



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 Session – December 12, 2023

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 5, 2023, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – absent

Tina Osborne, Clerk – present

Minutes of the December 5, 2023, meeting were read and approved.

- 23-1652 A resolution was adopted to hire Jordan Palmer as a Protective Services Caseworker I, within Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-1653 A resolution was adopted to hire Bailey Ranaldo as a Fellowship Student, part of the Child Welfare Fellowship Program to work within Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-1654 A resolution was adopted to amend resolution #23-1543, adopted November 14, 2023, adopting classification specification for Director of Development to reflect the correct wage for Matthew Schnipke. Vote: Unanimous
- 23-1655 A resolution was adopted to accept resignation of Ibrahim Dabdoub, Custodial Worker I, within Warren County Facilities Management Department effective December 23, 2023. Vote: Unanimous
- 23-1656 A resolution was adopted to authorize the posting of the “Custodial Worker I” position, within the Department of Facilities Management, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous

- 23-1657 A resolution was adopted to approve the promotion of Christopher Lemming to the position of Wastewater Treatment Plant Operator I within the Warren County Water and Sewer Department. Vote: Unanimous
- 23-1658 A resolution was adopted to acknowledge and authorize renewal notice and renewal option and addendum to the Administrative Service Agreement with Dental Care Plus effective January 1, 2024. Vote: Unanimous
- 23-1660 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday December 14, 2023. Vote: Unanimous
- 23-1661 A resolution was adopted to advertise for bids the FY23 South Lebanon- Hobart Avenue Sidewalks CDBG Project. Vote: Unanimous
- 23-1662 A resolution was adopted to advertise for bids for the Roachester – Cozaddale Road Bridge #52-4.02 Rehabilitation Project. Vote: Unanimous
- 23-1663 A resolution was adopted to enter into contract with Ford Development Corporation for the Mason Morrow Milgrove Road (Pike Street) Bridge #38-3.73 Rehabilitation Project. Vote: Unanimous
- 23-1664 A resolution was adopted to enter into contract with W.E. Smith Construction for the Lower Springboro Road Drilled Pier Wall Project. Vote: Unanimous
- 23-1665 A resolution was adopted to enter into contract with Valley Transportation, LLC for the Operation of the Warren County Transit Service. Vote: Unanimous
- 23-1666 A resolution was adopted to enter into contract with KT Holden Construction LLC for the Socialville Transmission Water Main – Contract 3 Project. Vote: Unanimous
- 23-1667 A resolution was adopted to award bid to Brenntag Mid-South INC. for the 2024 Water Treatment Chemical Project. Vote: Unanimous
- 23-1668 A resolution was adopted to approve emergency repair of PTP820G Networking Piece of the Microwave System at Zoar Tower. Vote: Unanimous
- 23-1669 A resolution was adopted to enter into lease agreement with the Warren County Soil and Water Conversation District. Vote: Unanimous
- 23-1670 A resolution was adopted to enter into lease agreement with the Warren County Career Center. Vote: Unanimous
- 23-1671 A resolution was adopted to enter into agreement with the City of Mason, Ohio regarding reimbursement for Public Defender Expenditures for 2024. Vote: Unanimous

- 23-1672 A resolution was adopted to approve and enter into Memorandum of Understanding between the Warren County Board of County Commissioners on behalf of Warren County Children Services (County PCSAO) and Public Children Services Association of Ohio (PCSAO) for the purpose of the Ohio Start Program. Vote: Unanimous.
- 23-1673 A resolution was adopted to approve agreement and addendums with various providers relative to Home Placement and related services on behalf of Warren County Children Services. Vote: Unanimous.
- 23-1674 A resolution was adopted to authorize Warren County Sheriff to sign addendum for police protection with King Local School District, on behalf of the Warren County Sheriff's Office. Vote: Unanimous.
- 23-1675 A resolution was adopted to enter into contracts with various providers relative to providing towing and storages services, on behalf of the Warren County Sheriff's Office. Vote: Unanimous.
- 23-1676 A resolution was adopted to approve an amendment to the agreement with Rumpke of Ohio, Inc. for hauling and disposal of biosolids at the Lower Little Miami Wastewater Treatment Plant. Vote: Unanimous.
- 23-1677 A resolution was adopted to approve agreement between Butler, Clermont, Warren OMJ Consortium and the Workforce Development Board Ohio's 12th Local Workforce Development area for Area 12 Operator. Vote: Unanimous.
- 23-1678 A resolution was adopted to acknowledge receipt of November 2023 financial statement. Vote: Unanimous.
- 23-1679 A resolution was adopted to acknowledge approval of financial transactions. Vote: Unanimous.
- 23-1680 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous.
- 23-1681 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Prus Properties LLC for installation of certain improvements in the village of Classicway Subdivision, Section 9A situated in Hamilton Township. Vote: Unanimous.
- 23-1682 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Prus Properties, LLC for installation of certain improvements in the Villages of Classicway Subdivision, Section 9A situated in Hamilton Township. Vote: Unanimous.
- 23-1683 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Coppage Construction Co. INC. for the C5 Encore Logistics Center situated in Turtlecreek Township. Vote: Unanimous.

- 23-1684 A resolution was adopted to approve various record plats. Vote: Unanimous.
- 23-1685 A resolution was adopted to accept amended certification for Funds 2206, 2207, 2220, 2221, 2223, 2227, 2228, 2233, 2243, 2245, 2246, 2250, 2256, 2262, 2264, 2266, 2273, 2274, 2276, 2277, 2278, and 2279. Vote: Unanimous.
- 23-1686 A resolution was adopted to accept an amended certificate and approve supplemental appropriation into Lodging Tax Fund #2232. Vote: Unanimous.
- 23-1687 A resolution was adopted to approve operating transfers from Water 5510 (surplus) into 5583 Water Revenue Project Fund. Vote: Unanimous.
- 23-1688 A resolution was adopted to approve operating transfer from Sewer 5580 (surplus) into 5575 Sewer Revenue Projects. Vote: Unanimous.
- 23-1689 A resolution was adopted to approve operational transfer from Commissioners Fund #11011112 into Human Services Fund #2203. Vote: Unanimous.
- 23-1690 A resolution was adopted to approve operational transfer from County Commissioners' Fund #11011112 into Mary Haven Youth Treatment Center Fund #2270. Vote: Unanimous.
- 23-1691 A resolution was adopted to approve supplemental appropriation into Commissioners Fund #11011111. Vote: Unanimous.
- 23-1692 A resolution was adopted to approve supplemental appropriation into Commissioners Fund #11011112. Vote: Unanimous.
- 23-1693 A resolution was adopted to approve supplemental appropriation into Commissioners General Fund #11011271. Vote: Unanimous.
- 23-1694 A resolution was adopted to approve supplemental appropriation into County Court Fund 2221. Vote: Unanimous.
- 23-1695 A resolution was adopted to approve supplemental appropriation into Airport Fund #4479. Vote: Unanimous.
- 23-1696 A resolution was adopted to approve appropriation decrease within Human Services Fund 2203. Vote: Unanimous.
- 23-1697 A resolution was adopted to approve appropriation decrease within the OhioMeansJobs Warren County Fund #2254. Vote: Unanimous.
- 23-1698 A resolution was adopted to approve appropriation decreases within the OhioMeansJobs Warren County Fund #2258. Vote: Unanimous.

- 23-1699 A resolution was adopted to approve appropriation decrease in Community Development Fund #2265. Vote: Unanimous.
- 23-1700 A resolution was adopted to approve appropriation decrease within Sheriff's Office Fund 2267. Vote: Unanimous.
- 23-1701 A resolution was adopted to approve appropriation decrease within Sheriff's Fund 2294. Vote: Unanimous.
- 23-1702 A resolution was adopted to approve appropriation decrease within Sheriff's Office Fund 6630. Vote: Unanimous.
- 23-1703 A resolution was adopted to approve appropriation decrease within Warren County Garage Fund #6619. Vote: Unanimous.
- 23-1704 A resolution was adopted to approve appropriation adjustment within the Information Technology Department Fund #11011400. Vote: Unanimous.
- 23-1705 A resolution was adopted to approve appropriation adjustment within Information Technology Department Fund #11011400. Vote: Unanimous.
- 23-1706 A resolution was adopted to approve appropriation adjustment within the Information Technology Department Fund #11011400. Vote: Unanimous.
- 23-1707 A resolution was adopted to approve appropriation adjustment within the Information Technology Department Fund #11011400. Vote: Unanimous.
- 23-1708 A resolution was adopted to approve appropriation adjustment within Facilities Management #11011600. Vote: Unanimous.
- 23-1709 A resolution was adopted to approve appropriation adjustment from Sheriff's Office Fund 11012210 into 11012200. Vote: Unanimous.
- 23-1710 A resolution was adopted to approve appropriation adjustment within the Building and Zoning Department Fund #11012300. Vote: Unanimous.
- 23-1711 A resolution was adopted to approve appropriation adjustments within Juvenile Detention Fund #11012600. Vote: Unanimous.
- 23-1712 A resolution was adopted to approve appropriation adjustments within Telecommunications Department Fund #11012810. Vote: Unanimous.
- 23-1713 A resolution was adopted to approve appropriation adjustment within Engineer's Office Fund #2202. Vote: Unanimous.
- 23-1714 A resolution was adopted to approve appropriation adjustment within OhioMeansJobs Warren County Fund #2254. Vote: Unanimous.

- 23-1715 A resolution was adopted to approve appropriation adjustment within Children Services Fund #2273. Vote: Unanimous.
- 23-1716 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous.
- 23-1717 A resolution was adopted to approve and enter into a settlement agreement & release with W.O. Brisben for the final reimbursement related to the construction of the Village on the Green Pump Station and Force Main. Vote: Unanimous.
- 23-1718 A resolution was adopted to administer disciplinary action against Jennifer Powell, Eligibility Referral Specialist I within the Warren County Job and Family Services, Human Services Division. Vote: Unanimous.
- 23-1719 A resolution was adopted to declare support in designation of full time judgeship in the Lebanon Municipal Court. Vote: Unanimous.
- 23-1720 A resolution was adopted to ratify vote resulting in denial of rezoning application of Francis W. Logan, (Case #2023-07) (AKA Dollar General) to rezone approximately 3.63 acres being a part of parcel ID 18-33-451-009 consisting of 87.0001 acres from "RU" Rural Residential to "B2" Community Commercial Business in Harlan Township.

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

REZONING APPLICATION OF FRANCIS W. LOGAN, (CASE 2023-07) (AKA DOLLAR GENERAL) TO REZONE APPROXIMATELY 3.63 ACRES FROM "RU" RURAL RESIDENTIAL TO "B2" COMMUNITY COMMERCIAL BUSINESS IN HARLAN TOWNSHIP

The public hearing to consider the rezoning application of Francis W. Logan, Owner of record (Case # 2023-07) to rezone approximately 3.63 acres (Parcel ID 18-33-451-009-0) located along State Route 132 in Harlan Township from 'RU' Rural Residential to "B2" Community Commercial Business was convened this 12th day of December 2023, in the Commissioners' Meeting Room.

Michelle Tegtmeier, Chief Zoning Official, presented the attached PowerPoint presentation reviewing the applicant/agent, property size and location as well as current use/zoning classification and the requested zoning. She reviewed the surrounding property uses and zoning classification and stated that the Warren County Future Land Use Map showing the property as Agricultural-Rural Residential classification.

Mrs. Tegtmeier then stated that both the Regional Planning Commission Executive Committee and the Rural Zoning Commission voted to deny the rezoning application.

Mark Jordan, relator with Coldwell Banker representing the property owner, explained that the proposed Dollar General store will be large and provide fresh fruits and vegetables. He then presented the attached PowerPoint Presentation showing the surrounding Dollar General stores as well as the Warren County Future Land Use Map. He stated that the store will fulfill a need that is currently not being met in the area. He then stated that representatives from Dollar General met with the township representatives, and he was informed that the Harlan Township Trustees were initially in favor of this project.

Webb Logan, property owner, stated his opinion that commercial business is needed in the area in order to help the Harlan Township Trustees fund Fire/EMS services by bringing additional tax dollars into the township.

Mark Shelton, Harlan Township Trustee, stated that the trustees are opposed to the rezoning. He stated that a representative from Dollar General attended their meeting asking for names of property owners that could possibly be interested in selling property to them. He stated that was the extent of the meeting.

Commissioner Jones questioned why the Township objected to the rezoning application.

Mr. Shelton stated that the township trustees determined in 2012 during the zoning rewrite that this portion of the township should stay rural.

Commissioner Grossmann discussed the possibility of annexation with the property being near the Village of Butlerville.

Louis Kohus, 8847 SR 132, Pleasant Plain, stated his concerns with traffic and an increase in noise that would negatively affect his kennel business across the street.

John Baker, 9921 SR 132, Pleasant Plain, stated he is an area property owner, business owner and Village of Pleasant Plain Council Member. He stated that 147 residents spoke in opposition to this rezoning during the Rural Zoning Commission hearing. He stated that this part of the county is "true country" and the reason the majority of the residents choose to live there. He then stated concerns with the "domino effect" of this rezoning as well as traffic safety concerns, the lack of sanitary sewer, light pollution and that this business does not fit with the character of the area. He then stated that the Village of Pleasant Plain voted to oppose this rezoning.

Julie Doughty, 8719 Morrow Woodville Road and adjacent property owner stated concerns with lights shining into her yard as well as the noise concerns of the business causing a disturbance with

the dogs across the street. She stated that the current comprehensive plan is working fine and suggested that Dollar General consider redeveloping property inside the Village.

There was discussion relative to surrounding property values decreasing when a Dollar General is located in a community.

Sue Bennett, 7440 Starkey Road, requested that the Board respect the recommendation of the people that have heard this request before and deny the rezoning as recommended by the Regional Planning Commission, Rural Zoning Commission, and the Harlan Township Trustees.

Merideth Pugh, adjacent property owner, stated that this is not a good location for a Dollar General Store.

James Wilkerson, 5590 Middleboro Road, stated concerns with traffic and light pollution and that he does not want a Dollar General in this rural area.

There was discussion with Mr. Jordan relative to the policies of Dollar General as it relates to lighting.

Commissioner Jones stated her opinion that there has been no case made by the applicant to approve a change in zoning.

Commissioner Grossmann questioned Mr. Jordan relative to the concerns that were heard during the hearing.

Bruce McGary, Assistant Prosecutor, suggested that the review criteria be displayed on the view board and if the Board chooses to vote today, that they refer to the criteria.

Commissioner Jones stated that this rezoning application should not be approved based upon the review criteria listed in A, B, E, F and maybe D.

Commissioner Grossmann questioned if Mr. Jordan had any specific evidence to present relative to property values.

Mr. Jordan indicated that he does not.

Commissioner Grossmann read aloud the review criteria.

On motion, upon unanimous call of the roll, the public hearing was closed.

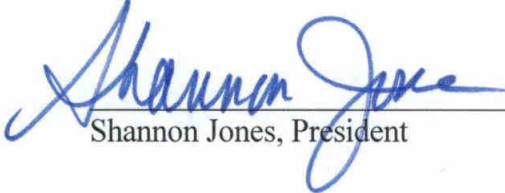
Commissioner Grossmann again discussed the ability of the property owner to annex to Butlerville as well as his high regard for property owners' rights.

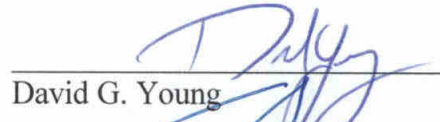
Commissioner Jones stated that she also shares an interest in property owners' rights but stated that in the instance of rezoning, those rights are not taking away rights to develop under the current zoning. She stated that property rights remain with the property and when reviewing the criteria, she would vote to deny on items A, B, D, E, ,F and G of the review criteria.

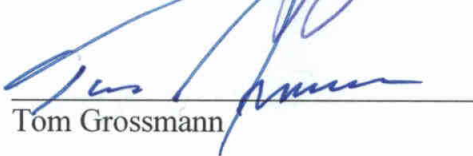
Upon further discussion, Commissioners Grossmann moved to approve the rezoning application, being seconded by Commissioner Jones and upon call of the roll, both voted nay.

It was then determined that the rezoning application of Francis W. Logan, Owner of record (Case # 2023-07) to rezone approximately 3.63 acres (Parcel ID 18-33-451-009-0) located along State Route 132 in Harlan Township from 'RU' Rural Residential to "B2" Community Commercial Business is denied.


Upon motion the meeting was adjourned.


Shannon Jones, President


David G. Young


Tom Grossmann

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 12, 2023, in compliance with Section 121.22 O.R.C.


Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

PP EXHIBIT #1 CASE #	2023-07	
APPLICANT/OWNER/AGENT	Francis W. Logan / BL Companies, LLC Dollar General	
TOWNSHIP	Harlan	
EXISTING PROPERTY LOCATION (87.0001 ACRES)	ADDRESS	Route 132
	PIN	18-33-451-009-0
PROPOSED PROPERTY SIZE & FRONTAGE FOR SITE PLAN REVIEW:	3.630 Acres (not divided yet); 481 Feet	
CURRENT ZONING DISTRICT	"RU" Rural Residential	
FUTURE LAND USE MAP (FLUM) DESIGNATION	Agricultural-Rural Residential	
EXISTING LAND USE	Agriculture	
ZONING REQUESTED	"B2" Community Commercial Business	
ISSUE FOR CONSIDERATION	To rezone the property from RU to B2.	

Rezoning Process

2023-07

**Regional Planning
Commission**
September 28, 2023



**Warren County Rural
Zoning Commission**
October 11, 2023



Board of County Commissioners

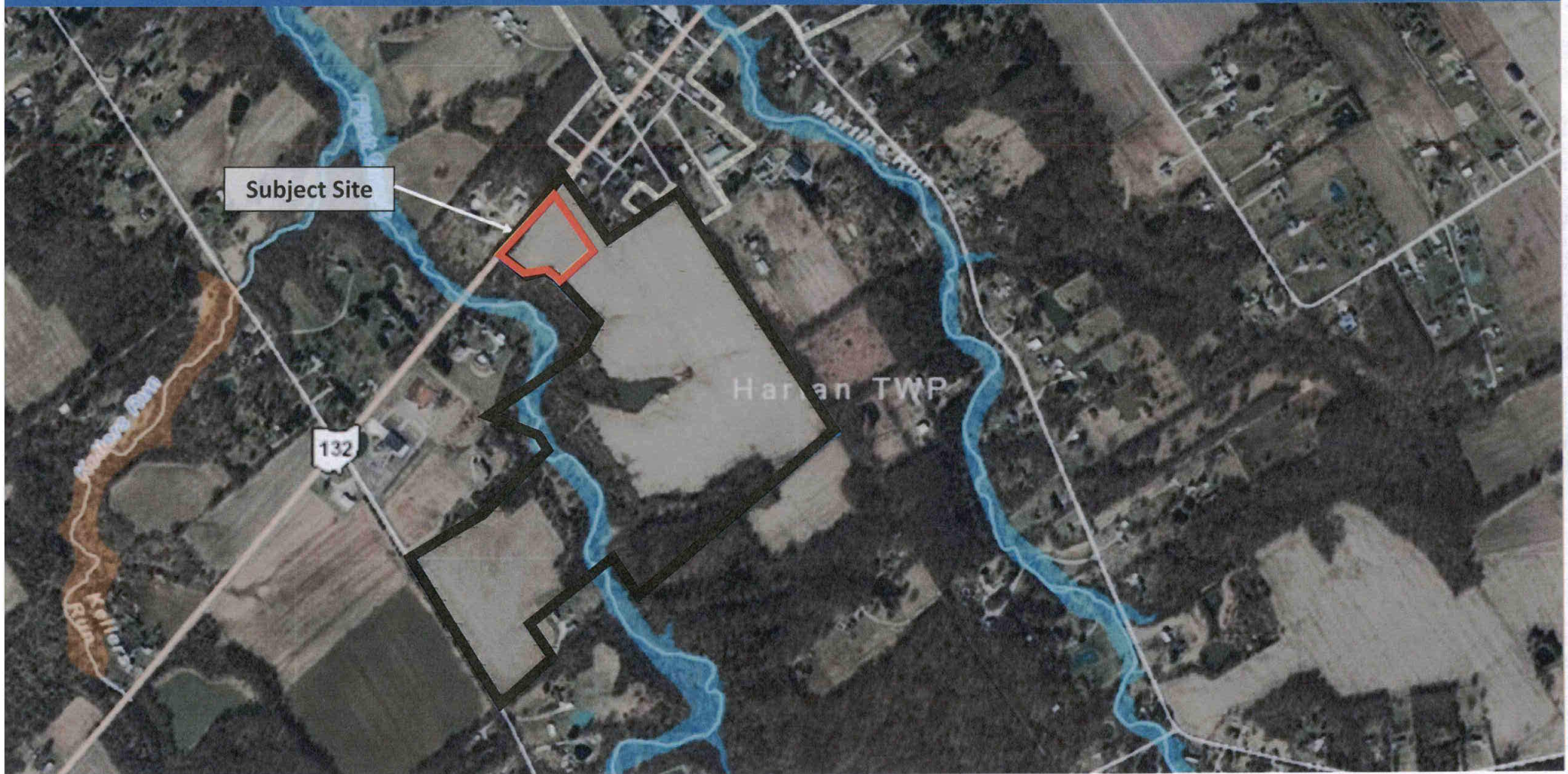
Aerial Map

2023-07



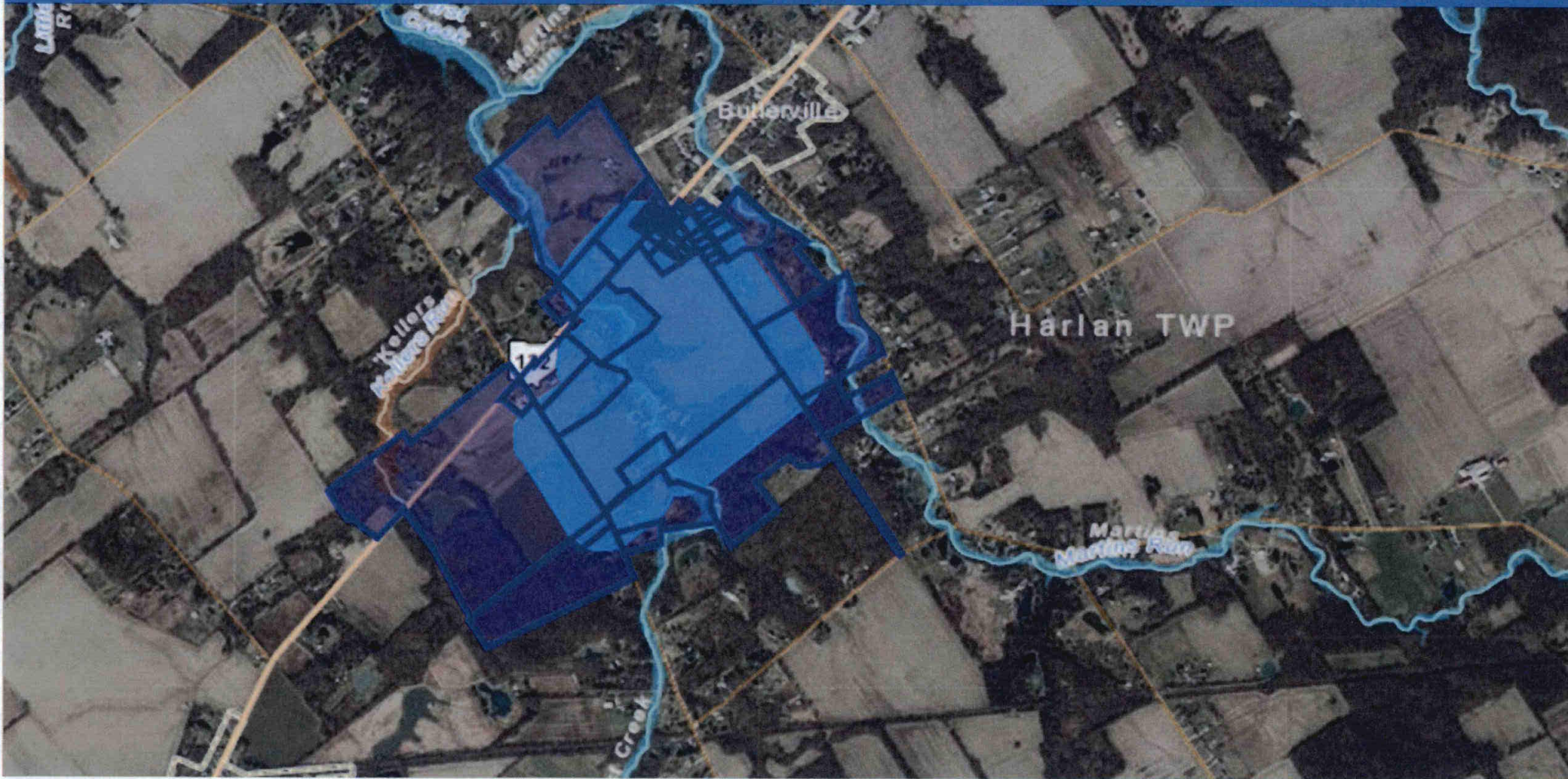
Aerial Map

2023-07



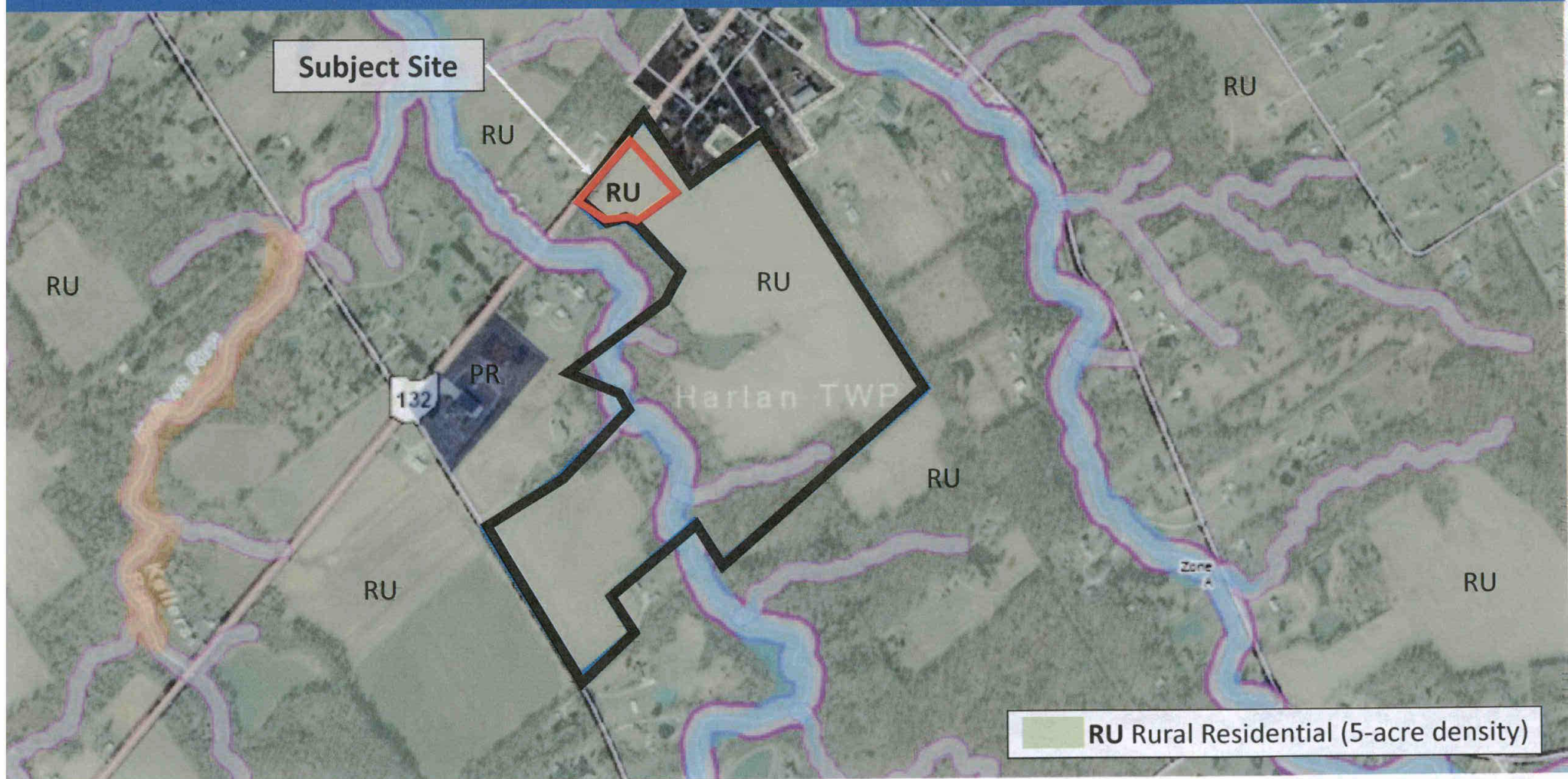
Notification Map

2023-07



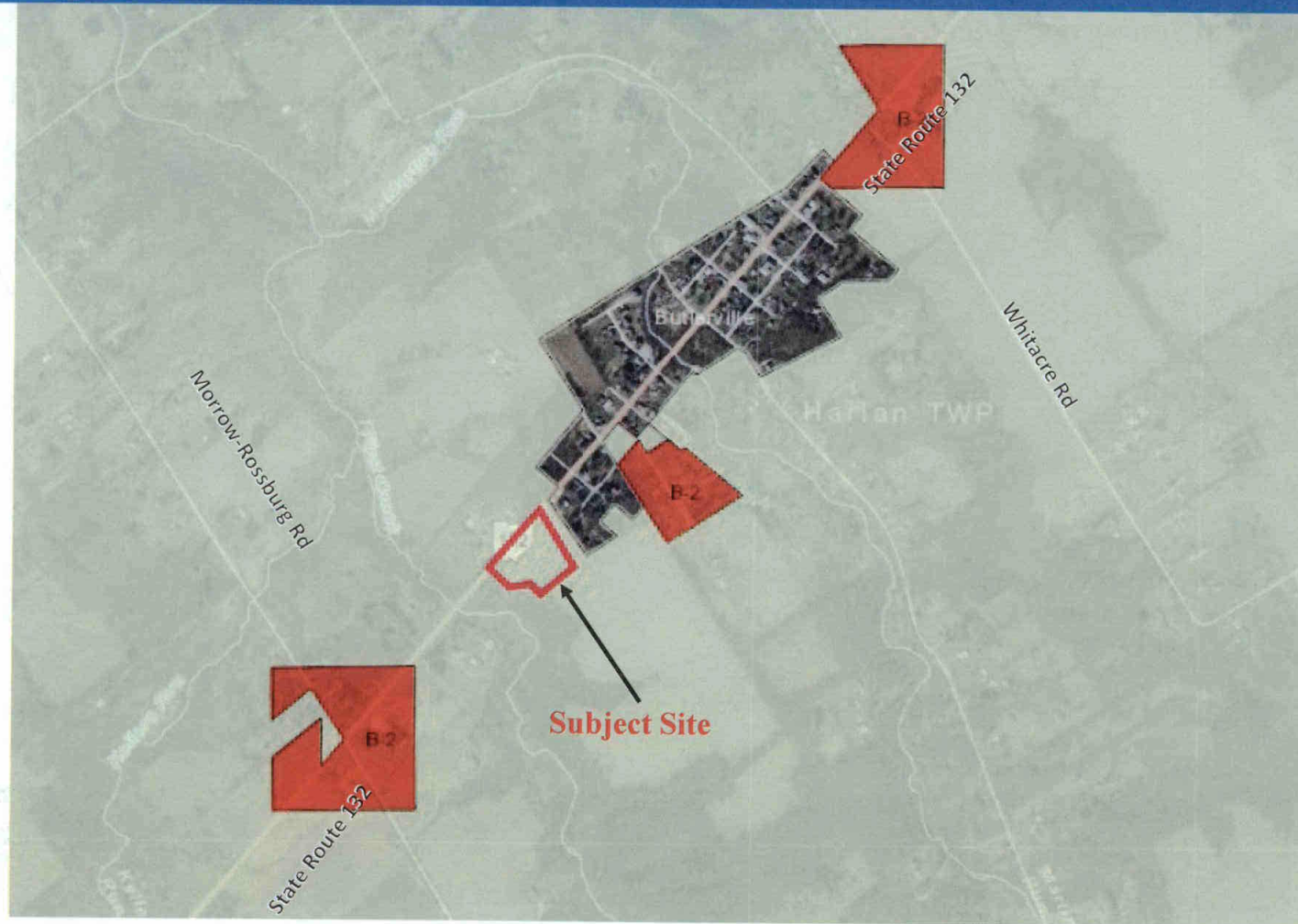
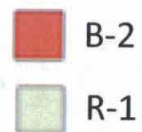
Zoning and Flood Map

2023-07



Pre-2012 Zoning

Before 2012, Warren County Zoning had designated a larger number of properties zoned as B-2 for commercial purposes in this area.

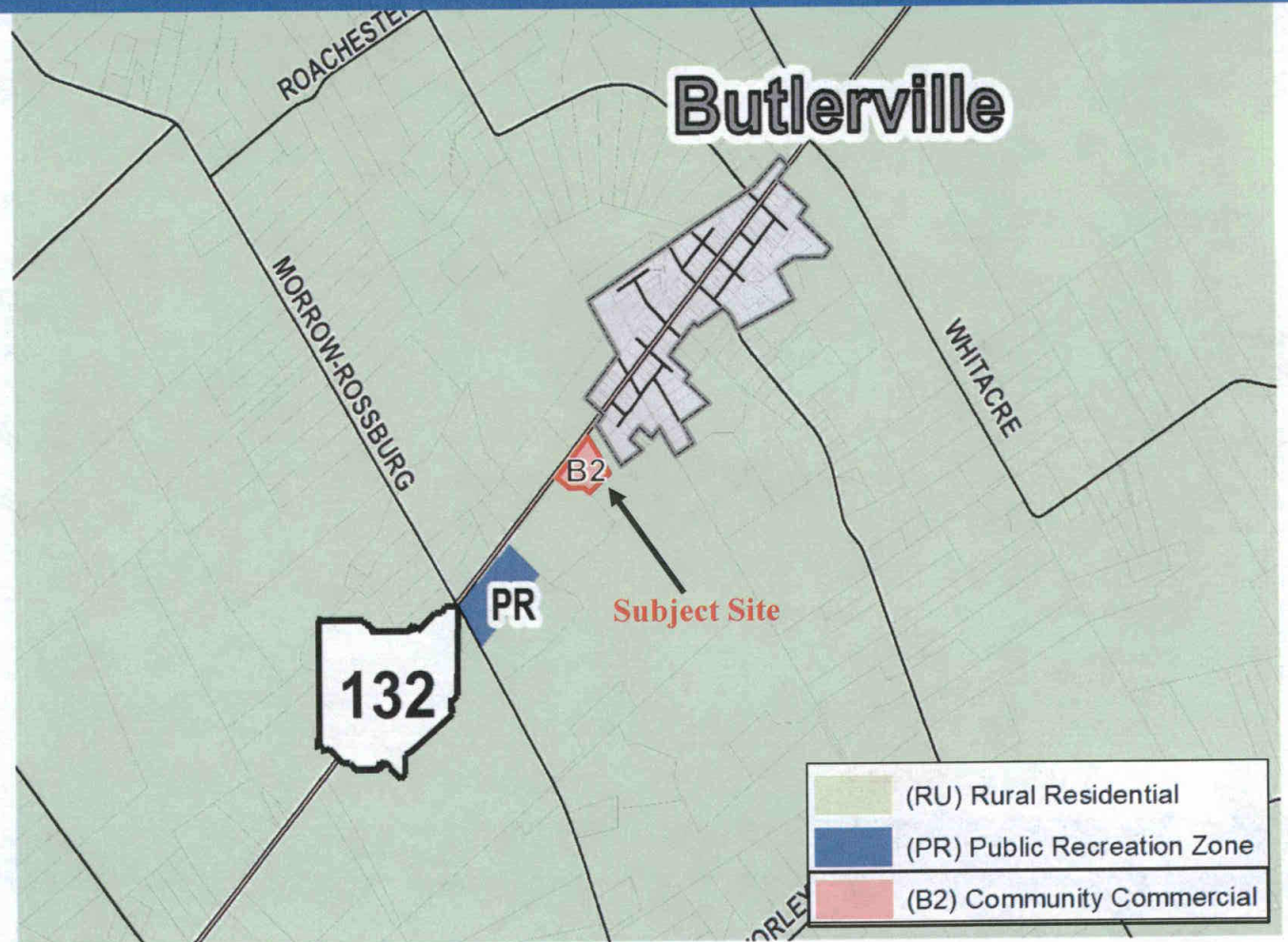


Proposed Zoning

2023-07

2.303 (B). Community Business Zone

The B2 Zone and regulations are for purposes of permitting and **encouraging business establishments in centralized locations to allow a wide range of uses to meet the needs of the community.** Design standards are intended to limit the impacts on the roadway network through the layout of sites and internal vehicular access between sites. – *Warren County Zoning Code*

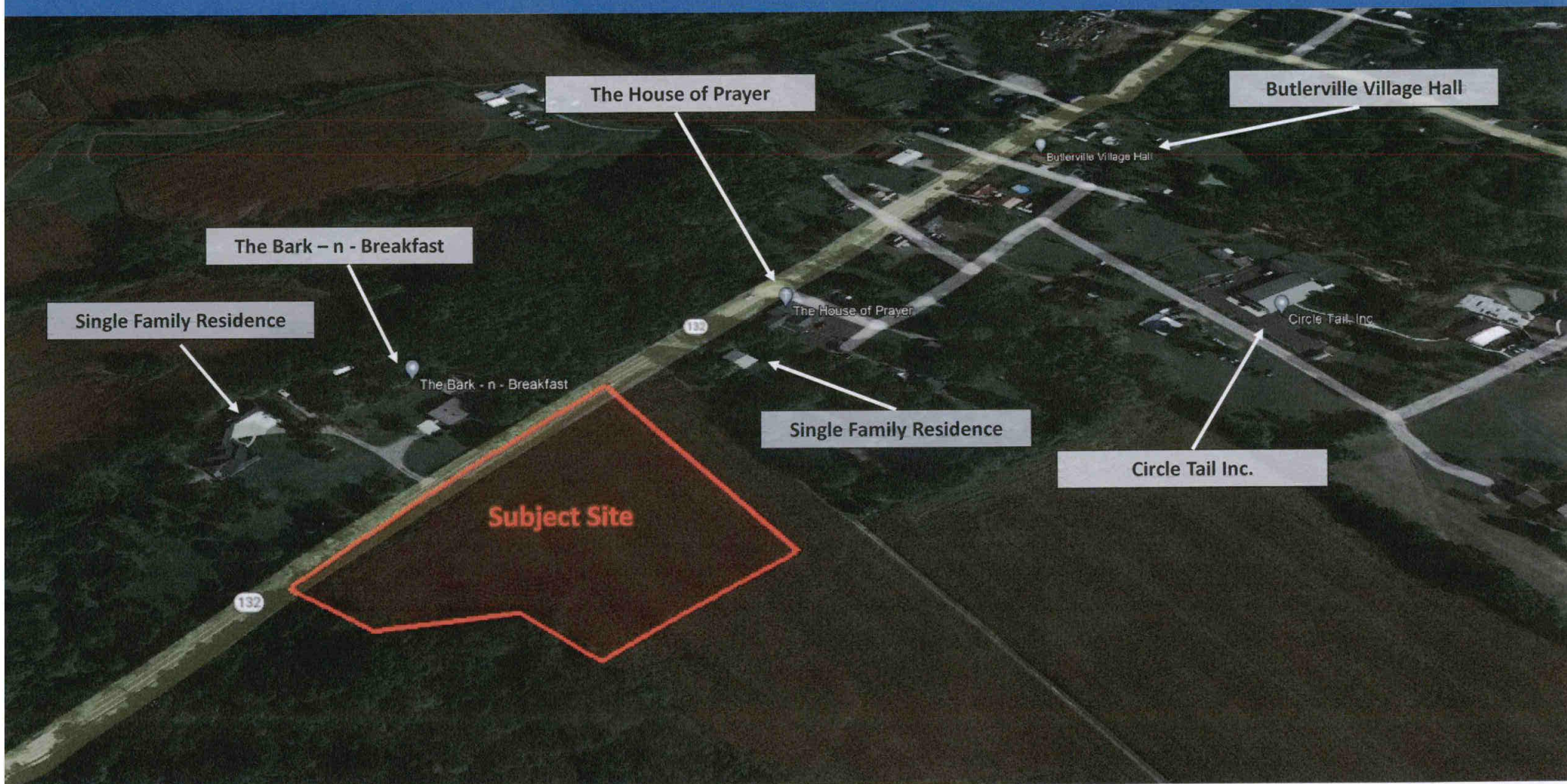


Zoning Standards

Comparison of Current, B1 & Proposed Zoning Standards

Zoning	RU (Current)	B1	B2 (Proposed)
Front Yard Setback	50 ft.	50 ft.	50 ft.
Side Yard Setback	Total 50ft. min. 20 ft.	20 ft.	20 ft.
Rear Yard Setback	50 ft.	40 ft.	40 ft.
Lot Frontage	200 ft.	None	None
Maximum Impervious Surface Ratio	N/A	0.53	0.55

Surrounding Uses



Comparison of RU, B1, and B2 Uses

Comparison of Current & Proposed Zoning Uses		
RU (Current)	B1	B2 (Proposed)
Single Family Residential	Retail Stores – General (Dollar General)	Retail Stores – General (Dollar General)
Adult family Homes	Multi-Family Dwelling Units	Multi-Family Dwelling Units
Family Day-Care	Family Day-Care	Family Day-Care
Foster Homes	Bar, Brewpub, Night Club	Bar, Brewpub, Night Club
Construction or Sales Office Trailer	Commercial Amusement	Commercial Amusement
Commercial Vehicle Parking in Residential Districts	Construction or Sales Office Trailer	Cinema
Campground	On-Demand Storage Containers	On-Demand Storage Containers
Church/Place for Worship	Bed and Breakfast	Shooting Range
Libraries, Museums, Fine Arts Centers	Day Care Center	Landscaping service

Environmental Features

- Wooded Land
- Slight Slopes



Included in this submittal are preliminary plans for the proposed Dollar General development, as well as preliminary legal descriptions and lot split plat. Narrative statements establishing and substantiating how the rezoning request relates to the Warren County Comprehensive Plan are as follows:

- a. *Objective: Establish areas of commercial activity, ensuring a convenient, safe and pleasant environment in meeting the retail and business needs of residents, workers and travelers.*
 - i. *Encourage the establishment of sufficient commercial activities to provide a sustainable local economy to the extent possible (current nationwide data indicates that commercial land uses typically comprise approximately 10 percent of overall land use).*
 - ii. *Commercial growth should equate to what the market will bear. Overcommercialization should be avoided.*

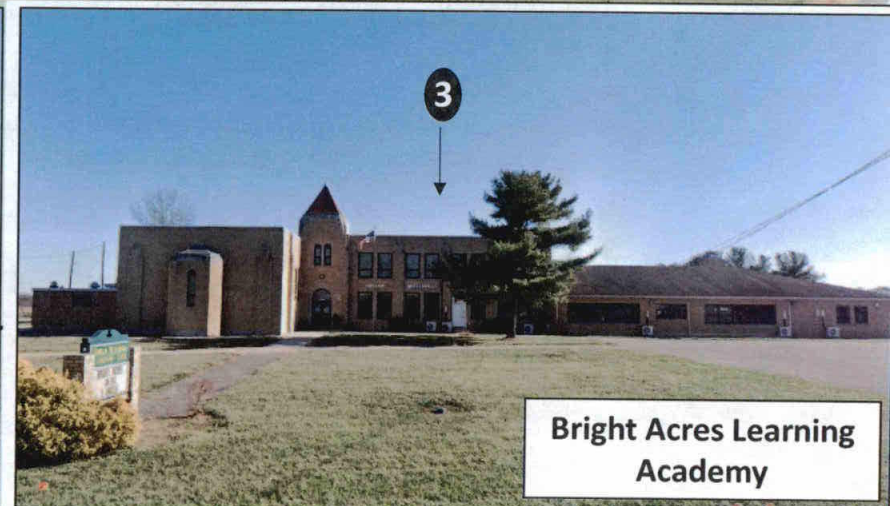
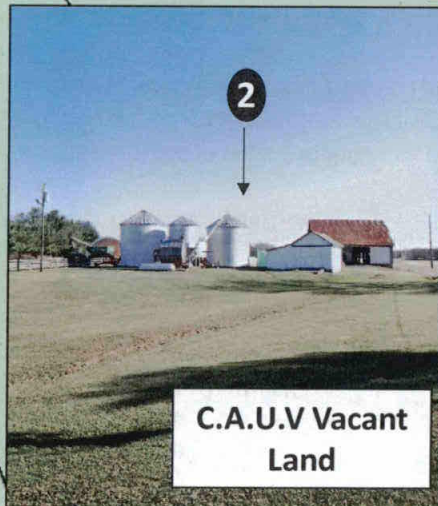
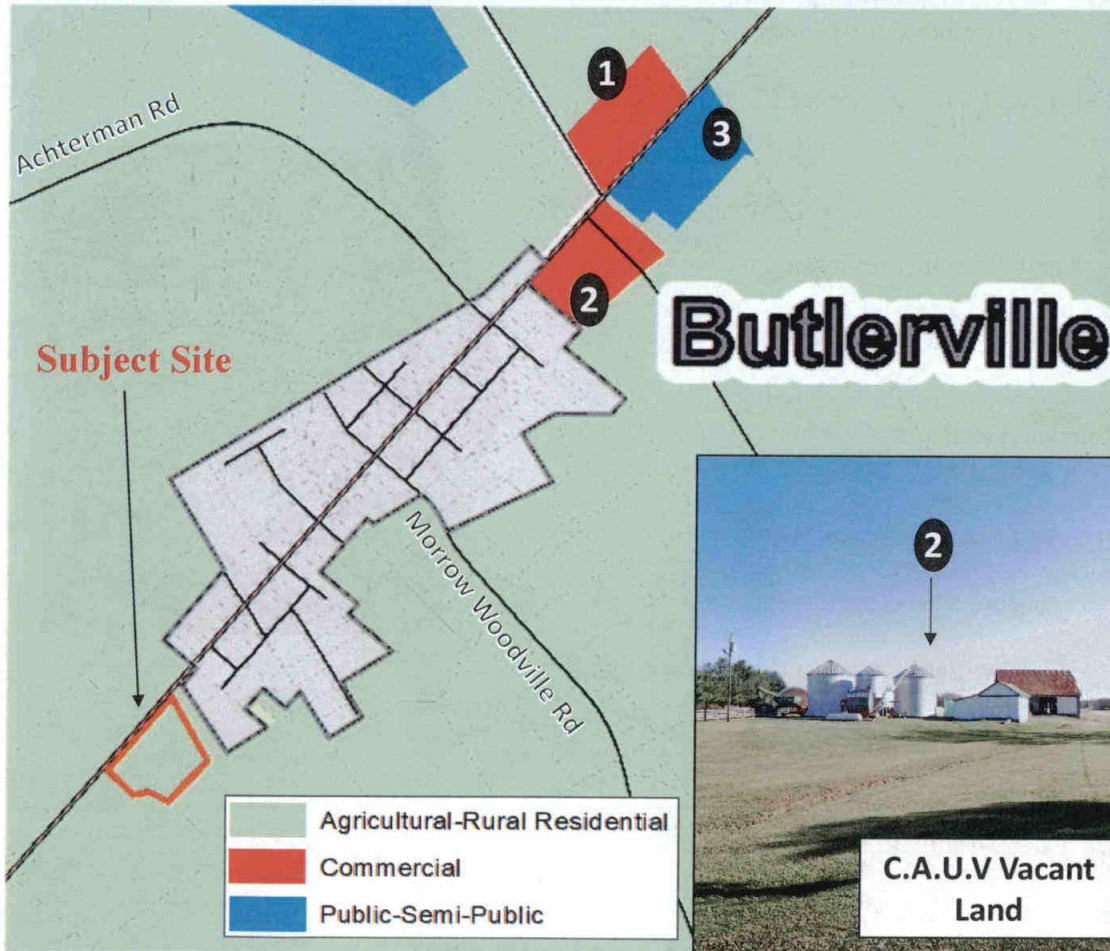
The proposed development is located in a "Food Desert" for the local consumer. A food desert as defined by Wikipedia is " an area that has limited access to affordable and nutritious food". The nearest Kroger is over 7 miles away. The market this store would serve has approximately 1,500 households and nearly 3,000 people. Dollar General with over 19,000 stores has determined this site is suitable for their concept, and with 19,000 data points (stores) to draw from, we consider them a reliable source.

iii. Avoid strip commercial development and "spot zoning" for such uses.

Per the WCRPC 2030 Land Use Plan (produced in 2018), there are properties just outside of the Village of Butlerville to the northeast in Harlan Township that are planned for future commercial land use. These properties have similar surroundings and characteristics to the proposed development location and are both located along the same State Route 132 service corridor.

Additionally, there is a commercial business directly across the street called the Bark N Breakfast Boarding Kennel at 8843 SR-132 Pleasant Plain, OH 45162. Although not zoned commercial, the business has handicapped/assigned parking spaces for public view and advertises to the public.

Future Land Use



Warren County
Regional Planning
Commission
Recommendation

September 28, 2023

Ms. Michelle Tegtmeier
Warren County Rural Zoning
406 Justice Drive
Lebanon, OH 45036

Dear Ms. Tegtmeier:

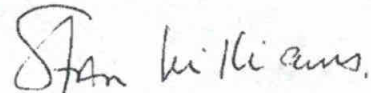
This letter is in regard to the request from the Warren County Rural Zoning Commission for the Dollar General Rezoning from "RU" Rural Residence to "B2" Community Commercial Business in Harlan Township.

At its meeting on September 28, 2023, the Warren County Regional Planning Commission Executive Committee voted to recommend denial of the Rezoning to the Warren County Rural Zoning Commission with a vote of 7 aye, 7 nay, 1 abstain.

A copy of the staff report is attached.

If you have any questions regarding this action, please contact this office.

Sincerely,



Stanley C. Williams, AICP
Executive Director

Attachment



**HARLAN TWP
COMMENTS**

Michelle,

The Harlan Township Board of Trustees met in public session on September 20th, 2023 and discussed the rezoning of a parcel in Harlan Township for the construction of a Dollar General store. (Case #2023-07)

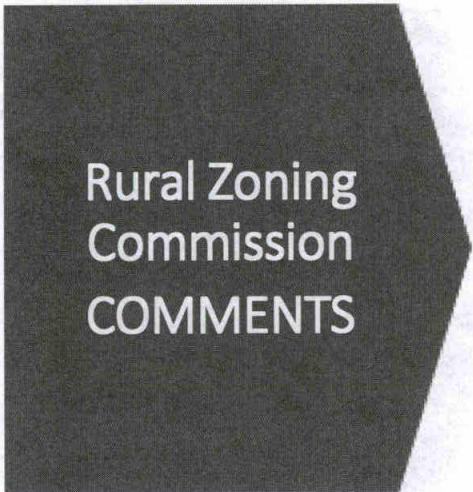
The Harlan Township Board of Trustees is unanimous in their opinion of NOT allowing this parcel to be rezoned from residential to business.

Furthermore, the Board held public discussions with our residents and the adjoining property owners of the parcel in question at several of our monthly meetings. The response has been overwhelming against the rezoning request as well.

If you have any questions please let me know. Please share this with the members of the Warren County Board of Zoning Appeals.

Thank you,

Marcus Shelton
Harlan Township Trustee



Rural Zoning
Commission
COMMENTS

Ms. Haddix made a motion to recommend denial to the BOCC, Warren County Commissioners, stating after reviewing section 1.304.5 it was determined they applicant could not meet the following:

- (A) The proposed amendment consistent with the purposes and intent of this Zoning Code.
- (B) It does not propose an amendment deviating from the suggestions of the Warren County Comprehensive Plan.
- (D) The proposed zoning compatible with the present zoning, nearby uses, and the character of the surrounding area

Mr. Gibbs seconded the motion and upon call of the roll, the motion passed unanimously.

Mike Shaffer, Ginger Haddix, Dan Jenkins, and Jim Gibbs.

Rezoning Review Criteria Section 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:

- (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?**

Rezoning Review Criteria Section 1.304.5

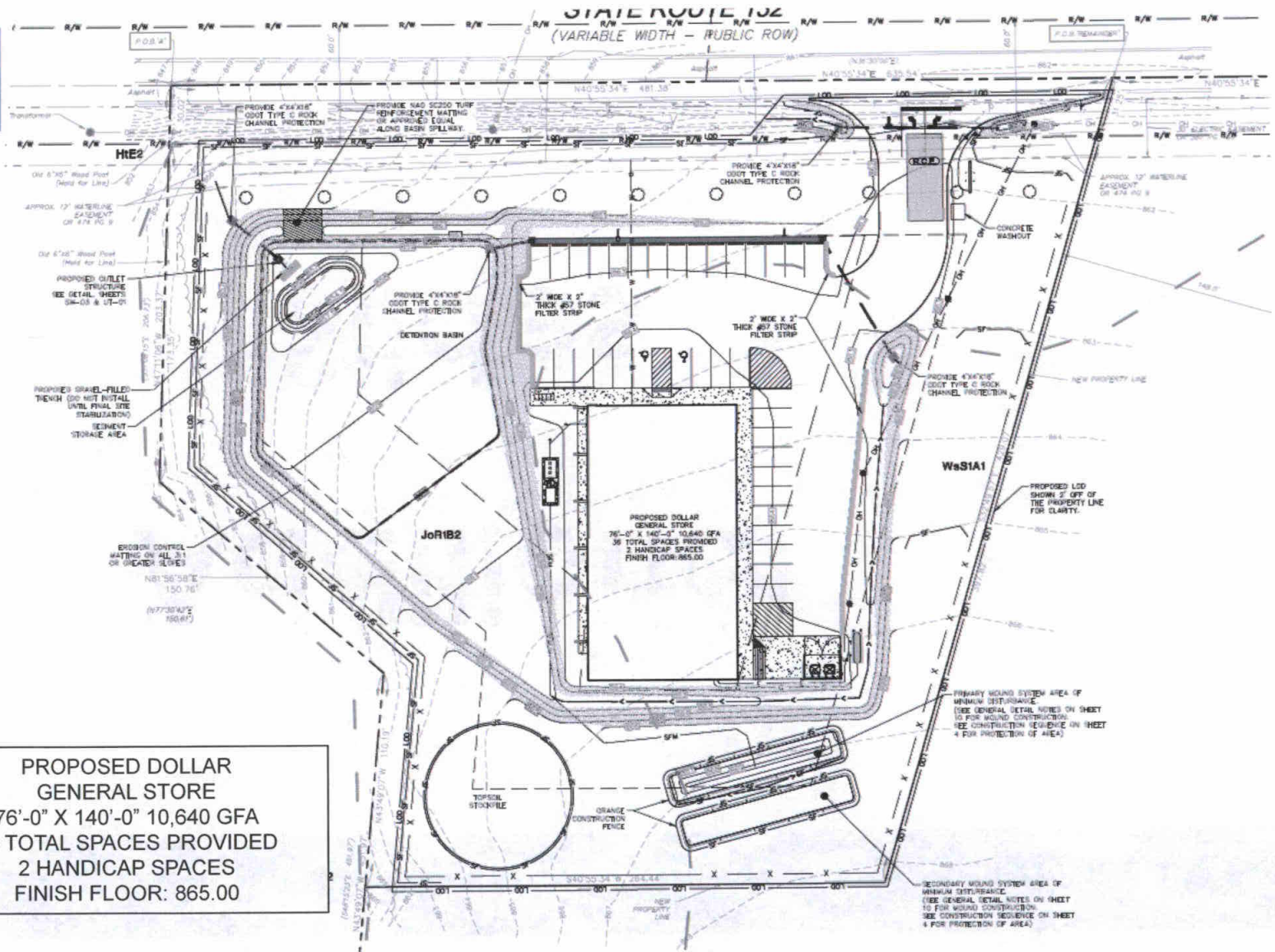
Decision-Making Determination Considerations: The approving authority shall review the proposed Zoning Amendment in the interest of public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable, by considering the following factors:

- (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?



Additional Slides








Site Plan

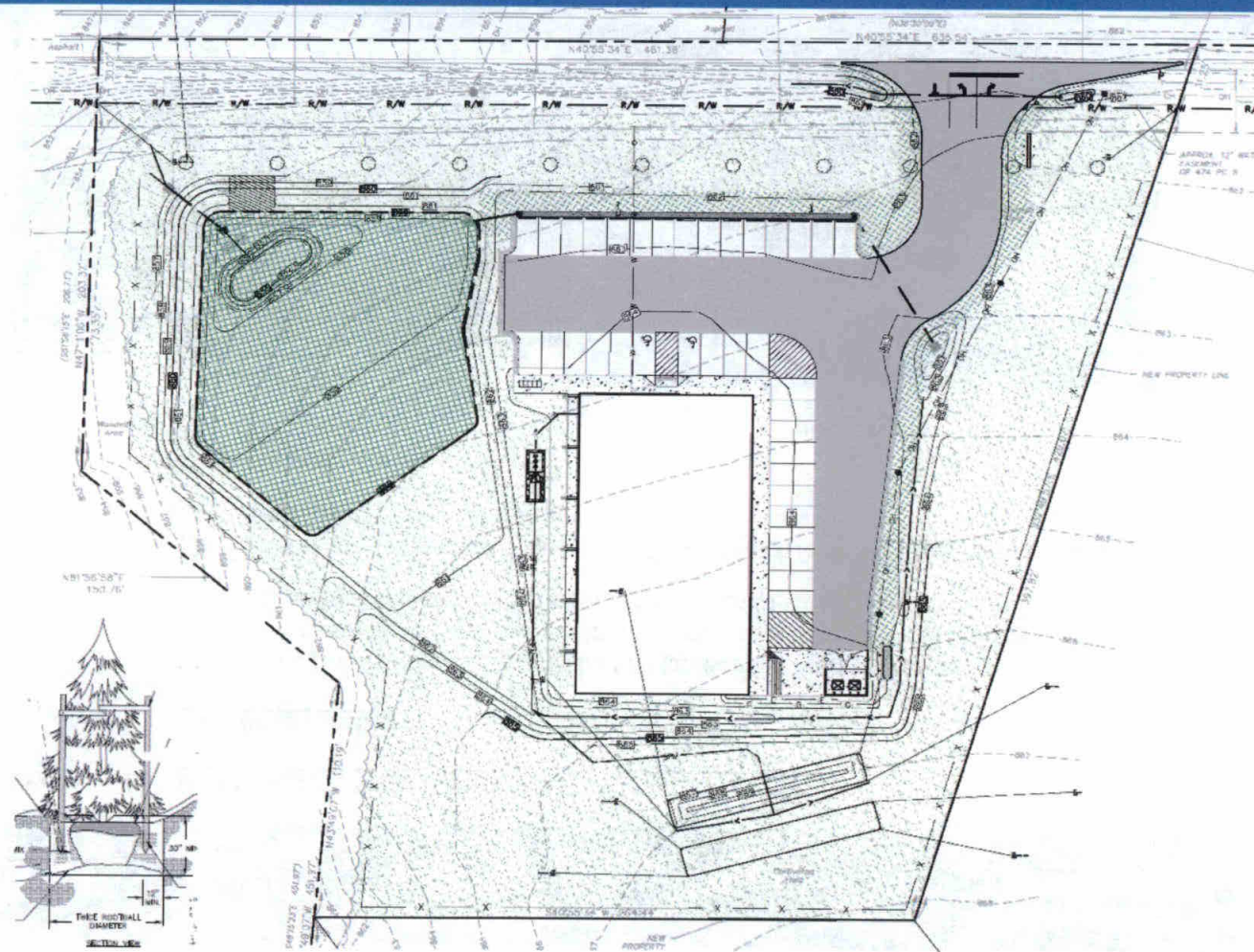


PROPOSED DOLLAR GENERAL STORE
 76'-0" X 140'-0" 10,640 GFA
 36 TOTAL SPACES PROVIDED
 2 HANDICAP SPACES
 FINISH FLOOR: 865.00

Proposed Landscaping Plan

2023-07

LANDSCAPE LEGEND	
	DECIDUOUS TREE
	EVERGREEN TREE
	SEEDED LAWN
	SODDED LAWN
	RIVER ROCK
	STONE
	DETENTION MIX



Landscaping Requirements

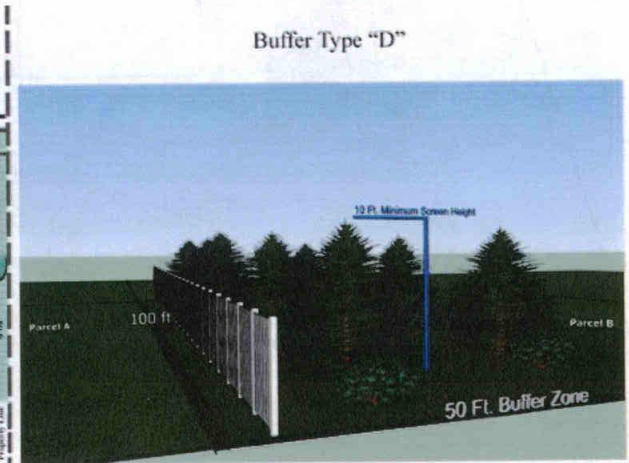
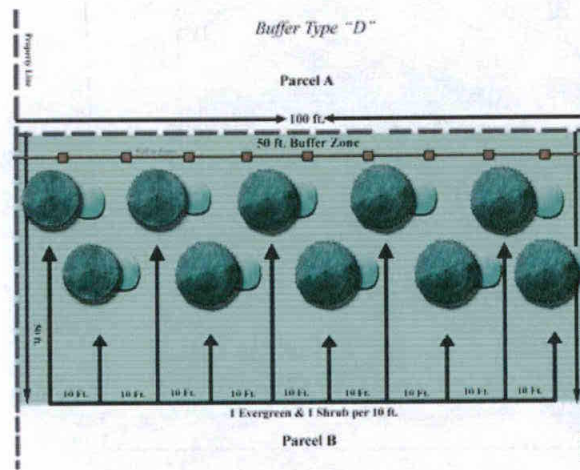
Table 3.405

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

SEC 3.405 BUFFERING AND SCREENING REQUIREMENTS:

(A) Streetscape Buffer:

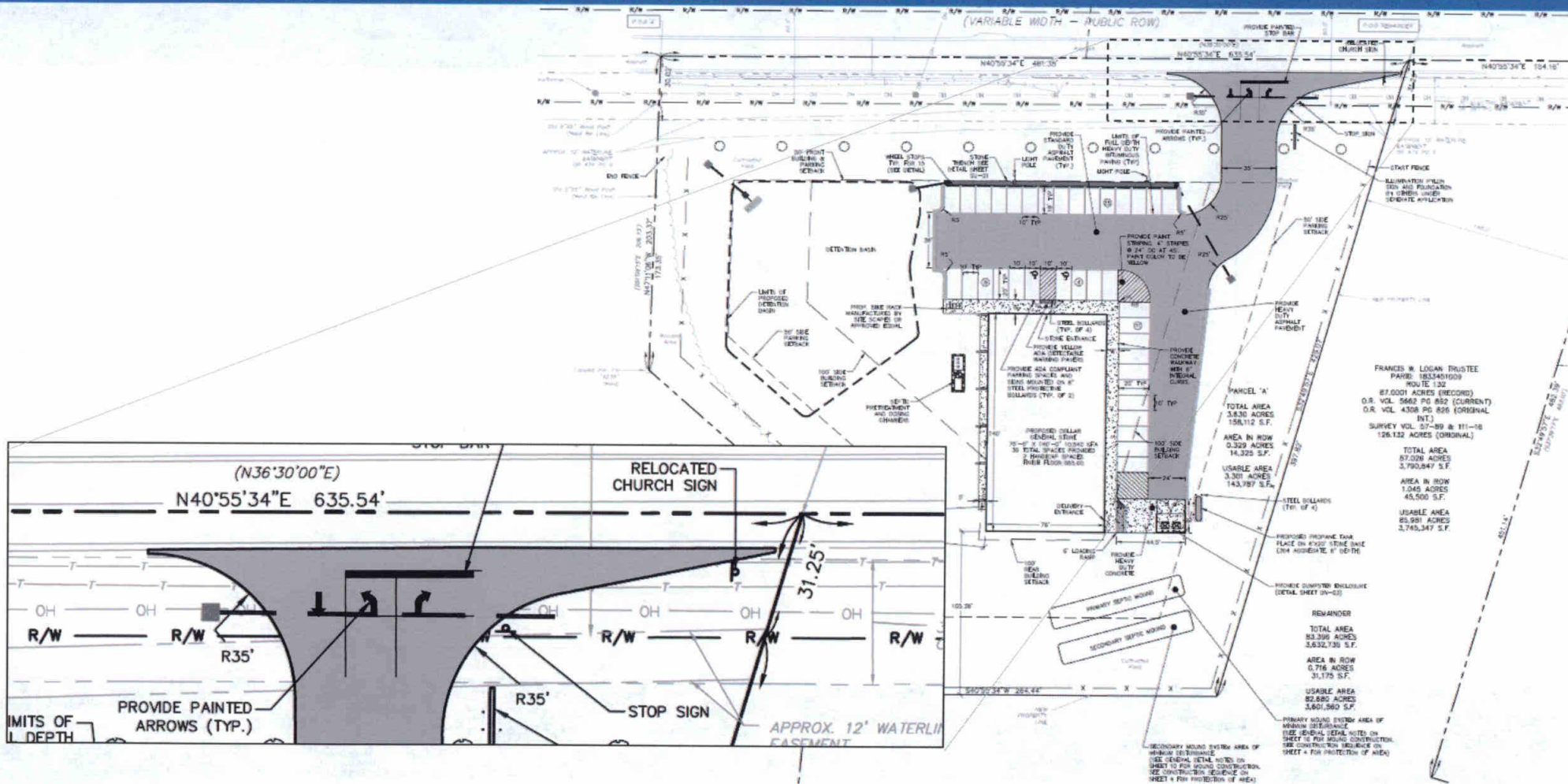
- (1) The front yard of each site shall be landscaped with street trees. Street trees may be credited toward the minimum requirements specified in Section 3.407(A) (Landscaping and Screening for Parking and Loading Areas).
- (2) Trees are required at a rate of one (1) tree per forty (40) feet of frontage with a minimum of one (1) tree per parcel.



"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]
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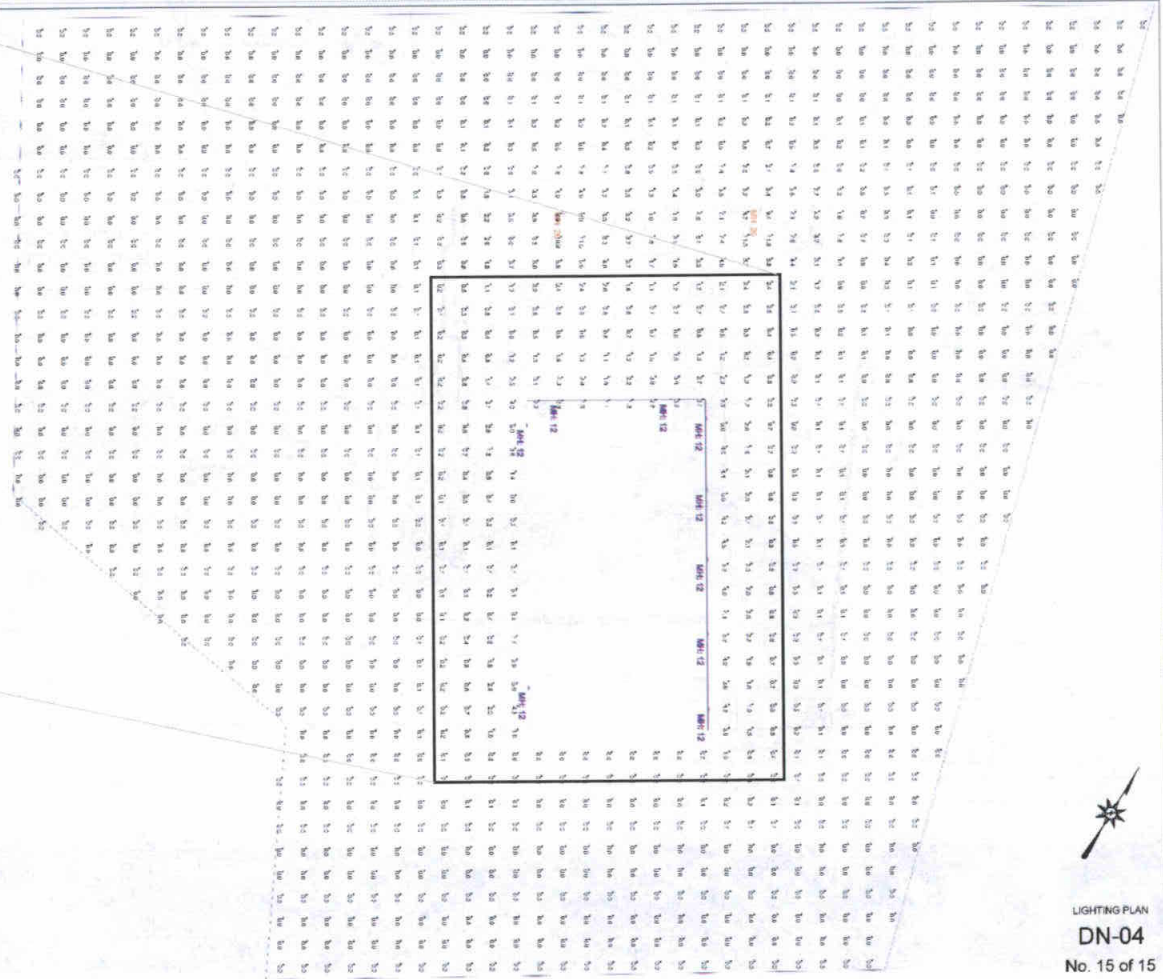
Proposed Customer Access

2023-07



Proposed Lighting

2023-07



Lighting meets the requirements of the code.



ANY
QUESTIONS?

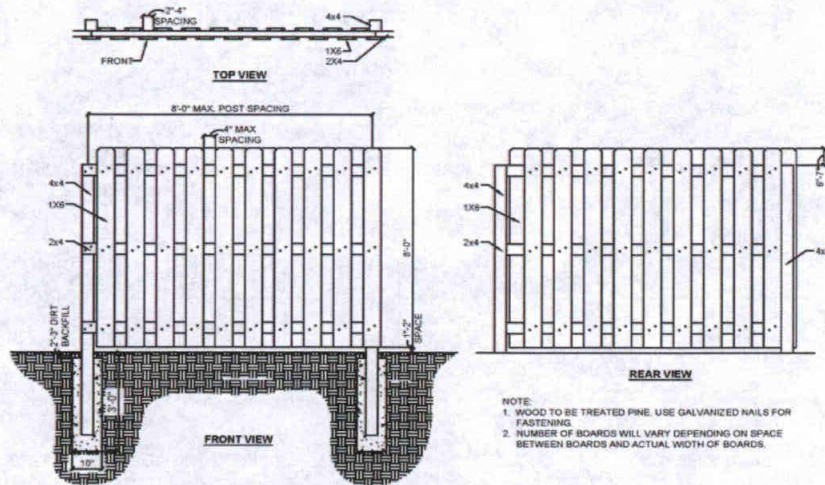


Proposed Service Structure

2023-07

(C) **Mechanical Equipment, Service Structure and Dumpster Screening:**

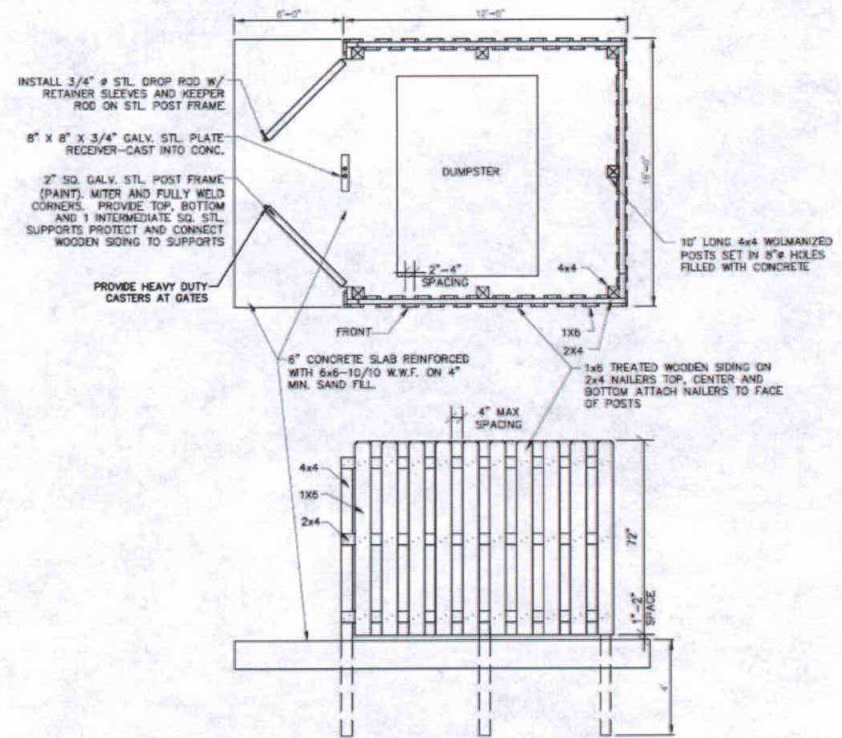
- (1) All mechanical equipment, including both ground-mounted and roof-mounted equipment and Dumpster or similar container, shall be screened from view from adjacent public and private rights-of-way, as well as from all property zoned or used for residential purposes, through the use of landscaping or enclosures, as approved by the Zoning Inspector.
- (2) All electrical boxes, conduits, and similar items attached to a façade shall be painted the same color as the building.



LANDSCAPING FENCE DETAIL

N.T.S

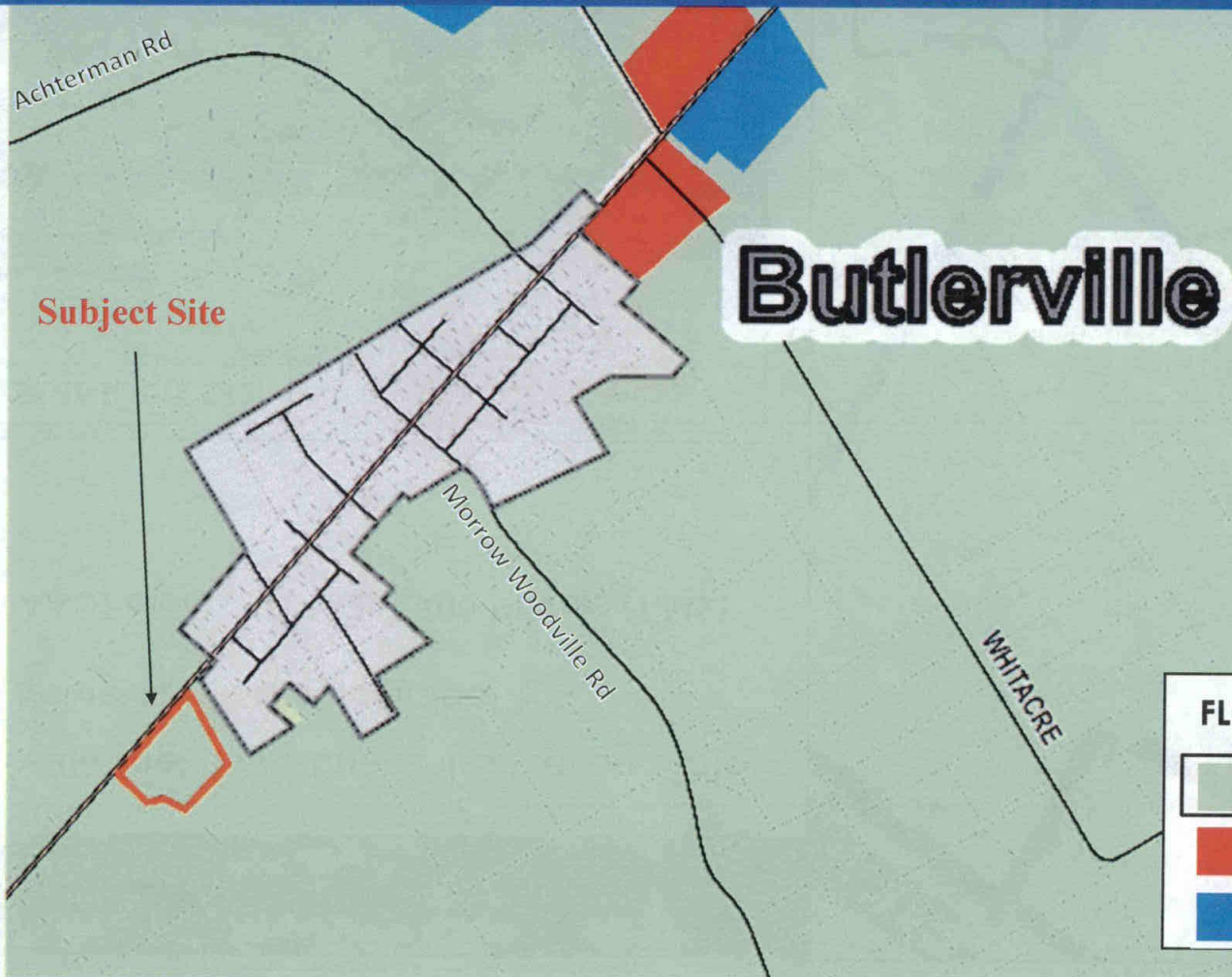
NOTE:
 1. WOOD TO BE TREATED PINE. USE GALVANIZED NAILS FOR FASTENING.
 2. NUMBER OF BOARDS WILL VARY DEPENDING ON SPACE BETWEEN BOARDS AND ACTUAL WIDTH OF BOARDS.



DUMPSTER ENCLOSURE




N.T.S

Future Land Use



Land uses in this area include business (along S.R. 132) and residential.

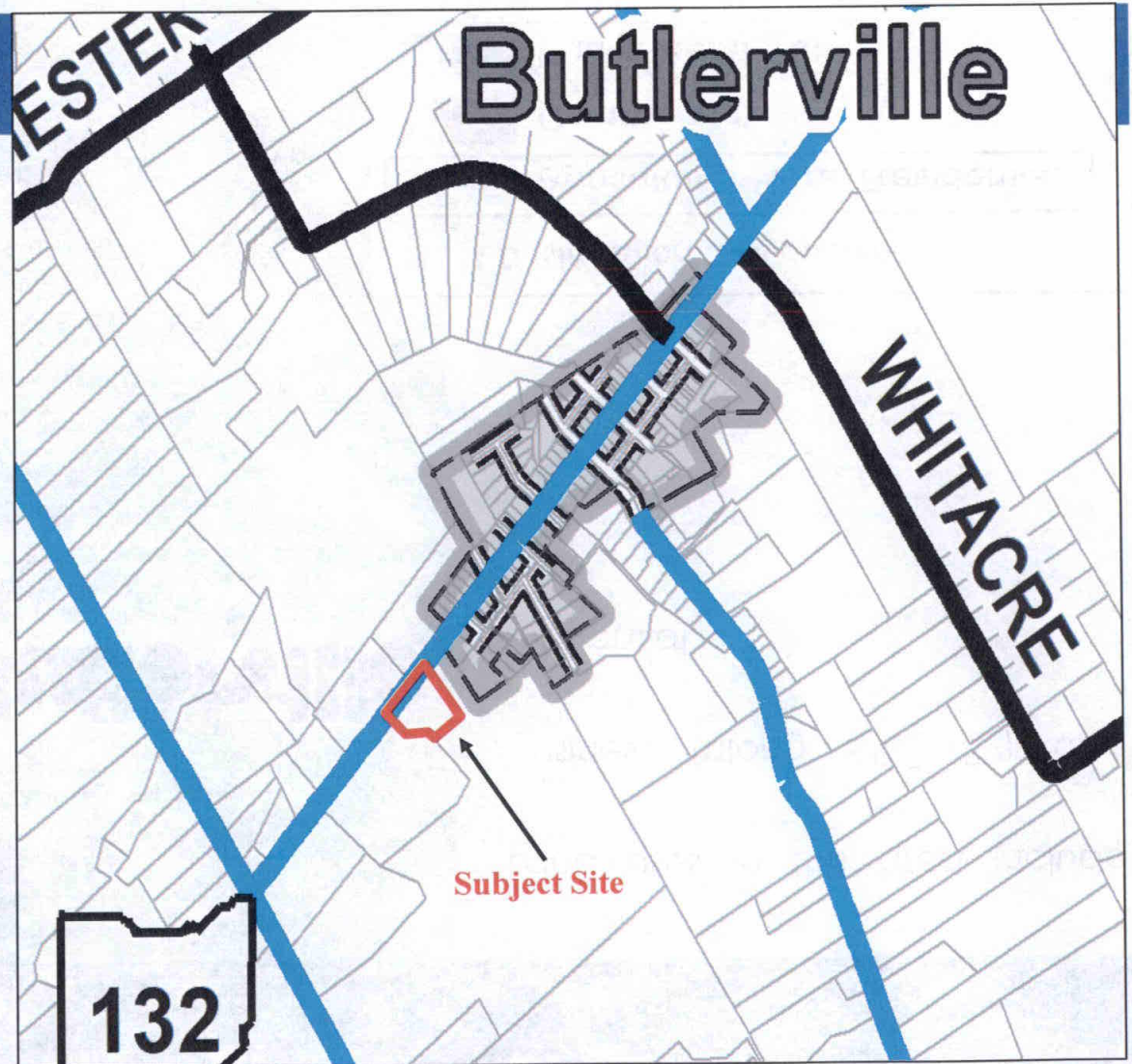
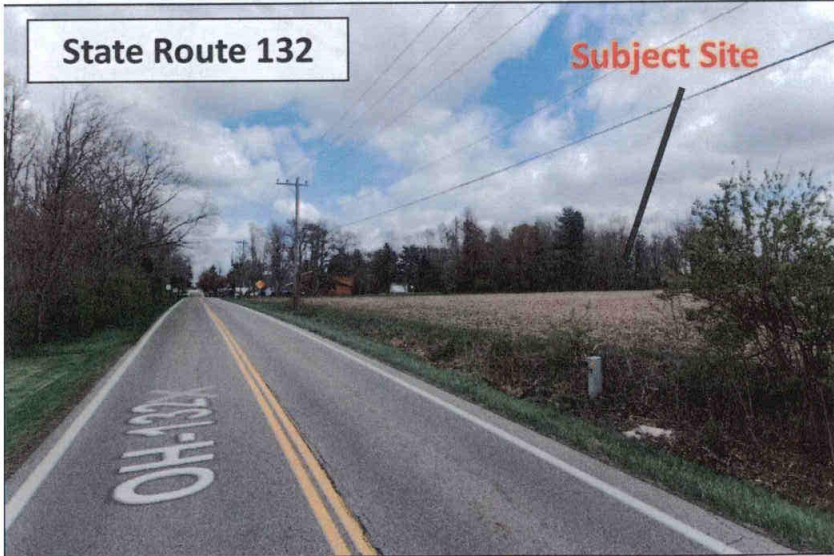
FLUM Designation: Agriculture

	Agricultural-Rural Residential
	Commercial
	Public-Semi-Public

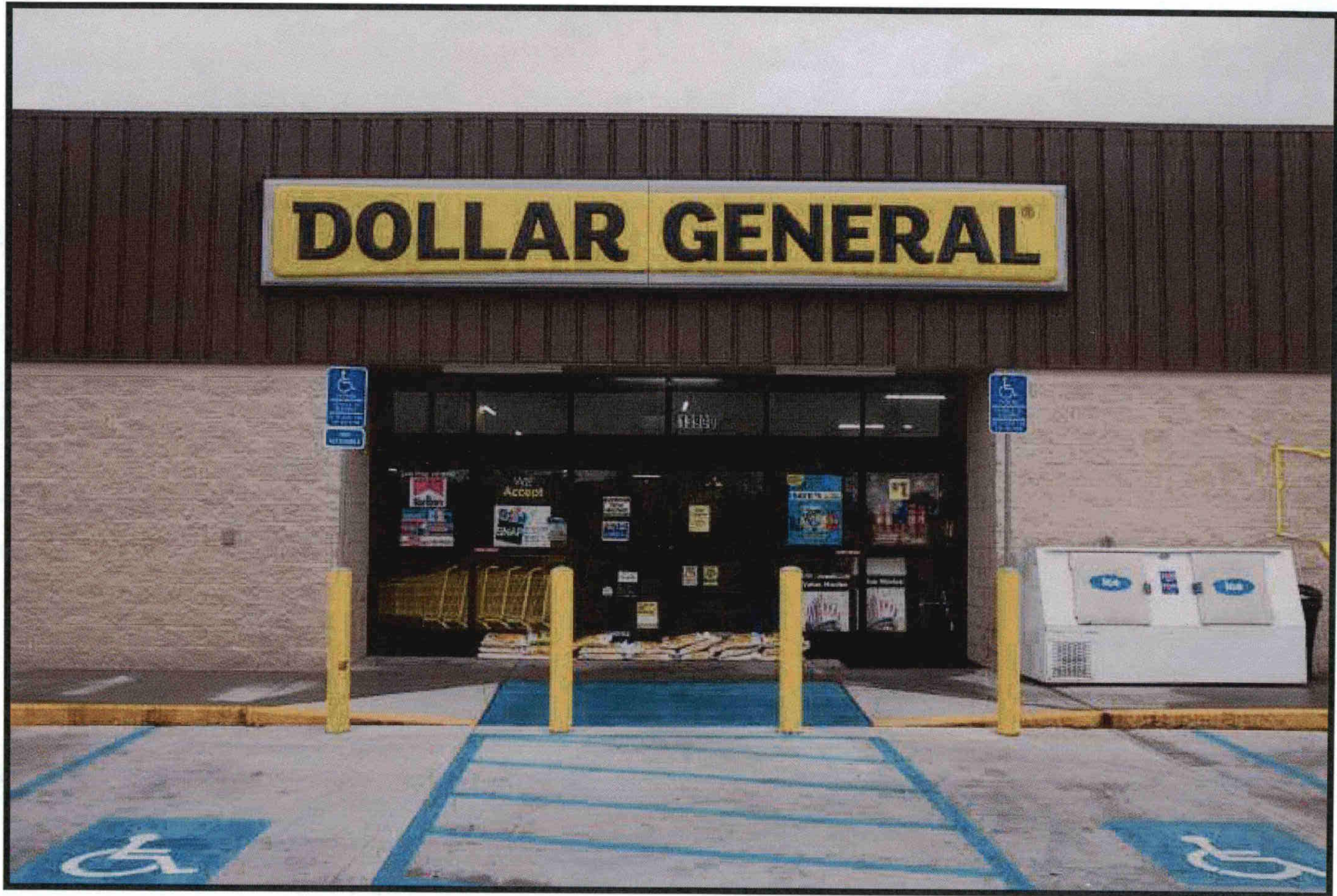
Warren County Thoroughfare Plan

- ~500 feet, with one entrance on State Route 132 (**Collector Road**).
- AADT along S.R 132: **1,700 Drivers (TIMS)**

State Route 132



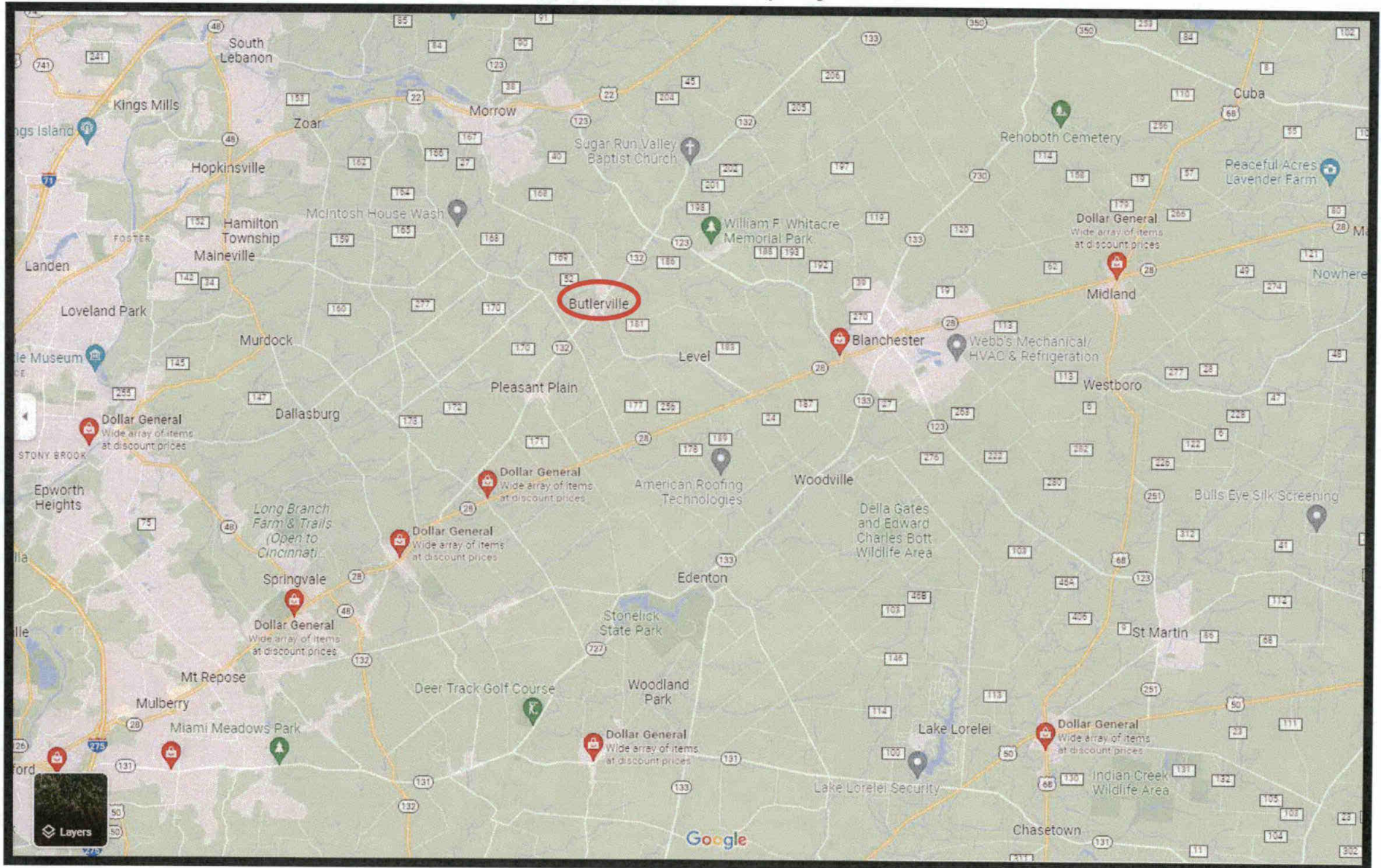
Proposed Zoning Change To Allow A Dollar General Store Near Butlerville



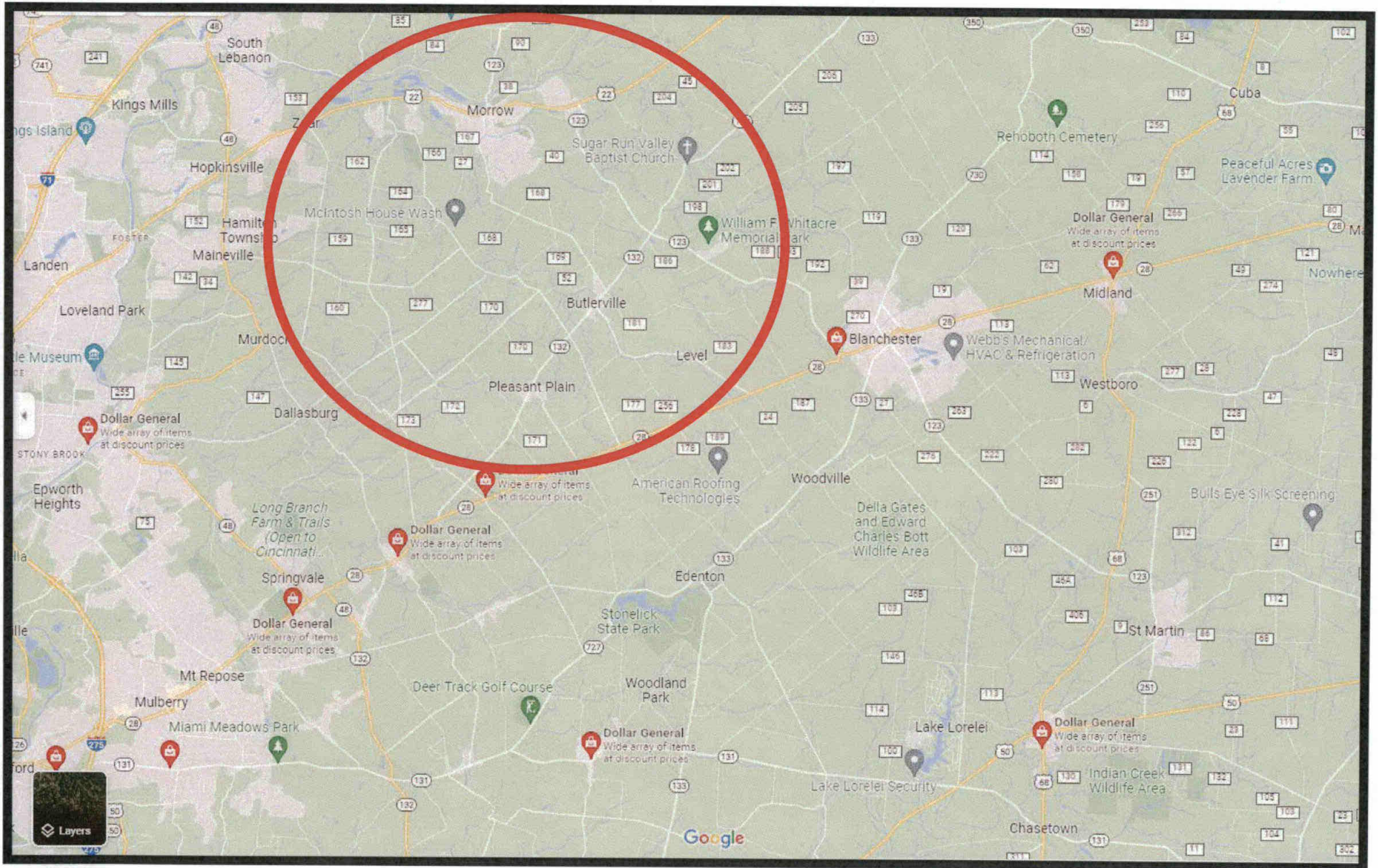
REZONING 3.68 ACRES TO B2



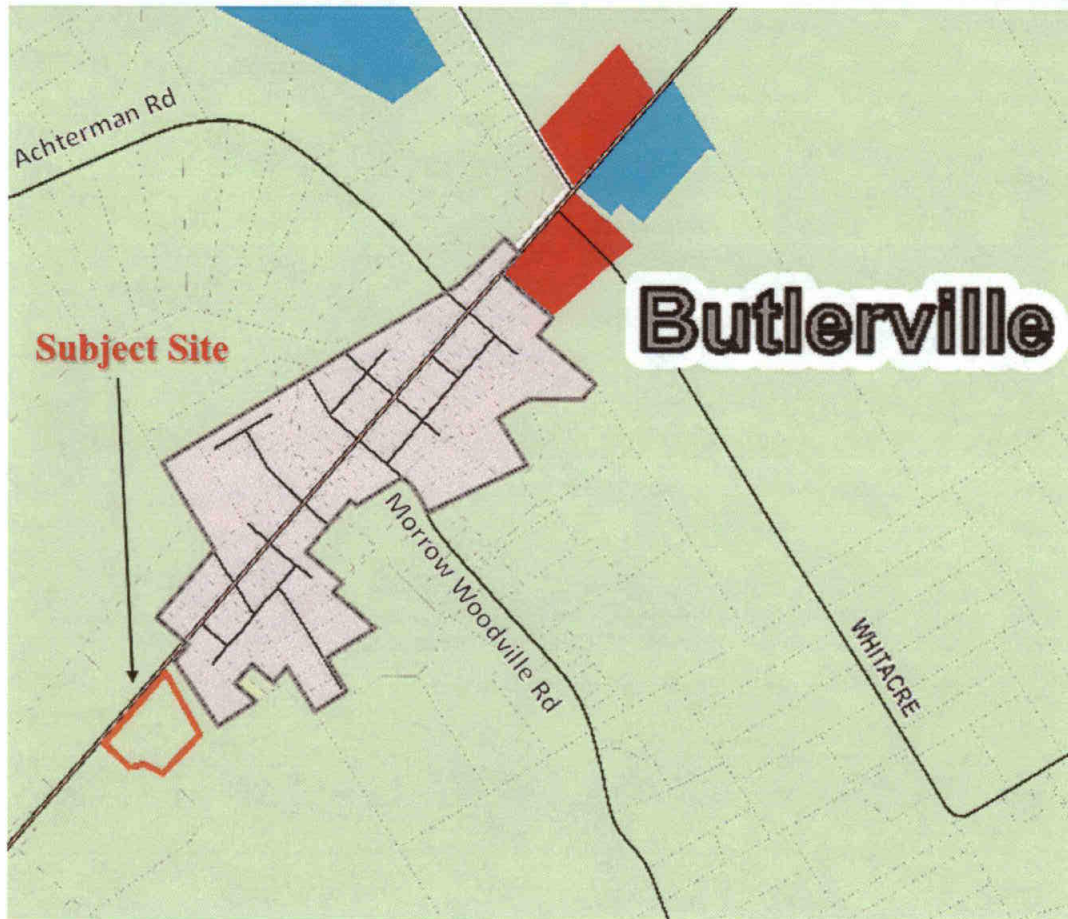
On September 21, 2022, a public meeting was held at the Harlan Township community building. At that meeting, Dollar General outlined their plans to purchase land and build a store near Butlerville. Most of the people at that meeting considered it a good idea, and the Harlan Township Trustees embraced the project.




There are currently no Dollar General Stores in the area north of Butlerville.




Warren County Comprehensive Plan



FLUM Designation: Agriculture

 Agricultural-Rural Residential

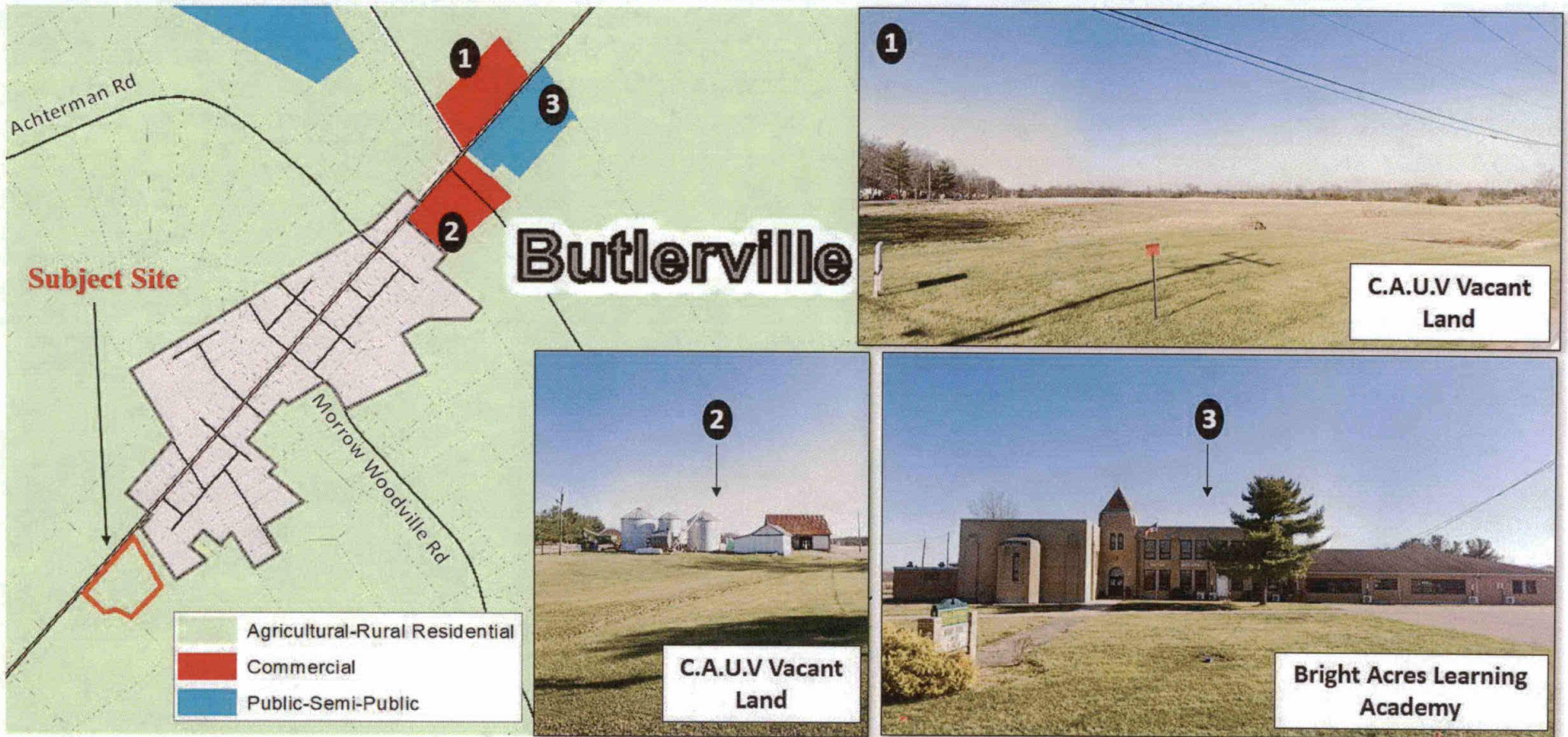
 Commercial

 Public-Semi-Public

Land uses in this area include business (along S.R. 132) and residential.

The Warren County Comprehensive Plan has identified 2 parcels of land north of Butlerville as areas for commercial development. In October of 2022, Donald Mason, the owner of those parcels, informed us that he does not intend to ever sell those properties. Mr. Mason suggested that we speak to Francis Logan, who happens to own property just south of Butlerville.

Warren County Comprehensive Plan



On February 23, 2023, Dollar General entered into a purchase contract with Mr. Logan to sell 3.68 acres with frontage on State Route 132. To the north of the property is the Village of Butlerville, which is zoned "B2". To the west is a commercial business. (A dog kennel which is allowed in "RU"). To the south is First Creek. Properties south of First Creek cannot be seen from the proposed Dollar General. To the east is the remainder of Mr. Logan's property.



FILLING A NEED

There is currently a need in The Butlerville Area for a store that offers fresh fruit and vegetables. The proposed 10,500 square foot Dollar General Store will fill that need.

IN ADDITION TO FRESH FRUIT & VEGETABLES, DOLLAR GENERAL WILL OFFER:

- MILK
- EGGS
- CHEESE
- PACKAGED MEATS
- SNACKS
- CANDY
- CIGARETTES
- SOFT DRINKS
- BOTTLED WATER
- CLEANING SUPPLIES
- LIGHT BULBS
- FLASH DRIVES
- TOYS
- COLD & FLU MEDICINE
- FEMININE HYGIENE PRODUCTS
- PAMPERS & HUGGIES
- TOILET PAPER
- PAPER TOWELS & NAPKINS
- MAKEUP
- SHOES, SOCKS & CLOTHING
- COOKWARE
- STORAGE CONTAINERS
- SCHOOL SUPPLIES
- CELL PHONE ACCESSORIES
- FLASHLIGHTS & BATTERIES
- SEASONAL DECORATIONS

Opponents to the zoning change are concerned about competition with local businesses.

DOLLAR GENERAL

- IS NOT A RESTAURANT
- DOES NOT PROVIDE LIVE ENTERTAINMENT
- DOES NOT SELL PIZZAS
- DOES NOT HAVE A DELI
- IS NOT A DOG KENNEL
- IS NOT A GAS STATION
- IS NOT A BAKERY

DOLLAR GENERAL

WILL PROVIDE EMPLOYMENT OPPORTUNITIES FOR LOCAL RESIDENTS

TAX IMPLICATIONS

Parcel #1833451009: 87 Acres in CAUV

Current Tax: \$1,090.58

Current Tax per Acre: \$12.54

Current Tax for 3.68 Acres: \$46.15

Estimated Tax (3.68 acres with Improvements)
(Based on 2022 Tax Rates) (Per Auditor)

\$30,130.00