

**RESOLUTION NO. 35-2017**

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**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM A-1 TO R-PUD AND  
PRELIMINARY DEVELOPMENT PLAN FOR CASE #ZMA 04-17 – POWELL  
PROPERTY; HEARTHSTONE**

**WHEREAS**, on October 17, 2017, Bob Hutsenpiller, Hutsenpiller Contractors submitted an application requesting a Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for thirty-nine (39), independent, senior living units on approximately 6.73 acres (5.8 units/ acre); and,

**WHEREAS**, on November 15, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

**WHEREAS**, on November 20, 2017, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

**WHEREAS**, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on December 5, 2017 as applied for by Bob Hutsenpiller, Hutsenpiller Contractors; and,

**WHEREAS**, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and,

**NOW THEREFORE, BE IT RESOLVED** that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and Preliminary Development Plan with the following conditions:

**SECTION 1.** The property owner shall be compliant with all State and Federal law for the residential use of the property in order to be restricted to an age range of fifty (55) years and older.

**SECTION 2.** All recommendations of the traffic analysis and requirements of West Chester Township (WCT), in coordination with the Butler County Engineer's Office (BCEO), shall be incorporated into the Final Development Plan (FDP).

**SECTION 3.** All public right-of-way dedications shall be dedicated as required by the Butler County Thoroughfare Plan and shall be shown on the FDP and prior to the issuance of a zoning certificate and record plat of survey prior to final zoning inspection.

**SECTION 4.** Detailed grading plans and stormwater drainage plans and calculations shall be provided at the FDP stage and shall meet all requirements of WCT and all other applicable reviewing agencies.

**SECTION 5.** The existing water main location shall be illustrated on the FDP in the correct location, which is on the east side of Cincinnati-Dayton Road, as required by the Butler County Water and Sewer Department (BCWSD).

**SECTION 6.** All water main connections, including looping through the site, existing sanitary sewers, and sewer connections and extensions shall meet all BCWSD requirements at the FDP stage.

**SECTION 7.** All access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the West Chester Township Fire Department (WCFD) and shall be incorporated into the FDP to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.

**SECTION 8.** Additional roadway shall be illustrated on the FDP, extending from the site access road and stubbed to adjacent parcels M5620-126-000-005 and M5610-024-000-040. An accompanying, draft easement agreement, providing legal access to the adjacent properties to the north and south shall be provided to the West Chester Community Development Department (WCTCDD) for approval at the FDP stage and shall then be recorded prior to a final zoning inspection.

**SECTION 9.** Additional five (5) foot wide concrete sidewalk shall be illustrated on the FDP along both sides of the northernmost internal roads, extending from the site access road and stubbed to adjacent parcel M5610-024-000-046 and along the Cincinnati-Dayton Road frontage. An accompanying, draft public use easement agreement for the portion of sidewalk along the Cincinnati-Dayton Road frontage shall be provided to the WCTCDD for approval at the FDP stage and shall then be recorded prior a final zoning inspection.

**SECTION 10.** Any dumpster locations and dumpster enclosure details shall be provided at the FDP stage. The enclosures shall be pursuant to the West Chester Township Zoning Resolution Articles 10.031 and 20.043. The enclosure(s) shall be consistent with the high-quality, masonry building materials of the principle building. Dumpster enclosure(s) shall be located in a manner to reduce detrimental impacts to the adjacent residences.

**SECTION 11.** Trash pick-up from any dumpster shall occur between the hours of 7:00 a.m. and 7:00 p.m. to reduce detrimental impacts to adjoining or close proximity residential subdivisions.

**SECTION 12.** Detailed floor plans, which demonstrate a single-story layout, unit-layout, and unit mix and a detailed description of high-quality interior finishes that are geared toward a 55 years and older age range shall be provided at the FDP stage.

**SECTION 13.** Building elevations shall be provided at the FDP stage, which shall demonstrate a residential character, which includes a pitched roof design and a minimum of fifty percent, high-quality masonry building materials (brick, stone, etc.), is being utilized throughout the buildings.

**SECTION 14.** A photometric analysis shall be provided at the FDP stage that demonstrates .02 foot candle levels along the adjoining residential subdivision(s).



**SECTION 15.** Light locations and light fixture details shall be provided at the FDP stage to ensure a design that minimizes glare and light spillover onto the adjacent residential subdivision(s).

**SECTION 16.** A tree preservation plan, which shall illustrate the removal of any existing trees or vegetation, shall be provided at the FDP stage to ensure adequate landscaping is provided to buffer and screen the site.

**SECTION 17.** A detailed landscaping plan shall be provided at the FDP stage, which shall illustrate adequate berming and an adequate quantity, size, and spacing of evergreen shrubs along the hammerhead turnarounds and evergreen trees along the south and east property lines to supplement the existing, deciduous tree line and vegetation.

**SECTION 18.** All signs shall be pursuant to the West Chester Township Zoning Resolution, Articles 10 and 11, excluding the location. All ground-mounted sign locations shall be approved at the FDP stage.

**SECTION 19.** All sign structures shall be consistent with the masonry building materials utilized on the residential buildings.

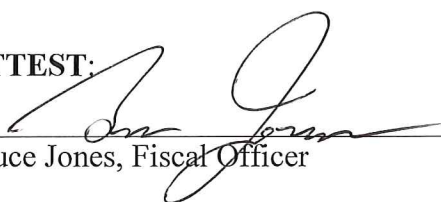
**SECTION 20.** The property owner shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and all major landscaping shall be irrigated with a permanent system prior to the issuance of a zoning certificate.

**SECTION 21.** All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing agencies and West Chester Township during the FDP and zoning certificate approval process.

**BE IT FURTHER RESOLVED** that all plats, plans, applications, and other data submitted are hereby incorporated into this approval.

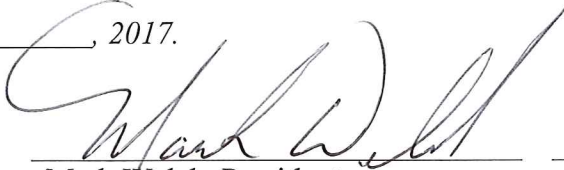
Adopted this 19<sup>th</sup> day of December, 2017.

**ATTEST:**

  
Bruce Jones, Fiscal Officer

**APPROVED AS TO FORM:**

  
Donald L. Crain, Law Director

  
Mark Welch, President

  
Lee Wong, Vice President

  
Ann Becker, Trustee

YES

Yes/No

Yes

Yes/No

yes

Yes/No