

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
June 18, 2018**

MEMBERS PRESENT: James Hahn, Jim Williams, Larry Whited  
Doug Rinnert, Mark Murphy

MEMBERS ABSENT: Bruce Fisher

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 8:44 p.m.

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

May minutes were approved as written.

Mr. Hahn stated that case # ZMA01-18 The Village North has formally requested a continuance to the July hearing. Mr. Hahn made a motion to accept and it was so moved and accepted.

Mr. Wiegand was sworn in. Mr. Wiegand swore in case participants.

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**Old Business:**

**OWC-RCO 190; 8836 Cincinnati-Dayton Road**

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Mr. Dawson has a conflict with this case so Aaron Wiegand will be presenting this case.

There is an expectation of a continuance of this case due to some very late findings with clarification needed both by staff and the applicant. We will still want to have the hearing this evening in case any additional questions do come up.

The applicant is WC Property Holdings 2, LLC. The applicant is requesting approval for a Major Modification and a Major Use Change within the Olde West Chester Corridor overlay district for the development of a one-story, 7,720 s.f. building for office use on 1.53 acres located at 8836 Cincinnati-Dayton Road.

Mr. Wiegand presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

## Action

The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Major Use Change unless additional information is deemed necessary to make an informed decision.

## Questions

No questions from the Board.

**Applicant**                    **Matt Fellerhoft**  
   **Strauss Troy**  
   **4th & Main**  
   **Cincinnati OH 45202**

Explains he is the attorney for the applicant. Attending with him is Marc Henn, who will be the owner and the developer of the property and Scott Hand who is the architect. He agreed for the case to be continued but wanted to be sure that the Board was aware of their proposal and if any members of the public had an to ask.

Mr. Fellerhoft addressed the two issues that they have for the reason of a continuance:

- 1) Actual ownership of a 6' strip between the salon and this property,
- 2) Requirements of the Olde West Chester Overlay with regard to access roads

**Marc Henn**  
**8897 Cincinnati Dayton Rd**

Owner of the new business. Gave a brief description of the business. Added his concerns regarding the two issues listed above.

Mr. Williams asked why not submit two separate applications, one for lot 1 and the other for lot 2?

Mr. Henn explained his reasoning.

Mr. Williams mentioned a previous case in the same vicinity and it not requiring an access road.

Mr. Wiegand stated that many years ago there was an Olde West Chester (OWC) adopted plan by the Trustees at that time for rear ally way access along both sides of OWC. In this case Mr. Henn and his legal team have brought forth some concerns about this. It came late in the game so that's why we don't have answers ready for you at this meeting. That's why we would also like some more time on the staff level not just for the applicant. We need further clarity from the Township's legal counsel and the Trustees.

**Proponent**            **Bill Lendl**  
                              **6080 Tennyson**

I live in West Chester and I also own nine buildings in OWC. Two buildings are directly across the street from this location. Mr. Henn will be a good neighbor and practical about things.

**Opponent**            **None**

**Neutral**             **None**

**Deliberations**

**Mr. Whited made a motion to continue Case # OWC-RCO190; 8836 Cincinnati-Dayton Road. Mr. Rinnert seconds the motion.**

**Aye: Mr. Hahn, Mr. Murphy, Mr. Rinnert, Mr. Whited, Mr. Williams**

**Nay:**

**Motion carries 5 – 0**

Mr. Dawson comes to the front and his sworn in.

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**ZMA05-18 Lofts of West Chester**

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The applicant is Regan Reckman of Allied Diversified. The applicant is requesting approval for Zoning Map Amendment from B-2 (General Business District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for a four-story, 240,000 s.f. mixed-use building containing 186 multi-family residential units on 8.1 acres located at the intersection of Highland Greens Dr and Capstone Blvd.

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

**Action**

The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Zoning Map Amendment / Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

**Questions**

No questions from the Board.

**Applicants**            **Regan Reckman**  
**Allied Diversified**  
**830 Main St.**  
**Cincinnati OH 45202**

**Brian Smallwood**  
**Woolpert**  
**1203 Walnut St.**  
**Cincinnati OH 45202**

Allied Diversified is the developer/general contractor. Woolpert is the civil engineer for Allied Diversified. Mr. Woolpert gave an overview of the project by showing some PP slides.

Mr. Murphy asked if any retail space has been sold, leased, or under contract.

Mr. Woolpert stated no they do not and explained why they originally applied for an SP-PUD and then revised it to a R-PUD.

Mr. Murphy asked if they felt this area is good for a retail location.

Mr. Woolpert thinks a wine/coffee bar usually serves his developments pretty well. The development to the north we would anticipate it would be a higher intensity use retail much like what's across the street.

Mr. Rinnert asked what size the units and what price.

Mr. Reckman supplied the information.

Mr. Hahn asked the ratio of 1 to 2 bedrooms.

Mr. Reckman supplied the information.

**Proponent**            **None**

**Opponent**            **None**

**Neutral**                **None**

**Deliberations**

Mr. Whited stated how he can see where the LUPC recommended denial because it doesn't match the Highway Services land use classification. In my opinion it's inevitable that something will come there, it's just a matter of what.

Mr. Murphy says he has a lot of respect for the LUPC, they are like the bedrock of the foundation of our community. When I saw that the LUPC didn't want to approve, I drove out there myself and sat there for about 25 minutes trying to think about reasons why I should approve this. I think the best use for this area is for a Highway Services type of

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facility there in terms of long term for our community.

Mr. Rinnert states he is of the same opinion.

Mr. Williams thinks the building is beautiful. I just wish it was in a different location. I'm not even sure that property is suitable for highway use just because of right in/right out.

Mr. Hahn states this is the second opportunity he's had to see their products. There's nothing wrong with it, It's a beautiful product, except the setting. They've went through the process; it went through the LUPC, they said no; they went to Butler County and they said no; and that pretty much seals the deal from our standpoint. It just doesn't meet the use.

Mr. Williams asked when the LUP was updated last.

Mr. Dawson states 2013.

Mr. Williams suggests the Board keep that in mind. We were part of the vision committee back in the early 2000's and things have changed. They've done a great job but at the same time as our community changes, we need to make sure that it makes sense.

Mr. Hahn adds that we had an applicant come before us that went through that process where they changed it and it was the Streets of West Chester. That was industrial and now there's apartments setting there. We need to make sure we stay on top of this and as things changed things need to be updated.

**Mr. Rinnert made a motion to not approve Case # – ZMA04-18 Lofts of West Chester. Mr. Murphy seconds the motion.**

**Aye: Mr. Williams, Mr. Hahn, Mr. Rinnert, Mr. Murphy, Mr. Whited**

**Nay:**

**Motion carries 5 – 0**

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**New Business:**

**FDP05-18-A Wetherington Centre; Hampton Inn & Suites**

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The applicant is Lexington Management. The applicant is requesting a Final Development Plan for a four (4) story, 58,000 gross s.f., 101 room hotel on 3.74 acres located at 7320 Tylers Place Blvd.

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

## Action

The West Chester Township 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. Murphy wanted to confirm that conditions to landscaping, dumpster enclosure, and signage are not being met according to the Trustee Resolution. How do we get those met?

Mr. Dawson did confirm that. Consideration was given to the applicant to submit a Revised Final Development Plan meeting those conditions to Staff within 30 days of the approval.

Mr. Williams asked if condition #8 satisfy that requirement.

Mr. Dawson says in general that comment is in regards to any county requirement as far as the storm water drainage and construction. Condition #1 states the revisions that need to be made.

**Applicant**                      **Michael Doty**  
   **45 Fairfield Ave**  
   **Bellevue, KY**

We are excited this project. We are here to support the conditions. We are eager and willing to get this project submitted for permit and ground breaking as soon as possible.

Mr. Hahn wanted to confirm that the applicant was ok with the conditional landscaping that is required, lighting and etc. Will Hampton Inn have a problem with the back-lit lighting?

Mr. Doty states that's one component of the approval that we would like to have an opportunity to match the existing adjacent Cabela's and what that baseline has been established. It's pretty important for brand standards.

Mr. Dawson states that the Trustee Resolution condition required a non-illumination of that sign. Staff cannot approve the illumination of that sign.

Mr. Doty asked if that was something we can come back with as a variance request?

Mr. Dawson stated that since this is a Trustee condition, it would have to go back through a Major Change with Trustee approval so the option is there. It cannot go through BZA because it is a PUD.

Mr. Murphy asked the applicant if they have other signs at other locations with the kind of sign that is being requested.

Mr. Doty believes they do but will need to get the locations.

**Proponent**                **None**

**Opponent**                **Margit Deutsch**  
**7325 Chatham Ct. Unit G**

Shared her concerns with the traffic and parking spaces. People park on the street when they can't find one in a parking lot. Also mentioned all the hotels in that area and asks who is going to fill them up.

**Neutral**                **None**

**Deliberations**

Mr. Whited has no issues with the case with the conditions that were laid out by Staff.

Mr. Murphy, Mr. Rinnert, and Mr. Williams concur with Mr. Whited.

Mr. Hahn states Staff did a great job. We need to stay on top of the applicant for the items that still need to be submitted. The applicant has every right to come back and submit a Major Change for the sign.

Mr. Dawson noted that they consider the applicant is getting a business identification sign along I-75, which will be visible to high volume traffic, as well as a ground monument at the location, and illuminated building signs on the east, north, and south elevations. How much more of an impact will the illuminated sign be rather than to detriment it's going to give to the residents?

**Mr. Whited made a motion to approve Case # – FDP05-18-A Wetherington Centre; Hampton Inn & Suites with the conditions and considerations made by staff and other agencies. Mr. Rinnert seconds the motion.**

**Aye: Mr. Hahn, Mr. Murphy, Mr. Rinnert, Mr. Whited, Mr. Williams**

**Nay:**

**Motion carries 5 – 0**

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**FDP05-18-B Lucke Property; United Dairy Farmers**

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The applicant is John, Lucas, K4 Architecture & Design. The applicant is requesting approval for a Final Development Plan for a 5,679 s.f. fuel station/convenience store with outdoor seating on 2.87 acres located at 4220 Fields-Ertel Road

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

## Action

The West Chester Township 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. Murphy asks if the landscaping plan is not consistent with the PDP approval; is that something that is going to be required.

Mr. Dawson replies that the Trustees approved a landscaping plan, which they are not consistent with at this FDP stage. We are requiring a revision to that.

Mr. Murphy asked how tall the trees are going to be.

Mr. Dawson says we require a minimum of 2" caliper or a 6' high. The mature height of an evergreen tree can reach 20' high.

**Applicant**                      **Rob Painter/RVP Engineering**  
**6230 Center Park Dr**

We agree with most of the draft comments however I would like to address a couple of them. 1) I had some conversation today regarding right-in/right-out. The original proposal we had agreed to do what we could do regarding traffic concerns but that not all traffic remedies would be within our reach and that is still true. The Township/the County/City of Sharonville have a combined project on Fields-Ertel Road; widening the road, extending sidewalks, storm sewer from Copperfield up 42. So that should take care of the Fields-Ertel Rd section. The placement of the right-in/right-out access point is the same location that ODOT, central office, approved at a variance request several years ago. In my opinion, if we move the location further to the north, we are going to decrease the amount of distance that some are doing a legal right-out movement to merge into regular northbound 42 traffic. 2) It looks like an access easement was flipped.

Mr. Dawson explains the hypothetical illustration used on the plan for connectivity.

Mr. Painter would like the availability to work with Staff to place it wherever it makes sense and where we agree.

The landscaping we agree to work on. We are opposed to putting trees out there but I think the distance between the fence and property line may not give us everything we want to put an evergreen in there.

**Proponent**                      **None**

**Opponent**                      **Mark Seiter**  
**6919 Windwood Dr**

I live about a ½ mile from 42. Mr. Seiter expressed his concerns about the right-in/right-

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out placement. People already do illegal, non-safety driving in that area. That whole area is an issue. I suggest a right-in with no right-out.

**Larry Brueshaber  
7454 Lake Park**

I chair the LUPC. Shared his concerns about buffering and how it affects adjacent and surrounding neighborhoods.

**Neutral                      None**

**Deliberations**

Mr. Whited asked why it's relevant to us how they maneuver around in there.

Mr. Dawson explained the answer to Mr. Whited's question.

Mr. Williams is fine with the project as long as the fencing, screening, and landscaping are done properly.

Mr. Rinnert says he's glad to see something go in there that will be workable and I'm sure Mr. Dawson and the staff will make sure everything is adhered to.

Mr. Hahn asked to be kept up to date on the right-in/right-out with ODOT. We have to agree with what ODOT says. To be honest this does concern me, I can see it happening if there's not much traffic. We're not traffic engineers, we rely on Butler County Engineer's Office and ODOT. The PDP is pretty clear with respect to landscaping.

Mr. Dawson noted that the applicant is meeting the photometric requirements along the property lines to the north and east. If a resident is concerned about it, we do conduct lighting surveys if there is a complaint.

**Mr. Hahn made a motion to approve Case # – FDP05-18-B Lucke Properties; United Dairy Farmers with the conditions and considerations made by staff and other agencies. Item G, photometric analysis be stricken as it has been supplied. Mr. Williams seconds the motion.**

**Aye: Mr. Hahn, Mr. Murphy, Mr. Rinnert, Mr. Whited, Mr. Williams**

**Nay:**

**Motion carries 5 – 0**

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**FDP05-18-C Powell Property; Hearth-Stone**

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The applicant is Hutspiller Contractors, Inc. The applicant is requesting approval for a Final Development Plan for 39 condominium units on 3.32 acres located at 7915 Cincinnati-Dayton Road.

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Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

### **Action**

The West Chester Township 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. Hahn asked if there were any issues with civil plans.

Mr. Dawson said the Engineer's office sent comments today, prior to the hearing, they still had some concerns with the exposure of the proposed water main and sanitary sewer where the current storm piping is located along the primary access road, located within the pan handle. The general condition of the applicant meeting all those county requirements prior to the zoning certificate could be added to the resolution.

**Applicant**                      **Bob Hutsepiller**  
**7401 Liberty One Drive**  
**Liberty Township 45044**

I agree with the changes or corrections that Mr. Dawson suggested. Signage will be submitted according to the Zoning Resolution.

**Proponent**                      **None**

**Opponent**                      **None**

**Neutral**                         **None**

### **Deliberations**

Mr. Murphy wanted to clarify these were condos not renters by choice or apartments, correct?

Mr. Dawson explained that the Trustees approved them as multi-family units with the condition that they be restricted to the senior living of 55 or older. But the applicant came back and changed the marketing of the product to a condo which is owner-occupied including the 55 and older age range.

Mr. Whited stated that he also added in the HOA Docs would regulate how many could be rented and leased.

The Declaration would restrict the age so if the owner wanted to lease the unit they would still have to comply with the age range.

Mr. Rinnert made a motion to approve Case # – FDP05-18-C Powell Property; Hearth-Stone with the conditions and considerations made by staff and other agencies. Mr. Murphy seconds the motion.

Aye: Mr. Hahn, Mr. Murphy, Mr. Rinnert, Mr. Whited, Mr. Williams

Nay:

Motion carries 5 – 0

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### **FDP05-18-D Brate Industrial Park**

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The applicant is NP West Chester Industrial, LLC. The applicant is requesting approval for a Final Development Plan for three (3) buildings totaling 642,504 s.f. consisting of office / light industrial use on 45.8 acres located at 8341 Princeton-Glendale Road

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

### **Action**

The West Chester Township 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. Hahn asked if there were any issues with civil plans.

Mr. Dawson said the Engineer's office sent comments today, prior to the hearing, they still had some concerns with the exposure of the proposed water main and sanitary sewer where the current storm piping is located along the primary access road, located within the pan handle. The general condition of the applicant meeting all those county requirements prior to the zoning certificate could be added to the resolution.

**Applicant**                      **Jeremy Michael / Northpoint**  
**2060 Reading Rd**  
**Cincinnati**

In general, we are in agreement with all of staff's comments.

Mr. Hahn asked if any spaces have been leased yet.

Mr. Michael stated no. We have submitted for a permit for buildings one and two on the Rinck site. Those are actively being marketed, we don't have any tenants yet. The last three buildings of the Brate development that we are talking about today will be 2019/2020 projects.

Mr. Hahn asked if there's a chance if this could be a 24 hour logistics company.

Mr. Michael said yes, potentially.

**Proponent**            **None**

**Opponent**            **None**

**Neutral**              **None**

**Deliberations**

Mr. Murphy asked if someone requested they do a path around the building and tie it into another path.

Mr. Dawson said correct. The Township is working on a separate connector on Smith Road. Mr. Dawson explained the hypothetical location but the optimum location. Negotiations will happen with the property owner.

As part of this site the condition is to construct the 8' path along the access road to connect the existing path located within the adjacent residential subdivision to the west.

Mr. Murphy shared his concerns regarding safety issues along that path.

Mr. Dawson explained that both sites are included in an overall development agreement which is going before the Trustees at the next hearing. He explained the development agreement.

Mr. Hahn asked if the PDP required anything along the retention.

Mr. Dawson stated it did and the applicant shows it in this plan.

Mr. Hahn asked if complaints come in after this, can we ask the applicant to beef the landscaping up.

Mr. Dawson states we cannot. If we want additional landscaping, we can modify the condition.

Mr. Murphy we have to assume it will be open 24/7 so I agree with you.

Mr. Williams concerned about the elevation changes and the surrounding elevations to help screen.

Mr. Dawson states the site is lower than the existing development. Obviously they are going to do mounding for the retaining and mounding of the building footprint.

Mr. Rinnert asked the applicant to return to the podium.

Mr. Michael commented on the screening. The current landscape plan shows 4'

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mounding in addition to the elevation that is required to create the detention pond so we will have some amount of berming and the landscape on top of that.

Mr. Whited asked if the vegetation that they are seeing on the west side; is that existing or is that on top of the 4' mound.

Mr. Michael says that will be new existing on our side of the property line. If additional evergreen screening is required, we are certainly open to that.

Mr. Dawson pulled up the PP slide that shows the elevation numbers.

Mr. Whited asked how you define how many evergreens, how many feet per evergreen and etc.

Mr. Dawson stated the preliminary condition was adequate screening of the property lines so you can modify condition #1 to require adequate landscaping along the west property line of the evergreen species. The applicant can resubmit a revised landscaping plan within 30 days of the approval FDP.

Mr. Hahn states we only have this opportunity to make sure this is right to make sure we have enough separation between residential and industrial.

Mr. Whited asked Staff what the normal litigation would be for this.

Mr. Dawson stated his suggestion.

**Mr. Hahn made a motion to approve Case # – FDP05-18-D Brate Industrial Park with the conditions and considerations made by staff and other agencies including the change to condition #1F. Mr. Williams seconds the motion.**

**Aye: Mr. Hahn, Mr. Murphy, Mr. Rinnert, Mr. Whited, Mr. Williams**

**Nay:**

**Motion carries 5 – 0**

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**Administrative Business:**

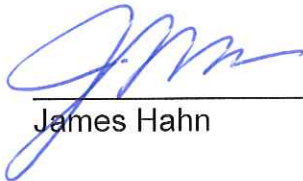
The next meeting is July 16, 2018 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 8:44 p.m.

**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.**

Chairman:

Secretary:



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James Hahn



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Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-12  
LOFTS OF WEST CHESTER – ZMA 05-18 (B-2 to R-PUD)**

**WHEREAS**, on April 17, 2018, Regan Reckman submitted an application requesting a Zoning Map Amendment from B-2 (General Business District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for a four-story, 240,000 square foot building, containing 186 multi-family units on approximately 8.1 acres (23 units/ acre); and,

**WHEREAS**, on June 5, 2018, the West Chester Township Land Use Planning Committee conducted a public hearing for the aforesaid application and recommended denial of the proposed multi-family use within the Comprehensive Land Use Plan’s Highway Services land use classification; and,

**WHEREAS**, on June 12, 2018, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended denial; and,

**WHEREAS**, on June 18, 2018, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

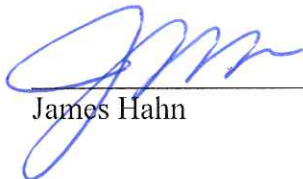
**NOW THEREFORE BE IT RESOLVED**, that on the basis of the above actions and findings, the West Chester Township Zoning Commission does hereby concur with the recommendation of the West Chester Township Land Use Planning Committee and the Butler County Planning Commission and does hereby recommend denial of the aforesaid application as submitted.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June 2018.

West Chester Township  
Butler County

Chairman:

Secretary:

  
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James Hahn

  
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Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-16  
BRATE INDUSTRIAL PARK –FDP (05-18-D)**

**WHEREAS**, on April 24, 2018, The West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to I-PUD (Industrial Planned Unit Development District) and a Preliminary Development Plan (09-2018) for three (3) buildings totaling 642,504 square feet of office/ light industrial use on approximately 45.8 acres; and,

**WHEREAS**, on May 15, 2018, NP West Chester Industrial, LLC., submitted an application for a Final Development Plan for three (3) buildings totaling 642,504 square feet of office/ light industrial use on approximately 45.8 acres; and,

**WHEREAS**, on June 18, 2018, 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 the aforesaid application with the following conditions:

- 1.) A revised Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff within thirty (30) days with the following included:
  - a.) The internal roadways designated as private, which include a public use, cross-access easement;
  - b.) An internal roadway stubbed to the south property line at the planned connection to the internal roadway running through the adjacent property to the south (Rink site) to Union Center Boulevard;
  - c.) A single, eight (8) foot wide, asphalt or concrete, multi-purpose path located along the site access road and connecting to the existing path located within the adjacent residential subdivision to the west;
  - d.) Street trees located external to the pedestrian/ path facilities;
  - e.) All dumpster locations and dumpster enclosure details; and
  - f.) An adequate quantity, type, size, and spacing of evergreen screening along the west property line.
- 2.) 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 WCTCDD and the West Chester Township Fire Department prior to the issuance of zoning certificate.



- 3.) Detailed grading plans and stormwater drainage plans and calculations shall be submitted and meet all Butler County Engineer's Office (BCEO) requirements prior to the issuance of a zoning certificate.
- 4.) The flood study shall meet all Butler County floodplain management requirements prior to the issuance of zoning certificate.
- 5.) A wetland delineation study shall meet all Butler County Soil and Water Conservation District requirements prior to the issuance of a zoning certificate.
- 6.) All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing agencies and West Chester Township (WCT) during the zoning certificate approval process.
- 7.) A temporary construction road and vehicle staging area shall be coordinated with the BCEO and WCT prior to any site work, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June, 2018.

West Chester Township,  
Butler County, OH

Chairman:



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James Hahn

Secretary:



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Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-13  
WETHERINGTON CENTRE; HAMPTON INN - FDP (05-18-A)**

**WHEREAS**, on August 22, 2006, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-PUD (Residential Planned Unit Development District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (32-2006) for two, single-story, office buildings totaling 24,000 square feet on approximately 3.92 acres; and,

**WHEREAS**, on November 28, 2016, the West Chester Township Land Use Planning Committee recommended approval of an amendment to the 2013 Comprehensive Land Use Plan recommendation for an Office/ Residential Transitional land use classification to a Office/ General Retail land use classification for the aforesaid site; and,

**WHEREAS**, on February 14, 2017, the West Chester Township Board of Trustees approved a Major Change to the C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (04-2017) for a four-story, 58,000 square foot, 101 room, hotel on approximately 3.74 acres; and,

**WHEREAS**, on May 15, 2018, Lexington Management submitted an application for a Final Development Plan for a four-story, 58,000 square foot, 101 room, hotel on approximately 3.74 acres; and,

**WHEREAS**, on June 18, 2018, 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 actions and findings, the West Chester Township Zoning Commission does hereby approve the aforesaid application with the following conditions:


- 1.) A revised landscaping plan shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff within thirty (30) days with the following included:
  - a.) A row of evergreen shrubs shall be illustrated along the front of the parking areas that are located along the Tylers Place Boulevard frontage; and
  - b.) The landscaping plant schedule shall note the evergreens to be an adequate species, height, and spacing in order to screen headlight glare from the adjacent residences to the west.
- 2.) All Butler County Engineer's Office requirements in regard to the stormwater drainage plans and notes and the crosswalk signage shall be met prior to a final zoning inspection.

- 3.) The applicant shall submit a separate easement document and obtain an encroachment agreement from the Butler County Water and Sewer Department for the ten (10) foot easement on the north property line and for the retaining wall to be installed in the easement prior to a final zoning inspection.
- 4.) All landscaping beds shall be irrigated with a permanent system prior to a final zoning inspection.
- 5.) The street trees shall be maintained by the property owner.
- 6.) The building sign located on the west building wall shall not be illuminated.
- 7.) The property owner or a recorded property owners association 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.
- 8.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and West Chester Township at the zoning certificate approval process.
- 9.) A temporary construction road and vehicle staging area shall be coordinated with the BCEO and WCT prior to any site work, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.


**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June 2018.

West Chester Township  
Butler County

Chairman:

  
James Hahn

Secretary:

  
Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-14  
LUCKE PROPERTY; UNITED DAIRY FARMERS – FDP (05-18-B)**

**WHEREAS**, on November 17, 2009, the West Chester Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (25-2009) for a 4,000 square foot bank with a drive-thru, a 5,000 square foot office/ daycare with an outdoor play area, a 7,500 square foot office, and a 5,000 square foot office on approximately 2.87 acres; and,

**WHEREAS**, on August 9, 2016, the West Chester Board of Trustees approved a Major Change to the C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (23-2016) for a 6,400 square foot restaurant with outdoor seating on approximately 2.87 acres; and,

**WHEREAS**, on February 14, 2017, the West Chester Board of Trustees approved a Major Change to the C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (05-2017) for a 5,749 square foot United Dairy Farmers (UDF) retail store, including outdoor seating and a fuel station canopy on approximately 2.87 acres; and,

**WHEREAS**, on May 15, 2018, John Lucas, K4 Architecture & Design, on behalf of UDF Inc. submitted an application for a Final Development Plan for a 5,679 square foot retail store, including outdoor seating and a fuel station canopy on approximately 2.87 acres; and,

**WHEREAS**, on June 18, 2018, 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 the aforesaid application with the following conditions:

- 1.) A revised Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff within thirty (30) days with the following included:
  - a.) The access way along Fields Ertel Road illustrated to meet the Butler County Engineer's Office (BCEO) design standards;
  - b.) The dimension illustrated on the proposed right-of-way;
  - c.) A site survey plat, which includes all vehicular, cross-access easements and public use easements illustrated throughout the site;
  - d.) A site data table illustrated on Sheet #C300;
  - e.) The access way along Fields Ertel Road labeled as "temporary, full-movement"
  - f.) A fence section plan;


- g.) A landscaping plan consistent with the PDP approval, which included a row of evergreen trees screening the perimeter fence from the adjacent residences.
- 2.) All road improvements and site access ways shall meet all Ohio Department of Transportation (ODOT), BCEO, and West Chester Township (WCT) requirements prior to the issuance of a zoning certificate.
  - 3.) The proposed access way along Fields Ertel Road shall remain only until future development on the adjacent property to the east constructs a permanent, full-movement access.
  - 4.) 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 WCTCDD and the West Chester Township Fire Department prior to the issuance of zoning certificate.
  - 5.) All Butler County Engineer's Office requirements in regard to the grading plans, erosion control measures, and stormwater drainage plans and calculations, shall be met prior to the issuance of zoning certificate.
  - 6.) Water and sanitary services shall be coordinated with the Butler County Water and Sewer Department prior to the issuance of a zoning certificate.
  - 7.) The four separate parcels, totaling 2.87 acres, for the subject site shall be consolidated and recorded as one parcel under single ownership.
  - 8.) All required vehicular cross-access and public use easements shall be illustrated on the record plat of survey.
  - 9.) The future cross-access drive aisles shall maintain a twenty-four foot (24') width and shall be constructed using public road standards and construction shall occur at which time future development occurs on the adjacent properties.
  - 10.) The property owner shall be responsible for keeping all common features and elements maintained and free from trash and litter; maintaining all drainage ways to ensure the detention area performs the designated function; and maintaining all landscaping in good condition.
  - 11.) All landscaping beds shall be irrigated with a permanent system prior to a final zoning inspection.
  - 12.) A detailed section drawing of the privacy fence shall be included in the landscaping plan at the FDP stage, which shall be subject to the West Chester Zoning Resolution, Article 20.10.
  - 13.) All comments from other agencies shall be adequately addressed to the satisfaction of the agencies and WCT during the zoning certificate approval process.
  - 14.) A temporary construction road and vehicle staging area shall be coordinated with the BCEO and WCT prior to any site work, which shall be designed to support all construction traffic in

all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June 2018.

West Chester Township,  
Butler County, OH

Chairman:

  
James Hahn

Secretary:

  
Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-15  
HEARTH-STONE SENIOR LIVING OF WEST CHESTER – FDP (05-18-C)**

**WHEREAS**, on December 19, 2017, the West Chester Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (35-2017) for thirty-nine (39) multi-family units, which were restricted to fifty-five (55) years of age and older (senior living) on approximately 6.73 acres (5.8 units/ acre); and,

**WHEREAS**, on May 15, 2018, Bob Hutsenpiller, Hutsenpiller Contractors, submitted an application for a Final Development Plan for thirty-nine (39) senior living, age restricted, condominium units on approximately 6.73 acres (5.8 units/ acre); and,

**WHEREAS**, on June 18, 2018, 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 the aforesaid application with the following conditions:

- 1.) A revised Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff within thirty (30) days with the following included:
  - a.) Sheet 1 of 2 shall be revised to state the following:
    - “Condominium” as the proposed use in the project data table;
    - A phasing and/or construction timeline shall be included;
  - b.) A description of high-quality, interior finishes; and
  - c.) Light locations and light fixture details to ensure a design that minimizes glare and light spillover onto the adjacent residential subdivision(s);
- 2.) All Butler County Engineer’s Office requirements in regard to the site civil engineering and construction plans shall be met prior to the issuance of a zoning certificate.
- 3.) All access ways and internal roadways; connections and locations of fire hydrants; “no parking” fire lane signage; and all other applicable building and fire codes shall be coordinated with the West Chester Township Fire Department prior to the issuance of a zoning certificate to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.
- 4.) Street and traffic signage along the internal, private roads shall be coordinated with the Community Services Department.

- 5.) The landscaping beds along the site access roadway shall be irrigated with a permanent system prior to a final zoning inspection.
- 6.) All signs shall be pursuant to the West Chester Township Zoning Resolution, Articles 10 and 11.
- 7.) All ground sign structures shall be consistent with the masonry building materials utilized on the residential buildings.
- 8.) The condominium association 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.
- 9.) The property owners' shall be responsible for keeping all "limited" common features and elements well-maintained and free from trash and litter, or as stated otherwise by condominium association.
- 10.) The final draft, Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements (DCCRRE) shall be provided to the WCTCDD for approval prior to the issuance of a zoning certificate, which shall include a revision to Article IV. Improvement Descriptions, which shall be revised to state "thirty-nine (39) Units."
- 11.) A copy of the recorded DCCRRE shall be provided to the West Chester Township WCTCDD for the case file records prior to a final zoning inspection.
- 12.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and West Chester Township (WCT) at the zoning certificate approval process.
- 13.) A temporary construction road and vehicle staging area shall be coordinated with the BCEO and WCT prior to any site work, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.



**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June 2018.

West Chester Township  
Butler County

Chairman:

Secretary:



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James Hahn



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Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 18-16  
BRATE INDUSTRIAL PARK –FDP (05-18-D)**

**WHEREAS**, on April 24, 2018, The West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to I-PUD (Industrial Planned Unit Development District) and a Preliminary Development Plan (09-2018) for three (3) buildings totaling 642,504 square feet of office/ light industrial use on approximately 45.8 acres; and,

**WHEREAS**, on May 15, 2018, NP West Chester Industrial, LLC., submitted an application for a Final Development Plan for three (3) buildings totaling 642,504 square feet of office/ light industrial use on approximately 45.8 acres; and,

**WHEREAS**, on June 18, 2018, 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 the aforesaid application with the following conditions:

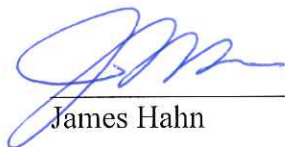
- 1.) A revised Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff within thirty (30) days with the following included:
  - a.) The internal roadways designated as private, which include a public use, cross-access easement;
  - b.) An internal roadway stubbed to the south property line at the planned connection to the internal roadway running through the adjacent property to the south (Rink site) to Union Center Boulevard;
  - c.) A single, eight (8) foot wide, asphalt or concrete, multi-purpose path located along the site access road and connecting to the existing path located within the adjacent residential subdivision to the west;
  - d.) Street trees located external to the pedestrian/ path facilities;
  - e.) All dumpster locations and dumpster enclosure details; and
  - f.) An adequate quantity, type, size, and spacing of evergreen screening along the west property line.
- 2.) 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 WCTCDD and the West Chester Township Fire Department prior to the issuance of zoning certificate.

- 3.) Detailed grading plans and stormwater drainage plans and calculations shall be submitted and meet all Butler County Engineer's Office (BCEO) requirements prior to the issuance of a zoning certificate.
- 4.) The flood study shall meet all Butler County floodplain management requirements prior to the issuance of zoning certificate.
- 5.) A wetland delineation study shall meet all Butler County Soil and Water Conservation District requirements prior to the issuance of a zoning certificate.
- 6.) All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing agencies and West Chester Township (WCT) during the zoning certificate approval process.
- 7.) A temporary construction road and vehicle staging area shall be coordinated with the BCEO and WCT prior to any site work, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18<sup>th</sup> day of June, 2018.

West Chester Township,  
Butler County, OH

Chairman:



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James Hahn

Secretary:



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Timothy Dawson,  
Township Planner