



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

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TOM GROSSMANN

SHANNON JONES

DAVID G. YOUNG

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

MINUTES: Regular Work Session – December 3, 2024

This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsuqPA> or by contacting our office.

The Board met in regular session pursuant to adjournment of the December 3, 2024 General Session meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – absent

Krystal Powell, Clerk – present

- 24-1670 A resolution was adopted approving the 2025 Annual Appropriations.
Vote: Unanimous
- 24-1671 A resolution was adopted establishing budget stabilization account from the unencumbered General Fund cash balance. Vote: Unanimous
- 24-1672 A resolution was adopted continuing public hearing to consider a request from the Myers Y Cooper Company to depart from the Official Thoroughfare Plan.
Vote: Unanimous
- 24-1673 A resolution was adopted 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. Vote: Unanimous

DISCUSSIONS

The Board recognized and honored Betty Davis for her retirement from the Solid Waste District Policy Committee.

Susan Walther, Deputy County Administrator, was present to present the 2025 budget for consideration for approval.

Ms. Walther presented the following information:

Total Anticipated General Fund Revenue: \$102,500,000.00

Total 2024 General Fund Actual Spend Projection: \$93,292,750.00

Ms. Walther stated the 2025 General Fund appropriation request is \$93,805,927.00, which is only .5% above the actual spend from the 2024 General Fund.

Upon further discussion, the Board resolved (Resolution #24-1670) to approve the 2025 Annual Appropriations and resolved (Resolution #24-1671) to establish budget stabilization account from the unencumbered General Fund cash balance.

PUBLIC HEARING

TO CONSIDER THE REQUEST FROM THE MYERS Y. COOPER COMPANY TO DEPART FROM THE ORIGINAL THROUGHFARE PLAN RELATIVE TO THE HOPKINSVILLE 2021 ACCESS MANAGEMENT PLAN IN HAMILTON TOWNSHIP

The public hearing to consider the request from The Myers Y. Cooper Company to depart from the original throughfare plan relative to the Hopkinsville 2021 access management plan in Hamilton Township was convened this 3rd day of December 2024 in the Commissioners' Meeting Room.

Kurt Weber, Chief Deputy Engineer, presented the attached slides showing the proposed Grandin Road Extension that goes through the property currently owned by 5/3 Bank, at the intersection of State Route 22/3 and State Route 48 in Hamilton Township as part of the Hopkinsville Plan, a subset of the Official Warren County Thoroughfare Plan. He stated the Engineer's Office

recommends maintaining the intent of the Throughfare Plan and that they have previously offered alternative departure options to the potential purchasers of the property.

David Mick, Assistant County Engineer, stated the Engineer's Office is still awaiting the results of a traffic impact study from the Ohio Department of Transportation for the area.

Commissioner Jones asked if there was an agreed upon solution to maintain the connectivity of the Thoroughfare Plan while allowing the development of the property.

There was discussion relative to the lack of agreement to come up with an aligned solution for the road deviation between the Engineer's Office and the developer.

Jeff Wright, Hamilton Township Administrator, stated this is the prime development property within the township. He also stated the approving the departure from the Thoroughfare Plan would allow visitors access to all of the shopping centers surrounding the aforementioned property.

Darryl Cordrey, Mark Sousa, and Joseph Rozzi Hamilton Township Trustees, stated they support the departure from the Throughfare Plan and have passed a resolution in support of the variance. They believe this is the "marquis intersection" of the township and are motivated to see the plan develop. They further stated the tax revenue from the proposed development would be beneficial to the Little Miami School District.

Randy Cooper, President of The Myers Y. Cooper Company, stated the development of the area has changed since the Throughfare Plan was originally adopted in 2004.

There was discussion relative to alternative solutions and obtaining the results from the Ohio Department of Transportation's traffic impact study.

Bruce McGary, Assistant Prosecuting Attorney, advised the Board to wait and make a decision on the matter once the response from the Ohio Department of Transportation is received.

Upon further discussion, the Board resolved (Resolution #24-1672) to continue the public hearing to consider a request from the Myers Y Cooper Company to depart from the Official Thoroughfare Plan.

Michael Coyan, Warren County Historical Society, was present to provide an update relative to memberships, visitors, future exhibits, and renovations they are planning.

PUBLIC HEARING CONTINUATION

REZONING APPLICATION OF IMMOBILTEC USA TO REZONE APPROXIMATELY
10.0059 ACRES FROM COMMUNITY BUSINESS ZONE “B2” TO LIGHT INDUSTRIAL
MANUFACTURING ZONE “I1” IN FRANKLIN TOWNSHIP

The continuation of the public hearing to consider the rezoning application of Immobiltec USA to (Case #2024-04) to rezone approximately 10.0059 acres from Community Business Zone “B2” to Light Industrial Manufacturing Zone “I1” in Franklin Township was convened this 3rd day of December 2024 in the Commissioners’ Meeting Room.

Ray Dratt, Chief Zoning Inspector, presented the attached PowerPoint presentation stating the applicant, property size and location, current zoning, and requested zoning.

Mr. Dratt stated the applicant is proposing the installation of a driveway on Pennyroyal Road to allow access to the business located on the back parcel of the property.

Commissioner Jones clarified the applicant is wanting easier access to the property via Austin Boulevard to I-75.

Dustin Bailey, Agent, Miller Valentine, stated the property owner intends on installing a 10-foot buffer combination of mounding and fencing. He also stated the property owner intends to keep the private driveway to the existing house independent of the additional driveway being proposed.

Bruce McGary, Assistant Prosecuting Attorney, stated that once the property is rezoned the Board of Commissioners has no authority to place any conditions or restrictions on the property.

There was discussion relative to the possibility of the applicant requesting annexation of the property to the City of Franklin.

Upon further discussion, the Board resolved (Resolution #24-1673) to continue the 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.

Upon unanimous call of the roll, the Board entered into executive session at 12:16 p.m. to discuss pending litigation with legal counsel present pursuant to Ohio Revised Code Section 121.22(G)(3), and exited at 12:57 p.m.

Upon motion the meeting was adjourned.

David G. Young, President



Tom Grossmann



Shannon Jones

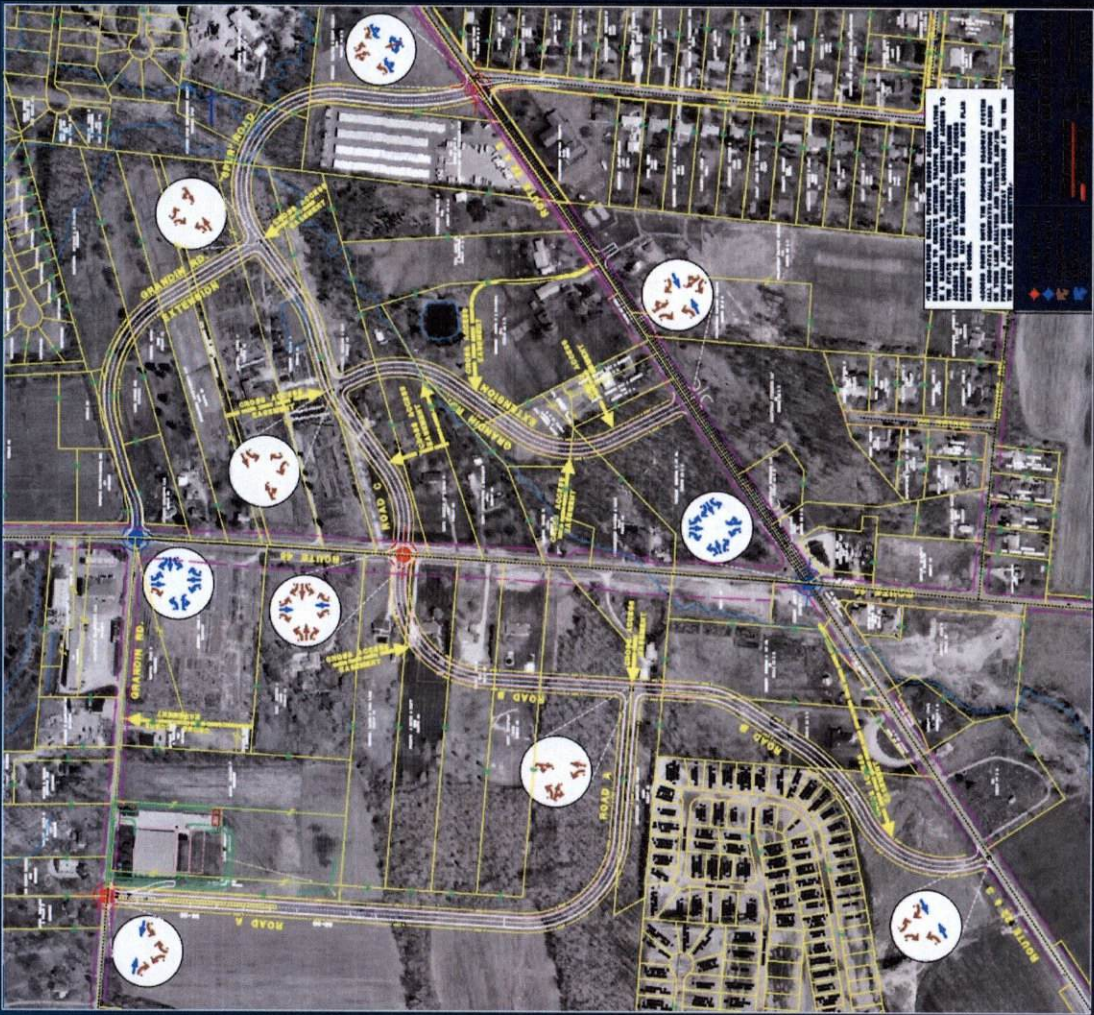
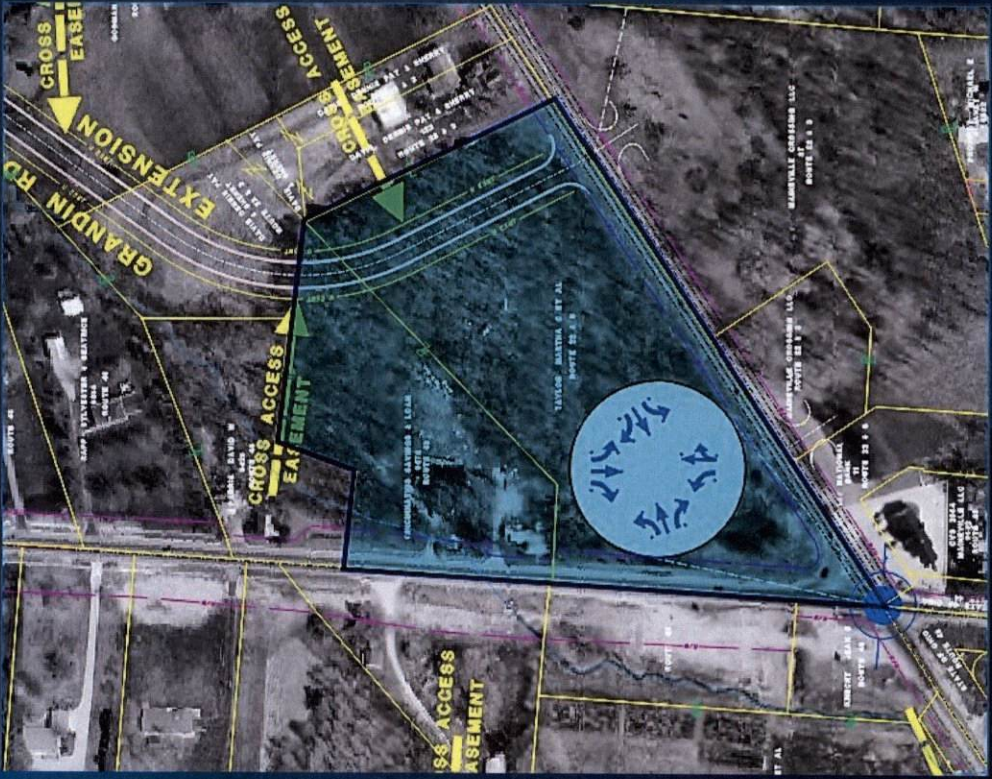
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on December 3, 2024, in compliance with Section 121.22 O.R.C.

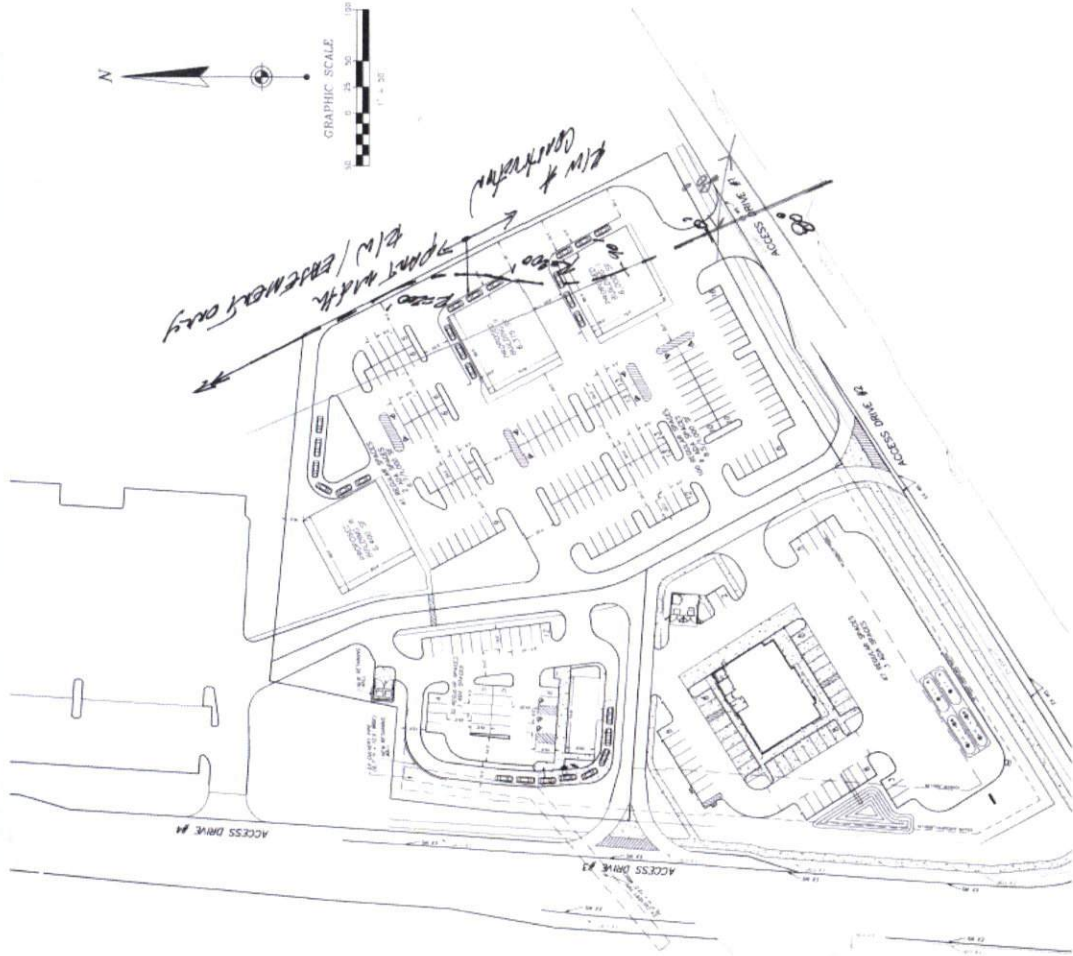
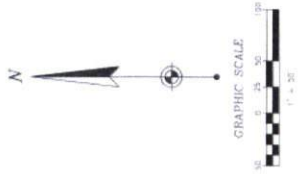


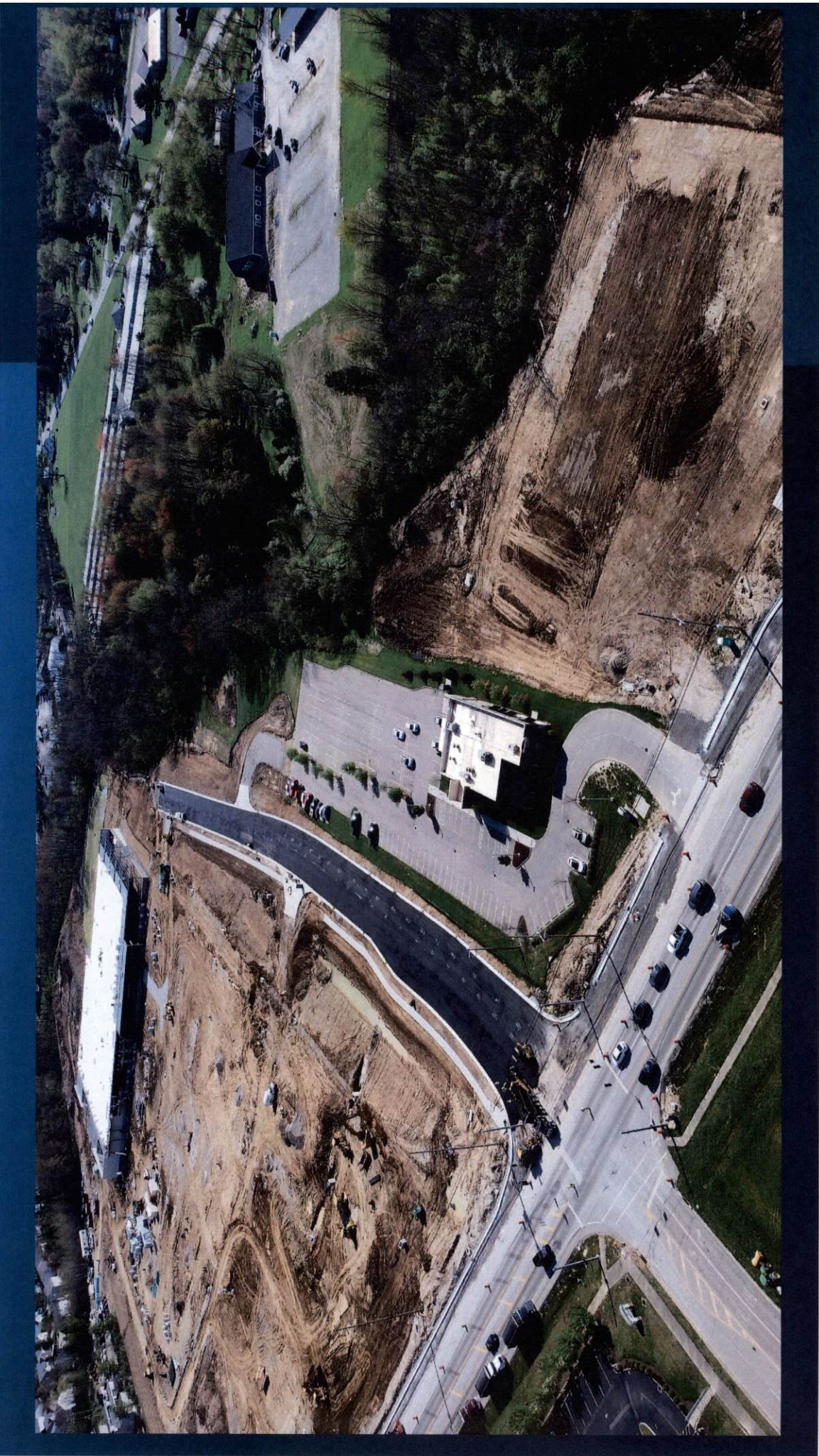
Krystal Powell, Clerk
Board of County Commissioners
Warren County, Ohio

5/3rd Parcel Development

BOCC Hearing
December 3, 2024



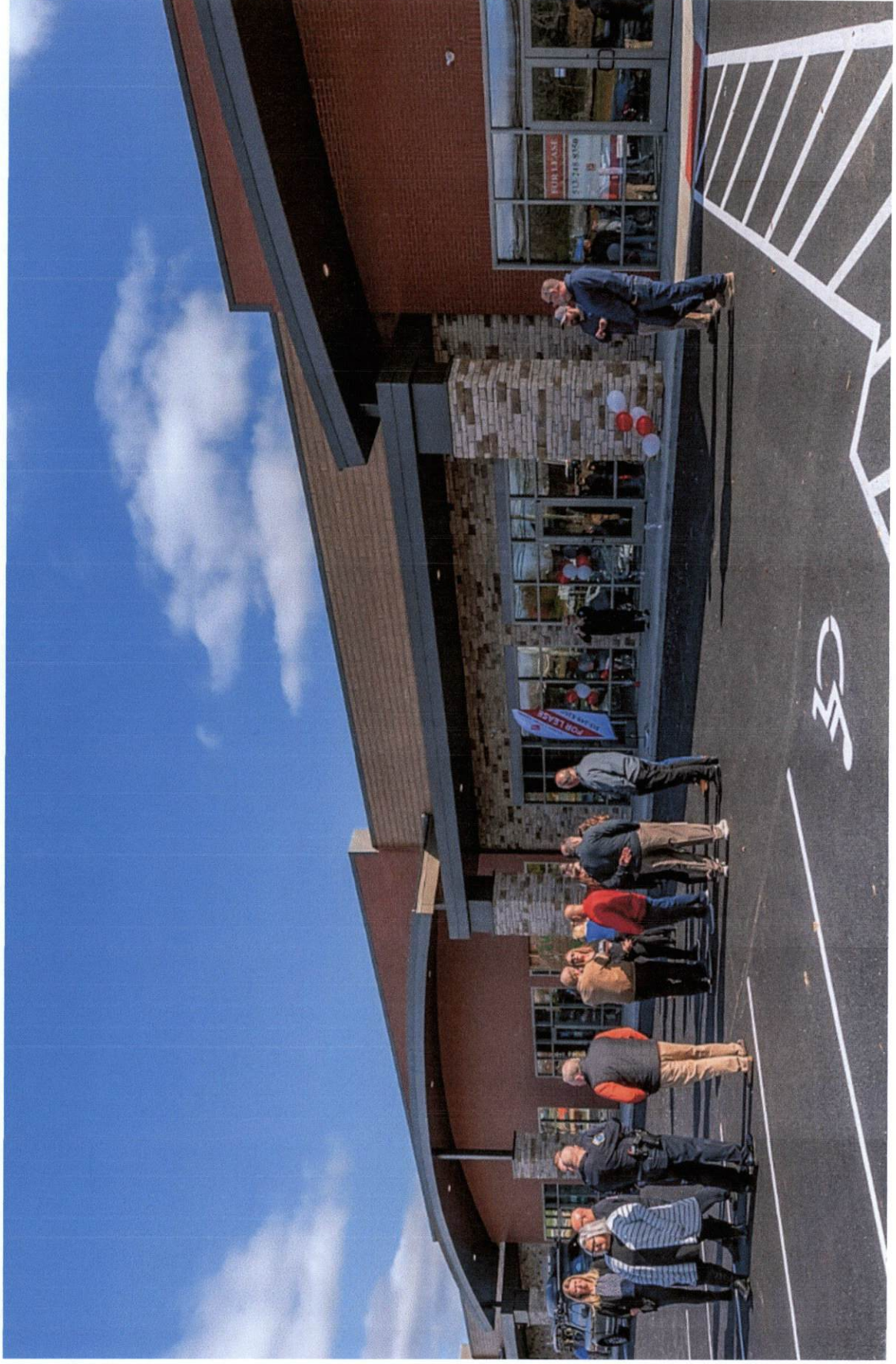




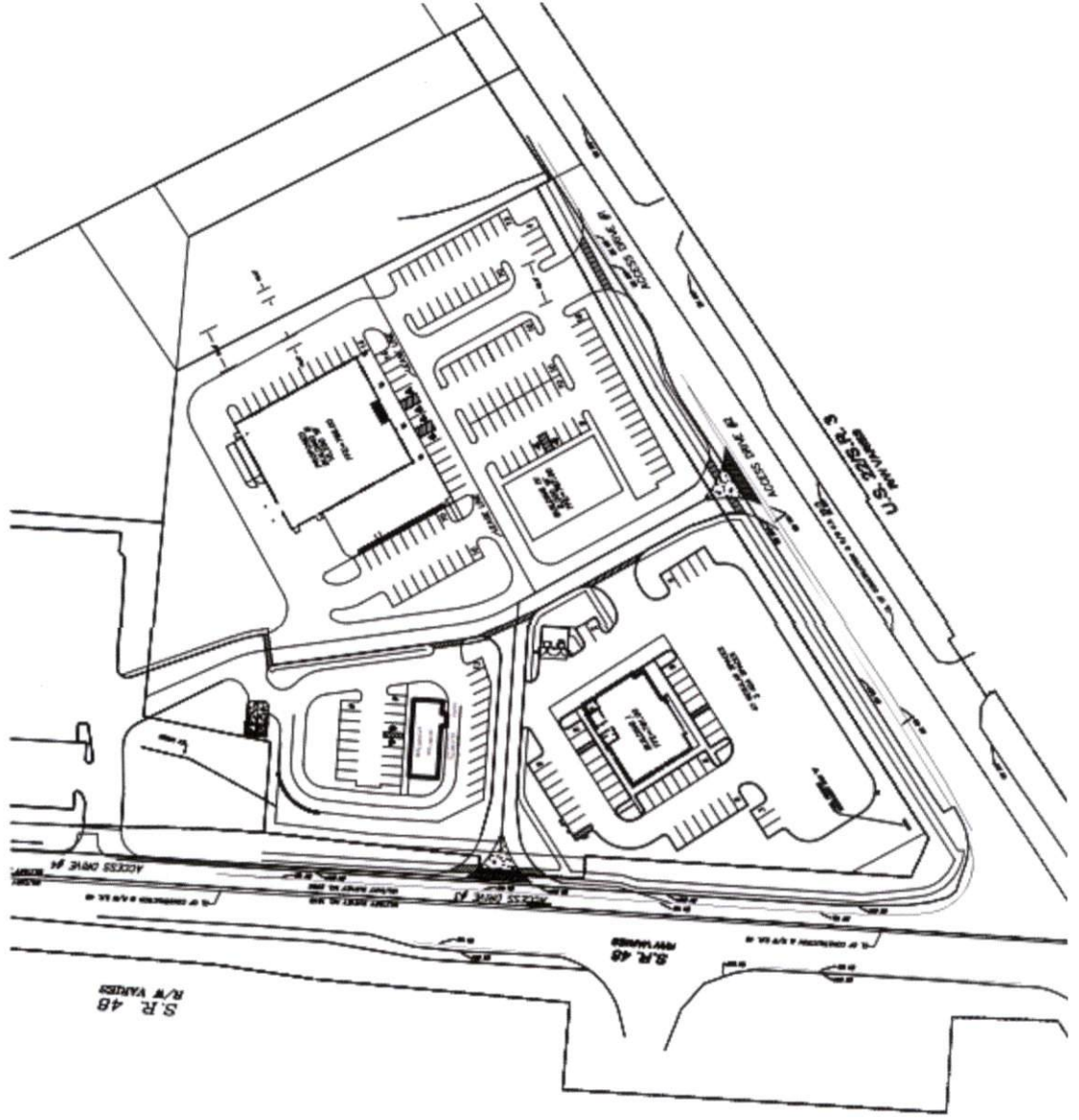
Warren County Commissioners Meeting
December 3, 2024

*Request from The Myers Y. Cooper
Company to Depart From the Original
Thoroughfare Plan Relative to the
Hopkinsville 2010 Access Management Plan
in Hamilton Township*

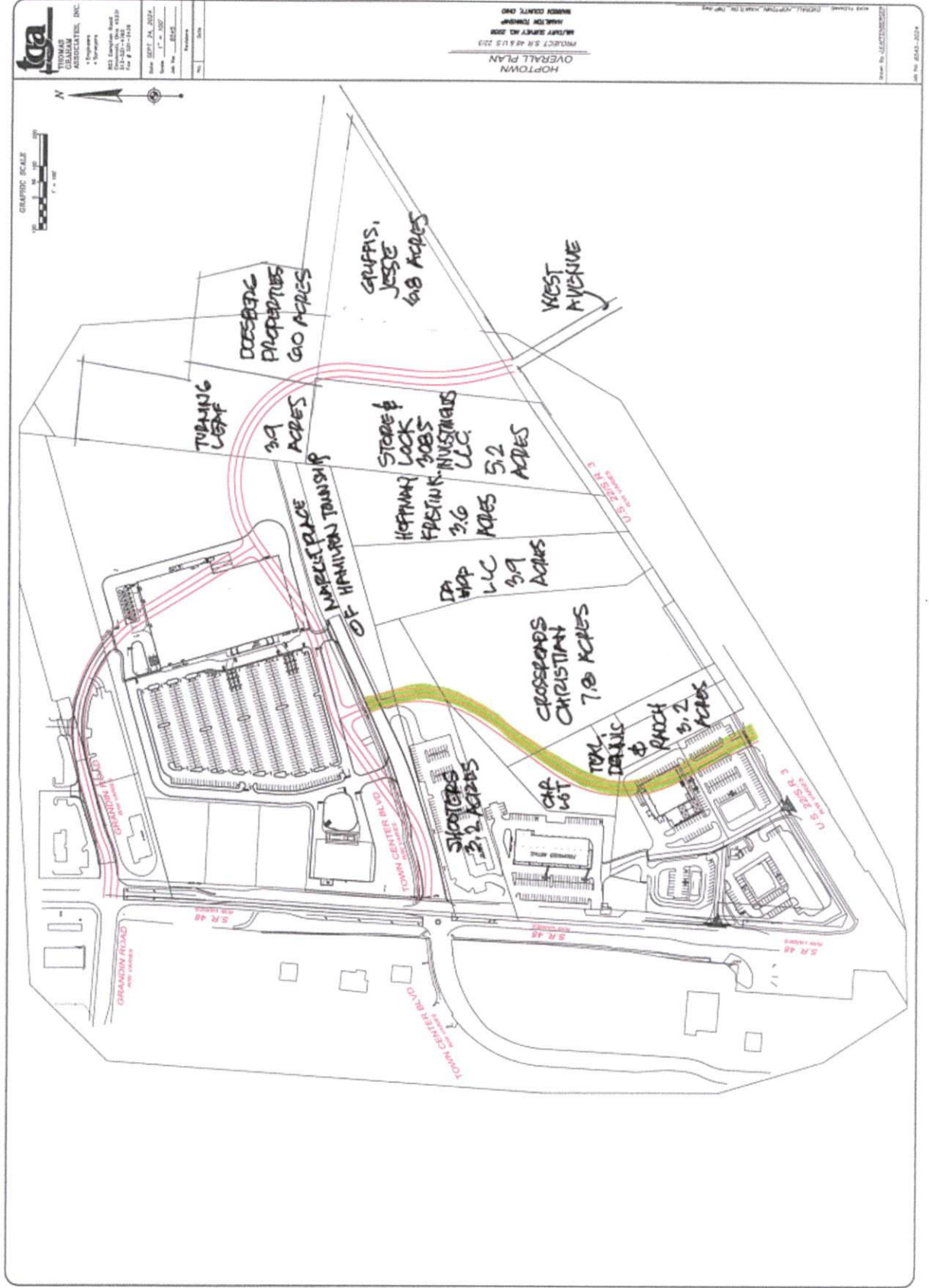
Township Center Ribbon Cutting – SR 48 – 11/7/24



Myers Y. Cooper Development Plan



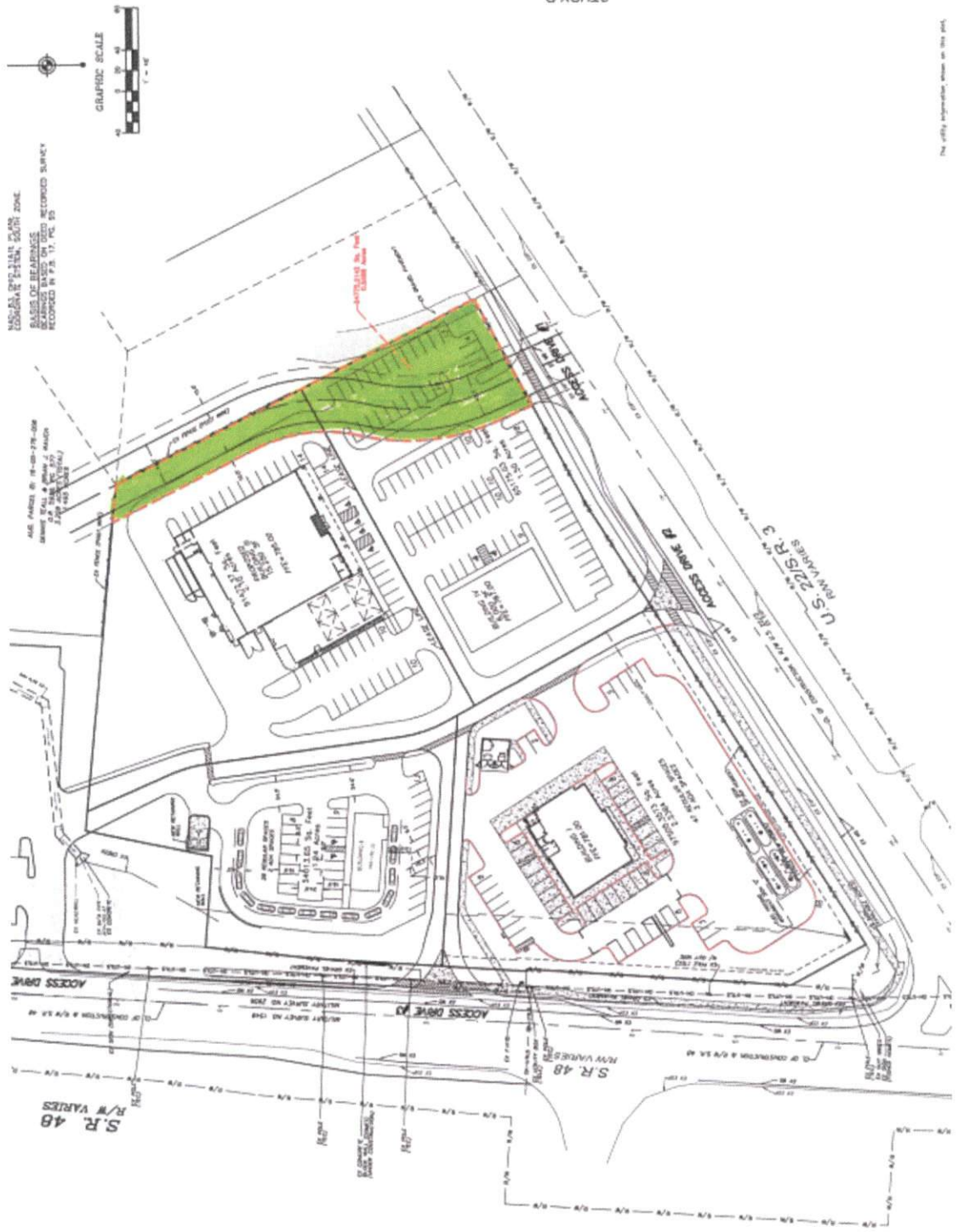
Thoroughfare Plan – Property Owners



Myers Y. Cooper Plan - Original Connector



Myers Y. Cooper Plan - WCCEO Concept



Request from The Myers Y. Cooper Company to Depart From the
Original Thoroughfare Plan Relative to the Hopkinsville 2010
Access Management Plan in Hamilton Township

Do Commissioners wish to support a plan with?

- Uncertain timeline
- No feasibility studies to confirming outcomes
- Legal uncertainty
- Interferes with development
- Imposes public improvements on individual property owners w/out consideration

No funding for plan?

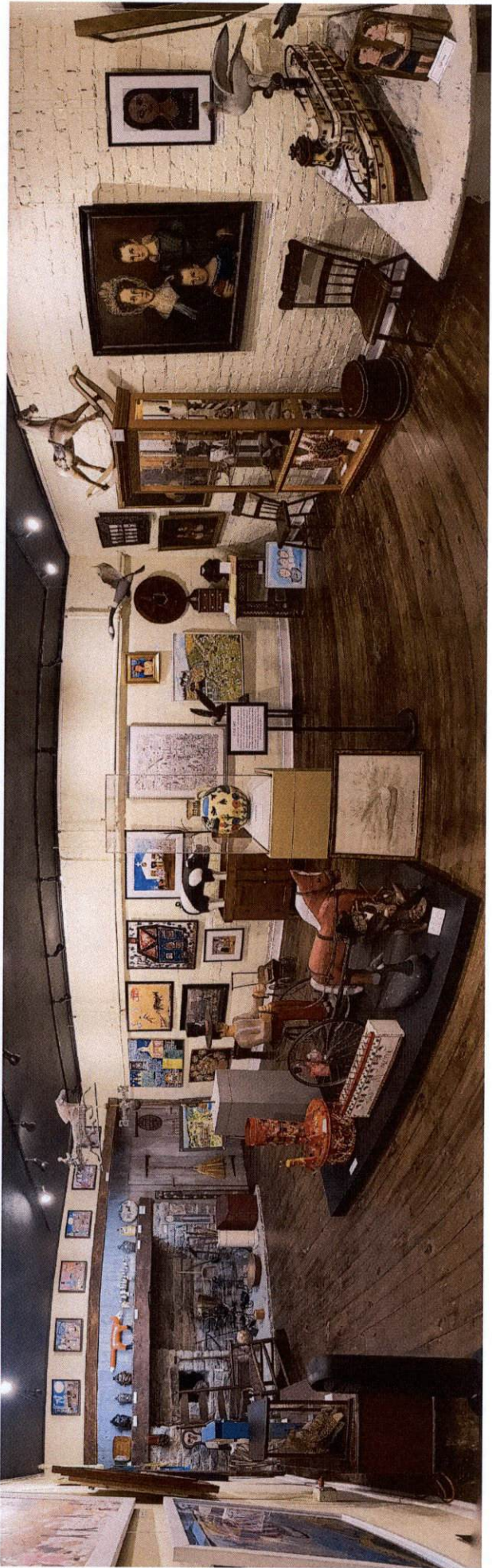
Curb cut take?





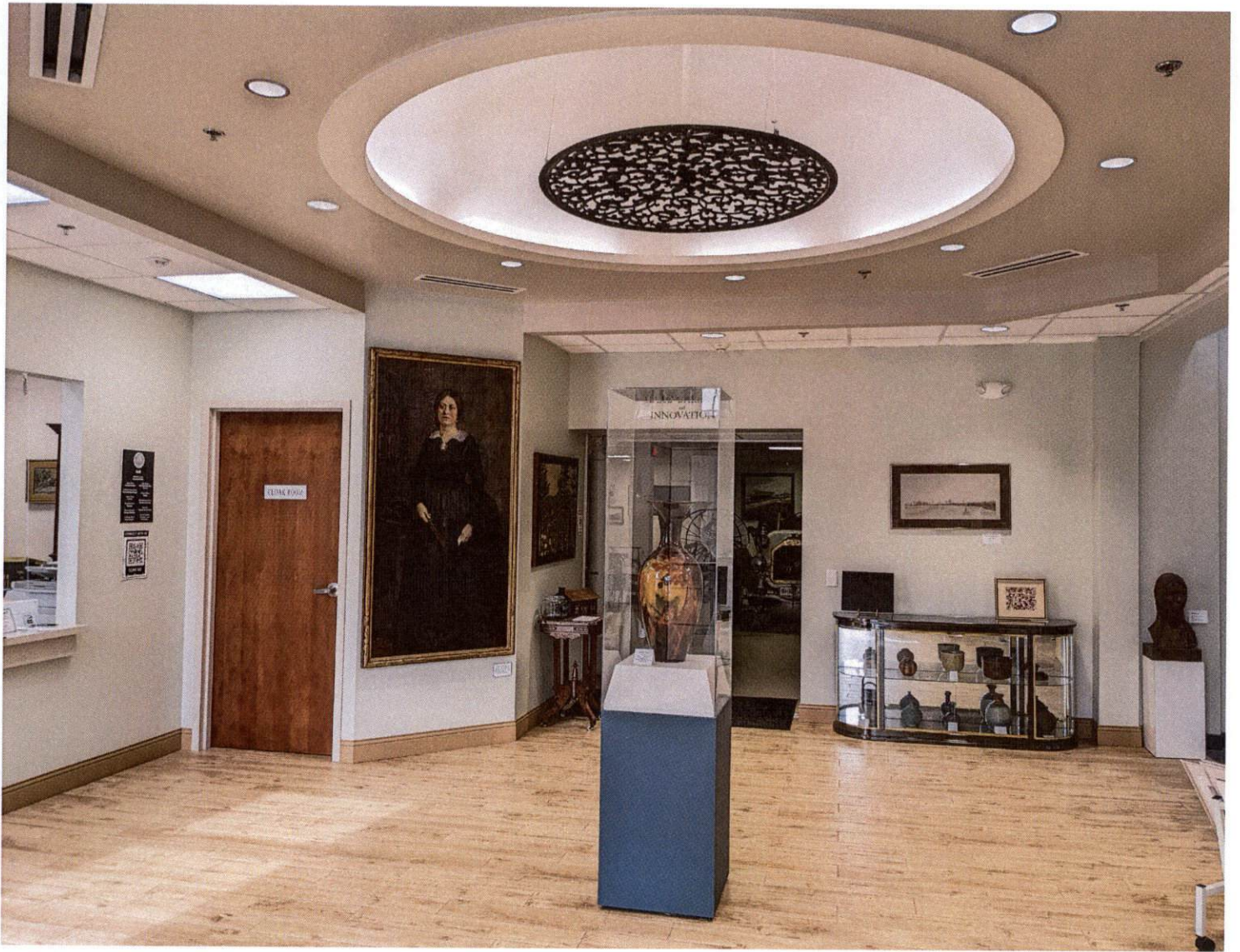














PP EXHIBIT #1 CASE #	2024-04
APPLICANT/OWNER/AGENT	Immobiltec USA, Inc.
TOWNSHIP	Franklin
PROPERTY LOCATION	3489 Pennyroyal Rd. Franklin, Ohio 45005
	PIN 04-21-400-048
PROPERTY SIZE	10.0059 Acres Approx: 393 ft of road frontage
CURRENT ZONING DISTRICT	B2 Community Commercial Businesses Zone
FUTURE LAND USE MAP (FLUM) DESIGNATION	Single Family Residential
EXISTING LAND USE	RESIDENTIAL
ZONING REQUESTED	"I1" Light Industrial Manufacturing Zone
ISSUE FOR CONSIDERATION	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



Regional Planning Commission
September 26, 2024
(Recommended Approval)

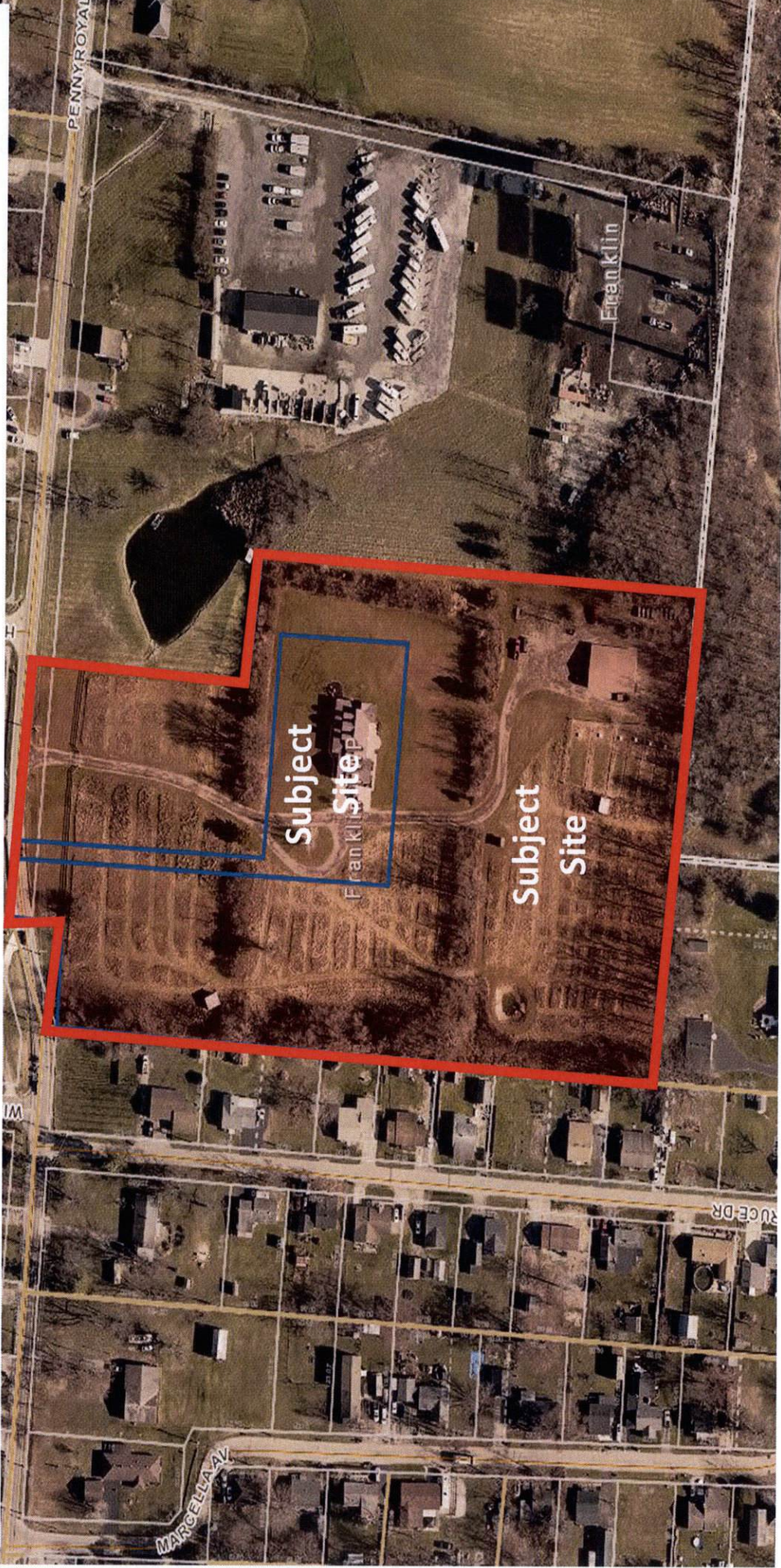
Warren County Rural Zoning Commission
October 15, 2024
(Recommended Approval)

Board of County Commissioners



Aerial

2024-04



Subject Site

Subject Site

PENNYROYAL

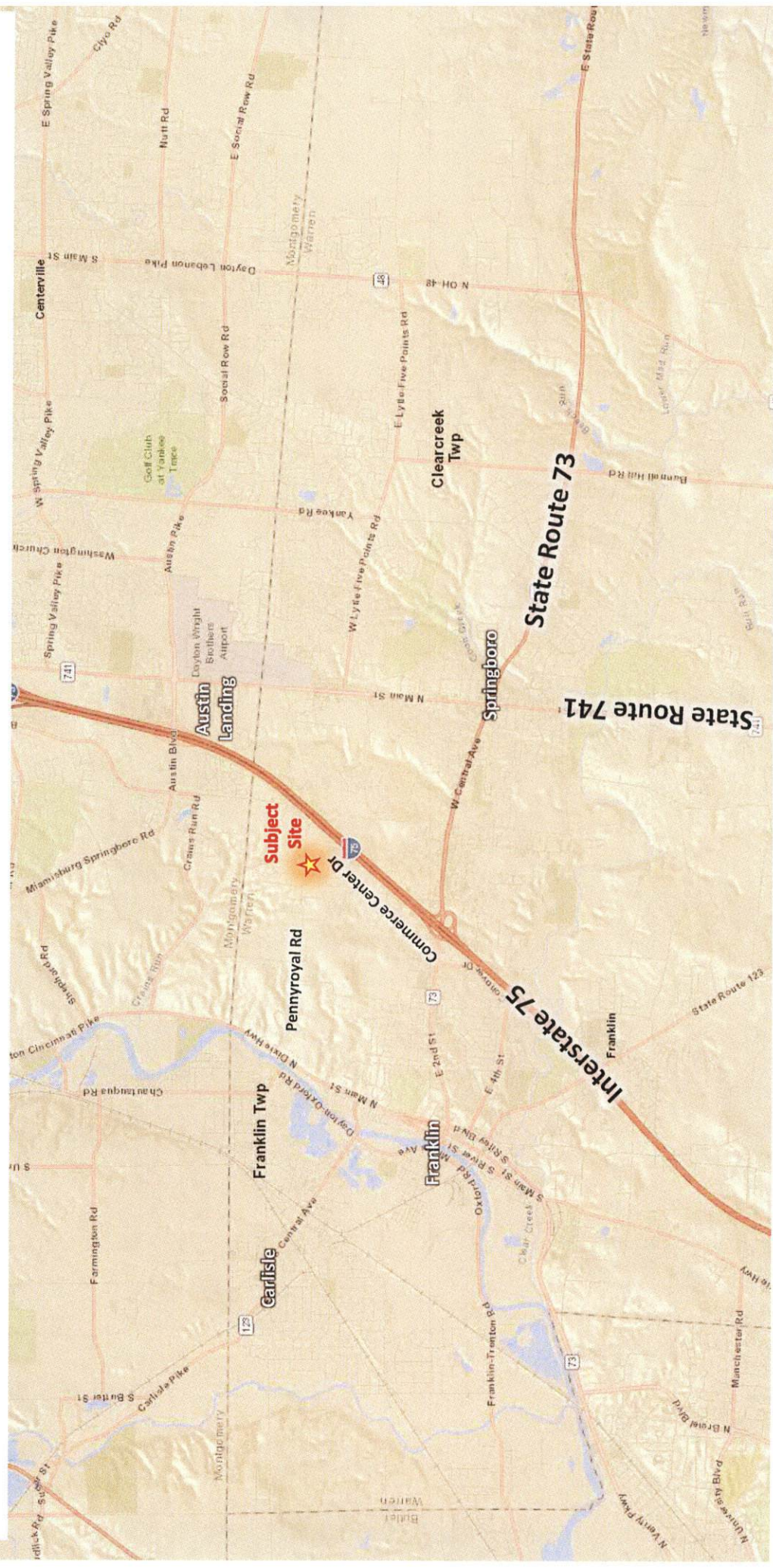
MARCELLA AV

RUCE DR

Franklin

Vicinity

2024-04



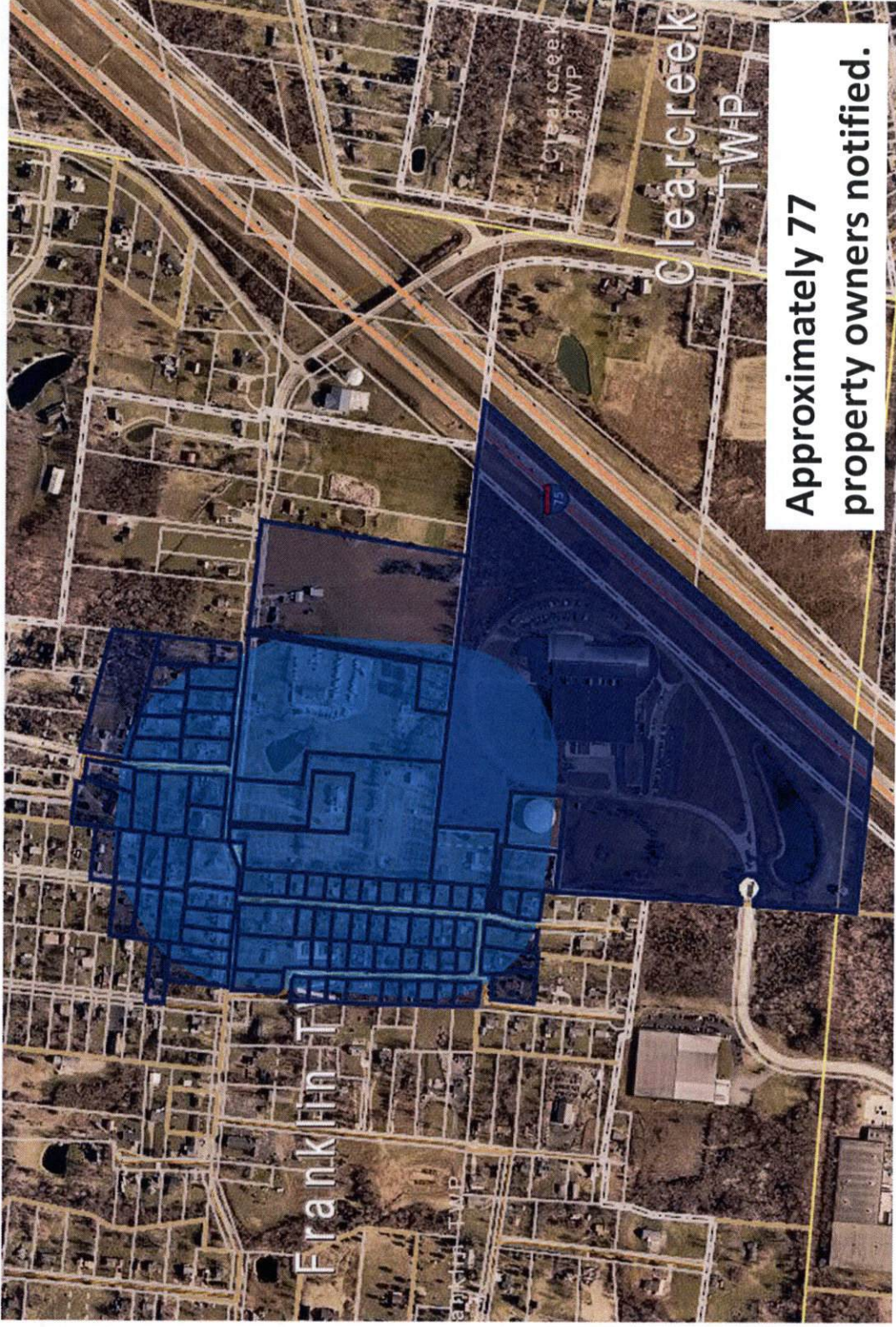
FLOOD & ZONING MAP

2024-04



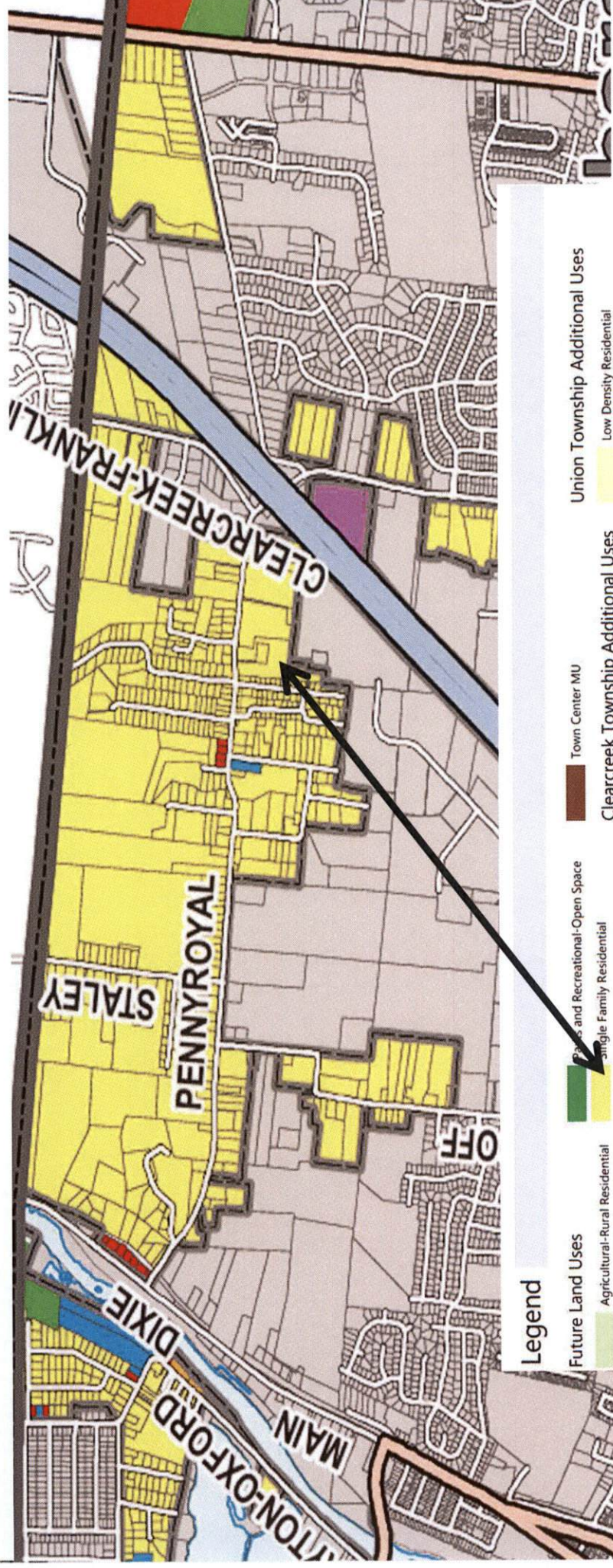
Notification Map

2024-04



Future Land Use

2024-04



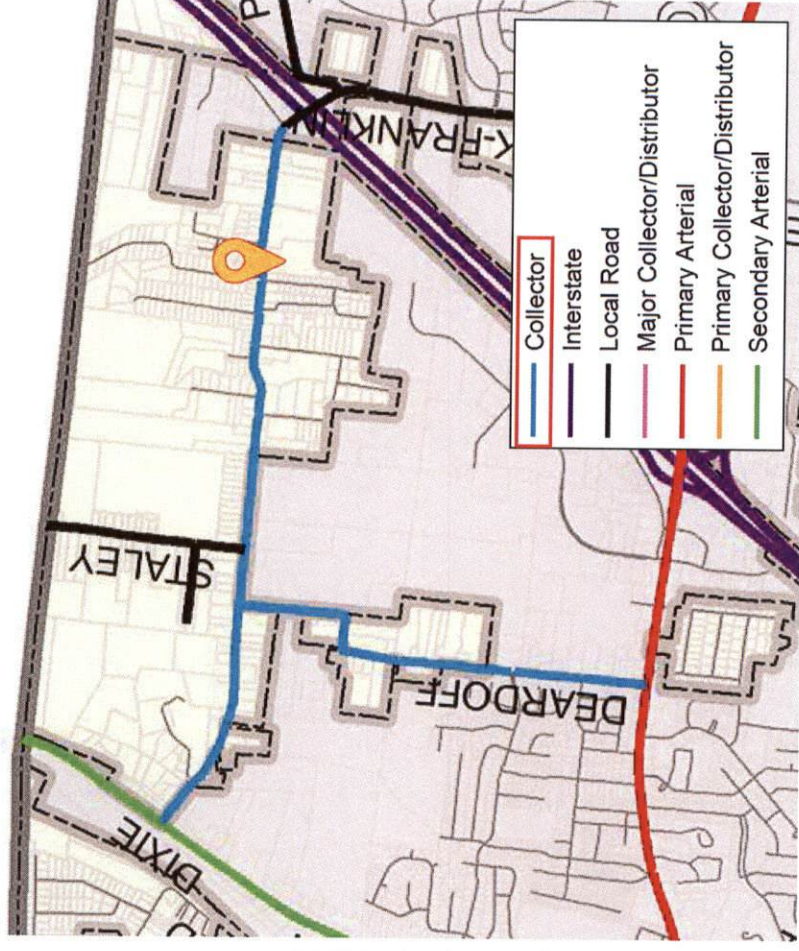
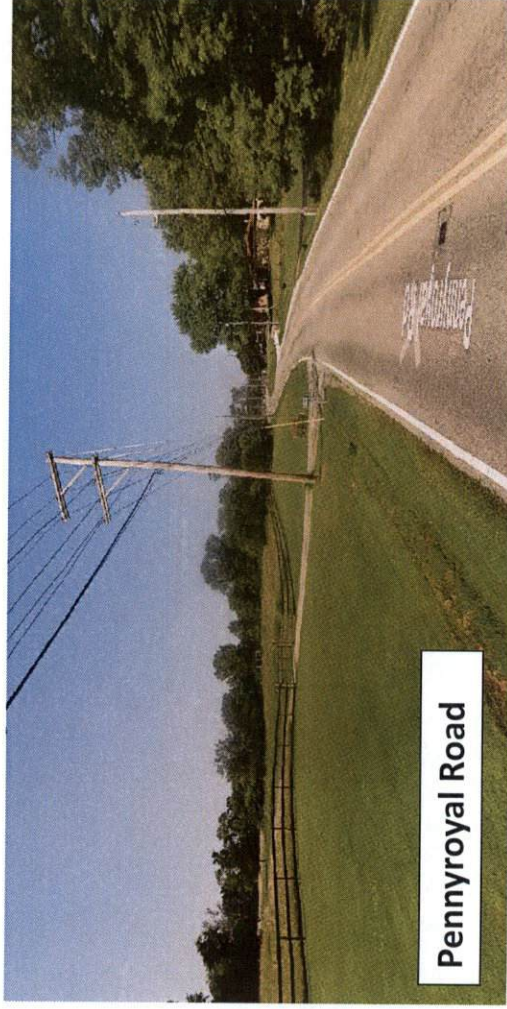
Legend

- Future Land Uses**
 - Agricultural-Rural Residential
 - Commercial
 - Industrial
 - Mixed-Use Neighborhood
 - Multi-Family Residential
 - Office
 - Protection Area
 - Public-Semi-Public
- Deerfield Township Character Areas**
 - Parks and Recreational-Open Space
 - Single Family Residential
 - Low Density Rural Neighborhoods
 - Med Density Rural Neighborhoods
 - Neighborhood MU
 - Neighborhoods
 - Office Park
 - Regional Highway Commercial
- 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

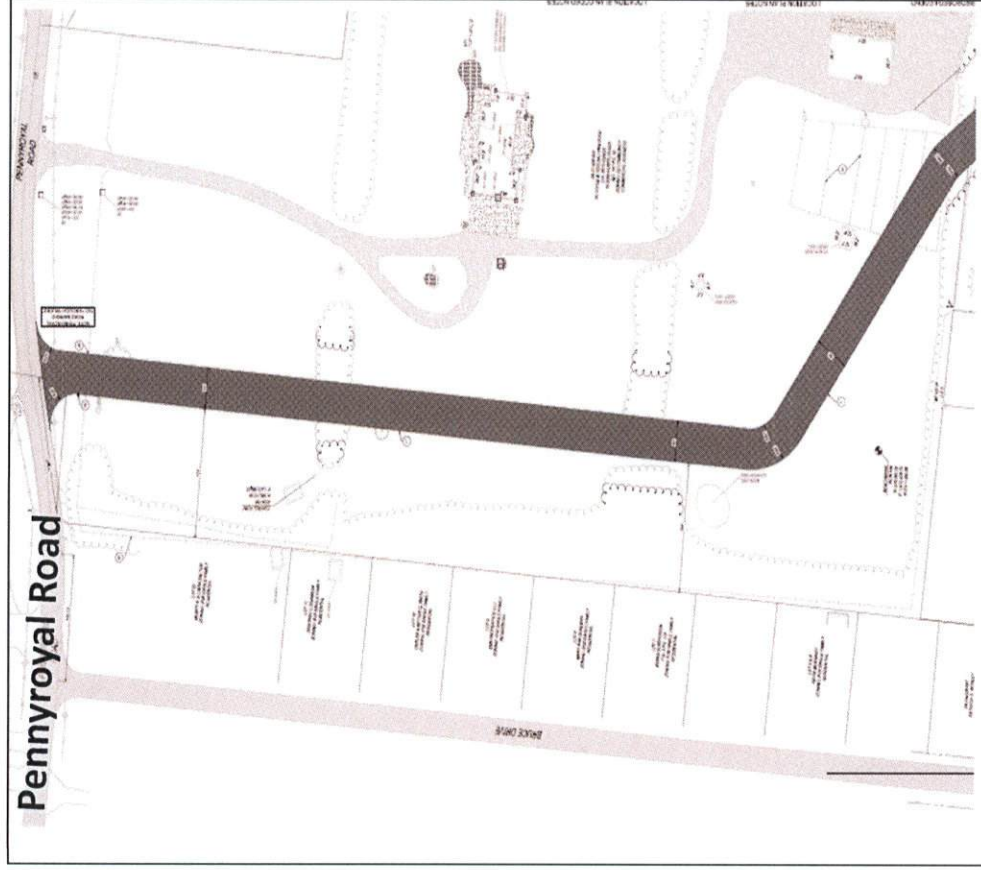
Warren County Thoroughfare Plan

2024-04

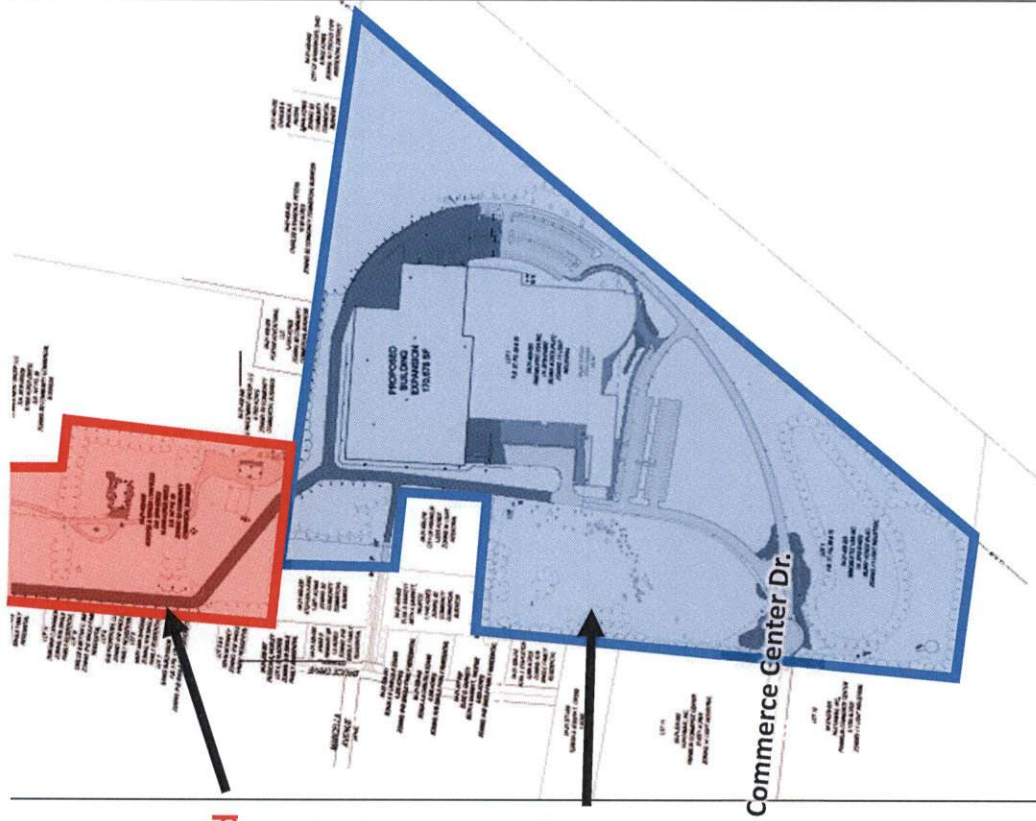
- ~432.60 feet of road frontage, with one access point (driveway) on Pennyroyal Road (Collector Road).
- AADT along Pennyroyal Road: **5,601 Drivers (TIMS)**



Concept Plans



2024-04



Subject Site within unincorporated Franklin Township

Portion within the City of Franklin

Driveway Culvert Permit Application

2024-04

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

Office of
Warren County Engineer FRA

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

Neil F. Tunison, P.E., P.S.
WARREN COUNTY ENGINEER
Email: N.F.Tunison@co.warren.oh.us

Permit No: 7692

Phone (513) 695-3381
Fax (513) 695-3327
Email: N.F.Tunison@co.warren.oh.us

Driveway Culvert Permit Application

Applicant to complete block below, and return to engineer's office.

Name: Immobilize USA, LLC Date: 9-12-2024 (CEN)

Address: 5000 Cambridge Center Drive City & Zip: Franklin, Ohio 45005

Proposed driveway information

Subdivisor: _____ Lot No.: _____
Subdiv. No.: _____
Address shall not be assigned without Subdiv. No.

Driveway use: Residential Commercial Second drive Field access Replacement

To be completed by Engineer's Office.

Culvert Specifications

Length: 40' Depth from top of road to top of pipe: 6' Depth from top of road to top of pipe: 12' Culvert length: 12' Culvert type: Box Round Pipe

Flow: 18" Depth of flow: 18"

To be completed by Engineer's Office.

House number assigned on this permit: _____
Specifications to applicant: 9-13-2024
Final approval date: _____

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

Warren County Engineer - Neil F. Tunison, P.E., P.S.
Permit Coordinator - Jason Fisher
See Access permit for other instructions
ADDITIONAL COMMENTS

WARREN COUNTY ENGINEER'S OFFICE
105 Markey Road, Lebanon, Ohio 45036
Main Ph: (513) 695-1364 Fax (513) 695-2967
CIN: (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 footage 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.

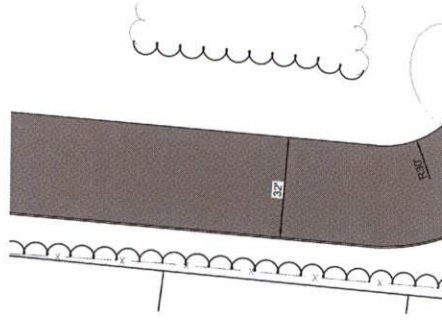
This access permit will remain valid for a period of two (2) years beyond the effective date unless noted otherwise in the permit condition.

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



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 from I1 (Light Industrial Manufacturing Zone) to RU (Rural Residential 5-acre density), 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

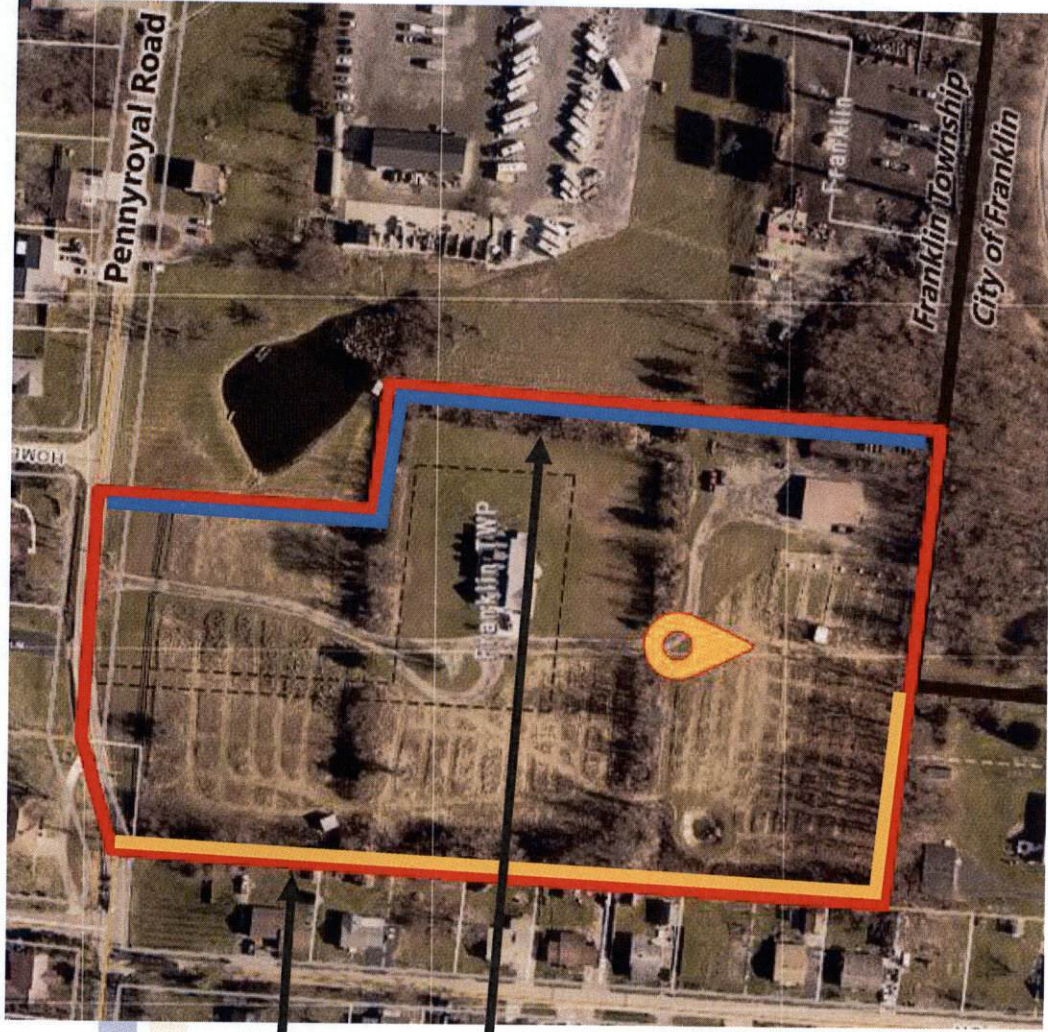


Table 3.405-1: Lot Perimeter Buffer Type

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"

Buffer Types

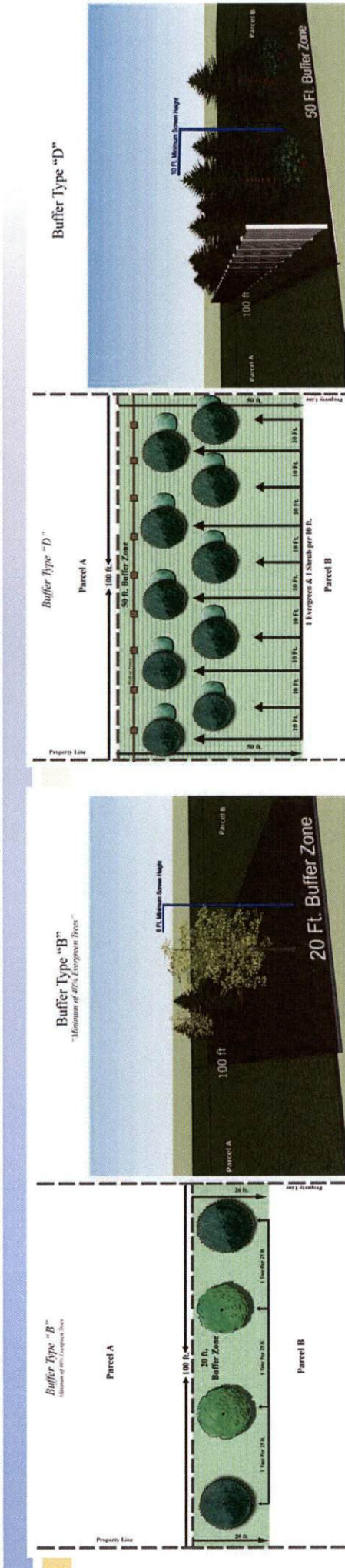


Table 3.405-2: Minimum Requirements For Buffer Type

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]