USA, Inc. parcel # 04-21-400-048. The following modifications:

- 1. Require a 6 ft. privacy fence with the buffer type D**
- 2. Have O.D.O.T. complete a traffic study**

For clarification, this decision was based on item(s) “A & D” of the Review Criteria Section 1.304.5.



**1.304.5 Decision-Making Determination Considerations:** The approving authority shall review the proposed Zoning Amendment in the interest of public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable, by considering the following factors:

**RZC Recommendation Based on Criteria A & D**

- (A) **Is the proposed amendment consistent with the purposes and intent of this Zoning Code?**
- (B) Does the proposed amendment deviate from the suggestions of the Warren County Comprehensive Plan?
- (C) Is the proposed amendment justified because of changed or changing conditions of the surrounding area since the time the current zoning designation for the property was established, and has assumptions on, capital investments, road locations, population trends, land committed to development, density, use, or other elements changed to justify the amendment?
- (D) **Is the proposed zoning compatible with the present zoning, nearby uses, and the character of the surrounding area?**
- (E) Is the site suitable for the uses to which it has been restricted, or does the current zoning deprive the site of all economically viable uses?
- (F) How long has the property remained vacant as zoned and is it zoned different from an adjacent properties?
- (G) Are there available sites elsewhere in the County that are already zoned for the proposed use?
- (H) Are public central sanitary sewer, stormwater facilities, roads and other public facilities available and do they have adequate capacity to serve allowable uses?
- (I) Will approval of this amendment result in existing land uses, parcels, or structures becoming non-conforming or somehow result in conflict with any provision, restriction, or requirement of this code?

ANY  
QUESTIONS?



# Allowable Uses within I1

All identified uses require Conditional Use and/or Site Plan approval.

Acid, Chemicals, Inflammable Liquids or Gases Manufacturing & Storage [C]	Bakery or Candy Making Facility [S]	Building Trusses Manufacture or Wood Milling Facility [S]	Cosmetics Manufacture [S]
Electrical Device or Component Manufacture or Assembly [S]	Furniture Making, Wood Products & Upholstering [S]	Heating / AC / Sheet Metal Manufacturing [S]	Light Manufacturing [S]
Music Instrument Novelty or Toy Manufacture [S]	Pharmaceuticals Manufacture [S]	Plastic & Rubber Products Manufacture [S]	Pre-Made Parts & Materials Processing or Assembly [S]
Sheet Metal & Machine Shops [S]	Signs, Lightning, Outdoor Advertising & Manufacture [S]	Creamery, Bottling, Ice Making or Cold Storage Plant [S]	Food Production, Processing or Packaging Plant [S]
Carpet/Rug Cleaning or Uniform Service [S]	Container / POD Storage Facility [S]	Industrial Printer [S]	Heating / AC, Building Exterior Trim & Roofing Repair, Supply or Service Shop [S]
Mover Storage Facility [S]	Paint Mixing or Spraying Facility [S]	Petroleum or Related Products Refining or Distributer Depot [S]	Research and Development [S]
Truck Terminals and Distribution Facilities [S]	Warehousing / Depot [S]	Welding Shop [S]	Class IV Composting Facility [S]
Energy Recycling Plant [S]	Motor Vehicle Impound Lot [S]	Recycling and Salvage Center [S]	Sexually Oriented Business [C]

**C = Conditional Use** subject to BZA approval and or **Site Plan** approval  
**S = A Permitted Use** subject to BOCC approval of **Site Plan** Review

# Buffers

## Western & Southern Property Line

- Buffer "D" required adjacent to Residential District

## Eastern Property Line

- Buffer "B" required adjacent to Commercial District



Table 3.405-1: Lot Perimeter Buffer Type

PROPOSED USE	ADJACENT TO				
	Single-Family or Two-Family Residential District, Recorded Subdivision or lot used for single family residential purposes	Multi-Family Residential Use or District	Office Use or District	Commercial/Business Use or District	Industrial Use or District
Single-Family or Two-Family	None	None	None	None	None
Multi-Family	Buffer "C"	None	None	None	None
Commercial/Business	Buffer "D"	Buffer "C"	Buffer "A"	Buffer "A"	Buffer "B"
Office	Buffer "D"	Buffer "B"	Buffer "A"	Buffer "A"	Buffer "C"
Industrial	Buffer "D"	Buffer "D"	Buffer "C"	Buffer "B"	Buffer "A"

# Comparison of Buffer Standards

		City of Franklin	Warren County Rural Zoning Code
Buffer Width	Adjacent to Residential	15 – 30 Feet	50 Feet
	Adjacent to Commercial	10 – 20 Feet	20 Feet
Buffer Height	Adjacent to Residential	3 – 4 Foot Berm, <u>or</u> 4 – 6 Foot Opaque Fence	10 Feet
	Adjacent to Commercial	3 – 4 Foot Berm, <u>or</u> 4 – 6 Foot Opaque Fence	6 Feet
Trees Required	Adjacent to Residential	2 – 3 Per 100 Feet (Approximately 33 Trees)	10 Per 100 Feet (Approximately 110 Trees)
	Adjacent to Commercial	2 Per 100 Feet (Approximately 22 Trees)	4 Per 100 Feet (Approximately 44 Trees)

# Warren County Rural Zoning Code - Buffer Types

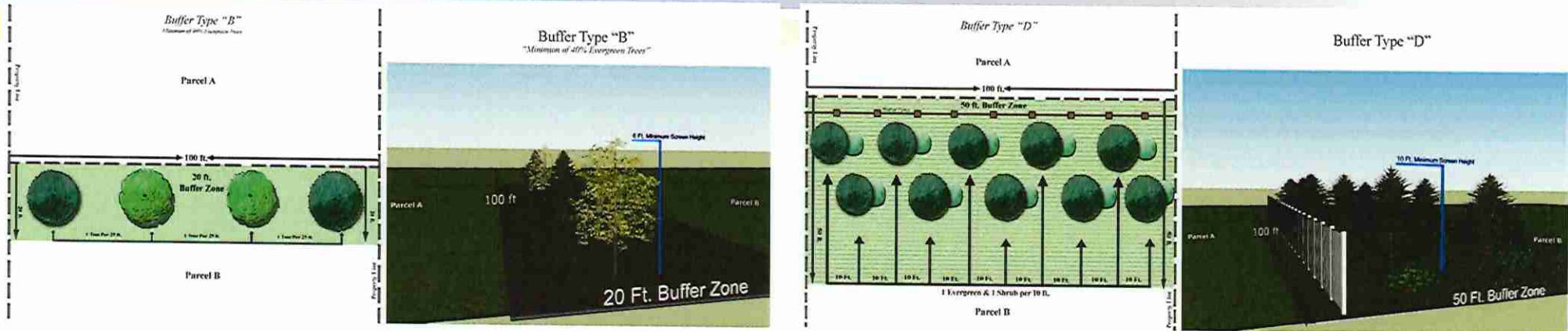


Table 3.405-2: Minimum Requirements For Buffer Type

Buffer Type	Minimum Buffer Width	Minimum Screen Height	Minimum Plant Materials
"A"	10 Feet	None [1]	1 deciduous or evergreen tree per every 40 lineal feet as required in Note [4]
"B"	20 Feet	6 feet	1 tree per 25 lineal feet with a minimum of 40% evergreen trees as required in Note [4]
"C"	30 Feet	8 feet	1 tree per 20 lineal feet with a minimum of 50% evergreen trees as required in Note [4]
"D" [2]	50 Feet	10 feet [3]	1 evergreen, 1 deciduous tree and 1 shrub per 10 lineal feet along the residential side of the wall or fence as required in Notes [3] and [4]

# City of Franklin Zoning Code - Buffer Types

## Industrial Adjacent to Commercial

Buffer Yard	Width	Deciduous Trees <sup>1</sup>	Deciduous Shrubs <sup>1</sup>	Evergreens <sup>1</sup>	Berm <sup>2</sup>	Fence <sup>2</sup>
B	20'	2	—	2		
	15'	2	2	2		
	10'	2	4	4		

## Industrial Adjacent to Residential

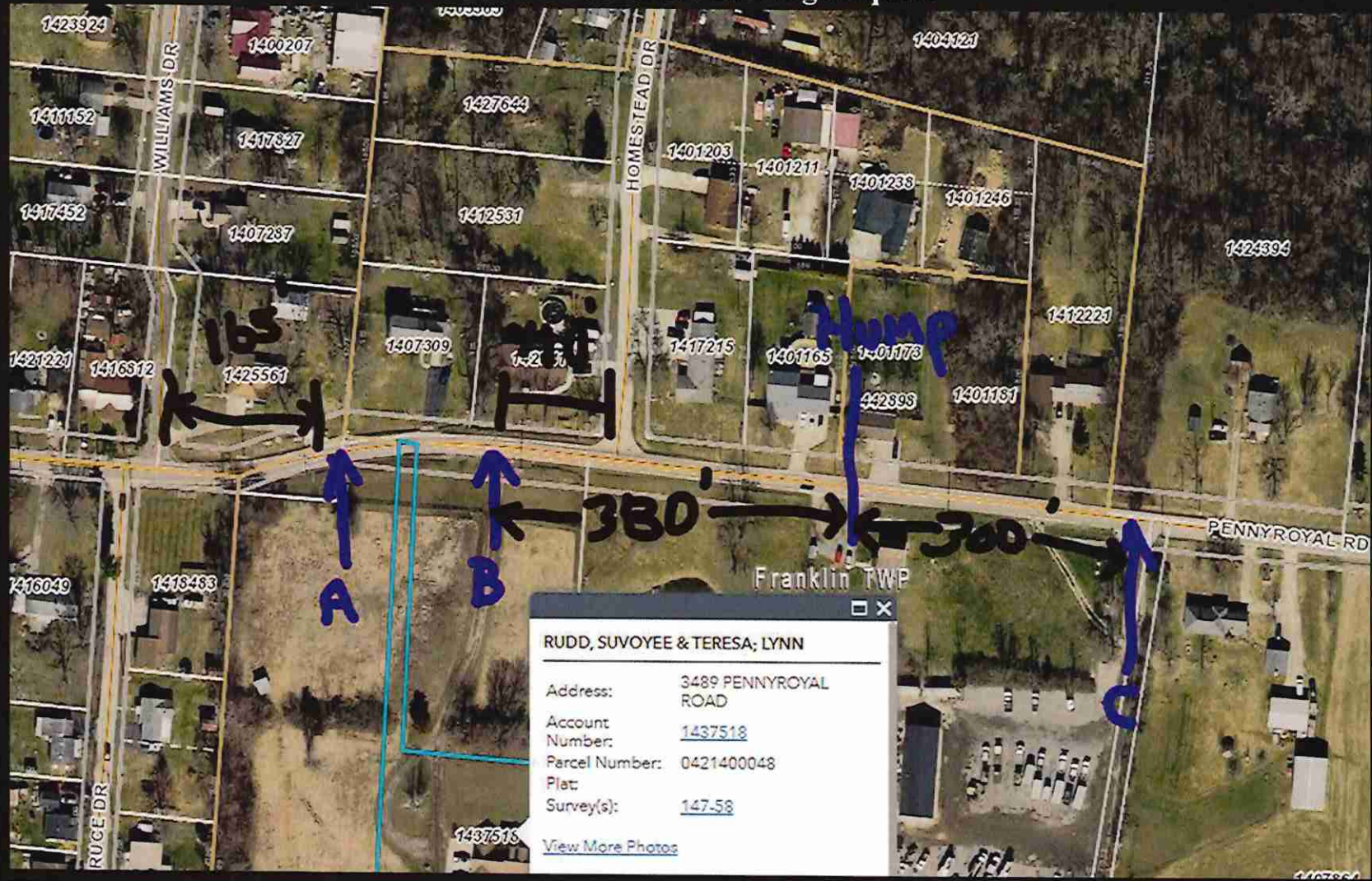
Buffer Yard	Width	Deciduous Trees <sup>1</sup>	Deciduous Shrubs <sup>1</sup>	Evergreens <sup>1</sup>	Berm <sup>2</sup>	Fence <sup>2</sup>
E	30'	2	2	2		
	25'	3	4	4		
	20'	3	4	4	*	
	15'	3	4	4		*

<sup>1</sup> Required number of minimum plant units per 100'.

<sup>2</sup> Entire length of buffer yard, 3'-4' berm of 4'-6' opaque fence.

\* Indicates berm or fence is required

# Immobiltech USA Rezoning Request





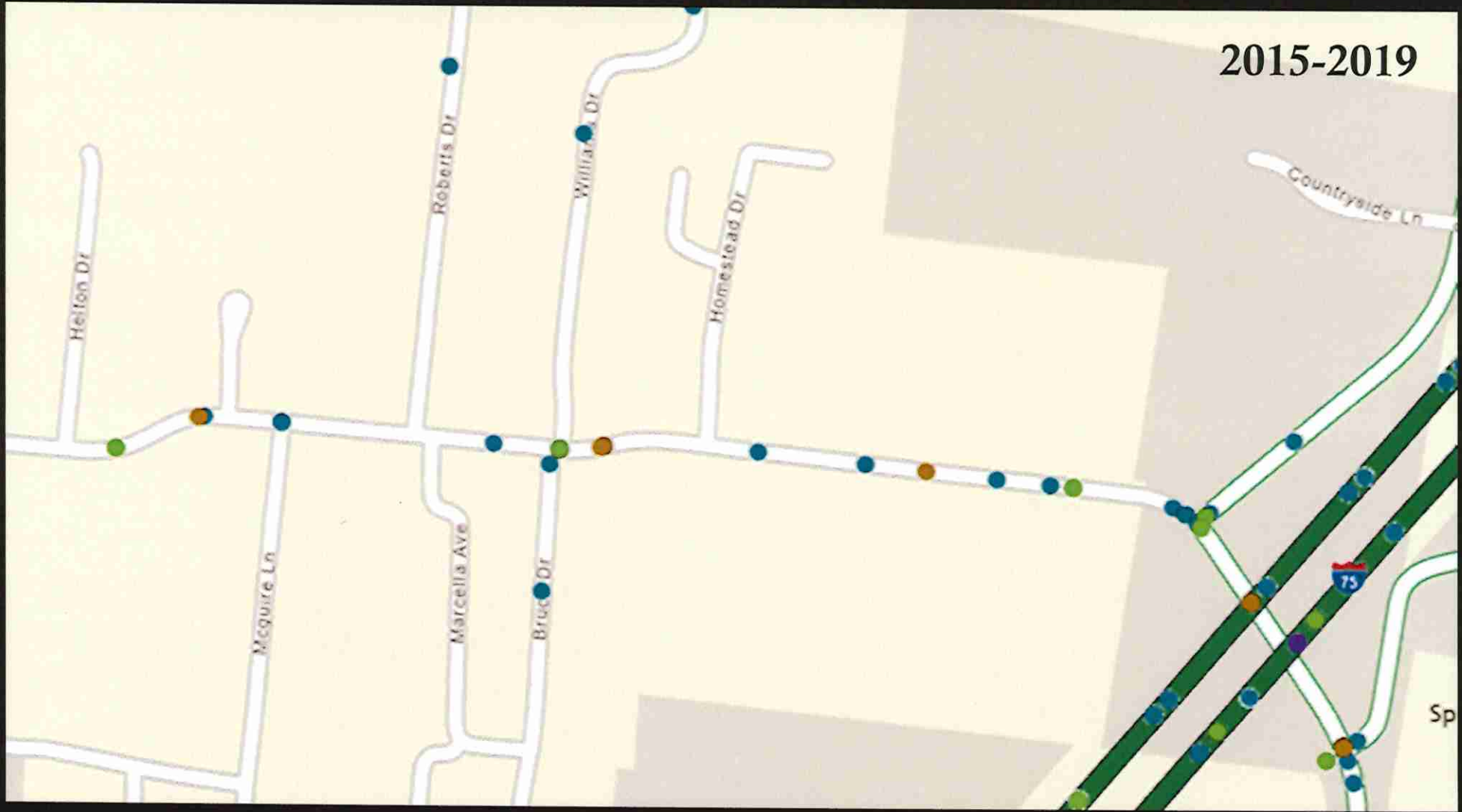
**Immobiltech USA Rezoning Request**



2020-2024 (5 years)



2015-2019



**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 24-1673

Adopted Date December 03, 2024

CONTINUING PUBLIC HEARING FOR REZONING APPLICATION OF IMMOBILTEC USA (CASE #2024-04) TO REZONE APPROXIMATELY 10.0059 ACRES FROM COMMUNITY COMMERCIAL BUSINESS ZONE "B2" TO LIGHT INDUSTRIAL MANUFACTURING ZONE "I1" IN FRANKLIN TOWNSHIP

BE IT RESOLVED, to continue the public hearing for the rezoning application of Immobiltec USA owner of record (Case #2024-04), to rezone approximately 10.0059 acres from Community Commercial Business Zone "B2" to Light Industrial Manufacturing Zone "I1" in Franklin Township; said public hearing to be continued to February 4, 2025, at 9:30 a.m.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – absent  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 3<sup>rd</sup> day of December 2024.

BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Krystal Powell, Clerk

/kp

cc: RPC  
RZC  
Rezoning file  
Applicant  
Township Trustees

**Powell, Krystal L.**

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**From:** Darryl Cordrey <darryl.cordrey@franklintownshipohio.us>  
**Sent:** Monday, November 18, 2024 1:51 PM  
**To:** Jones, Shannon W.; Young, David G.; Grossmann, Tom E.  
**Cc:** Russell, Martin T.  
**Subject:** Rezoning Application of Immobiltec USA

Good Afternoon Commissioners,

I am reaching out to advise that Franklin Township does not have objections to the rezoning application that has been submitted. I have no questions or if I can be of any further assistance on this issue.

Best Regards,  
Darryl Cordrey  
Administrator, Franklin Township  
937-746-2852  
darryl.cordrey@franklintownshipohio.us  
[www.franklintownshipohio.us](http://www.franklintownshipohio.us)

P.O. Box 364 Franklin, Ohio 45005  
418 Fairview Dr. Carlisle, Ohio 45005

