



**REGULAR MEETING OF THE ZONING COMMISSION
MINUTES**

Tuesday, May 20, 2025 – 6:00 PM

1. Meeting Called to Order
Board Chair McMullin called the meeting to order at 6:06.
2. Pledge of Allegiance
All recited the Pledge of Allegiance.
3. Roll Call
Present and Voting: Board Member Bachman, Board Member Hauser III, Board Member Westfall, Board Member Wilson, Board Chair McMullin
4. Approval of Minutes

- a. February 18, 2025, Minutes

Motion: Board Member Wilson motioned to approve the minutes.
Board Member Bachman seconded the motion.

Vote Result: Yes (5), No (0), Abstained (0)

5. Public Address
Board Chair McMullin asked the audience if anyone would like to address the board. Two residents shared their concerns with the board.

Carrie Davis: Praised the board for their service to the Township and stated that she thought these board members might make good trustees. She also inquired about the curb cut on Poole Road at the Toyota dealership.

Steve Schnebeli: Explained that he is a lifelong Colerain resident and wanted to discuss the Wawa development near his home on Raeann. He stated that he had been in contact with the Township, the Trustees, and Wawa. He feels that not enough has been done to address his concerns about the Wawa development. He wants help from the Township because he feels that this development has negatively impacted him in a variety of ways. He explained the various ways the Wawa development has impacted him. Specifically, the landscape buffer, trees being



cut down, tree roots being damaged, impacts on water flow, and additional height added to the berm. He feels that the plans have changed in a substantial way and does not understand how the change happened. He wants information on how to contact the Zoning Commission. He implored the board to help him address his concerns.

Board Chair McMullin confirmed with David Miller, the Development Director, that the site was still under construction. Mr. Miller stated that Wawa was approved by the Hamilton County Conservation District to keep the soil on site as part of its earth work for the detention pond. Mr. Miller stated that the Township and the Zoning Commission have no say over the earthwork as there are no geotechnical engineers on staff and that decisions regarding earthwork are made by the County and confirmed that everything at the Wawa site has been approved by the County. Mr. Miller encouraged Mr. Schnebeli to address his concerns with the County directly because the County is responsible for approving earthwork.

Board Member Bachman asked for clarification from Mr. Miller. He felt that the plans the Zoning Commission approved of referenced mound heights and wanted to confirm that it was Mr. Miller's position in that the County has jurisdiction over mound heights. Mr. Miller confirmed his position. David Peters, the Senior Planner, stated that irrelevant information included in a site plan that is not in the purview of the zoning department is not considered when reviewing permits. Board Member Bachman stated that he felt the change to the plan was relevant and understood Mr. Schnebeli's confusion. Board Member Bachman explained that it was not clear to him that elevations were not in the purview of the Township or the Zoning Commission and asked if going forwards there is better communication. He then directed Mr. Schnebeli to speak with the County. Mr. Schenebli stated that he had already spoken with the County and asked about the landscape buffer. Board Member Bachman and Board Member Hauser III explained that the board discussed the landscape buffer and the fence. Mr. Miller provided some additional information regarding the landscape buffer approved by the board. Mr. Miller stated that Wawa agreed to plant more trees to address Mr. Schnebeli's concerns. Board Member Hauser III asked questions regarding the mound. Board Chair McMullin stated her concerns about the Wawa site and asked what the purpose was of the berm. She asked if it was because the developer did not want to remove the dirt. Mr. Peters stated that he did not know why the change was made. Board Member Hauser III requested that we speak with the County to get clarity about why they approved of the large mound of dirt on the site. Board Member McMullin stated that the board needs to be more cognizant of how these developments are affecting neighboring parcels going forwards. She feels that this is a learning lesson. Board

Member Bachman stated that he was disappointed with how this situation unfolded and the changes that were made, but ultimately there is nothing the Zoning Commission or Staff can do at this point because it is not in their jurisdiction. Mr. Schebeli asked what the Township can do about the root systems of his trees that he feels was damaged. Board Member Hauser III stated that nothing can be done at this time, but that trees will be planted further along in the development process to follow the approved landscaping plan.

Carrie Davis: Ms. Davis addressed the board for a second time. She felt that Wawa should have come back before the board for a Major Modification. Ms. Davis was very concerned about the changes made to the site plan.

6. Final Development Plan

No Final Development Plans were presented before the Board.

7. Public Hearings

- **CZC-25-2:** The applicant, the Colerain Township Zoning Administrator, is requesting a Zone Text Amendment to the comprehensive use standards table and use specific standards to conditionally permit Cannabis Dispensaries in the Colerain Avenue Corridor and a Zone Text Amendment to Section 7 to adjust definitions related to this subject
 - **Staff Presentation:** David Peters, Senior Planner
 - **Details of case:** The applicant, the Colerain Township Zoning Administrator is requesting a Zone Text Amendment to the comprehensive use standards table and use specific standards to conditionally permit Cannabis Dispensaries in the Colerain Avenue Corridor and a Zone Text Amendment to Section 7 to adjust definitions related to this subject. Staff felt that this amendment aligns with the comprehensive plan. This use would only be allowed in the commercial zoning districts -- AMC, AMS, and AMN. The dispensaries will be limited to the operational hours of 9am to 9pm, one dispensary per 25,000 residents, required to be 500 feet from schools, parks, churches, etc., 1000 feet from other dispensaries, required to enter into a development agreement with the Township, and held to strict signage and site readiness standards. Staff stated that having dispensaries limited to commercial districts helps to



prevent dispensaries from opening in neighborhoods. Mr. Peters stated that this amendment follows the Ohio Revised Code and allows the Township to be proactive when it comes to changing land uses.

- **Staff Recommendation:** APPROVAL with no conditions.

Motion: Board Member Bachman motioned to open the public hearing for case CZC-25-2. Board Member Hauser III seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

- **Public Hearing:**

- Carrie Davis: Stated that she feels that the buffer zone is not enough. She had concerns over where dispensaries would be allowed and felt that locating dispensaries only in AMN would be better. She wanted something added to the guidelines to limit where marijuana can be consumed if possible. She does not want marijuana to be advertised on buildings and wants to limit signage advertising for these sites. She wants the impact on residents to be minimized.

Questions for the Applicant:

- **Board Member Bachman:** Asked the applicant why the Trustees changed direction from their previous stance and asked if anyone had reached out to neighboring communities that allowed dispensaries and asked staff what population number would be used and how many dispensaries would be allowed. Mr. Miller stated that the current population is roughly 59,300 and that the current number of dispensaries allowed would be two. He also stated that how the population numbers are obtained will be in the Zoning Resolution. He also explained that the Township reached out to other communities. He then provided a brief overview of marijuana legalization. He explained why the Trustees changed their stance and that it was based on conversations with other elected officials and discussions with neighboring communities. Board Member Bachman mentioned that he wanted to make the buffers larger since there would be two facilities for

the foreseeable future. Board Member Bachman commented to Ms. Davis and said that staff handled issues regarding signage in the staff report and felt that there would not be an issue with signage. Board Member Bachman also suggested that with larger buffers other zones could be added. This board discussed this point. Mr. Peters proposed making both buffers 750 feet.

- **Board Chair McMullin:** Asked Mr. Peters if it was doable to increase the buffer area to be further from schools, parks, churches, etc. Mr. Peters advised the board against this because he felt it may limit available sites. Mr. Miller advised that the Board could make a recommendation to increase the buffer and that recommendation would be reviewed by the Board of Trustees. Board Chair McMullin asked about signage. Mr. Peters explained the signage requirements and other standards that would be enforced.

Motion: Board Member Wilson motioned to close the public hearing. Board Member Hauser III seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Motion: Board Member Wilson motioned to approve Zoning Text Amendment 25-2 and modify the buffers between dispensaries and between public buildings to 750 feet. Board Member Bachman seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

- **CZC-25-3:** The applicant, the Colerain Township Zoning Administrator, is requesting a Zone Text Amendment to correct technical errors in the Zoning Resolution.
- **Staff Presentation:** David Peters, Senior Planner
- **Details of case:** The applicant, the Colerain Township Zoning Administrator, is requesting a Zone Text Amendment to correct technical errors in the Zoning Resolution. The corrections included changes made to permissions for Automotive Fuel Service and Restaurants, removing without sewer setbacks in the RER district,

revise the wording to clarify barrier heights for in-ground and above-ground pools, remove duplicate pool regulations, clarify language regarding decks, patios, and porches, add language requiring garages to be connected to a driveway, and adding language to prohibit fencing on vacant lots unless serving specific purposes, add language ensuring waste receptacles are stored on the same lot as the use they serve, standardize tense and terms for conformity and nonconformity.

- **Staff Recommendation:** APPROVAL with no conditions.

Motion: Board Member Bachman motioned to open the public hearing. Board Member Hauser III seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

- **Public Hearing:**

There were no questions for the applicant.

Motion: Board Member Bachman motioned to close the Public Hearing. Board Member Wilson seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Motion: Board Member Hauser III motioned to accept Zoning Text Amendment 25-3. Board Chair McMullin seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

8. Informal Concept Review
No Informal Concept Reviews were presented.
9. Old Business
No old business was discussed.
10. New Business
No new business was discussed.
11. Administrative Matters
No administrative matters were discussed.



12. Announcements

Board Chair McMullin asked a follow-up question to staff regarding an update given at the last meeting about updates to the Zoning Commission Bylaws. Mr. Peters replied that staff are still currently updating the Bylaws. Board Member Bachman asked staff to provide the board with updates about prior cases.

13. Next Meeting: June 17, 2025

14. Adjournment

With no further business to come before the Board, at 7:14 PM, the Board unanimously agreed to adjourn the meeting.



Approval of Meeting Minutes

Colerain Township Zoning Commission

4200 Springdale Rd

Cincinnati, OH 45251

Meeting Date: Tuesday, May 20, 2025 - 6:00 P.M.

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "David J. Peters".

Mr. David J. Peters, Zoning Commission Administrator

17 Jun 2025

Date

Accepted By:

A handwritten signature in cursive script, appearing to read "Lori McMullin".

Ms. Lori McMullin, Chair

17 JUN 2025

Date