

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
November 18, 2019**

MEMBERS PRESENT: Jim Hahn, Mark Murphy, Larry Whited, Jim Williams

MEMBERS ABSENT: Richard Grow, Doug Rinnert

STAFF PRESENT: Timothy Dawson, Township Planner
Beverly Worley, Administrative Assistant
Austin Musser, FBT; Legal Representation

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

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

Mr. Williams made a motion to approve October minutes, seconded by Mr. Murphy. Motion carried unanimously. Mr. Dawson called the roll.

Mr. Hahn made a motion to approve Resolution 19-18; all were in favor.

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

FDP 11-19-A WCV, Hutzelman Square; Telhio

The applicant is Telhio Credit Union. The applicant is requesting a Final Development Plan for a 5,600 s.f. bank with café with a drive-thru on 1.5 acres.

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 **Dan Daily**
Telhio
601 Park Ave
Hamilton OH

Mr. Daily shared the history of Telhio and the future growth of it's banking services and the changes being made such as adding a café.

Randy Roberty
Design-Collective
151 E. Nationwide Blvd.
Columbus OH

Mr. Roberty shared the co-branding of this project and how the retail market is becoming more important in creating a more retail destination and experience for guests/clients.

Steven Hunt
Aronoff, Rosen & Hunt
Cincinnati OH

Mr. Hunt stated he was the attorney for the developer. The owners strongly support the project with the exception of the sidewalk connection. He explained the reason why they are asking that the sidewalk on 747 to Tylersville be eliminated.

Etta Reed
Bayer Becker
6900 Tylersville Rd
Mason OH

Ms. Reed explained the concerns and safety of the design of the sidewalk. She shared pictures in a presentation for the project.

Mr. Hunt returned to the podium to share alternative suggestions and what the client is willing to do.

Mr. Murphy asked if a quote was obtained for building the sidewalk.

Mr. Hunt stated that pricing was not obtained because it was a safety issue not a cost issue.

**Martha Hutzelman
Hutzelman Farms
New Albany OH**

Ms. Hutzelman explained how important it is for her family to be involved in this project. She stated her concerns about the safety. If something would happen she does not want it to come back against her family.

Mr. Hahn asked if she owned the pie shape piece of land.

Ms. Hutzelman stated she did and what the primary use of it will be after all the development is finalized.

Mr. Hahn asked if anyone had considered putting a sidewalk behind the area.

Ms. Hutzelman stated that's the proposal Mr. Hunt was speaking of earlier that the adjacent owner would not approve.

Mr. Williams asked the architect why it was short on the masonry requirement.

Mr. Roberty returned to the podium. He stated that's the way it broke down with the geometry of the building. We can revise if it is a concern.

Proponents **Paul Rabinowitz
West Chester Academy**

I have no concern on the sidewalk not being. I agree with the Hutzelman decision.

Opponents **None**

Neutral **None**

Deliberations

Mr. Whited stated he thinks they make a compelling case on the sidewalk issue. Regarding the minimum masonry, I'm good either way. However since the architect stated they could meet the minimum; it would be good to keep consistency.

Mr. Williams shared that one of the issues in West Chester is that we don't have sidewalks. I understand the safety issue but that's not going to stop people from walking on a roadway.

Mr. Hahn agreed that people are going to walk where they to walk. He stated his

other concern is that we made every other business put a sidewalk in. What do we tell the other businesses?

General discussion was held regarding other examples / solutions.

Mr. Murphy stated they should have had some type of numbers to present regarding the sidewalk. He definitely feels the need for connect-ability but he doesn't feel the sidewalk is necessary. He takes Ms. Hutzelman at her word that it's strictly due to safety. He also stated that he thinks 50% masonry should be maintained.

Mr. Hahn asked Ms. Reed back to the podium.

Mr. Hahn asked how long of a stretch has that ravine.

Ms. Reed stated 585 feet. Half of that area would need to be protected.

Mr. Williams stated listening to the argument that it does make more sense but it's just frustrating.

Mr. Williams suggested re-wording condition #6 for the masonry to meet the 50% recommendation.

Mr. Dawson reminded the Board that item 1A hasn't been commented on. Also that #6 will be stricken and added to 1A or 1B.

Mr. Williams made a motion to approve Case # - FDP 11-19-A WCV, Hutzelman Square; Telhio with the revised conditions and considerations made by staff and other agencies. Mr. Whited seconded the motion.

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

Nay:

Motion carries 4 - 0

ZMA06-19 Schulze; The Lofts of Union Centre

The applicant is Allen Lofts, LLC. The applicant is requesting a Zoning Map Amendment from CBD (Central Business District) to R-PUD (Residential Planned Unit Development) on 11.089 acres located at 6230 Allen 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 recommend approval, approve with modifications, or deny the submitted Zoning Map Amendment unless additional information is deemed necessary to make an informed decision.

No questions from the Board.

Applicant **David Wittekind**
 In-Line Development Co.
 8038 Jeanne’s Creek

Mr. Wittekind stated the proximity of the project is very suited for the multi-family development. He shared the details of the project.

Russ Garber
M & A Architects
Columbus OH

Mr. Garber re-iterated the pond will be used as the organizing piece explained other reasons as to why the site will be laid out as proposed and discussed other amenities.

Mr. Murphy asked what the price points were for rental.

Mr. Garber shared the market study.

Mr. Wittekind completed the presentation.

Mr. Williams asked the applicant if there were any conditions they had issues with to comply.

Mr. Wittekind stated no.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Williams felt the project was pretty straight forward. I’ve been looking forward to that land being developed.

Mr. Murphy asked Mr. Dawson if there will be street lighting along the sidewalk and what his thoughts were on the maintenance agreement.

Mr. Dawson stated street lighting wasn't shown on the Preliminary Development Plan but will be required on the Final Development Plan. He also stated he would be meeting with the Township's Service Director to discuss and explained how the agreement would work.

Mr. Whited asked for explanation of the street cleaning.

Mr. Dawson explained what the Township would be responsible for.

Mr. Whited made a motion to approve Case # – ZMA06-19 Schulze; The Lofts at Union Centre with the conditions and considerations made by staff and other agencies. Mr. Murphy seconded the motion.

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

Nay:

Motion carries 4 – 0

Administrative Business:

1. West Chester Trustees approved a major update to the West Chester Zoning Resolution to take place over the next calendar year. This will be the first major rewrite of the Zoning Resolution since 1988. West Chester has hired McBride Dale Clarion of Cincinnati to facilitate the project. Part of this process includes input from the public and members of the development community.


To kick-off the project, West Chester and McBride Dale Clarion are hosting a public open house on Monday, December 16th from 5:00-6:00 at Township Hall. This is immediately prior to the scheduled Zoning Commission meeting.

2. The next ZC meeting is Monday, December 16 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:29 p.m.

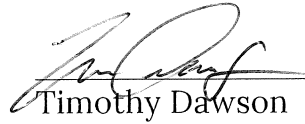
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

Chairman:



Jim Hahn

Secretary:



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 19-19
WCV; HUTZELMAN SQUARE; TELHIO, FDP (11-19-A)**

WHEREAS, on March 13, 2001, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R1-A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (09-2001) for a 145,000 square foot (sf) multi-tenant retail building and five outlots for a total of 213,150 sf of mixed office/ retail land uses on approximately 39.25 acres; and,

WHEREAS, on February 28, 2011, the West Chester Township Zoning Commission approved a Final Development Plan (11-07) for a 4,353 sf Chase Bank with a drive-thru on the outlot located on the northwest corner of S.R. 747 and Hutzelman Way intersection (Lot B); and,

WHEREAS, on April 21, 2014, a Revised Preliminary Development Plan (14-06) was approved for modifications to the original layout, which included reducing the size of the southern portion of the large multi-tenant retail center and creating a new outlot and a separate 11,830 sf retail building on the northwest corner of Hutzelman Way and Market Place Drive (Lot A1), resulting in a new total of 196,750 sf of mixed office/ retail/ restaurant land uses within the PUD; and,

WHEREAS, on May 19, 2014, a Final Development Plan (14-09) was approved for a 11,829 sf West Chester Academy of Music and Dance on Lot A1; and,

WHEREAS, on October 20, 2014, a Revised Preliminary Development Plan (14-25) was approved for modifications to the original layout, which included another reduction in area of the southern portion of the large multi-tenant retail center to 100,079 sf and an expansion to the adjoining outlot north of the Chase Bank side of Hutzelman Way along Princeton-Glendale Road/ SR 747 (Lot C) for a 29,600 sf daycare facility, resulting in a new total of 169,561 sf of mixed office/ retail/ restaurant land uses within the PUD; and,

WHEREAS, February 23, 2015, a Final Development Plan (15-3) was approved for a 33,032 sf Children's Learning Adventure daycare facility on Lot C; and,

WHEREAS, on June 15, 2015, a Final Development Plan (15-16) was approved for the extension of Market Place Drive and Plum Square as well as an additional parking lot with a connecting sidewalk north of the West Chester Music and Dance Academy; a double faced (48 sf per face) ground-mounted directory sign and tree plantings on the north side of Plum Square; and decorative street lighting along the north side of Plum Square and the west side of Market Place Drive; and,

WHEREAS, on June 15, 2015, a Revised Preliminary Development Plan (15-17) was approved for a for modifications to the original layout, which included reconfiguring the site layout to consist of six buildings totaling 137,500 sf of mixed uses in the undeveloped area (Lots A2, A3, A4, D, E, and F) north of the already approved plans for a 4,353 sf Chase Bank (Lot B), an 11,829 sf West Chester Music and Dance Academy (Lot A1), and a 33,032 sf Children's Learning Adventure (Lot C), resulting in a new total of 186,714 sf of mixed office/ retail/ restaurant land uses within the PUD; and,

WHEREAS, on June 20, 2016, a Final Development Plan (16-11) was approved for a for a 5,915 sf Buffalo Wings and Rings restaurant on Lot D, which was reduced from the 11,200 sf approved on the latest Revised Preliminary Development Plan (15-17), resulting in new total of 181,429 sf of mixed office/ retail/ restaurant land uses within the PUD; and,

WHEREAS, on March 20, 2017, a Final Development Plan (17-6) was approved for a for a 8,292 square foot, multi-tenant building on Lot E, which was reduced from the 12,600 sf approved on the latest Revised Preliminary Development Plan (15-17), resulting in new total of 177,121 sf of mixed office/ retail/ restaurant land uses within the PUD; and,

WHEREAS, on October 16, 2019, Telhio Credit Union, Inc., submitted an application requesting a Final Development Plan for a 3,721 square foot bank with a drive-thru, including a 1,879 square foot use of a restaurant and outdoor seating on Lot F within the PUD; and,

WHEREAS, on November 18, 2019, 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 adopt and affirm this Resolution and the following conditions, in issuing its approval of the aforesaid case.

- 1.) A revision to the Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department staff within 30 days with the following included:
 - a.) Building elevations, which shall illustrate a minimum of 50% high-quality masonry materials (i.e. brick or stone).
- 2.) The current approval shall only grant changes to the subject site. The remaining WCV; Hutzelman Square C-PUD shall otherwise remain subject to the

conditions as previously and last approved (Trustee Resolution 09-2001 and Zoning Commission Resolution 15-17).

- 3.) All comments and concerns in regard to driveway distance, turn-lane lengths, and sidewalk permitting, as required by the Ohio Department of Transportation (ODOT), shall be addressed prior to the issuance of a zoning certificate.
- 4.) All comments and concerns in regard to stormwater plans and calculations and grading to ensure proper storm run-off, as required by the Butler County engineer's Office (BCEO), shall be addressed prior to the issuance of a zoning certificate.
- 5.) All access and road ways; locations of fire hydrants; and fire lane signage shall be coordinated with the West Chester Township Fire Department to ensure the site accommodates emergency services prior the issuance of a zoning certificate. Fire hydrants shall not be physically or visually obstructed and the dual meter service pit shall have impact protection.
- 6.) All major landscaping areas are the responsibility of the property owner or a recorded property owners' association and shall be well maintained in good condition and irrigated with a permanent system prior to the issuance of a zoning certificate.
- 7.) All building signage shall be pursuant to the West Chester Township Zoning Resolution, Article 20.092. Illuminated building signs shall be prohibited on the west building elevation facing the residential subdivision(s).
- 8.) All ground-mounted signs shall be consistent with the RPDP (15-17), excluding directional signage for the drive-thru.
- 9.) The site plan, including a public use easement agreement for the five foot wide, concrete sidewalk that is located on private property and all exhibits pertaining to the shared parking easement and vehicular cross-access easement agreements shall be added as a supplemental exhibit to amend the Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE). A draft copy of the amended DCCRRE shall be provided to the WCTCDD for approval and shall then be recorded prior to a final zoning inspection. A copy of the recorded amendment to the DCCRRE shall then be provided to the WCTCDD.
- 10.) 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 retention/ detention area(s) perform the designated function; and maintaining all landscaping in good condition.

- 11.) All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing agencies and WCT prior to the issuance of a zoning certificate.
- 12.) The West Chester Community Development Department (WCCDD) staff shall be authorized to approve minimal revisions to the approved Final Development Plan. Any changes to the plan that are required by other agencies shall be subject to approval by the WCT staff.

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 18th day of November 2019.

West Chester Township
Butler County

Chairman:


James Hahn

Secretary:


Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 19-20
SCHULZE; THE LOFTS AT UNION CENTRE
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN -
ZMA 06-19 (CBD to R-PUD)**

WHEREAS, on October 17, 2019, Allen Lofts, LLC. submitted an application requesting a Zoning Map Amendment from CBD (Central Business District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for three-hundred (300) multi-family units on approximately 11.09 acres (27 units/acre); and,

WHEREAS, on November 12, 2019, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, on November 18, 2019, 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 with the following conditions:

- 1.) All public right-of-way dedications shall be dedicated as required by the BCEO and (West Chester Township) WCT, which shall be illustrated on the Final Development Plan (FDP) and the record, subdivision plat prior to a final zoning inspection.
- 2.) All access ways and access turn-lanes shall be coordinated and constructed as required by the Butler County Engineer's Office (BCEO) and WCT standards for public roads. Additionally, parking shall be prohibited on all public roadways during snow events.
- 3.) All access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the West Chester Township Fire Department (WCTFD) and the West Chester Township Community Development Department (WCTCDD) and shall be incorporated into the FDP to ensure the site accommodates emergency services. Street names shall be approved by the WCTFD.
- 4.) Detailed grading plans and stormwater drainage plans and calculations shall be provided at the FDP stage and shall meet all OEPA, BCEO, and WCT requirements prior to the issuance of a zoning certificate.

- 5.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) prior to the issuance of a zoning certificate.
- 6.) A total number of 300 apartment units are approved. A unit mix of 40% one-bedroom, 55% two-bedroom, and 5% three-bedroom units shall be maintained, or adjusted to allow a higher percentage of one bedroom units. This shall be clearly reflected on the FDP.
- 7.) A detailed parking table shall be provided at the FDP stage, which shall include interior parking, surface parking, on-street parking space counts and the calculated parking lot ratio. A minimum of 1.5 parking spaces per unit shall be provided.
- 8.) Specific details regarding all the amenities shall be provided at the FDP stage, which shall be suited for the “renter by choice” demographic. Such amenities may include, but shall not be limited to the following: Clubhouse and pool, fitness center, outdoor grilling areas, outdoor fire pits, business center, cyber café, wireless “hotspots” in all common areas, planned social activities, etc.
- 9.) Specific interior finish details and individual apartment amenities shall be provided at the FDP stage. Such interior finish details and amenities may include, but shall not be limited to granite countertops throughout, tile bathrooms, crown molding, washer/dryer connections, high-speed internet, etc.
- 10.) Specific details regarding the unit sizes shall be provided at the FDP stage, which shall include size (measured in square feet) and floor plans.
- 11.) Detailed building elevations shall be provided at the FDP stage, which shall reflect an urban design and quality exterior building materials. A minimum of 50% brick, stone, or masonry siding materials shall be required for each side of every building. As required by the WCTCDD staff, colored elevations for all sides of the buildings shall be provided and the specific exterior building materials shall clearly be labeled on the plan.
- 12.) Building setbacks shall be approved as illustrated on the PDP.
- 13.) The security of all buildings and indoor/outdoor parking areas shall be coordinated with the West Chester Township Police Department.
- 14.) A six (6) foot wide portion of the telecommunication utility’s driveway, located on the southwest corner of the site and along Allen Road, shall be repaved or sealed

to accommodate pedestrian traffic and shall be striped to designate the connection through the driveway.

- 15.) Specific details on the amenities for the streetscape shall be provided at the FDP stage, which shall reflect an urban environment. Such details may include, but shall not be limited to, decorative benches, decorative fencing, lights, extensive landscaping, paving treatments, etc.
- 16.) A draft maintenance agreement between WCT and the property owner, which shall be consistent with the previous maintenance agreement approval for Village Center Avenue and meet all WCT requirements, shall be provided at the FDP stage.
- 17.) Street light locations and light fixture details, which are consistent with the adjacent residential development, shall be provided at the FDP stage.
- 18.) A detailed landscaping plan shall be provided at the FDP stage, which is consistent with preliminary landscaping plan and meets all WCT requirements, to include details of the building perimeters, dumpster enclosures, and all other common spaces.
- 19.) Dumpster enclosure details shall be provided at the 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.
- 20.) The development identification sign wall shall be illustrated on the FDP with setback dimensions. All signage details in regard to height, area, illumination, colors, and materials shall be provided at the FDP stage.
- 21.) The property owner shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the retention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping beds surrounding the subdivision identification, monument sign shall be irrigated with a permanent system prior to the issuance of a final zoning inspection.
- 22.) A temporary construction road and vehicle staging area shall be illustrated on the 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 18th day of November, 2019.

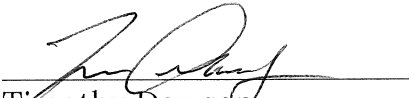
West Chester Township,
Butler County, OH

Chairman:



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Secretary:



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