

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
July 18, 2016**

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

MEMBERS ABSENT:

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

LOCATION: Township Hall

CALL TO ORDER: 6:33 p.m.

ADJOURNMENT: 9:00 p.m.

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

June minutes not available at this time.

**Old Business**

Regarding case **ZMA01-16-BC TID at Liberty Way** – the applicant has requested to postpone their application from consideration at this meeting. We also have no recommendation from Butler County Planning Commission regarding this project. Therefore I make a motion to postpone case **ZMA01-16 BC TID at Liberty Way** until the August 15, 2016 Zoning Commission meeting.

Mr. Williams so moved the motion and Mr. Rinnert seconds the motion.

**New Business**

We will open case **Lexie's Place FDP – 06-16-C**

Regarding case **Lexie's Place FDP – 06-16-C**, the applicant has requested their application be continued until August 15th. Therefore I make a motion to continue case – **Lexie's Place FDP – 06-16-C** until the August 15, 2016 Zoning Commission meeting.

Mr. Rinnert so moved the motion and Mr. Williams seconds the motion.

This meeting is scheduled to take place at 6:30 pm in this same location.

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

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**Keefe Property, Lot 2 – Potbelly Signage RFDP – 06-16-A**

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The applicant is Pattison Sign Group. They are requesting a Revised Final Development Plan approval for three building signs and directional signage.

Along Liberty Way, Outfitters Way, Trailside Drive, and Cabela Drive, approximately 470 feet east of Tylers Place Boulevard

The subject site consists of 1.48 acres having approximately 185 feet of frontage on Liberty Way. The site is characterized as flat and under construction.

### **CASE HISTORY**

The West Chester Zoning Commission approved a Final Development Plan for Lots 1 and 2 of Tract 1 on August 17, 2015, which included the construction of a 12,192 s.f. one-story building with a retail and restaurant use on Lot 1 and a 9,312 s.f., one-story building with a retail and restaurant use on Lot 2.

A staff level revision was approved for Lots 1 and 2 of Tract 1 on December 24, 2015, which included a reduction in the building square footage on Lot 1 from 12,192 s.f. to 9,000 s.f., a decrease in parking from 103 to 53 spaces, and an increase of open space from 31% to 41%; as well as a reduction of building square footage on Lot 2 from 9,312 s.f. to 9,317, an increase in parking from 49 to 68 spaces and a decrease in open space from 29% to 23%.

The applicant is proposing directional signs and three (3) building signs totaling 187.11 s.f.

The applicant proposes 80.77 s.f. of display area for the front elevation, 60.81 s.f. of display area for the rear elevation. Both of these signs are self-illuminated and 45.53 s.f. of display area for the east elevation which is non-illuminated.

### **STAFF RECOMMENDATIONS**

The West Chester Township Zoning Resolution (WCZR), Article 20.092, allows 8% of the total square footage of the front building wall elevation. Frontage is defined as being adjacent to the public right-of-way. Therefore, pursuant to the WCZR, only 60.4 s.f. of display area is permitted for the front elevation.

The proposed total building signage display area of 187.11 s.f. exceeds the required total display area of 60.4 sf. In consideration of the character of the site and the multiple private, internal access ways, the building signage for the end units on Lot 2 may be calculated using the long side of the building instead of the short side that fronts Liberty Way. The internal unit(s) of the building are to remain subject the WCZR, Article 20.092. A revised plan is to be submitted within 30 days to meet the permitted total display area of 120 s.f.

Miscellaneous and directional signage is to be approved as illustrated on the Revised Final Development Plan.

**ACTION:** The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Revised Final Development Plan, unless additional information is deemed necessary to make an informed decision.

**Applicant: Terry Hoskins  
Pattison Sign Group  
8454 Morrow-Woodville Rd.  
Pleasant Plain OH**

On the east elevation sign – that sign is illuminated. The reason for the larger signs is for visibility; down the front on Liberty Way. Speed limit is 40/45 and 180' off the road. Once you pass and get to the turn lane, there's no other access to the center (at least on the map I have). They want the larger sign on the front to attract customers on Liberty Way.

Mr. Hahn – are you in agreement with the sign sizes mentioned in the staff report?

Mr. Hoskins – yes. The only change is the east elevation is self-illuminated

The only comment I have is that the only sign in front of the building is a monument sign so the larger sign on the front of the building would be helpful.

Mr. Dawson – the square footage consideration is based on the total square footage of the buildings. So the applicant could reduce the other signage to still be compliant with the 120'; if they would like to keep the size of the signage along Liberty Way.

Mr. Williams – proposed total building signage display area of 187.11 s.f. exceeds the required total display area by 60.4 s.f. The staff is asking for a revised plan be submitted within 30 days for the total display area of 120 s.f. So basically right now, it's too big.

Mr. Dawson – so with the considerations of the multiple internal access drives to the site, staff's consideration is for total 120 s.f. rather than a total of 187 s.f.; which that's for a total of the three signs. They could reduce the signage of display area on the east and south elevations if they require an 80.7 on the north sign elevation.

Mr. Williams – addressing the applicant – so that is not what you requested?

Mr. Hoskins – no.

Mr. Williams – the total s.f. is smaller than what you proposed. What staff has asked you to do is resubmit with varying the sizes of each sign to meet the total square footage of a 120 s.f. Are you ok with that?

Mr. Hoskins – no

Mr. Williams – ok, that's the issue. That's what staff has recommended based off the ordinance as it stands today. That's what is being discussed right now. If you are not willing to abide by this then what you are saying is you are going to leave it to us to make a decision but in most cases we are not going to go against the ordinance.

**Applicant: Mike Gilbert  
Tennessee**

I am the owner of lot 1 and lot 2; Potbelly is our tenant. We are happy to have them. Potbelly happens to be our first tenant to come before you with the building signage. I think Mr. Dawson did a good job explaining the complexity of our two lots and that they only have access to one public road being bound by a private road as in internal circulation. It is important for our tenants to have the same capacity for people to view the signs and physically see and recognize those signs. It's a struggle for commission, I'm sure, to try to come up with square footages and things of that nature based off of frontage but I think it's really not quite applicable here; we are really close. Their recommendation for their signage is based upon visual impact and the ability for the signage to perform its job. Its job is to help get people off the street into their services of their building.

The bigger picture we have other tenants that will have similar situations.

Mr. Hahn – they will have less signage because they are stuck in the middle of another building.

Mr. Gilbert – Those two tenants, staff is suggesting they have signage on the front wall. That really is problematic. The building is a multi-fronted building. To not allow interior tenants to have a signage component at the rear or at the internal drive side of our buildings would be problematic. People need to be able to find these door / openings. I just wanted to express the bigger picture of the signage components.

Mr. Dawson – the s.f. is based only on the building signs.

**Proponents: None**

**Opponents: None**

**Neutral: None**

### **Deliberations**

Ms. Hendel – my thoughts always go with what the zoning board says and if we deviate from it.

Mr. Fisher – I'm concerned about setting a precedence as well.

Mr. Williams – I'm concerned with the directional signage being included in the square footage.

Mr. Dawson – the directional signage is not included in the square footage. I apologize for the confusion.

Mr. Williams – I totally agree that we need to stick to the standards and not open Pandora’s Box. The applicant needs to resubmit and staff work closely with them to make sure they get the proper signage to get the visibility they need to be successful.

Mr. Rinnert – I have to agree with Mr. Fisher. I think Mr. Williams is correct in the applicant to resubmit.

Mr. Hahn – I agree with everyone here. I do believe that we need to stick to our guns with what we are allowed to approve.

**Mr. Williams made a motion to approve Case # Keefe Property, Lot 2 – Potbelly Signage RFDP – 06-16-A; with the conditions as stated by staff and that a revised plan be submitted within 30 days permitting the total display area is 120 s.f. Mr. Rinnert seconds it.**

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

**Nay:**

**Motion carries 5 – 0**

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**Crossings of Beckett – Kroger – FDP – 06-16-B**

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Mr. Hahn gave a brief history of the prior actions to this case:

This case was brought to the Zoning Commission in 2014 and at that time the West Chester Zoning Commission recommended a denial of the application.

The applicant made a decision to go before the Board of Trustees on March 11, 2014. The West Chester Township Board of Trustees denied a Zoning Map Amendment from R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District).

A Consent Decree was entered by the Butler County Court of Common Pleas upon agreement of the Plaintiffs and the Defendant (Case No. CV 2014 04 1006/ 2014 06 1623), which approved the aforesaid Zoning Map Amendment with modifications and conditions on March 9, 2016, which included the submission of a Revised Preliminary Development Plan to the West Chester Community Development Department for review.

The West Chester Community Development Department approved the aforesaid Revised Preliminary Development on May 10, 2016 on the basis that it was consistent with the modifications and conditions of the Consent Decree.

The applicant is Anne McBride, FAICP. She is requesting a final development plan Phase I for 131,620 s.f. Kroger Marketplace, retail space, Kroger fuel center, and layout Of outlots 4, 5, & 6.

The subject property is located along Princeton-Glendale Road (S.R. 747) and Tylersville Road.

The site consists of approximately 20.52 acres, which has approximately 1700 feet of frontage along Princeton-Glendale Road and 1345 feet of frontage along Tylersville Road. The site is characterized as vacant, flat, vegetated with mature trees along the east property line and portions of mature tree lines in the middle of the site.

### **CASE HISTORY**

The Case History on this began on March 11, 2014. The West Chester Township Board of Trustees denied a Zoning Map Amendment from R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District)

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The West Chester Community Development Department approved the aforesaid Revised Preliminary Development on May 10, 2016 on the basis that it was consistent with the modifications and conditions of the Consent Decree.

The applicant is proposing a 131,620 s.f. Kroger Marketplace with an attached 15,000 s.f. retail use, a fuel center, the layout of outlots 4, 5, and 6, and a landscape buffer lot along Tylersville Road.

The applicant is proposing 639 parking spaces where 489 are required. The site also consist of 25.3% open space where 15% is required.

### **STAFF RECOMMENDATIONS**

ODOT has indicated that the road improvement plans for S.R. 747 are currently under review and all landscaping, signage and other obstructions at the access ways along S.R. 747 are to meet sight distance requirements.

The BCEO has indicated the following: 1.) The storm water drainage plan, the grading plan, and construction drawings for the proposed detention area are to be revised to meet all requirements; 2.) "Street B" construction plans are to be provided; 3.) A copy of the S.R. 747 access drive and road improvements approval from ODOT is to be provided; 4.) A copy of the easement agreement from the adjacent property to the south is to be provided; and 5.) The Beckett Road improvement plans require further review.

The BCWSD has indicated that a 10" water main is required, instead of the proposed 8" water main connection and advises that the sanitary sewer be ran on the north side of the site, because it will require less pipe and will not require construction in S.R. 747.

The Butler County Soil and Water Conservation District (BCSWCD) has indicated that the FEMA flood zone be illustrated on the FDP and the detailed storm water drainage plan demonstrate that the detention area is adequate to serve the flood prone area along the east property line.

The WCFD has indicated that all structures are not within 400 feet of a fire hydrant and private fire hydrants are to be installed to meet requirement. The access road in the rear of the Kroger and retail building and the truck turn around area are to have signs posted stating: "No Parking - Fire Lane."

A draft copy of the Reciprocal Easement Agreement (REA) has been provided to the WCCDD and approved, which will be responsible for the maintenance of the site.

As shown on the FDP, cross-access easements have been provided for entire site, which includes all private drives for internal access; the full movement, cross-access and the right-in only access to the adjacent property to the south; and along "Street B" to provide access to and from Beckett Road. A draft copy of the easement agreements, for granting legal access through the site with the maintenance responsibilities clearly defined, has been submitted to the WCCDD and approved. The easement agreements are to be recorded prior to the issuance of a final zoning certificate and a copy of which provided to the WCCDD.

A public use easement has been provided for the 5 foot wide concrete sidewalk located along the public frontages that are located on private property. The easement is to be illustrated on the final plat and then be recorded prior to the issuance of a final zoning certificate.

Detailed floor plans and detailed building elevations have been provided, which demonstrate that high quality, exterior building materials (brick, stone, etc.) are being utilized throughout. In addition, the rear building elevation depicts a 6 foot masonry wall along the loading areas, which meets Section 2.13 of the Consent Decree as a measure to reduce typical sounds of the delivery areas.

A detailed landscaping plan has been provided, which is consistent with Section 2.11 of the Consent Decree and the RPDP.

Mr. Dawson mentioned all the trees that are being proposed and where they will be located. It should be noted that the elevation of the mounds are consistent with the Consent Decree as stated to be 6' in height, 6' higher than the elevation of Tylersville Rd.

All landscaping is to be maintained in good condition and all major landscaping areas, excluding parking lot islands and the "Non-Irrigated Area" as generally depicted in Exhibit B of the Consent Decree, are to be irrigated with a permanently installed system.

A photometric analysis has been provided, which demonstrates acceptable light levels are being maintained along the existing residential property to the east and north.

Outdoor displays and sales are to only be permitted for the Kroger Marketplace occupied space, which will be subject to the following conditions: 1.) Limited to areas under a

permanent canopy, awning, or roof that is attached to the principal building, as long as a 5 foot minimum pedestrian walkway is maintained at all times; and 2.) The display area is not to exceed 50% of the building's length of any wall adjoining the display area's location. All other uses are to meet the WCZR, Article 20.041. As shown on the FDP, the outdoor display and sales at the Fuel Center are consistent with the Consent Decree, Section 2.9 as limited in nature and incorporated into the design of the kiosk.

One (1) free-standing, multi-tenant, pole sign is illustrated on the FDP along the Princeton-Glendale Road (S.R. 747) frontage at the full access way. The proposed sign is 35 feet in height; has a 5 foot setback from the right-of-way; and has a total of 286.5 s.f. in display per side, which includes two (2) self-illuminated signs per side. The WCZR, Article 20.0913, requires the sign to be, a maximum, 20 feet in height; a 10 foot setback from the right-of-way; and the display area, at a maximum, of 144 s.f. per side. A revised FDP and sign detail is to be submitted within 30 days to meet the WCZR, Article 20.0913.

Ten (10) building signs are only located on the west elevation of the Kroger/ retail building, which meets Section 2.10 of the Consent Decree. The total display area of the signs are 437.46 s.f., which meets the WCZR, Article 20.092.

Eight (8) building signs are located on the fuel canopy and two (2) building signs are located on the kiosk. The total display area of the signs are 111.5 sf. The WCZR, Article 20.0913, requires a display area of 57.5 s.f., which is 8% of the canopy and kiosk front wall elevation. However, the canopy and kiosk signage is typical for a fuel station.

A revised FDP is to be submitted within 30 days to reflect the following: 1.) The FEMA flood zone is to be illustrated on the FDP; and 2.) A revised FDP and sign detail for the freestanding sign, multi-tenant, pole sign is to be submitted within 30 days to meet the WCZR, Article 20.0913.

### **ACTION:**

The West Chester 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.

Mr. Fisher – You said the landscape buffer is to be 6' higher than elevation of Tylersville Road. Is that correct?

Mr. Dawson – Yes it is. It should be noted that the RPDP was approved for the western most mound at an elevation of 660', middle at 662', the eastern most mound at 654'. The applicant is providing: western – 663', middle – 662', and eastern 655'. They are clearly meeting the Consent Decree on the height of the mounting.

Mr. Hahn – a brief mention of an access for pedestrian traffic at the back of the store.

Mr. Dawson – showed a PP view of all the pedestrian facilities access across the site. There are some others but they will be in Phase 2.

**Applicant: Greg Dale  
McBride Dale Clarion  
5730 Dragon Way  
Cincinnati OH 45227**

I'm here on behalf of Ann McBride. The staff has given a very thorough overview of the project. With a couple of exceptions, which I will focus on, the applicant is in agreement with the staff recommendations/conditions. I would like to talk about the signage – while it is true that several aspects of the signage; in particular the free standing pole sign, fuel canopy and the kiosk sign will not comply with the township's zoning resolution. The Consent Decree actually gives the zoning commission the authority to approve that signage. We are requesting that the board approve the signage as it's proposed.

Let me explain the rationale – fuel canopy and kiosk – the reason for the additional signage has to do with the desire to have that signage on the canopy also visible. It's important to see the prices on the canopy as you leave the store. It didn't seem as if staff had any objections based on the staff report.

The free standing pole sign would be the only pole sign on the property and would be doing a lot of things. It would not only be serving Kroger but the other tenant spaces that would be available.

In the Zoning Resolution the size of the signage is determined in proportion to the amount of frontage; frontage = square footage. Based on the sliding scale of the zoning resolution – Kroger will have an access of 900'. We would have a much larger proportion. We would ask for consideration for the unusual circumstance of the large amount of frontage, large amount of square footage and the large number of tenants that would be served by this sign.

Mr. Hahn – you propose 35' and our code refers to 20'. Let's take height first – are you ok with that?

Mr. Dale – the applicant would prefer 35' but the area is the most important. There's flexibility on height; it's easier than the area sq. footage. Staff also pointed out a 5' setback that was proposed versus the 10' setback per code; the applicant has no problem with that.

Mr. Dawson – there is an allowance for the sq. footage to be based on the principal building sq. footage; however that's only with the principal building having no frontage.

**Proponents: Stephen Hunt  
Aronoff, Rosen & Hunt  
2200 US Bank  
Cincinnati OH**

Attorney for Hutzelman Farms. We support the approval of the Final Development Plan. We have worked with the developer for 3 years plus to address the impact of this project on our development across the street; primarily the access issues. They agreed early on

to make sure their primary access lined up with our ODOT approved access. They have been very accommodating.

**Opponents:**            **Rebecca Harris**  
                                 **7759 Wethersfield Dr.**  
                                 **West Chester OH**

I am aware of the previous meetings; I had attended each one. I have two questions 1) Berm or buffer – I had approached Mr. Lang and asked if they could they please give us trees that wouldn't lose their foliage. I see they are using many maple trees; they do lose their foliage. I was glad to see they are using some evergreens; I am curious to know what size they are using. I would love to see more evergreens than maple because of their foliage. 2) If I'm reading the maps correctly – we were having an right in/out on Tylersville; I do not see that.

Mr. Dawson – is actually being proposed in Phase 2. All that is being heard tonight is the Phase 1 Final Development Plan which includes the buffer lot and the Kroger development.

Ms. Harris – if someone could address what would be planted and how many. Epcon, on the side of Beckett Rd has done a beautiful job of their buffer of hiding and making privacy for the town homes. I hope that Kroger, with all the money have, can do the same for us.

**Mark Faessler**  
**8380 Park Place**  
**West Chester OH**

Question regarding service street B – the way it was described that were no restrictions where at least no restrictions for truck and minimal access to this development.

Mr. Hahn – I guess the trucks could come off of Beckett then come down and make a left and then circle back around.

Mr. Faessler – We have a very nice community there with private roads and all of a sudden we're going to have an access road going right through the middle of it.

Mr. Dawson – Section 2.5 of the Consent Decree requires a non-restrictive cross-access easement to benefit the east parcels which provides access to Beckett Rd.

Mr. Faessler – to put an access road through our little community is pretty aggressive. And there's no other street in our community that even has lights on it.

**David Labus**  
**8000 Park Place Circle**  
**West Chester OH**

I am a resident and a developer at Park Place. My understanding from the beginning I believe in the Zoning Resolution there was language restricting delivering commercial truck access.

Mr. Williams – I remember that discussion. There was to be a truck pass coming off of 747 around to the docks; south of the property into the docks. There was no discussion of it coming off B Street. It sounds to me that the Consent Decree did not restrict nor did it comply with that statement. We need to verify that.

Mr. Dawson – there's nothing stated in the Consent Decree that restricts any type of traffic. The approval of the case was decided on March 9 through this Consent Decree. The ZC is to insure that it is consistent with the original approval; not to add to it.

Mr. Williams – What if the Consent Decree is in conflict of what we assume to be a restriction?

Mr. Dawson – I will have to check the West Chester Zoning Resolution to find out. I will need further time to research.

**Tony Lingardo  
4854 Brantford Ct.  
West Chester OH**

This has been going on for a couple of years now; why am I just now receiving notice about this case. Why did I not receive notices before? However it doesn't mean I haven't stayed on top of things.

Regarding the berm – something that separates 2 people or things that are incompatible. That is not a buffer. I right now can see flashes of lights when they pull out of the Kroger store. I request that they use 100% evergreens not a mix for a buffer.

Terminology on a buffer – Mr. Phillips made it very clear that this is not a buffer. When I saw this everyone is using a term buffer when he stated it's not a buffer.

**Larry Brown  
5087 Park Ridge Ct,  
West Chester OH**

How deep is the buffer?

Mr. Williams – It varies from 180 – 120'. From Tylersville to Kroger.

Right in/out off of 747 – are you able to turn left.

South will be signaled; north will be right in/right out.

**John Coyle  
8403 Park Place Circle  
West Chester OH**

For Phase I, what is the purpose for the access road? So do we not need this until Phase II is approved? Otherwise it's going to be a jet runway. Guarantee at Christmas time, this will be a cut-through. A lot of kids walk Beckett in that area.

Mr. Hahn – this severs multi-purpose.

If this road is really for Phase II; can it be blocked until then? But I suggest if the cut-through is really for Phase II then don't put it in until Phase II is ready to begin.

**Neutral:**                   **Tim Laba  
4883 Branford Ct.  
West Chester OH**

I've been at all the meetings. My property directly looks at this development. Just for the record so everyone knows we (as in West Chester Township) were sued by the developer to make this happen.

- 1) Looking from my house, buffer or no buffer zone, I'm going to be looking straight into the docks at Kroger. No one considered that or they would have at least turned this around. Nothing is going to hide that.
- 2) I don't think they figured out what they are going to do with Tylersville and all the extra traffic congestion. I can't figure out for the life of me how they are going to leave it the way it and not expand it for the additional traffic. I don't know who is doing the studies but something doesn't jive.
- 3) We were told they do not have to have the buffers zone completely done until 90 days after the Certificate of Occupancy has been handed over. What this means is the developer can sit back and not spend a dime until this is done. I just ask that the buffer zone gets built at the breaking of the ground. That is in your power to do so please do that as a consideration to us.
- 4) The drawings are still not up to scale for you to approve. Someone needs to be doing their job better to make sure the development is done correctly according to the Consent Decree.
- 5) Who is going to enforce the codes to make sure the development is doing what they are supposed to once they are in?
- 6) Trees – normally a developer will plant a tree 6' tall. In 10 years, these trees are still not going to be tall enough to hide anything. I understand nothing is going to hide everything but we had an attorney, Scott Phillips, stand up here who sounded more like a shield for the developer than trying to defend us from the law suit. I was really disappointed in his efforts; if that the best we (West Chester) can do then it's time to find another one. He even said that this wasn't meant to be a screen; it's meant to be a mound with stuff on it.

We understand it's a done deal because they signed a Consent Decree but we are very disappointed (at least on our side of Tylersville) in the way this went down.

I'm all for commercial development, it's how I make my living, but there's a right way to go about it. Just like Kroger is here asking for more sq. footage for signage...Potbelly was just here asking for the same thing and was denied. They may be a good company, I'm not arguing that. We are not fighting against Kroger, we fighting for the integrity of our community that we feel has not been done. When Phase II rolls around, we will be here doing this again.

The applicant Mr. Dale comes back up to the stand to answer questions.

Mr. Fisher – this is the first time I heard about a trash compactor in the back of the building, how noisy is that going to be.

Mr. Dale – it is enclosed within the dock.

Mr. Williams – we covered the type trees, can we discuss about the buffer. We need more of a formation of that. Restriction of the truck traffic. What is the real purpose of Street B? When will the buffer be built?

Mr. Dale – the buffer – what is being proposed is exactly what was specified in the Consent Decree. The buffer was very tightly discussed in the Consent Decree and the staff has indicated that. I don't want to disrespect the concerns of the residents but that has been locked down in the Consent Decree and is in compliance with that.

Mr. Williams – staff is that primarily the evergreens or a combination of different types?

Mr. Dawson – the types, the sizes, when they are planted, and the caliper of trees is specified in the Consent Decree.

Mr. Hahn – number of trees?

Mr. Williams - % wise, is it a mixture? We need to re-affirm for the residents.

Mr. Dawson – Majority is spruce.

Mr. Dale – in terms of Road B, there are no restrictions according to the Consent Decree but the way the circulation has been designed is that the truck traffic is designed to come into/out of a signalized intersection. In fact the way it is designed trucks will not be able to access that road.

Mr. Williams – But there was no language that limited or restricted the truck traffic?

Mr. Dale – I was not at those meetings so I'm not familiar with that.

Mr. Dawson – we cannot vary from the Consent Decree; that joins both parties. We cannot vary from the requirements including any prior hearings.

Mr. Rinner – the way I understand it, we can't make a change.

Mr. Dawson – there was a recommendation by Zoning Commission to the Board of Trustees. Board of Trustees decision was to deny the original application. At that time it was presented to litigation – both parties joined into a Consent Decree which lays out the conditions of the site. One of the conditions was that staff would make sure the RPDP was consistent with the legal document and the conditions of the consent Decree. That is the approval; staff or Zoning Commission cannot vary from that. That's been the advisement from the Township attorney.

Mr. Williams – what was the purpose of the street to begin with?

Mr. Dale – Street B is not accurate to say that it's just for Phase II. The street is there to improve the entire community. It's to provide options for access and connectivity.

Mr. Hahn – who did the traffic study

Mr. Dale – Bayer Becker.

Mr. Hahn – so a professional engineering firm completed the traffic study that was submitted to you and the BCEO. It was approved by the BCEO. As a part of that approval they did not discuss, recommend, or require widening Tylersville Road; did they or did they not?

**Tim Bergoin (with the Developer)  
9545 Kenwood Rd  
Cincinnati OH**

747 is controlled by ODOT. All of that information is sent to ODOT. Final engineering has been sent; they are ready to send comments back and all of that will be met. Tylersville Road and Beckett Road are county roads and that information was sent to Butler County. There is a requirement in Phase II to add some improvements to Tylersville Road. The county is a little up in the air about that because they are in discussions of putting a round-a-bout at Tylersville & Beckett which may change what we are required to do.

### **Deliberations**

Mr. Williams – addressing staff – does the Decent Decree apply to Phase II?

Mr. Dawson – yes, at this time we are not reviewing Phase II.

Mr. Williams – so how does it apply to Phase II if it hasn't been developed yet?

Mr. Dawson – There are conditions for Phase II. Everything in the PDP and Consent Decree was for the entire site.

Mr. Williams – I'm a little frustrated about the truck traffic.

Ms. Hendel – they met everything we required.

Mr. Williams – I think they missed that which is a key part of it and so with that said everything else was met except possibly the buffer piece. They probably could have done a little more screening. I don't think you could ever get the elevation high enough to totally screen it from the residents' houses that sit at a higher elevation.

Ms. Hendel – I understand the people and their concerns but there's nothing we can do if they honestly met every requirement that we gave them.

Mr. Williams – there's some they didn't meet that they are asking for tonight that we still have control over.

Mr. Fisher – I don't see that we have any recourse other than to go along with it.

Mr. Rinnert – I agree with Mr. Williams. I'm not real happy with the fact the discussion got left out with the access on Beckett with trucks. Other than that, except for the signage, our hands are tied.

Ms. Hendel – should the sign part be left up to staff?

Mr. Hahn – staff made a recommendation

Mr. Williams – the idea would be we would proceed with what the recommendation is and approve as is without the changes. Unless there's some discourse.

Mr. Hahn – I, too, am frustrated. I'm really disappointed. We weren't there, we didn't develop the Consent Decree, it was missed, I think. I remember it being discussed. We are in a tough spot; unfortunately, and for that we apologize. With the signage, my thought is we just stick with what staff is recommending.

**Mr. Williams made a motion to approve Case # Crossings of Beckett – Kroger – FDP – 06-16-B; with all requirement and conditions as recommended by staff and other agencies. Mr. Rinnert seconds it.**

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

**Nay:**

**Motion carries 5 – 0**

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### **ZMA03-16 The Fields at Liberty Way**

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The applicant is HiFive Design Group, Inc. The applicant is requesting a rezoning of the property from M-1 and A-1 to C-PUD (Commercial Planned Unit Development) for development of two hotels and future development.

The subject property is located along Liberty Way and Cox Road, situated along I-75.

The site consists of 13.35 acres having approximately 915 feet of frontage along Cox Road. The site is characterized as vacant, mostly flat with a swale along the middle of the site, and heavily vegetated mature trees throughout the site.

## **CASE HISTORY**

The Comprehensive Land Use Plan recommends land use of office / general retail.

The land uses are consistent with the Comprehensive Land Use Plan (CLUP) and the designated Office/ General Retail land use classification and the West Chester Zoning Resolution as Principal Permitted Uses. In consideration of the character of the surrounding land uses, the proposed hotels for the site are complimentary to the proximity to the I-75/ Liberty Way interchange; the medical campuses to the south and north; the entertainment attractions nearby; and the many public events held at Voice of America Park.

The applicant is proposing a four-story, extended-stay hotel on Lot 1, a five-story hotel on Lot 2, and future development on the southern portion of the site.

BCEO is requiring a future full access at the south portion of the site.

**Lot 1** (hotel use) consists of 98,040 g.s.f. / 156 rooms  
Applicant is proposing 164 parking spaces where 156 are required  
Site consists of 29% open space where 15% is required

**Lot 2** (hotel use) consists of 68,200 g.s.f. / 116 rooms  
Applicant is proposing 120 parking spaces where 116 are required  
Site consists of 27% open space where 15% is required

Detailed floor plans and detailed building elevations are to be provided with all FDPs. The building elevations are to demonstrate that high quality exterior building materials (brick, stone, etc.) are being utilized throughout.

## **STAFF RECOMMENDATIONS**

ODOT has indicated that a 1 foot setback is required for the engineered wall along the limited access right-of-way.

The BCEO has indicated the following: 1.) A preliminary storm water drainage report and a preliminary grading plan is to be provided; 2.) Rights-of-way are to be dedicated for the limits of the right-in/ right-out on Cox Road, the right drop lane, including the signal poles and cabinet for the future full-access way, the sidewalk along Cox Road, and the pinch point along Liberty Way; 3.) The temporary, full-movement access way on Cox Road is to only occur for a period two years from the issuance of any final zoning certificate. After expiration, the owner may request, in writing to the BCEO, a one-time extension to remain another two years, subject to BCEO approval. 4.) The developer is required to post a Performance Bond for the temporary, full-movement access way. The bond is to include all costs associated with the modification of the access way,

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construction of the right-in/ right-out access way, and the right drop lane along Cox Road; 5.) The future traffic signal identified in the applicant's TIS is not approved by BCEO at this stage. At the time the future, full-movement access way is constructed, development must meet traffic signal warrant; 5.) The future, full-movement access way maybe in conflict with an existing fire pit. The fire pit needs to be located and illustrated on the FDP to adjust the access way as necessary; 6.) All existing utilities located at the north access way of the adjacent property to the south will need to be relocated closer to the future, full-movement access way of the site, per BCEO requirements. The relocation of utilities on the adjacent property to the south is to be provided at the FDP stage; and 7.) The future, private drive is to be stubbed to southern portion of the site.

The West Chester Fire Department has indicated the following: 1.) A secondary access to the site is to be provided, which meets all agencies requirements; 2.) All structures are within 400 feet of a fire hydrant; 3.) The water main is to be looped if BCEO requires the main to be public; and 4.) All drive aisles along the buildings on both lots are required to have posted signs, stating: "No Parking - Fire Lane."

Cross-access easements are to be provided for granting legal access throughout the site at no cost to the future development to the south, in order to access the future, full-movement access way.

A public use easement is required to be provided for the 5 foot wide concrete sidewalk located along the public frontage, which is located on private property.

A Property Owner's Association (POA) is to be created, which will be responsible for the maintenance of the entire site.

A detailed landscaping plan is to be provided with all FDPs, which depicts extensive landscaping throughout the site, including internal parking areas, adequate screening of the parking areas, along the rights-of-way, and consistently coordinated street trees along, both, the private and public road frontages. All major landscaping areas are to be irrigated with a permanent system prior to issuance of a final zoning certificate.

Signs that are illustrated on the PDP do not constitute approval of any signage. Therefore, signs are to only be permitted at the FDP stages. All ground-mounted signs are to be consistent with the exterior building materials for the principle building. All signage is required to meet the West Chester Zoning Resolution, Articles 10 and 20.

### **ACTION:**

The West Chester Township 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

**Applicant: Blake Helmes  
HiFive Design Group  
202 W. Main St.  
Mason OH**

Thank you for the opportunity to be here tonight. We are very excited about our PDP and rezoning application. The need for rezoning was generated by the awkward placement when Cox Rd was relocated. We foresee a very special development with these two very high class hotels. The Hyatt House is a 4-story extended stay hotel and then the Holiday Inn Express and Suites, another premier brand. I think these will be a real asset to this interchange.

Mr. Helmes showed renderings of the two hotels and the materials they are proposing. Both structures will integrate well with our future plans when we develop the rest of the site. I think overall when we reviewed the staff comments and from the engineering dept.; we are in general agreement with everything and believe we can achieve all the objectives. HiFive Design group is motivated to bring both hotels together in a coordinated beautiful fashion once the landscaping and development is put together.

We worked very hard with BC on traffic issues; there was a meeting on May 3 with our company, property owners, BCEO and West Chester staff where we all agreed on the circulation pattern for the development as well as the coordinating use of the full access. We don't know what the future development is yet. Therefore we have an agreement with the county that allows us to establish our development now with a temporary full access to both hotels subject to the conditions outlined in the staff report.

We agree with the fire department to allow another access point. We are in discussion with Butler County and will have it ready when we submit the Final Development Plan.

**Questions:**

Mr. Williams – is there going to be a restaurant in the Hyatt House Hotel?

Mr. Helmes – the owner had discussed that possibility but opted not to provide it. There will be some conference room but nothing associated with restaurant use.

**Proponents:**

**Opponents:**

**Neutral: Jim Stull  
7305 Cox Rd  
West Chester OH**

I own a building just south, what happens to the road that feeds our building and the other buildings around us. There's a road off of Cox now that is an access. Will it be the same access?

Mr. Dawson – the BCEO, property owners, staff has all been in discussion on future plans. At the first phase, the engineer's office is allowing a temp full access at a time period of 2 years. At the time of the development on the south portion the applicant is going to need to provide a private road access, establish a cross access agreement with the property owner to the south and the future full movement access way will be provided and a traffic signal will need to meet a warrant. A traffic analysis will be done and if it warrants a traffic signal then that will be provided as well. Once everything has been met the existing access would be terminated. The utilities would be moved to the new made access.

Mr. Stull – what about our parking; do we lose that?

Mr. Dawson – no you would keep your parking. You would get to your building through the new main access.

### **Deliberations**

Mr. Fisher – I think it's a good idea that 2 more hotels are going in there generating income.

Mr. Rinnert – I think it's a good idea with the medical facilities around there. Most of the other hotels are in the Union Centre area.

Ms. Hendel – I hope we can fill the hotels.

Mr. Hahn – it appears to me Mr. Stull that you will now have a private parking lot for your building now. You will be a part of establishing the agreement when its time.

**Mr. Rinnert made a motion to approve Case # ZMA03-16 The Fields at Liberty Way; with the all comments by staff and other agencies. Mr. Fisher/Ms. Hendel seconds it.**

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

**Nay:**

**Motion carries 5 – 0**

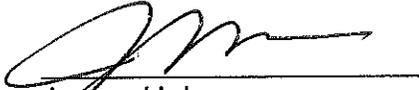
**Administrative Matters:**

The next meeting is August 15, 2016 @ 6:30 p.m.

Mr. Hahn adjourned the meeting at 9:00 p.m.

Chairman:

Secretary:



James Hahn



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-12  
KEEFE PROPERTY, LOT 2 – POTBELLY RESTAURANT SIGNAGE, RFDP**

**WHEREAS**, on March 9, 2004, The West Chester Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District), which was in conjunction with a 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) on approximately 47.82 acres.; and

**WHEREAS**, on May 17, 2004, The West Chester Zoning Commission approved a Final Development Plan, which included 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, 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 on August 17, 2015, 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 sf Cabela's on Lot 3 of Tract 1 of the Keefe Property.; and

**WHEREAS**, on August 17, 2015, The West Chester Zoning Commission approved a Final Development Plan for Lots 1 and 2 of Tract 1, which included the construction of a 12,192 sf one-story building with a retail and restaurant use on Lot 1 and a 9,312 sf, one-story building with a retail and restaurant use on Lot 2.

**WHEREAS**, on June 14, 2016, Pattison Sign Group submitted an application requesting a Revised Final Development Plan approval for Directional signs and three (3) building signs totaling 187.11 sf.

**WHEREAS**, on July 18, 2016, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

**NOW, THEREFORE BE IT RESOLVED**, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby approve of said Revised Final Development Plan for Potbelly Restaurant Signage as submitted with the following conditions:

- 1.) The building signage for the end units on Lot 2 shall be calculated using the long side of the building instead of the short side that fronts Liberty Way.

- 2.) The internal unit(s) of the building shall remain subject the West Chester Township Zoning Resolution, Article 20.092.
- 3.) Miscellaneous and directional signage shall be approved as illustrated on the Revised Final Development Plan.
- 4.) A revised plan shall be submitted within 30 days to meet the permitted total display area of 120 sf.

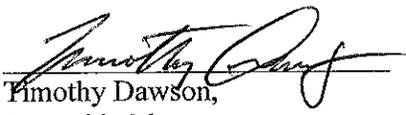
**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval as modified by this resolution. This action shall take effect this 18<sup>th</sup> day of July 2016.

West Chester Township  
Butler County

Chairman:

  
\_\_\_\_\_  
James Hahn,  
Chairman

Secretary:

  
\_\_\_\_\_  
Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-13  
CROSSINGS OF BECKETT - KROGER, FDP**

**WHEREAS**, on March 11, 2014, the West Chester Township Board of Trustees denied a Zoning Map Amendment from R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District); and

**WHEREAS**, on March 9, 2016, a Consent Decree was entered by the Butler County Court of Common Pleas upon agreement of the Plaintiffs and the Defendant (Case No. CV 2014 04 1006/2014 06 1623), which approved the aforesaid Zoning Map Amendment with modifications and conditions, which included the submission of a Revised Preliminary Development Plan to the West Chester Community Development Department for review; and

**WHEREAS**, on May 10, 2016, the West Chester Community Development Department approved the aforesaid Revised Preliminary Development on the basis that it was consistent with the modifications and conditions of the Consent Decree; and

**WHEREAS**, on June 14, 2016, Anne McBride submitted an application requesting Final Development Plan approval for Phase I, which includes a 131,620 sf Kroger Marketplace with an attached 15,000 sf retail use, a fuel center, the layout of outlots 4, 5, and 6, and a landscape buffer lot; and

**WHEREAS**, on July 18, 2016, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

**NOW, THEREFORE BE IT RESOLVED**, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby approve of said Final Development Plan for the Crossings of Beckett - Kroger as submitted with the following conditions:

The land uses are consistent with the Comprehensive Land Use Plan (CLUP) and the designated land use classifications, the Court of Common Pleas Consent Decree, and the West Chester Zoning Resolution as Principal Permitted Uses.

Permitted uses shall include the Principal Permitted Uses of the B-1 District, excluding subsection 22.022 (the Kroger Fuel Center is to be specifically permitted), 22.023, 22.024 (low intensity print shops, such as Kinko's/ FedEx are to be specifically permitted), 22.025, 22.026, 22.027, 22.028, 22.029, 22.0211, 22.012, 22.0213, 22.0214, and 22.0215.

The Traffic Impact Study (TIS) shall meet all the Ohio Department of Transportation (ODOT) and the Butler County Engineer's Office (BCEO) requirements. A copy of the approved TIS and letters of approval from the appropriate agencies shall be provided to the West Chester Community Development Department (WCCDD) prior to the issuance of a zoning permit.

All rights-of-way shall be dedicated, as required by ODOT and the BCEO Thoroughfare Plan prior to the issuance of a final zoning certificate.

The Final Development Plan (FDP) shall meet all other agencies' requirements prior to the issuance of a zoning permit or a final zoning certificate, whichever stage is required, as stated in the staff report.

A draft copy of the Reciprocal Easement Agreement (REA), for granting legal access through the site with the maintenance responsibilities clearly defined, has been submitted to the WCCDD and approved. The REA shall be recorded prior to the issuance of a final zoning certificate and a copy of which shall be provided to the WCCDD.

A draft copy of the cross-access easement agreements, for granting legal access through the site with the maintenance responsibilities clearly defined, has been submitted to the WCCDD and approved. The easement agreements shall be recorded prior to the issuance of a final zoning certificate and a copy of which shall be provided to the WCCDD.

As shown on the FDP, a public use easement has been provided for the 5 foot wide concrete sidewalk located along the public frontages that are located on private property. The easement shall be illustrated on the final plat and shall then be recorded prior to the issuance of a final zoning certificate.

A detailed landscaping plan has been provided, which is consistent with Section 2.11 of the Consent Decree and the Revised Preliminary Development Plan (RPDP). All landscaping is to be maintained in good condition and all major landscaping areas, excluding parking lot islands and the "Non-Irrigated Area" as generally depicted in Exhibit B of the Consent Decree, shall be irrigated with a permanently installed system.

Outdoor displays and sales are to only be permitted for the Kroger Marketplace occupied space, which shall be subject to the following conditions: 1.) Limited to areas under a permanent canopy, awning, or roof that is attached to the principal building, as long as a 5 foot minimum pedestrian walkway is maintained at all times; and 2.) The display area is not to exceed 50% of the building's length of any wall adjoining the display area's location. All other uses are to meet the WCZR, Article 20.041. As shown on the FDP, the outdoor display and sales at the Fuel Center are consistent with the Consent Decree, Section 2.9 as limited in nature and incorporated into the design of the kiosk.

One (1) free-standing, multi-tenant, pole sign is illustrated on the FDP along the Princeton-Glendale Road (S.R. 747) frontage at the full access way. The WCZR, Article 20.0913, requires the sign to be, a maximum, 20 feet in height; a 10 foot setback from the right-of-way; and the display area, at a maximum, of 144 sf per side. A revised FDP and sign detail is to be submitted within 30 days to meet the WCZR, Article 20.0913.

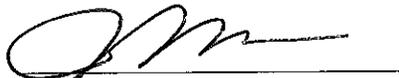
The WCCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other agencies shall be subject to approval by the WCCDD staff.

A revised FDP shall be submitted within 30 days to reflect the following: 1.) The FEMA flood zone shall be illustrated on the FDP; and 2.) A revised FDP and sign detail for the freestanding sign, multi-tenant, pole sign is to be submitted within 30 days to meet the WCZR, Article 20.0913.

**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 18<sup>th</sup> day of July 2016.

West Chester Township  
Butler County

Chairman:

  
James Hahn,  
Chairman

Secretary:

  
Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-14  
THE FIELDS AT LIBERTY WAY - ZMA 03-16 (M-1 & A-1 to C-PUD)**

**WHEREAS**, on May 17, 2016, HiFive Design Group, Inc. submitted an application requesting a Zoning Map Amendment from M-1 (Industrial District) and A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District), in conjunction with a Preliminary Development Plan for four-story, extended-stay hotel on Lot 1, a five-story hotel on Lot 2, and future development on approximately 13.35 acres; and

**WHEREAS**, on June 14, 2016, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions, on the basis that the proposed land uses conform to the Butler County Land Use Plan; and

**WHEREAS**, on June 20, 2016, the West Chester Township Zoning Commission conducted a public hearing for said Zoning Map Amendment and Preliminary Development Plan.

**NOW THEREFORE BE IT RESOLVED**, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby recommend approval of the aforesaid application, consistent with the submitted site plan, with the following conditions:

Based upon the evidence submitted and a careful review of the same, the West Chester Zoning Commission hereby finds and concludes as follows:

The land uses are consistent with the Comprehensive Land Use Plan (CLUP) and the designated Office/ General Retail land use classification and the West Chester Zoning Resolution as Principal Permitted Uses.

The permitted uses shall only include the Principal Permitted Uses of the West Chester Zoning Resolution's O-1, O-2, B-1, B-2 Districts, Articles 18.021, 18.022, 18.023, 18.028, 19.022, 19.023, 19.026, 19.028, 21.022, 21.023, 21.024, 21.026, 21.028, 21.029, 22.021- excluding "mechanical and auto body repair", 22.027, 22.028, and 22.0210 - excluding "Night clubs", 22.0212 - excluding recreational uses that are determined by staff to be detrimental to the surrounding uses. The permitted uses shall also include the Conditional Use of the B-1 District, Article 21.032.

All recommendations of the Traffic Impact Study (TIS) and requirements of the Butler County Engineer's Office (BCEO) shall be incorporated into the Final Development Plan (FDP). A copy of the approved TIS and letters of approval from the appropriate agencies shall be provided to the West Chester Community Development Department (WCCDD) at the FDP stage.

All rights-of-way shall be dedicated, as required by the BCEO Thoroughfare Plan, prior to the issuance of a zoning permit.

A detailed stormwater drainage plan shall be provided at the FDP stage, which demonstrates that the proposed storm water detention areas are adequate to serve the entire site.

The FDP shall meet all other agencies' requirements at the FDP stage.

Cross-access easements shall be provided for granting legal access throughout the site at no cost to the future development to the south, in order to access the future, full-movement access way. The easement shall be illustrated on the FDP and final plat. The easement documentation, with the maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a final zoning certificate.

A public use easement shall be provided for the 5 foot wide concrete sidewalk located along the public frontage, which is located on private property. The easement shall be illustrated on the FDP and final plat. The easement documentation, with the maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a final zoning certificate.

A Property Owner's Association (POA) shall be created, which shall be responsible for the maintenance of the following items: 1.) All open space areas, which shall be maintained in good condition and free from trash and litter; 2.) All common access drives and parking areas; 3.) All sidewalks; 4.) All drainage ways and stormwater facilities, which shall be maintained to perform their designated function; and 5.) All common landscaping as it is illustrated on the approved FDP. A draft copy of the POA document shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a zoning permit and a copy of which shall be provided to the WCCDD.

Detailed floor plans and detailed building elevations shall be provided with all FDPs. The building elevations shall demonstrate that high quality exterior building materials (brick, stone, etc.) are being utilized throughout.

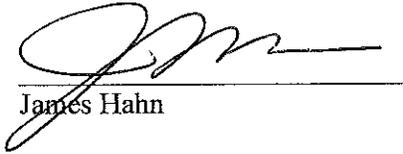
A detailed landscaping plan shall be provided with all FDPs, which depicts extensive landscaping throughout the site, including internal parking areas, adequate screening of the parking areas, along the rights-of-way, and consistently coordinated street trees along, both, the private and public road frontages. All major landscaping areas shall be irrigated with a permanent system prior to the issuance of a final zoning certificate.

Signs shall only be permitted at the FDP stages. All ground-mounted signs shall be consistent with the exterior building materials for the principle building. All signage shall meet the West Chester Zoning Resolution, Articles 10 and 20.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval as modified by this resolution. This action shall take effect this 18th day of July, 2016.

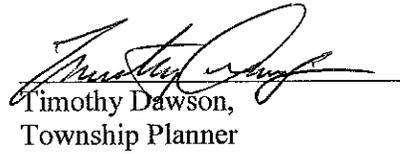
West Chester Township,  
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson,  
Township Planner