

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
August 20, 2018**

MEMBERS PRESENT: Jim Williams, Bruce Fisher,
Doug Rinnert, Mark Murphy

MEMBERS ABSENT: James Hahn, Larry Whited

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

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

July minutes were approved as written.

Mr. Rinnert stated that case # OWC-RCO 190; 8836 Cincinnati-Dayton Road has formally requested a continuance to the September hearing. Mr. Rinnert made a motion to accept and it was so moved and accepted.

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

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

**New Business:
FDP0718-A Tri-Health Campus**

The applicant is Liberty Way Cincy, LLC. The applicant is requesting a Final Development Plan for a 2-story, 50,000 s.f. medical office use on 9.4 acres; located on Liberty Way at the northeast intersection of Cox 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.

No questions from the Board

Applicant **Brian Cophor / Miller-Valentine Group**
Randy Havmann / Tri-Health
Lyle Stiles / Cushman & Wakefield

Mr. Havmann wanted to thank the Board for the opportunity. We look forward to coming to the community. Our mission is to improve the health status of our patients and having a nice facility and being able to find it very easy is important and makes them feel better on their way in.

Mr. Rinnert asked if they agree with everything Mr. Dawson has presented.

Mr. Havmann stated yes.

Proponent **None**

Opponent **None**

Neutral **None**

Deliberations

Mr. Williams stated that the only variance appears to be the size of the signs due to location to exhibit to the freeway which somewhat makes it acceptable to him.

Mr. Rinnert agrees with the sign being a little higher being by I-75.

Mr. Murphy agrees.

Mr. Williams made a motion to approve Case # – FDP0718-A Tri-Health Campus with the conditions and considerations made by staff and other agencies. Mr. Murphy seconds the motion.

Aye: Mr. Fisher, Mr. Murphy, Mr. Rinnert, Mr. Williams

Nay:

Motion carries 4 – 0

FDP07-18-B Honerlaw Property; Westview

The applicant is M/I Homes of Cincinnati LLC. The applicant is requesting a Final Development Plan for 106 single-family residential lots and 11 open space lots on 51.08 acres located at 8300 West Chester 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.

No questions from the Board

Applicant **Peter Tremulis / M/I Homes**

Mr. Tremulis expressed their appreciation in working with the Township. Everything we have done so far is to help mitigate some of the concerns about drainage to the north within the Taffy subdivision. Discussed the recent rain/floods in the last week or so. Help explain about drainage to help make sure that everyone understands that our plan for storm water improvement is to actually make some improvements to the situation by retaining our stormwater on site. We are working on 51 of the 100+ acres of the Honerlaw Property so we are diverting our stormwater into our pond. That will make a significant contribution to reduce downstream concerns to the north of us.

We have entered into agreements with two of the residents agreeing to clean up the ditches on their side of the properties. There are other areas that we will be cleaning up also.

Mr. Williams asked if it's been confirmed that the illuminated signage isn't going to be too intrusive to the residents.

Mr. Tremulis said yes and stated if so, the wattage can be reduced to bring the lighting down to terns of intensity. We've not had any complaints with our current signage.

Jim Watson / MSP / Engineer

Mr. Watson explained the drainage situation / solution.

Mr. Williams asked where the detention basin is draining to.

Mr. Watson demonstrated on the screen the details and timetable.

Proponent **None**

Opponent **Allen Schultz**
8236 Taffy Dr

Shared photographs of the recent storm. This shows the water from Honerlaw Property to Taffy Dr and through the subdivision. We are concerned whether the new subdivision detention basin can handle the water coming through.

Paul Luhr
8221 Taffy Dr

Mr. Luhr shared his concerns with flooding and water flowing fast which would indicate no blockage.

Mr. Williams explained the difference in "retain" and detain".

George Swartz
8225 Taffy Dr

I'm the guy that gets all the water. Shared his concerns about the detention pond. Concerned it won't be long and deep enough.

Gary Era
8211 Taffy Dr

Mr. Era echoed some of the concerns that had previously been expressed along with traffic concerns.

Charles Humerickhouse
8162 Taffy Dr

Appreciates what M/I Homes are doing to improve some of the drainage around my property. I see most of the drainage starting at West Chester Road. I hope some of these solutions will help.

Neutral **None**

Deliberations

Mr. Williams - Butler County Engineer's Office will review the design and confirm with the civil engineer for M/I Homes. This is a common problem when you have large areas of land that are being developed years later than when the original community was planned. A lot of this goes on within Butler County. I hope that the detention pond is designed to adequately hold the water that is not being delayed today. I believe the detention pond will help.

Mr. Murphy – I think there's a problem right now with flooding and feels for the residents. There's flooding right now with no ground being broken. I think with what Mr. Watson said, it seems as though, I'm not an engineer, the best thing for the development would be if the other part got developed and that could possibly help the flooding. Would like to hear more from Mr. Watson regarding the flooding.

Applicants were asked to return to the podium.

Mr. Temulis showed photographs of some of the properties on a sunny day. Pointed out some of the drainage areas, culverts, side yard drainage areas and where they drained into. Subdivisions built in earlier years did not have storm water management. This

subdivision does not have a detention pond. Photographs also showed what is happening now and how it will work going forward.

Mr. Murphy asked Mr. Watson if he thought what he was doing, excluding the property next to it, will improve the situation?

Mr. Watson stated it won't fix it but what we are doing is a 2 step process. The pond that we build in the first phase that will take care of the 35 ½ acres that drains toward it. The ultimate solution will be when the rest of the Honerlaw Property is developed in phase two. Nothing will change until there is a storm management system in place.

Mr. Rinnert asked about the signage. Until now why have we never allowed that before?

Mr. Dawson stated in all his research case history he had not seen an internally illuminated subdivision identification sign permitted through the PUD. The Township Zoning Resolution for all residential districts states that it is required to be externally or indirectly lit.

Mr. Rinnert states he can't remember any since he's been on Zoning Commission. I'm not sure I want to start a precedent by approving that.

Mr. Murphy states he's never seen a sign like that.

Mr. Williams states he has seen them before.

Mr. Rinnert just isn't sure he wants to start a precedent. This one could be ok but we could have someone come before us that's not ok.

Mr. Dawson explains what the staff's consideration is actually for.

Mr. Williams comments as sign design and technology improves we are going to have these type of considerations to make.

Mr. Murphy made a motion to approve Case # – FDP0718-B Honerlaw Property; Westview with the conditions and considerations made by staff and other agencies. Mr. Williams seconds the motion.

Aye: Mr. Fisher, Mr. Murphy, Mr. Rinnert, Mr. Williams

Nay:

Motion carries 4 – 0

Administrative Business:

Mr. Rinnert made a motion to continue the Zoning Commission annual board appointments until the September 17th meeting. All members were in favor.

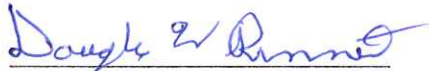
The next meeting is September 17, 2018 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Rinnert adjourned the meeting at 7:48 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.

Vice Chairman:

Secretary:



Doug Rinnert



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 18-18
BC TID AT LIBERTY WAY; PHASE 2; TRIHEALTH CAMPUS, FDP
(07-18-A)**

WHEREAS, on August 22, 2017, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (24-2017) for a mix of uses, including two (2), two-story buildings consisting of a total of 95,000 square feet of medical office use; a four-story, 60,000 square foot building consisting of a one-hundred and one (101) room hotel use; and a one-story, 8,360 square foot, multi-tenant building consisting of retail/ restaurant uses on approximately 14.8 acres; and,

WHEREAS, on April 16, 2018, the West Chester Township Zoning Commission approved a Final Development Plan (18-6) for Phase 1 of the site to include a lot split; right-of-way dedication; and construction of road improvements along Liberty Way; site grading, which includes a retention area; installation of site utilities; and construction of the internal, public roadway and the pedestrian facilities on approximately 14.8 acres; and,

WHEREAS, on July 17, 2018, Brian Copfer, on behalf of Liberty Way Cincy, LLC., submitted an application requesting a Final Development Plan approval for a two-story, 50,000 square foot medical office building on 9.4 acres; and,

WHEREAS, on August 20, 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 as submitted with the following conditions:


- 1.) All subsequent Final Development Plan (FDP) applications shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 24-2017).
- 2.) Detailed sign plans for all approved signage shall be provided to the West Chester Township Community Development Department (WCTCDD) staff for review and approval prior to the issuance of a zoning certificate.
- 3.) Construction of the Phase I, FDP approval, in accordance with Resolution 18-6, shall occur prior to a final zoning inspection.
- 4.) Revised civil engineering and construction plans, which include the required stormwater pipe sizing calculations, which includes a revised three (3) inch orifice calculation; the pond volume verification below 872.5 feet above sea level; and an outflow table for each storm event shall be coordinated with the Butler County Engineer's Office (BCEO) and all requirements shall be adequately addressed prior to the issuance of a zoning certificate.

- 5.) All access ways and internal roadways; connections and locations of fire hydrants; and all other applicable building and fire codes shall meet all West Chester Township Fire Department (WCTFD) and WCTCDD requirements prior to the issuance of a zoning certificate to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.
- 6.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) in regard to the preliminary and final subdivision plat submitted to Butler County prior to the issuance of a zoning certificate.
- 7.) All signage shall be approved as illustrated and noted on the FDP.
- 8.) No signs shall block the clear view of any fire hydrant, subject to the discretion of the WCTFD.
- 9.) 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 and all major landscaping shall be irrigated with a permanent system prior to a final zoning inspection.
- 10.) WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD staff.
- 11.) Any additional 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.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval. This action shall take effect this 20th day of August, 2018.

West Chester Township,
Butler County, OH

Vice Chairman:


Doug Kinnert

Secretary:


Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 18-19
WESTVIEW, FDP (07-18-B)**

WHEREAS, on June 26, 2018, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (14-2018) for one-hundred and six (106) single-family residential lots and four (4) open space lots on approximately 51.08 acres (2.08 units/ acre); and,

WHEREAS, on July 17, 2018, M/I Homes of Cincinnati, LLC. submitted an application requesting a Final Development Plan approval for one-hundred and six (106) single-family residential lots and eleven (11) open space lots on approximately 51.08 acres (2.08 units/ acre); and,

WHEREAS, on August 20, 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.) The civil engineering and construction plans shall be coordinated with the Butler County Engineer's Office (BCEO) and all requirements shall be adequately addressed prior to the issuance of a zoning certificate.
- 2.) All sanitary sewer and water main locations and installation of those mains shall be coordinated with the Butler County Water and Sewer Department and all requirements shall be adequately addressed prior to the issuance of a zoning certificate.
- 3.) All access ways and internal roadways; connections and locations of fire hydrants; and all other applicable building and fire codes shall meet all West Chester Township Fire Department (WCTFD) and West Chester Township Community Development Department (WCTCDD) requirements 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.) The developer, M/I Homes of Cincinnati, LLC., shall construct the remaining portion of sidewalk along the West Chester Road frontage, which shall extend to the east property line, at which time the adjacent property to the east (Parcel M5610012000055) is re-developed.
- 5.) The landscaping beds along Outlook Drive and surrounding the base of the subdivision identification, monument sign shall be irrigated with a permanent system prior to the issuance of a zoning certificate.
- 6.) The internal illumination of the "Westview" lettering within the display area of the subdivision identification sign shall be permitted.

- 7.) The WCTCDD staff shall be authorized to approve minimal revisions to the approved Final Development Plan. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD staff.
- 8.) Any additional 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.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval. This action shall take effect this 20th day of August, 2018.

West Chester Township,
Butler County, OH

Vice Chairman:



Doug Rinnert

Secretary:



Timothy Dawson,
Township Planner