

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
December 21, 2015**

MEMBERS PRESENT: Susan Hendel, Jim Hahn, Jim Williams
Bruce Fisher

MEMBERS ABSENT: Doug Rinnert, Art Hupp

STAFF PRESENT: Timothy Dawson, Township Planner
Beverly Worley, Administrative Assistant

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 8:40 p.m.

Mr. Hahn called the meeting to order. Mr. Dawson called the roll.

Minutes were presented from the Zoning Commission meeting from November 16, 2015 and approved as submitted.

Mr. Dawson was sworn in by Mr. Hahn.
Mr. Dawson swore in case participants.

MC11-15 WCP – Chesterwood Village

The applicant is Hillandale Communities. They are requesting a major change to a West Chester Plaza Residential Planned Unit Development (R-PUD) District and a Preliminary Development Plan (PDP) for Carepointe Nursing Facility.

The subject property is located along Chesterwood Blvd., approximately 890 south of Tylersville Road. It consists of two parcels under the current ownership of Hillandale Communities and Mt. Pisgah Church of the Nazarene.

The Subject property consists of 6.887 acres having approximately 600 feet of frontage on Chesterwood Boulevard. The site is characterized as flat, rolling, partially vegetated with mature trees along the south property line, and consists of vacant, open space with an improved private street (Chesterwood Boulevard) running east and west along the northern portion of the property.

The current zoning will not change but the proposed expansion of the development will provide a transition to the residential district to the south.

West Chester Plaza was approved on September 29, 1986 for a rezoning to a Residential Planned Unit Development District (R-PUD) and a Preliminary Development Plan for approximately 67 acres for the development of a church, school, recreation area, retirement center, and an 86,000 square foot retail center, which included Kroger. Application was presented to Butler County prior to the township assuming zoning control. At the time of the rezoning, the county regulations permitted commercial properties to be located within an R-PUD if the property served as a commercial component to an adjacent residential development. Therefore, this remains a pre-existing non-conforming land use in the township.

A Major Change to this R-PUD was approved by Butler County on October 3, 1988, which eliminated the proposed school building and some of the open space and recreation area and included the addition of approximately 96,000 square feet of commercial use and one outlot along Tylersville Road.

The voters of Union Township adopted local zoning for the unincorporated area on November 7, 1989, and the Butler County Board of Elections certified the results of the election on November 28, 1989, giving Union Township jurisdiction on all zoning matters. Multiple revisions to Preliminary and Final Development Plans for the West Chester Plaza R-PUD have previously been submitted and reviewed by the Union Township, and later, West Chester Township Zoning Commission.

Chesterwood Village received Final Development Plan approval within the West Chester Plaza R-PUD for Phase I on August 30, 1996; for Phase III on November 4, 1996, and for Phase II on December 1, 1997.

There have been multiple revisions to the Chesterwood Village development throughout the years, most notably for Phase II to construct an Assisted Living Building, an Independent Living Building, and an Alzheimer's Wing. On June 21, 2005, a Final Development Plan was approved for buildings C, D, and E as shown on the plan as a light care assisted living building, a heavy care assisted living building and a common space building.

As for the subject property, on March 22, 2005, a Major Change and Preliminary Development Plan was approved for a 129,620 square foot, three-story Congregate Living facility with 94 units, attached single-story garages, a pool area and putting green.

The purpose for the application is an expansion of the site for a Preliminary Development Plan for a one and two story, 105,088 square foot, 125 unit skilled nursing facility.

Nursing / Rest Home Use is 125 units totaling 22,657 sf and the Office Use is 2,972 sf. Combine total square footage is 25,629. The building total square footage from basement through 2nd floor is 105,629.

Nursing / Rest Home Use has provided 100 parking spaces where 46 parking spaces required (1/500 sf). The Office Use has provided 30 parking spaces where 30 are required (1/100 sf). This is a total of 130 parking spaces where 76 spaces are required.

39.93% open space for the entire site is provided where 15% is required.

The first floor plan depicts the units and other amenities. The basement floor plan will be used for utility and storage; the 2nd floor will be used as a therapy room.

The Comprehensive Land Use Plan recommends Residential Transitional / Public & Institutional land use classification.

The previously approved Major Change and Preliminary Development Plan (Res. No.04-2005) for this portion of Chesterwood Village included a 129,620 square foot, three-story Congregate Living facility with 94 units, attached single-story garages, a pool area and putting green.

In contrast to the existing approval and layout, the current proposal increases the property area of the nursing facility within the PUD to include an existing portion of the Mt. Pisgah Church of the Nazarene's property, which the Land Use Plan currently recommends as a 'Public & Institutional' land use classification; furthermore, it also drastically reduces the total square footage, has a more residential architectural and site design, and reduces the building height from three stories to one story along the adjacent, existing residential district to the south, which provides a more residential transition than the previous approval.

STAFF CONSIDERATIONS:

An approval to this current proposal shall only grant changes to the approved Major Change and Preliminary Development Plan on March 22, 2005, Trustee Resolution No. 04-2005, as it is illustrated on the proposed Preliminary Development Plan. The West Chester Plaza R-PUD shall otherwise remain subject to the restrictions as previously approved.

As shown on the Preliminary Development Plan, the proposed land use conforms to Comprehensive Land Use Plan's recommendation of the 'Residential Transitional' land use classification and the original Butler County R-PUD (Res. No. 88.149) approval of permitted land uses by providing a transition from commercial uses to the surrounding residential districts as a General Office use. However, the proposed land use does not conform to the Land Use Plan's recommended 'Public & Institutional' land use classification for the 1.34 acre portion of the property that extends into that designation for the Mt. Pisgah Church of the Nazarene.

Although not specifically defined as a 'Public & Institutional' land use, the proposed use will be an expansion of the existing, adjacent nursing facilities in the PUD and will perform a service much like semi-public, non-profit medical facilities and other similar organizations by providing convalescent and elderly physical rehabilitation care. Additionally, a majority of the existing designated 'Public & Institutional' classification for the church within the PUD will remain as storm detention for the intended land use

classification of the church.

The proposed land use is consistent with the intent and purpose of the Comprehensive Land Use Plan and the designated classifications, the West Chester Zoning Resolution, and the existing, approved West Chester Plaza R-PUD permitted land uses.

A detailed drainage plan shall be submitted with the Final Development Plan for review by the Butler County Engineer's Office (BCEO) to ensure that adequate storm water detention is provided.

Separate parcels shall be consolidated as one parcel, due to the proposed building and parking locations, in conformance with the BCEO requirements, at the Final Development Plan stage and before issuance of a Zoning Certificate.

The main access drive on Chesterwood Boulevard shall meet all BCEO requirements upon submission of the Final Development Plan.

Cross-access easements shall be provided for granting legal access throughout the West Chester Plaza R-PUD and the maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Zoning Certificate.

As shown on the Preliminary Development Plan, the proposed and required parking plan for each land use and the percentage of open space for the proposed site shall be shown on the Final Development Plan. All off street parking shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.

As shown on Preliminary Development Plan, the proposed building shall be limited to one-story along the south property line, which is adjacent to a residential district, on the Final Development Plan.

At the Final Development Plan stage, detailed floor plans shall be provided, regarding unit sizes and (color) building elevations shall be provided, which shall demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout.

The common open space shall be held in private ownership and maintained by the property owner.

A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed landscaping and tree plantings, which shall provide adequate screening along the south and west property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.

As shown on the Preliminary Development Plan, the 50' landscaping buffer along the south property line shall be illustrated and dimensioned on the Layout and Landscape Plan at the Final Development Plan stage.

At the Final Development Plan stage, a photometric analysis should be provided that demonstrates acceptable light levels are being maintained along the existing residential development to the south.

Three separate ground mounted monument signs are illustrated on the plan along Chesterwood Boulevard at the northeast corner of the property and at the northwest access way. Pursuant to the West Chester Township Zoning Resolution, Article 17.062, the proposed building shall only be permitted two ground signs. No sign details were submitted for the signs. Therefore, these signs shall only be permitted through the Final Development Plan process if they are determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.

OTHER AGENCIES COMMENTS:

Butler County Engineer's Office:

- A Traffic Impact Study shall not be required due to low volume trip generation for the proposed use.

Butler County Soil and Water Conservation District:

- Planting shall not occur in the storm water detention basin along the northwest property line;
- All existing storm water management structures shall maintain engineered strength.

West Chester Township Fire Department:

- All structures shall meet all applicable codes and standards;
- All structures shall be located within 400' of a fire hydrant.

Butler County Planning Commission:

The Butler County Planning Commission conducted a Public Hearing on December 8, 2015 and recommended approval with conditions of the proposed Major Change to a PUD and Preliminary Development Plan on the basis that the proposed land use is generally consistent with the Comprehensive Plan for Butler County.

ACTION:

The Zoning Commission is to recommend approval, approve with modifications, or denial of the submitted Major Change and Preliminary Development Plan, unless additional information is deemed necessary to make an informed decision.

Questions:

Mr. Williams – asked to see the transition elevation – need to review again for clarification; current and proposed.

**Applicant: Mr. Randall Woodings
Kontogiannis & Associates
Architecture Planning Design
400 South Fifth St.
Columbus, Ohio 43215**

Architect Planners for Hillandale.

Questions:

No questions from the Board

Proponents: None

Opponents: None

Neutral: None

Deliberations

Mr. Fisher – This is a good business. Township relies on this type of business.

Ms. Hendel – Beautiful facility.

Mr. Williams – the applicant has addressed the neighbors' concerns which were my concerns. The work they have done is beautiful.

Mr. Hahn – agrees with all comments. A great project for the community.

Mr. Williams made a motion to approve the MC11-15 WCP – Chesterwood Village; major change to a R-PUD and PDP with the conditions as recommended by staff. Mr. Hahn seconds it.

Aye: Ms. Hendel, Mr. Fisher, Mr. Hahn, Mr. Williams

Nay:

Motion carries 4 – 0

ZMA08-15 PDP Keefe Property, Tracts 2 & 3

The applicant is Liberty Way Investments, LLC. They are requesting a zoning map amendment and a Preliminary Development Plan for Keefe Properties, Tracts 2 & 3.

The subject property is located along Liberty Way, Tylers Place Boulevard, and Preserve Place; approximately 1800 feet west of the I-75 interchange. It consists of 2 Tracts under the current ownership of Tylers Place Associates LLC.

The subject property consists of 19.31 acres and has approximately 1255 feet of frontage along Liberty Way. The site is characterized as flat, rolling, partially vegetated with mature trees along the south and west property lines and consists of vacant, open space with an improved temporary storm drainage system and private street running northwest and southeast through the center of the property.

The current zoning is C-PUD (Commercial Planned Unit Development). The applicant is requesting a change to SP-PUD (Special Purpose Planned Unit Development).

The subject property was rezoned from an Agricultural District (A-1) to Commercial Planned Unit Development District (C-PUD) on March 9, 2004, in conjunction with a Preliminary Development Plan that defined the general uses and access points for the overall C-PUD. The zone change approval required a detailed Preliminary Development Plan prior to Final Development Plan submittal of any lots.

A Final Development Plan was approved on May 17, 2004, which included the Tylers Place Boulevard extension, the Preserve Place road section inside the C-PUD boundary, and open space improvements.

A Revised Preliminary Development Plan for Tract 1 was approved on July 21, 2014, which included four development parcels, an open space parcel, an internal private street layout, miscellaneous improvements and preliminary site details for a Cabela's retail store on Lot 3.

On August 18, 2014, a Final Development Plan was approved for Tract 1, which included improvements to Tylers Place Boulevard, the construction of the internal roadways, and several common elements, such as decorative fences, stone columns, landscaping and signage; as well as, a Final Development Plan for the construction of a 75,330 square foot Cabela's retail store.

On August 17, 2015, a Final Development Plan was approved for Lots 1 and 2 of Tract 1 at the southeast corner of Liberty Way and Tylers Place Boulevard, which proposed the construction of a 12,192 square foot, one-story building with a proposed retail and restaurant use on Lot 1 and a 9,312 square foot, one-story building with a proposed retail and restaurant use on Lot 2.

The purpose of the application is a Preliminary Development Plan for a mixed-use development of retail, restaurant, office and residential land uses.

Tract 2 / Lot 1 consist of 12.55 acres. The applicant is proposing retails uses totaling 112,620 sf, restaurant uses of 8,000 sf, and office use totaling 29,775 sf. All combined total 150,395 sf. 499 parking spaces – on & off street parking provided; 430 are required. 36.8% open space provided; 15% is required.

Tract 3 / Lot 2 consist of 5.6 acres. The applicant is proposing six 4-story residential buildings with partial underground garages which contain 16 units within those buildings. The developer plans to market them as owner-occupied or long-term leases; as well as eight 2-story carriage houses with ground level 2-car garages which consist of 1 unit carriage houses. These will be marketed as rentals with the leases connected to the building units. 208 parking spaces – on & off street parking provided; 208 are required. 50.7% open space provided; 15% is required.

The Comprehensive Land Use Plan recommends Office / Residential Transitional land use classification.

STAFF CONSIDERATIONS:

The existing Preliminary Development Plan and Trustee Resolution No. 16-2004 rezoned the property and defined the permitted uses for the overall C-PUD. The intent was to locate the higher intensity uses closer to I-75 and to decrease the intensity from east to west to transition into the residential development.

The proposed Preliminary Development Plan maintains the intent of the originally approved Trustee Resolution by transitioning from General Business land uses to a Residential land use from Tract 2 to Tract 3.

The proposed land uses conform to Comprehensive Land Use Plan's recommendation of the 'Office/ Residential Transitional' land use classification by providing a transition from commercial uses to the surrounding residential districts; however, the 15.53 units per acre exceeds the Land Use Plan's recommendation of 5 units per acre.

The Liberty Way Corridor section (pages 12 and 13) of the Comprehensive Land Use Plan recognizes the need for a high-quality commercial/ residential mix. Although the proposed density of the residential use exceeds the Land Use Plan's recommendation of five units per acre, the density of the commercial uses, on the previously approved Preliminary Development Plan (ZMA 03-04), is reduced from a total of 195,000 square feet to 175,000 square feet; furthermore, the residential use provides for more of a transition to the adjacent residential districts as the Land Use Plan intended, in contrast to the previously approved commercial uses.

Finally, in comparison to another previously approved mixed use developments' residential densities, the Village at the Streets of West Chester - 'Savoy' was rezoned to SP-PUD and a FDP was approved with conditions on December 17, 2012 for 272 apartment units on 11.89 acres at 22.9 units per acre.

A brief Retail Market Assessment summary has been submitted to ensure that the retail uses are a sustainable development for the Liberty Way Corridor. A detailed Retail Market Analysis shall be provided at the Final Development Plan stage.

A Traffic Impact Study (TIS) was submitted to the Butler County Engineer's Office (BCEO) and approved with specific conditions, all of which the applicant has agreed to. All comments and concerns of the BCEO shall be addressed on the Final Development Plan.

A detailed drainage plan shall be provided at the Final Development Plan stage, which shall illustrate that the proposed storm water detention area is adequate to serve the entire site.

Cross-access easements shall be provided for the 'Private Street,' illustrated on the Preliminary Development Plan, granting legal access to all lots in Tracts 2 and 3 and the maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Final Zoning Certificate for any structure in Tracts 2 and 3.

As shown on the Preliminary Development Plan, the proposed and required parking plan for each land use and the percentage of open space for each lot and the entire site shall be shown on the Final Development Plan. All on and off street parking shall meet the West Chester Township Zoning Resolution, Articles 10, 11, 17, and 20.

The residential units shall be marketed and occupied as owner-occupied.

A detailed summary table of the residential units shall be provided on the Final Development Plan to ensure the type of use and a unit mix where the larger floorplans are minimized since this type of development is geared toward the young professional and empty nester demographic.

A detailed summary of the interior amenities for each unit shall be provided with the Final Development Plan. Amenities are also important to the targeted demographic and for the need of ensuring the luxury of the units proposed. Interior finishes such as granite countertops throughout, tile bathrooms and crown molding, and amenities such as washer/dryer connections and high-speed internet, are important to each unit.

The residential portion on Lot 2 shall establish a homeowner's association agreement, which shall be responsible for keeping all open space free from trash and litter and shall be required to maintain all drainage ways and retention/detention basins to perform designated function and all landscape. The common open space on Lot 1 shall be held in private ownership and maintained by the property owner. This shall apply to any future splits to Lot 1, as well.

A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed landscaping and tree plantings, which shall provide adequate screening along the west and south property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.

Stone columns and decorative fences shall be included in the Landscape Plan at the Final Development Plan stage, which shall be illustrated on the plan at the intersection

of Tylers Place Boulevard and Liberty Way, the east side of the right-in/ right out north access way, the east side of the Liberty Way and the 'Private Street' intersection, and the east side of the 'Private Street' and Preserve Place south access way. The design shall correspond to the fence and column, common element improvements approved on the Tract 1 FDP (Res No. 14-17). All structures shall be located outside of the right-of-way and a minimum of two feet from all sidewalks. The maintenance of these features should be clearly defined and the appropriate easements shall be provided.

The existing and approved fencing along Liberty Way, Tylers Place Boulevard, and Preserve Place shall remain as a common element feature and be illustrated on the Final Development Plan. The maintenance of these features should be clearly defined and the appropriate easements shall be provided.

Detailed elevations shall be include in the Landscaping Plan, which depict the proposed design, materials, and height of the fences and columns along Liberty Way and Preserve Place, as well as the residential buildings 'Perimeter Treatment' as shown on the Preliminary Development Plan. The 'Perimeter Treatment' design shall correspond to the common element features.

As illustrated on the Preliminary Development Plan, the 100' landscaping buffer along the west property line and the 50' landscaping buffer along the south property line shall be illustrated and dimensioned on the Layout and Landscape Plan at the Final Development Plan stage.

At the Final Development Plan stage, a photometric analysis should be provided that demonstrates acceptable light levels are being maintained along the existing residential districts and the proposed residential buildings to the west, south, and southwest.

A Multi-tenant, Monument Sign is illustrated on the plan at the Liberty Way and the signalized intersection at the north access way and two separate Ground Mounted, Monument Signs are illustrated on Liberty Way just west of the right-in/right-out and at Preserve Place and the non-signalized intersection at the south access way. No sign details were submitted for either sign. Therefore, these signs shall only be permitted through the Final Development Plan process if they are determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 20.

OTHER AGENCIES COMMENTS:

Butler County Engineer's Office:

- The eastbound right turn lane on Liberty Way at Taylor Street warrants an extension of 150 feet to a total of 325 feet.
- The length of the eastbound right turn lane for the proposed right in/out at the proposed Drive #1 may be reduced to 214 feet pending a speed limit reduction to 45 mph.

Soil and Water Conservation District:

- The applicant is proposing connections to a 1082 ft. pressure zone. The site was designed for a 1000 ft. pressure zone. The applicant shall increase connections to meet the 1000 ft. pressure zone.

West Chester Township Fire Department:

- All structures shall meet all applicable codes and standards;
- All structures shall be located within 400' of a fire hydrant;
- The proposed access gates shall have an uninterrupted power supply and Knox Box/ siren activation for ingress;
- All private streets shall be 24' wide;
- All roundabouts shall be capable of supporting fire apparatus turning radius;
- Along the carriage houses, 'no parking' signs shall be posted on both sides of the street and the applicant shall consider a hammer head turn around and alternate access on the dead end;
- A hammer head turn around shall be provided in the parking lot south of building 'B'.

Butler County Planning Commission:

The Butler County Planning Commission conducted a Public Hearing on December 8, 2015 and recommended approval with conditions of the proposed Zoning Map Amendment and Preliminary Development Plan on the basis that the proposed land use is generally consistent with the Comprehensive Plan for Butler County.

ACTION:

The Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Map Amendment and Preliminary Development Plan, unless additional information is deemed necessary to make an informed decision.

Questions:

Mr. Williams – just give me a brief explanation of SP-PUD vs C-PUD. When combining the residential and the commercial planned unit development it designates the special purpose; as a mixed use.

**Applicant: Mr. Justin Leyda
Steiner Assoc.
4016 Townsfair Way
Columbus, Ohio**

We are the same team working on Liberty Center at this time. We are very excited to be here and get this project underway. Our goal and mission is to develop, activate and manage an innovative residential and mixed-use environment that enhances the quality of life of its users, promotes long-term sustainability and drives financial performance.

**Applicant: Mr. Robert Goodill
Tortigallas & Partners
1300 Spring St.
Silver Spring, MD 20910**

We are the planning group for Steiner. What can we do here to make this neighborhood terrific? Connecting neighborhoods, mixing densities. There is a unique opportunity here. Mixed-use development has proven long-term value.

**Applicant: Mr. Yaromir Steiner
Steiner Assoc.
4016 Townsfair Way
Columbus, Ohio**

We developed Liberty Center, The Greene and Easton. All the pictures we have seen are actual pictures from different developments the architect has designed. My concerns are the berms / buffers and the neighbors' concerns. The actual drawings for the FDP will be the actual berms and buffers that will be created.

These will be luxurious units; large and expensive. These appeal to empty-nesters. ,

Mr. Leyda returned to the podium to discuss the berm/buffer issue.

Mr. Hahn – read a revision to condition # 13 of the current resolution. Mr Leyda agreed to the changes. (This will be interpreted in the motion).

Mr. Fisher – every time I see a body of water, I get concerned about safety. What do you intend to do to the existing area.

**Applicant: Mr. John DeVerne
Bayer Becker, Engineer/Surveyor
6900 Tylersville
Mason, Ohio**

I anticipate more walls around the basin; you will have rail or a decorative fence or an extension of the wall. This will be a permanent pool of water. The southern edge will have a layer of plants but not inviting to walk to the water's edge.

**Proponents: Jim Kiefer
Great Traditions Development Group
4000 Executive Park, Ste 250
Cincinnati, OH 45241**

Managing partner with the current property owners. We are very supportive of the Steiner Group. Adequate and very well planned activity between all the neighborhoods.

**Tom Hayden
Harbortown HOA
7394 Sea Pines Place
West Chester, OH**

I have been a resident of West Chester for over 30 years and I have seen a lot of changes. Steiner is an upscale developer. They work very well with the surrounding community.

**Anthony DeAngelo
7343 Preserve Place
West Chester, OH**

HOA President could not attend but asked that I pass along his comments as well as my own. They have impressed us as being very high-end. They have constructed the north side very well. We think the current plan is very elegant and will add to our property values. They have been in contact our HOA on a consistent basis; very cooperative. They seem to be a stakeholder; which is very important. Our biggest concern is if they don't get approve; what would go into this area.

**George Castrucci
7414 Sea Pines Place
West Chester, OH**

I am an officer of the HOA but I'm here to speak on my own behalf. The developer is very capable and of high quality. I strongly recommend this project.

**Opponents: Mr. Syed Najeed
7316 Wetherington Dr
West Chester OH**

Current zoning is retail, the proposed change is residential. I like the layout but I have major concerns about the multi-unit development in front of my property. I am also concerned about the lighting that will come through to my property and seeing into our homes.

**Neutral: Mr. Jason Watkins
7278 Wetherby Ct.
West Chester, OH**

I am supportive of the development but my question is what protection can we have regarding the barrier / buffer to ensure that we get that in the final plan.

**Dan Mason
6993 Harbour Town Dr.
West Chester, OH**

My property butts up against the new development. I just wanted to make sure the

berms are addressed as we move forward.

Deliberations:

Mr. Fisher – When will the construction begin / end?

Mr. Steiner – Spring / Summer 2016; end in Spring of 2018.

Discussion of long-term vs renting.

Ms. Hendel – likes the plan and quality

Mr. Fisher – concerned with buffering for the FDP

Mr. Williams – recommends waiting until the FDP

Mr. Fisher – impressed with the properties / buildings proposed. High rent prone to WCT.

Mr. Williams – in agreement with project

Mr. Dawson – staff recommends units to be owner-occupied

Mr. Hahn – overwhelmed with project at first; shocked that something so big would go against a residential area. Would like the units to be owner-occupied or renters by choice.

Mr. Williams made a motion to approve ZMA08-15 PDP Keefe Property, Tracts 2 & 3; with the minimum conditions as recommended by staff and the revision to condition #13 of the Resolution. The revision to read “A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed mounding, landscaping, and tree plantings, which shall provide extensive screening along the west and south property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate”. Mr. Fisher seconds it.

Aye: Ms. Hendel, Mr. Fisher, Mr. Hahn, Mr. Williams

Nay:

Motion carries 4 – 0

Administrative Matters:

Next meeting January 25, 2016 @ 6:30 p.m. We have two (2) cases.

Mr. Hahn adjourned the meeting at 8:40 p.m.

Chairman:



James Hahn

Secretary:



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-26
WCP R-PUD - CHESTERWOOD VILLAGE, MC 11-15, (MAJOR CHANGE)**

WHEREAS, a R-PUD District and Preliminary Development Plan was approved by the Butler County Rural Zoning Commission on September 29, 1986 for land containing approximately 67 acres, situated in Section 11, Town 3, Range 2, Union Township, Butler County, Ohio. The approval included the development of a church, school, recreation area, retirement center and a retail area of 86,000 square feet, including a Kroger store; and

WHEREAS, a Major Change to this PUD plan was approved by Butler County on October 3, 1988, which eliminated the proposed school building and some of the open space and recreation area and included the addition of approximately 96,000 square feet of commercial use and one outlot along Tylersville Road; and

WHEREAS, on August 30, 1996, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase I; and

WHEREAS, on November 4, 1996, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase III; and

WHEREAS, on December 1, 1997, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase II; and

WHEREAS, on March 22, 2005, Hillandale Communities received a Major Change and Revised Preliminary Development Plan approval for layout changes to the previously approved plan; and

WHEREAS, on June 21, 2005, Carepointe Development, Llc. received a Final Development Plan approval for Buildings C, D, and E; and

WHEREAS, on November 17, 2015, Hillandale Communities submitted a Major Change application requesting a Preliminary Development Plan approval for an expansion of the previously approved plan and layout changes for a one and two story, 105,088 square foot, 125 unit skilled nursing facility on 6.887 acres; and

WHEREAS, on December 8, 2015, the Butler County Planning Commission recommended approval with conditions of the proposed request; and

WHEREAS, on December 21, 2015, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid Major Change.

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Zoning Commission does hereby recommend approval of the Major Change to the West Chester Plaza R-PUD for the aforesaid application consistent with the submitted site plan with the following conditions:

- 1.) An approval to this current proposal shall only grant changes to the approved Major Change and Preliminary Development Plan on March 22, 2005, Trustee Resolution No. 04-2005, as it is illustrated on the proposed Preliminary Development Plan. The West Chester Plaza R-PUD shall otherwise remain subject to the restrictions as previously approved.
- 2.) The proposed land use is consistent with the intent and purpose of the Comprehensive Land Use Plan and the designated classifications, the West Chester Zoning Resolution, and the existing, approved West Chester Plaza R-PUD permitted land uses.
- 3.) A detailed drainage plan shall be submitted with the Final Development Plan for review by the Butler County Engineer's Office (BCEO) to ensure that adequate storm water detention is provided.
- 4.) Separate parcels shall be consolidated as one parcel, due to the proposed building and parking locations, in conformance with the BCEO requirements, at the Final Development Plan stage and before issuance of a Zoning Certificate.
- 5.) The main access drive on Chesterwood Boulevard shall meet all BCEO requirements upon submission of the Final Development Plan.
- 6.) Cross-access easements shall be provided for granting legal access throughout the West Chester Plaza R-PUD and the maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Zoning Certificate.
- 7.) The proposed and required parking plan for each land use and the percentage of open space for the proposed site shall be shown on the Final Development Plan. All off street parking shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.
- 8.) The proposed building shall be limited to one-story along the south property line, which is adjacent to a residential district, on the Final Development Plan.
- 9.) Detailed floor plans shall be provided, regarding unit sizes and (color) building elevations shall be provided, which shall demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout.
- 10.) The common open space shall be held in private ownership and maintained by the property owner.
- 11.) A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed landscaping and tree plantings, which shall provide adequate screening along the south and west property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.
- 12.) A 50' landscaping buffer along the south property line shall be illustrated and dimensioned on the Layout and Landscape Plan at the Final Development Plan stage.

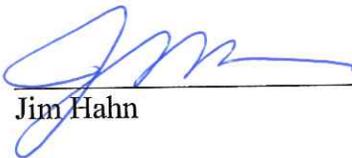
- 13.) At the Final Development Plan stage, a photometric analysis should be provided that demonstrates acceptable light levels are being maintained along the existing residential development to the south.
- 14.) Pursuant to Article to the West Chester Township Zoning Resolution, Article 17.062, the proposed building shall only be permitted two ground signs. No sign details were submitted for the signs. Therefore, these signs shall only be permitted through the Final Development Plan process if they are determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.
- 15.) The applicant shall meet all other agencies requirements for the submittal to the Zoning Commission for of the Final Development Plan.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval as modified by this resolution. This action shall take effect this 21st day of December 2015.

West Chester Township
Butler County

Chairman:

Secretary:



Jim Hahn



Timothy Dawson
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-27
KEEFE PROPERTY – TRACTS 2 & 3, ZMA 08-15 (C-PUD TO SP-PUD)**

WHEREAS, a C-PUD District was approved by the West Chester Township Board of Trustees on March 9, 2004 for 47.842 acres of land with a general Preliminary Development Plan that established the permitted uses and the access points to the site, including the extension of Tylers Place Boulevard to Hamilton-Mason Road (now Liberty Way); and,

WHEREAS, on May 17, 2004, the West Chester Zoning Commission approved a Final Development Plan for the Tylers Place Boulevard extension, the Preserve Place road section inside the C-PUD boundary, and open space improvements; and,

WHEREAS, on July 21, 2014, the West Chester Zoning Commission approved a Revised Preliminary Development Plan for Tract 1 of the C-PUD, which included the lot layout of four development parcels, one open space parcel, Tylers Place Boulevard improvements and common development improvements. Additionally, the preliminary layout of Lot 3 was provided for Cabela's as the proposed use; and,

WHEREAS, on August 18, 2014, the West Chester Zoning Commission approved a Final Development Plan for Tract 1 of the C-PUD, which included the lot layout of four development parcels, one open space parcel, Tylers Place Boulevard improvements and common development improvements and the construction of a 75,330 square foot Cabela's on Lot 3 of Tract 1 of the Keefe Property; and,

WHEREAS, on August 17, 2015, a Final Development Plan was approved for Lots 1 and 2 of Tract 1 at the southeast corner of Liberty Way and Tylers Place Boulevard, which proposed the construction of a 12,192 square foot, one-story building with a proposed retail and restaurant use on Lot 1 and a 9,312 square foot, one-story building with a proposed retail and restaurant use on Lot 2; and,

WHEREAS, on November 17, 2015, Liberty Way Investments, Llc. submitted a Zoning Map Amendment application from C-PUD to SP-PUD requesting a Preliminary Development Plan approval for a mixed-use development of retail, restaurant, office, and residential land uses on 19.31 acres; and,

WHEREAS, on December 8, 2015, the Butler County Planning Commission recommended approval with conditions of the proposed request; and

WHEREAS, on December 21, 2015, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Zoning Commission does hereby recommend approval of said Zoning Map Amendment from C-PUD to SP-PUD for the aforesaid application consistent with the submitted site plan with the following conditions:

- 1.) The proposed Preliminary Development Plan maintains the intent of the originally approved Trustee Resolution (16-2004) and the design of the preliminary layout by transitioning from General Business land uses to a Residential land use from Tract 2 to Tract 3.
- 2.) The proposed land uses conform to Comprehensive Land Use Plan's recommendation of the 'Office/ Residential Transitional' land use classification at the proposed density and by providing a transition from commercial uses to the surrounding residential districts.
- 3.) A brief Retail Market Assessment summary has been submitted to ensure that the retail uses are a sustainable development for the Liberty Way Corridor. A detailed Retail Market Analysis shall be provided at the Final Development Plan stage.
- 4.) All recommendations of the Traffic Impact Study, and requirements of the BCEO, shall be incorporated the Final Development Plan. A copy of the approved Traffic Impact Study, as revised per BCEO comments, shall be provided to the West Chester Community Development Department within 30 days.
- 5.) A detailed drainage plan shall be provided at the Final Development Plan stage, which shall illustrate that the proposed storm water detention area is adequate to serve the entire site.
- 6.) Cross-access easements shall be provided for the 'Private Street,' illustrated on the Preliminary Development Plan, granting legal access to all lots in Tracts 2 and 3 and the maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Final Zoning Certificate.
- 7.) The proposed and required parking plan for each land use and the percentage of open space for each lot and the entire site shall be shown on the Final Development Plan. All on and off street parking shall meet the West Chester Township Zoning Resolution, Articles 10, 11, 17, and 20.
- 8.) Detailed floor plans shall be provided, regarding the residential unit sizes and (color) building elevations shall be provided, which shall demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout, ensuring a transition to the existing, surrounding residential districts.
- 9.) At the Final Development Plan stage, the manner of use in which the residential units will be marketed and occupied shall be determined as owner-occupied or renter by choice leasing.
- 10.) A detailed summary table of the residential units shall be provided on the Final Development Plan to ensure the type of use and a unit mix where the larger floorplans are minimized since this type of development is geared toward the young professional and empty nester demographic.

- 11.) A detailed summary of the interior amenities for each unit shall be provided with the Final Development Plan. Amenities are also important to the targeted demographic and for the need of ensuring the luxury of the units proposed.
- 12.) The residential portion on Lot 2 shall establish a homeowner's association agreement, which shall be responsible for keeping all open space free from trash and litter and shall be required to maintain all drainage ways and retention/detention basins to perform designated function and all landscape. The common open space on Lot 1 shall be held in private ownership and maintained by the property owner. This shall apply to any future splits to Lot 1, as well.
- 13.) A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed mounding, landscaping, and tree plantings, which shall provide extensive screening along the west and south property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.
- 14.) Stone columns and decorative fences shall be included in the Landscape Plan at the Final Development Plan stage, which shall be illustrated on the plan at the intersection of Tylers Place Boulevard and Liberty Way, the east side of the right-in/ right out north access way, the east side of the Liberty Way and the 'Private Street' intersection, and the east side of the 'Private Street' and Preserve Place south access way. The design shall correspond to the fence and column, common element improvements approved on the Tract 1 FDP (Res No. 14-17). All structures shall be located outside of the right-of-way and a minimum of two feet from all sidewalks. The maintenance of these features should be clearly defined and the appropriate easements shall be provided.
- 15.) The existing and approved fencing along Liberty Way, Tylers Place Boulevard, and Preserve Place shall remain as a common element feature and be illustrated on the Final Development Plan. The maintenance of these features should be clearly defined and the appropriate easements shall be provided.
- 16.) Detailed elevations shall be include in the Landscaping Plan, which depict the proposed design, materials, and height of the fences and columns along Liberty Way and Preserve Place, as well as the residential buildings 'Perimeter Treatment' as shown on the Preliminary Development Plan. The 'Perimeter Treatment' design shall correspond to the common element features.
- 17.) A 100' landscaping buffer along the west property line and the 50' landscaping buffer along the south property line shall be illustrated and dimensioned on the Layout and Landscape Plan at the Final Development Plan stage.
- 18.) At the Final Development Plan stage, a photometric analysis should be provided that demonstrates acceptable light levels are being maintained along the existing residential districts and the proposed residential buildings to the west, south, and southwest.

- 19.) Two sign locations are proposed along Liberty Way and one sign location along Preserve Place. No sign details were submitted for either sign. Therefore, the proposed signs shall only be permitted through the Final Development Plan process if they are determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 20.
- 20.) The applicant shall meet all other agencies requirements for the submittal to the Zoning Commission for of the Final Development Plan.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval as modified by this resolution. This action shall take effect this 21st day of December 2015.

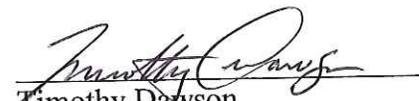
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