

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
March 21, 2016**

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

MEMBERS ABSENT: Art Hupp

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 7:42 p.m.

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

Minutes were presented from the Zoning Commission meeting from February 22, 2016 and approved with one change.

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

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**WCP Chesterwood Village / Carepointe – FDP, 02-16-A**

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The applicant is Hillandale Communities. They are requesting a Final Development Plan for Carepointe Nursing Facility.

The subject property is located along Chesterwood Blvd, approximately 890 feet south of Tylersville Road.

Subject property consists of 7.54 acres having approximately 600 feet of frontage on Chesterwood Blvd with access to Tylersville Road. 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 Blvd) along the northern portion of the property.

**CASE HISTORY**

West Chester Plaza was approved by Butler County 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. 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 the West Chester Plaza R-PUD was approved by Butler County on October 3, 1988, which revised the plan to remove the proposed school building, a portion of the open space, and the recreation area to include an approximately 96,000 square foot retail use and one outlot along Tylersville Road.

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 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. A following Major Change and Preliminary Development Plan was approved on February 9, 2016 for an expansion of the site for a one and two story, 105,088 square foot, 125 unit skilled nursing facility.

## **STAFF RECOMMENDATIONS**

The Comprehensive Land Use Plan designates the property as Residential Transitional / Public & Institutional. The proposed land use is consistent with the intent and purpose of the West Chester Zoning Resolution, the Comprehensive Land Use Plan and the approved West Chester Plaza R-PUD by:

- Providing a transition from commercial uses to the surrounding residential districts as a General Office use;
- An expansion of the existing, adjacent nursing facilities in the PUD;
- The existing designated "Public & Institutional" classification for the church within the PUD will remain as storm detention area for the intended land use classification of the church.

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 Final Development Plan. The remaining West Chester Plaza Residential Planned Unit Development (R-PUD) shall otherwise remain subject to the restrictions as previously approved.

This Final Development Plan proposes a one and two story, 105,088 s.f., 125 unit skilled nursing facility. The applicant is proposing 3 separate access ways along Chesterwood Blvd.

The facility is a combined use of Nursing / Rest Home and Office use. The applicant has provided 67 parking spaces where 46 are required for the Nursing / Rest Home use and 53 parking spaces where 30 are required for the Office use. Additionally the applicant is proposing \*27\* potential parking spaces. This would be a total of 120 (\*147\*) parking spaces where 76 are required. The applicant will maintain 40% open space where 15% is required.

The proposed building shall be limited to one-story along the south property line, which is adjacent to a residential district.

Detailed floor plans have been provided regarding unit sizes and amenities. Building elevations have also been provided which demonstrate a quality exterior design with a minimum of 50% brick/masonry, which are consistent with the PDP approval.

All structures shall meet all applicable codes and standards and be located within 400' of a fire hydrant. Fire main shall be 8" or greater.

A detailed drainage plan has been provided which shall meet all BCEO requirements. The grading plan shall be coordinated with the existing detention area improvements that are proposed by the Mt. Pisgah Church of the Nazarene.

Separate parcels shall be consolidated as one parcel. The main access drives on Chesterwood Blvd shall meet all BCEO requirements. Cross-access easements have been provided for granting legal access throughout the West Chester Plaza R-PUD and the maintenance responsibilities are clearly defined. This easement was recorded on March 25, 1996 as Book 6006, Pages 1775-1799 and approved by staff.

The applicant is proposing a good interconnectivity of pedestrian facilities throughout the site even in the courtyard area. This will have access to the existing sidewalk.

The potential addition of 27 parking spaces, including the parking lot and sidewalk north of Chesterwood Blvd shall require a staff revision and Final Zoning Certificate approval if not included in the original Final Zoning Certificate approval.

The portion of the proposed concrete sidewalk along the intersection of Chesterwood Blvd and the northwest entry way, which encroaches into the adjacent property, shall be installed and the appropriate easements shall be provided granting legal access with the maintenance responsibilities clearly defined. This easement shall be recorded and approved by staff.

A detailed landscape plan has been submitted which meets all requirements of the Trustee Res. No. 03-2016 which illustrates the 50' landscaping buffer along the south property line; to include the existing trees and all proposed mounding, landscaping and tree plantings, and proposed landscaping and tree planting along the west property line, which provide adequate screening to the adjacent residential district. All major

landscaping areas shall be irrigated with a permanent system. The common open space and common elements shall be held in private ownership and the owner shall be responsible for keeping all open space areas and common elements maintained.

A photometric analysis has been provided which demonstrates acceptable light levels.

A detailed sign plan has been provided which consists of two (2) exterior illuminated, ground mounted monument signs along Chesterwood Blvd at the northeast and northwest entry ways. The northeast entry sign is 5' in height and consists of a double sided, 18 sq. ft. display area; the northwest entry sign is 10' in height and consists of a double-sided, 49 sq. ft. display area with a 16 sq. ft. logo; a total of 65 sq. ft. The proposed ground signs meet the West Chester Township Zoning Resolutions, Articles 10 and 17.

Appropriate easements shall be provided granting legal access to construct the sign and landscaping area with the maintenance responsibilities clearly defined. This easement shall be recorded and approved by staff.

**ACTION:**

The Zoning Commission is to approve, approve with modifications, or deny the submitted Final Development Plan, unless additional information is deemed necessary to make an informed decision.

**Questions:**

Mr. Williams – why was there no traffic impact study? And why?

Mr. Dawson – Butler County Engineers Office did not require it. The impact of the development itself being a nursing / rest home use.

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

I have been involved in about 90% of this zoning project. Tim Dawson has given an excellent description of everything. I am willing to answer any questions you may have.

**Questions:**

Mr. Williams – need clarification of rest home use; is this basically independent living?

Mr. Woodings – these are all licensed nursing homes. No independent living.

Mr. Dawson – Nursing / rest home is a term the staff uses in the Zoning Resolution to interpret the use for the requirements of the parking.

**Proponents:       None**

**Opponents:       None**

**Neutral:       Paul Albin  
7883 Spring Garden Ct.  
West Chester, OH 45069**

I live to the south of the project. Something looks different on the parking plan than what was given to us. The parking is right behind us and looks like it's been expanded. The lights are headed to the south when previously it was headed east/west. So the lights will shine right into my house.

Mr. Hahn – Currently there's no landscaping buffer separating your property to this proposed development.

Mr. Albin – we planted four 6' trees ourselves because the church didn't do anything except let the weeds grow.

Mr. Hahn – applicant is proposing a 4' mound with 6' trees on top of it. Approximately 10' of buffer will be provided.

Mr. Woodings – we will abide by whatever needs done to correct this issue.

**Deliberations**

Ms. Hendel – No comments

Mr. Fisher – Impressed with management – great addition to the community

Mr. Williams – Good project

Mr. Rinnert – In total favor

Mr. Hahn – Great project

**Mr. Rinnert made a motion to approve Case # WCP Chesterwood / Carepointe – FDP, 02-16-A; with the minimum conditions as recommended by staff and other agencies. Mr. Williams seconds it.**

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

**Nay:**

**Motion carries 5 – 0**

**Administrative Matters:**

There are no new cases for April 2016; therefore the next meeting is May 16, 2016 @ 6:30 p.m.

Mr. Hahn adjourned the meeting at 7:15 p.m.

Chairman:

Secretary:

  
James Hahn

  
Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-5  
WCP R-PUD - CHESTERWOOD VILLAGE – CAREPOINTE, FDP**

**WHEREAS**, an 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 with conditions for layout changes to the previously approved plan; and

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

**WHEREAS**, on February 9, 2016, Hillandale Communities received a Major Change and Preliminary Development Plan approval with conditions for an expansion of the site for a Preliminary Development Plan of a one and two story, 105,088 square foot, 125 unit, skilled nursing facility on 6.887 acres; and

**WHEREAS**, on February 16, 2016, Hillandale Communities submitted an application requesting a Final 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 7.554 acres; and

**WHEREAS**, on March 21, 2016, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid Final Development Plan.

**NOW, THEREFORE BE IT RESOLVED**, that the West Chester Township Zoning Commission does hereby approve of said Final Development Plan for WCP-Chesterwood Village-Carepointe Nursing Facility consistent with the submitted site plan with the following conditions:

- 1.) The current approval 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 Final Development Plan. The remaining West Chester Plaza R-PUD shall otherwise remain subject to the restrictions as previously approved.
- 2.) The 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 approved West Chester Plaza R-PUD permitted land uses.
- 3.) The drainage plan shall meet all BCEO requirements prior to issuance of a Final Zoning Certificate to ensure that the Storm Water Detention Area is adequate to serve the entire site.
- 4.) The grading plan shall be coordinated with the existing detention area improvements that are proposed by the Mt. Pisgah Church of the Nazarene with the BCEO.
- 5.) A Traffic Impact Study was not required by the BCEO.
- 6.) The portion of the 5' concrete sidewalk along the intersection of Chesterwood Boulevard and the northwest entry way, which encroaches into the adjacent property, shall be installed and the appropriate easements shall be provided granting legal access with the maintenance responsibilities 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 Permit.
- 7.) Separate parcels shall be consolidated as one parcel, due to the proposed building and parking locations, in conformance with the BCEO requirements, prior to issuance of a Zoning Permit.
- 8.) The main access drive on Chesterwood Boulevard shall meet all BCEO requirements, prior to issuance of a Final Zoning Certificate.
- 9.) Cross-access easements (Book 6006 Pages 1775-1799) have been provided for granting legal access throughout the West Chester Plaza R-PUD and the maintenance responsibilities are clearly defined.
- 10.) The parking plan for each land use and the percentage of open space for the site meets all requirements of the West Chester Township Zoning Resolution, Articles 10 and 17.
- 11.) The potential addition of 27 parking spaces, including the parking lot and sidewalk north of Chesterwood Boulevard shall require a Staff Revision and Final Zoning Certificate approval if not included in the original Final Zoning Certificate approval.
- 12.) The building shall be limited to one-story along the south property line, which is adjacent to a residential district, prior to issuance of a Zoning Permit.

- 13.) All structures shall meet all West Chester Fire Department's applicable codes and standards and shall be located within 400' of a fire hydrant and the fire main shall be 8" or greater, prior to issuance of a Zoning Permit.
- 14.) Detailed floor plans regarding unit sizes and (color) building elevations, which demonstrate a quality exterior design with a minimum of 50% brick/masonry are consistent with the Preliminary Development Plan approval (Res No.03-2016).
- 15.) The common open space and common elements shall be held in private ownership and the owner shall be responsible for keeping all open space areas and common elements maintained and free from trash and litter; maintaining all drainage ways to ensure the retention/detention basin performs the designated function; and maintaining all landscaping in good condition as illustrated on the Final Development Plan.
- 16.) The landscape plan meets all requirements of Trustee Res. No. 03-2016, which illustrates adequate screening to the adjacent residential district. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Final Zoning Certificate.
- 17.) A photometric analysis has been provided that demonstrates acceptable light levels are being maintained along the existing residential development, adjacent to the south property line.
- 18.) A detailed sign plan has been provided, which consists of two (2), exterior illuminated, Ground Mounted, Monument Signs at the northeast and northwest entry ways. The ground signs meet the West Chester Township Zoning Resolution, Articles 10 and 17. However, appropriate easements shall be provided granting legal access to construct the sign and landscaping area with the maintenance responsibilities 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 Permit.
- 19.) The West Chester Community Development Department Staff shall be authorized to approve minimal revisions to the approved Final Development Plan. Any changes to the plan that are required by other agencies shall be subject to approval by the West Chester Township Community Development Department.

**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 21<sup>st</sup> day of March 2016.

West Chester Township  
Butler County

Chairman:

Secretary:



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James Hahn



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Timothy Dawson  
Township Planner