

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
September 17, 2018**

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

MEMBERS ABSENT: Larry Whited

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

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

August minutes were approved as written.

Mr. Hahn stated that case # OWC-RCO 190; 8836 Cincinnati-Dayton Road has formally requested a continuance to the next scheduled hearing. Mr. Hahn 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:
ZTA06-18 West Chester Township Board of Trustees**

The applicant is West Chester Township (WCT) Board of Trustees. The applicant is requesting a text amendment to the 2017 version of the West Chester Township Zoning Resolution.

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 Text Amendment unless additional information is deemed necessary to make an informed decision.

No questions from the Board.

Applicant **Aaron Wiegand on behalf of WCT Board of Trustees**
Community Development Director

Mr. Wiegand explained the changes.

No questions from the Board.

Proponent **Mark Henn**
Harvest Financial

States he is in favor of this for the future of Olde West Chester and the economic development of the area.

Opponent **None**

Neutral **None**

Deliberations

Mr. Rinnert states it's a good idea and thanks everyone for following through on this.

Mr. Rinnert made a motion to approve Case # – ZTA06-18 West Chester Township Board of Trustees with the conditions and considerations made by staff and other agencies. Mr. Williams seconds the motion.

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

Nay:

Motion carries 5 – 0

ZMA01-18 The Village North

The applicant is Village North, LLC. The applicant is requesting approval for a Zoning Map Amendment from A-1 (Agricultural District) to SP-PUD (Special Purpose Planned Unit Development District) and a Preliminary Development Plan for a mixed-use development consisting of 103,015 s.f. office, retail, grocery/hospitality, restaurant uses, and 236 multi-family residential units on 13.3 acres located at 8296 and 8300 Hamilton-Mason 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 Zoning Map Amendment and Preliminary

Development Plan unless additional information is deemed necessary to make an informed decision.

Questions

Mr. Williams asked for clarification on the parking spaces.

Mr. Dawson explained the two (2) scenarios.

Mr. Hahn asked for clarification regarding the right-of-way.

Mr. Dawson explained the Butler County Engineer's Office project in 2020 and what the applicant would be required to do.

Applicant **Neil Hughes**
Village North LLC

Mr. Hughes presented slides and outlined the layout for the mixed-use development area consisting of restaurants, retail, grocery, and multi-family units. If the Board was to recommend we drop the request of a hotel, we would be in agreement. We feel this is a masterpiece in urban design.

Michael Copfer
Hills

Hills is a family-owned company located in greater Cincinnati/Blue Ash. We have been in business for 60 years. Our first community that we did as a multi-family rental community in West Chester Township was in 1997. Our most recent community that we did was Savoy, The Streets of West Chester. We are very, very successful.

Mr. Copfer stated the demographics, age range, average cost of units and demand for these type of units.

Mr. Hughes returned to the podium continuing to discuss the proposed development.

Questions

Mr. Murphy asked where the grocery store would be located compared to the road.

Mr. Hughes described the location via the PowerPoint presentation.

Mr. Williams asked what type of leases are being offered on the multi-family units and if parking is included

Mr. Copfer explained that the leases start on a minimum of a 12-month basis and stagger from there so all the expirations aren't up at the same time. Parking is included in the rental of the unit.

Mr. Hahn asked about the connectivity with Butler Warren.

**Jose Castrejon
MSP Design**

Mr. Castrejon explained the connectivity and also stated that they are willing to work with and be part of discussions with the Township and adjoining Township's & counties to discuss anything beyond what is proposed.

Mr. Hahn asked that they present a proposal for a connectivity between the development and the park.

Mr. Hughes stated that because they don't own the roads and the right-of-way, they can't do that. However, they are willing to be part of a discussion to have a connectivity vehicle.

Mr. Hahn expressed concern about the restaurants not being fast food places.

Mr. Hughes stated you can restrict drive-thru access without a special permit and the fast food restaurants will not pay what the charges of the sites will cost. We have a very clear vision of this project and we are determined to maintain that.

Proponent Dan Orner – representing Davis family

I'm here in two capacities. I represent the Davis family and I'm here as a resident of West Chester Township. The Davis family could not be here tonight. This property has been in the family for 2 generations. The family has been approached so many times for various development. This development they are very excited about because it leaves the kind of legacy that they feel good about.

I, as a resident, like this because I like the things that have been said. I will soon be down-sizing. We were looking in other areas in Cincinnati but this provides us what we are looking for. I think it will bring better taxes and citizens to the area.

**Barry Spaeth
7762 Lakota Springs Dr**

I could just say ditto. I have also worked with the Davis parents and the Davis children. This is really first rate developers and designers. It's a real opportunity to do something special in the area.

**Jeff Hitchcock
7191 Keltner Dr**

I have lived in this area since 1994 and I currently live in a Justin Doyle Home-A-Rama home that was built in 2011. While we love the home, we currently would like slightly less space. My wife and I are currently looking for something like this and there's nothing like that in this area. This is an ideal place and will allow us to stay in West Chester.

**Anne Wagner
Comey & Shepherd**

I've been in West Chester for 27 years. We really need this product and I see it as a total benefit.

**Justin Doyle
Village North LLC**

I moved into this area about 10 years ago. We started our first area in Carriage Hill and we have two Home-A-Rama's in West Chester. When repeat customers come to us not only are they seeking high-quality products, customers are looking for location. Our company prides ourselves in listening to what the community needs. We are extremely excited about this project.

Opponent None

Neutral None

Deliberations

Mr. Williams – I like it. I think it will be very unique to West Chester. Based on what we've heard, the vision is very impressive.

Mr. Rinnert – I agree with Mr. Williams. As I'm listening to this I'm wondering if I can live there. I hope we can make a recommendation for a connectivity over to VOA. It's very well thought out and planned.

Mr. Fisher agreed with previous statements.

Mr. Murphy – I also agree however my major concern is the traffic. Is this going to be a chokepoint will all the stop and go? The development I think is great; the area just concerns me.

Mr. Hahn – I agree that traffic is a problem. I would like to make a recommendation and encourage that the applicant seek out Butler and Warren County.

This is our gateway and I think there is a lot of potential here. This could be one of our cornerstones in the community.

Mr. Hahn asked if there will be a monument that will go on the NE corner.

Mr. Dawson replied there is a condition for any signage to be coordinated with the staff and to be approved at the Final Development Plan stage.

Mr. Hahn asked if we can make a condition regarding the connectivity.

Mr. Dawson stated as in the past and currently with this site, the off-site improvements to the intersections is legally a gray area. We have condition in the draft resolution. We will

have some further negotiations and advisements to the developer but it will come to the ZC Board at the Final Development Plan stage.

Last comment – there are concerns to having less desirable restaurants/drive-thru's. I also like the idea of a bank. What can we do to word in the resolution for restriction?

Mr. Dawson stated the draft resolution excludes Article 22.021. Mr. Dawson went into further explanation and recommendations.

Mr. Williams made a motion to approve Case # – ZMA01-18 The Village North with the conditions and considerations made by staff and other agencies with revision to item #1 subject to Final Development Plan approval. Mr. Rinnert seconds the motion.

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

Nay:

Motion carries 5 – 0

Administrative Business:

Mr. Hahn stated that it was time to elect officers for the 2018/2019 year. Mr. Rinnert nominated Mr. Hahn for Chairman and Mr. Williams nominated Mr. Rinnert for Vice Chairman; Mr. Fisher second the motion. All were in agreement.


The next meeting is November 19, 2018 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 8:12 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:



James Hahn



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 18-20
WEST CHESTER TOWNSHIP BOARD OF TRUSTEES
ZONING TEXT AMENDMENT (ZTA 06-18)**

WHEREAS, on July 24, 2018, the West Chester Township Board of Trustees approved Resolution No. 16-2018 initiating an application for a text amendment to the West Chester Township Zoning Resolution with regard to the Olde West Chester Road Corridor Overlay District; and,

WHEREAS, the aforesaid application was submitted to the Butler County Planning Commission and the West Chester Township Zoning Commission, as required by law, for a recommendation to the West Chester Township Board of Trustees; and,

WHEREAS, on September 11, 2018, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on September 17, 2017, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

WHEREAS, the West Chester Township Zoning Commission reviewed recent issues regarding the Olde West Chester Road Corridor Overlay District, Access Management Requirements and found the current, road widening improvements along the road corridor have resulted in a desire to re-evaluate access management requirements previously adopted in 1993; and,

WHEREAS, the West Chester Township Zoning Commission determines an amendment to the West Chester Township Zoning Resolution, Article 33.08, is necessary, in order to adequately define and identify appropriate land uses in an effort to protect and preserve the public health, safety, morals, and general welfare of the community.

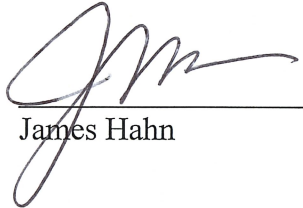
NOW THEREFORE BE IT RESOLVED, on the basis of the above findings, the West Chester Township Zoning Commission does hereby recommend approval of said text amendment to the West Chester Township Zoning Resolution (ZTA 06-18) as initiated by West Chester Township Board of Trustees Resolution 16-2018 for the aforesaid application as documented and demonstrated in Attachment A.

BE IT FURTHER RESOLVED, the submitted text amendments, application, and other data submitted are hereby incorporated in this recommendation. This action shall take effect this 17th day of September 2018.

West Chester Township
Butler County

Chairman:

Secretary:



James Hahn



Timothy Dawson
Township Planner

ATTACHMENT A

- 33.08 ACCESS MANAGEMENT REQUIEMENTS RECOMMENDATIONS. The Olde West Chester Road Corridor Overlay Plan contains a “Proposed Access, Vehicular, Circulation and Parking” design that recommends a rear alley access drive with identified ingress/egress points along the primary roadways.
- 33.081 All Minor and Major Use Changes shall be ~~required~~ **recommended, but not required**, to work toward the accomplishment of this access plan according to the following guidelines:
- 33.082 If the subject property contains an identified ingress/egress point, the curb cut, internal access drive and rear alley access drive ~~shall~~ **should** be installed immediately.
- 33.083 If there is a rear alley access drive on an adjoining property that provides direct access to the subject property, the rear alley access drive ~~shall~~ **should** be extended onto the subject property and installed immediately. All other curb cuts ~~shall~~ **should** be closed immediately.
- 33.084 If the subject property does not have direct access to an adjoining property via the rear alley access drive, the existing curb cut from the main roadway may be maintained as a temporary ingress/egress until permanent access to the rear alley access drive can be accomplished. However, a cross-access easement ~~shall~~ **should** be recorded immediately in the location of the future rear alley access drive.
- 33.085 A cross-access easement ~~shall~~ **should** be recorded for all rear alley access drives and identified ingress/egress points, which ~~shall~~ **should** benefit all properties in the Olde West Chester Road Corridor Overlay District.

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 18-2
DAVIS PROPERTY; THE VILLAGE NORTH – ZMA 01-18 (A-1 to SP-PUD)**

WHEREAS, on January 19, 2018, Village North LLC. submitted an application requesting a Zoning Map Amendment from A-1 (Agricultural District) to SP-PUD (Special Purpose Planned Unit Development District) and a Preliminary Development Plan for five (5), single-story buildings consisting of a total of 63,015 square feet of retail/ restaurant uses; a single-story, 40,000 square foot building consisting of a retail/grocer use or the option for a single-story, 5,400 square foot building for retail use and a four-story building consisting of a 100-room hotel; and two (2), five-story buildings consisting of 236 multi-family residential units on approximately 13.3 acres (17.3 units/ acre); and,

WHEREAS, the Butler County Planning Commission and West Chester Township Zoning Commission passed motions for and gave public notice of subsequent requests for a continuance of the public hearings; and,

WHEREAS, on August 14, 2018, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, on September 17, 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 recommend approval of the aforesaid application as submitted with the following conditions:

- 1.) The permitted uses shall only include the Principal Permitted Uses of the West Chester Township Zoning Resolution's (WCTZR) R-4, O-1, O-2, B-1, and B-2 Districts, Articles 18.021, 18.022, 19.028 (excluding hospitals), 21.022, 21.023, 21.024, and 22.0210 (excluding night clubs), which shall be subject to Final Development Plan approval. Any outdoor display and sales shall be approved at the Final Development Plan (FDP) stage.
- 2.) A Traffic Impact Study (TIS) shall be approved prior to all subsequent FDP approvals. All recommendations of the approved TIS and requirements of West Chester Township (WCT), in coordination with the Butler County Engineer's Office (BCEO), shall be incorporated into each corresponding FDP to the extent said requirements are necessary as a result of traffic generated by the subject site.
- 3.) All public right-of-way dedications shall be dedicated as required by the BCEO and WCT, which shall be illustrated on the Phase 1, FDP and the record, subdivision plat prior to a final zoning inspection.

- 4.) As illustrated on the Preliminary Development Plan, the four-hundred and forty-five (445) foot, southbound, decelerating right-turn lane along Butler-Warren Road and a two-hundred and twenty-five (225) foot, westbound, decelerating, right-turn lane along Liberty Way shall be constructed prior to a final zoning inspection of Phase 1 construction.
- 5.) All access ways, internal roads, and on-street parking shall meet the WCTZR, Article 10.17/ Appendix Figure 4 and shall meet all requirements of the BCEO and West Chester Township Fire Department (WCTFD) at each FDP stage.
- 6.) All connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the WCTFD and shall be incorporated into each FDP to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.
- 7.) Street names shall be approved by the WCTFD.
- 8.) Detailed grading plans and stormwater drainage plans and calculations shall be provided at the Phase 1, FDP stage and shall meet all requirements of the BCEO and WCT.
- 9.) All Butler County Water and Sewer Department (BCWSD) requirements shall be met and incorporated into each FDP in regard to the capacity analysis requirements to upgrade the existing lift-station to accommodate the proposed capacity.
- 10.) Detailed utility plans illustrating all water main connections, including looping through the site, existing sanitary sewers, and sewer connections and extensions shall meet all BCWSD requirements at each FDP stage.
- 11.) The infrastructure improvement plan for a pedestrian connection or an enhanced pedestrian crossing plan, which connects to Voice of America Park shall be coordinated with West Chester Township Community Development Department (WCTCDD) staff and incorporated into the Phase 2, FDP.
- 12.) Detailed building elevations shall be provided at each FDP stage, which shall demonstrate a minimum of fifty (50) percent high-quality, masonry building materials are being utilized throughout the buildings.
- 13.) Buildings 3-W – 7-W, which are located along the Liberty Way and Butler-Warren Road public frontages and the internal roads, shall be architecturally designed with dual, front wall facades, which include entryways, windows, parapets, etc. All exterior utilities shall be screened and the screening materials shall be approved at each FDP stage
- 14.) Detailed floor plans, including the unit mix and a detailed description of the units' high-quality interior finishes and interior building amenities shall be provided at each FDP stage.
- 15.) Detailed plans of any common/ public, exterior amenities shall be provided at each FDP stage.

- 16.) Outdoor seating area plans shall be provided at each FDP stage. A minimum of six (6) feet shall be maintained between the back of street curb and the seating area to ensure adequate pedestrian circulation.
- 17.) Any dumpster locations and dumpster enclosure details shall be provided at each FDP stage. The enclosures shall be pursuant to the West Chester Township Zoning Resolution (WCTZR), Articles 10.031 and 20.043. The enclosure(s) shall be consistent with the high-quality, masonry building materials of the principle building. Dumpster enclosures shall not be located along the public frontages and in a manner to reduce detrimental impacts to residents.
- 18.) Light fixture details shall be provided at each FDP stage to ensure a consistent design that minimizes glare and light spillover.
- 19.) A detailed landscaping plan shall be provided at each FDP stage, which is consistent with the preliminary landscaping plan and shall also include adequate parking area landscape islands with tree plantings.
- 20.) Internally-illuminated signs shall be prohibited from facing the adjacent residential subdivision to the east.
- 21.) Two (2) West Chester Township ground/ monument signs shall be coordinated with WCTCDD staff and incorporated into the pertaining FDP signage plans. The signs shall be designed according to the signage details as illustrated in the "Identity Study Summarization for West Chester in Union Township Butler County, Ohio" that was prepared by McGill Smith Punshon, Inc. in November 1998. The signs shall be included as common element in the required DCCRRE and constructed and maintained by the property owner or property owners' association. The specific location, design, landscaping, etc. for the signs shall be approved at each FDP stage.
- 22.) All signs shall be approved at each FDP stage.
- 23.) All sign structures shall be consistent with the masonry building materials utilized on the corresponding principle buildings.
- 24.) A draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which establishes the property owners' association (POA), vehicular cross-access and public use of the pedestrian facilities throughout the site, shall be provided to the WCTCDD for approval at the Phase 1, FDP stage.
- 25.) The DCCRRE shall include a shared parking agreement between all property owners, which shall permit residents of the site to utilize parking spaces designated to the commercial uses in the hours the uses are not in operation.
- 26.) The DCCRRE shall include each record, subdivision plat throughout any phased construction of the site as supplemental exhibits to the DCCRRE. A copy of the final recorded DCCRRE, containing all exhibits, shall then be provided to the WCTCDD for the case file records.

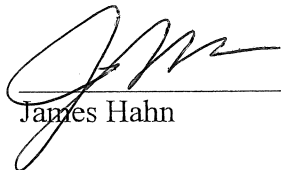
- 27.) The property owner or a recorded property owner's association shall be responsible for keeping all common features and elements well-maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well-maintained in good condition and all landscaping beds shall be irrigated with a permanent system prior to the issuance of a zoning certificate.
- 28.) A temporary construction road and vehicle staging area shall be illustrated on the existing conditions survey included in the Phase 1, FDP, 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 17th day of September 2018.

West Chester Township
Butler County

Chairman:

Secretary:


James Hahn


Timothy Dawson
Township Planner