

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
January 26, 2015**

MEMBERS PRESENT: Jim Williams, Doug Rinnert,
Susan Hendel, Art Hupp,
Jim Hahn

MEMBERS ABSENT: Bruce Fisher

STAFF PRESENT: Michael Juengling, Director
Vicki Sparks, Administrative Assistant

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 7:30 p.m.

Mr. Williams called the meeting to order. Mr. Juengling called the roll.

Minutes were presented from the Zoning Commission meeting from December 15, 2014 and approved as submitted.

West Chester Village-RPDP The Woods, 01-15-A

Mr. Juengling presented the staff report and a PowerPoint presentation that included: aerials, current zoning, the proposed Revised Preliminary Development Plan, Land Use Plan, site plan, history of site, staff comments, and site views.

Mr. Juengling stated that the subject 13.451 acres is located within the West Chester Village PUD at the end of Pinnacle Point Dr. and Whispering Run Ct. He stated that the property is currently zone R-PUD and is part of The Woods at West Chester Village. He stated that the property was rezoned to R-PUD and the Preliminary Development Plan was approved on March 13, 2001. Mr. Juengling stated that this area has been approved for 112 owner occupied residential units, at a density of 8.327 d.u./acre. He stated that the properties to the west and south are zoned R-PUD and the properties to the north and east are zoned C-PUD.

Mr. Hahn questioned if this is a different developer than had developed the previous areas. Mr. Juengling stated yes.

Mr. Hupp questioned if they had single garages in the original approval. Mr. Juengling stated yes.

Mr. Juengling stated that the applicant is requesting approval of a revision for the subject 13.451 acres of the Preliminary Development Plan. He state that the proposal is to utilize the existing private drives, with slight modifications, and develop 89 attached single-family townhouses on separate lots. He stated that 51 of the lots are proposed to have a 1-car garage and 38 with a 2-car garage.

Mr. Juengling stated that the Zoning Commission is to approve, approve with modification, or deny the submitted Revision to a Preliminary Development Plan, unless additional information is deemed necessary to make an informed decision.

**Applicant: Kevin Sturgill
8612 Jacquemin Drive
West Chester, Ohio**

**Tom Loftquist
8612 Jacquemin Drive
West Chester, Ohio**

**John Del Verne
6900 Tylersville Road
Mason, Ohio**

Mr. Sturgill introduced those in attendance that will be presenting for this request. Mr. Sturgill reviewed the layout of the proposed development and stated that there will be a mix of one and two car garages. He stated that they will meet the parking space requirement. He stated that they are proposing a lower number of units reducing the density that was previously approved and increasing the green space. Mr. Sturgill stated that they will be Landominiums. He stated that a town home association will be created for this development and reviewed the different property owner associations that could be created or joined. He stated that the declarations of covenants and conditions would be in final form before the Final Development Plan approval.

Mr. Loftquist stated that they are working together with the current homeowners association and are having conversations with them.

Mr. Williams questioned the time line for the proposed development. Mr. Sturgill stated that they would like to start the model home in March if possible. He stated that at the time the model home is built there will be corrections made to the current streets.

Mr. Hupp questioned the building materials and detailing. Mr. Sturgill stated that they will be submitting the detail with the final development plan stage and will a brick requirement. Mr. Hupp questioned if the brick requirement is 50%. Mr. Sturgill stated yes.

Mr. Loftquist stated that the building materials will closely match the current condo units in the development.

Mr. Sturgill stated that they will bring a professional developer into the project to help with the street corrections.

Mr. Rinnert questioned what the proposed square footage of the units would be. Mr. Loftquist stated that units would be from 1,400 s.f. to 2,100 s.f.

Mr. Hahn questioned if the units would all have basements. Mr. Lindquist stated that slabs are possible with the market demand.

Ms. Hendel questioned the price point and the demographics. Mr. Lindquist stated that the price point would start in the \$170,000's. He stated that the demographics that they foresee would include a diverse one, with a wide assortment of products to serve a range of an active adult to young single professionals and all points in between.

Mr. DelVerne reviewed the blue line stream and the agreement reached with Butler County on the buffer requirement.

**Proponents: Steve Hunt
2200 US Bank building
Cincinnati, Ohio**

Mr. Hunt stated that he is representing Hutzelman Farms, the original owner of the property. He stated that his client have reviewed the plans and believe this will be a nice addition to the West Chester Village project and they support the project.

**Opponents: Earlene Fuhrmann
8003 Pinnacle Point #104
West Chester, Ohio**

Ms. Fuhrmann stated that she is the president of the current condo association. She stated that they are not completely against the proposal but have concerns. She reviewed the current building elevations. She stated that the majority of the property owners do not want to share the facilities. She stated that there is confusion and concern about the possibility of 3 homeowner's associations. She stated that the current owners have spent time and money on the repair and upkeep of the facilities and do not want to lose control of those facilities. Ms. Fuhrmann stated that the demographics will be completely different with this new phase. She stated that there will be a lot more children in the development than are currently there. She stated that the demographics for their phase is older residents or young professionals. She stated that they are very concerned about where the funding will come from for the additional homeowner's associations.

Mr. Williams questioned how many units are there currently. Ms. Fuhrmann stated there are 120 units.

Mr. Hahn questioned what services the condo fee currently set pays for. Ms. Fuhrmann reviewed the current services including: mowing, snow removal, landscaping, water & sewer bills, removal of dead trees with new trees, pool facility maintenance, paint in common areas, trash removal.

Ms. Hendel stated that it does not look like they are in opposition but are concerned about the potential of more than one HOA.

Neutral: none

Deliberations

Ms. Hendel stated that Ms. Fuhrmann clarified a lot of questions for her.

Mr. Williams stated that when the Final Development Plan it will need to have the Declaration of Covenants with it and at that point staff will have a point to review that document. He stated that they should have negotiated by that time.

There was discussion regarding the declaration of covenants and if a separate HOA should be established or not at this time. It was decided to allow the applicant and the current condo community owners to work together to determine what is best and submit the documents at the final development stage.

Mr. Hahn made a motion to approve West Chester Village-RPDP The Woods, 01-15-A subject to staff comments. Mr. Rinnert seconded the motion.

Aye: Mr. Rinnert, Mr. Hahn, Ms. Hendel, Mr. Hupp, Mr. Williams

Nay: none

Administrative Matters:

Communication & Miscellaneous Business

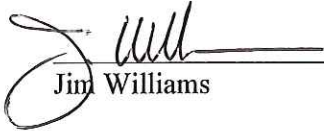
Mr. Juengling stated that the next scheduled meeting would be February 23, 2015 at 6:30 p.m.

The Commission voted unanimously to adjourn at 7:30 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 audio tape 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:


Jim Williams


Michael Juengling

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-1
THE WOODS AT WEST CHESTER VILLAGE, RPDP**

WHEREAS, on March 13, 2001, the West Chester Township Board of Trustees granted approval with conditions to West Chester Village (ZC Case #06-00) a Zoning Map Amendment from "R-1A" to "R-PUD" for 137.092 acres of land, and a Preliminary Development Plan; and

WHEREAS, on August 20, 2001, the West Chester Zoning Commission granted Final Development Plan approval for 232 condominium units with attached garages, a clubhouse, and a pool; and

WHEREAS, on December 16, 2014, an application was submitted by NVR, Inc. dba Ryan Homes requesting Revised Preliminary Development Plan approval for The Woods at West Chester Village development, which includes reducing the number of residential units on the remaining 13.451 acres from 112 to 89; and

WHEREAS, on January 26, 2015, 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 said Revised Preliminary Development Plan for the aforesaid application consistent with the submitted site plan with the following conditions:

1. All requirements established by previous actions of Trustees Resolutions 10-2001 and Zoning Commission Resolution 01-22 are to be applied.
 - a. A new traffic impact study will not be required as it was submitted and approved at the original FDP stage. This proposed revision will have no additional impact on traffic, access or sight distance.
 - b. All Phases at FDP stage shall include a detailed drainage plan and calculations prepared and stamped by a professional engineer and shall be approved by the West Chester Community development Department and the BCEO.
 - c. No FDP shall be approved until utility plans, including, but not limited to water and sewer service and fire hydrant systems have been submitted, reviewed and approved by the West Chester Fire Department, the Butler County Water and Sewer Department, and the West Chester Community development Department. Any necessary improvements shall be at the applicant's and/or developer's cost.
 - d. No FDP shall be approved until all relevant issues have been resolved by the Butler County Soil & Water Conservation District and approved by the West Chester Community Development Department.

- e. Any phase of the development shall comply with the West Chester Township Fire Hydrant Resolution. Location and number of fire hydrants shall be determined at FDP stage for any phase and shall be approved by the West Chester community development department and the Township Fire department.
- f. All roadways internal to the Woods Development, excluding Hutzelman Way, shall be private and shall be constructed to meet the West Chester Township Fire Department standards for accommodating fire safety apparatus and approved by the West Chester Community Development Department.
- g. Internal access drives shall be a minimum width of 24' and shall be at the approval of the Fire Department and the West Chester Community development Department.
- h. All street names shall be reviewed and approved by the West Chester Fire department and West Chester Community Development at FDP stage for any phase.
- i. No FDP shall be approved until the proposed open space and green space areas have been approved by the West Chester Community Development Department, recorded as such, and dedicated to an established Property Owners Association. Detailed plans for the use of these areas shall be submitted prior to the FDP approval.
- j. A property owners association shall be responsible for keeping all open space free from trash and litter and shall be required to maintain all drainage ways and retention/detention basins to perform designated function and all landscape.
- k. All phases at FDP stage shall include a detailed landscaping plan and pedestrian facility plan. Location, design and construction of said pedestrian facilities shall be approved by the West Chester Community Development Department and shall be a minimum of 5' concrete sidewalks and 8' pedestrian paths.
- l. No signage shall be approved at this PDP stage. All signage shall be approved at subsequent Final Development Plans by the West Chester Community Development Department.
- m. Exact location, design and maintenance agreements of any retention or detention facility shall be determined and approved at FDP stage. Any retention or detention pond shall be designed and constructed in a way as to deter water fowl from attraction and habitation of the retention pond.
- n. All building elevations including design and material, in the Woods area shall be approved at FDP stage.
- o. No FDP shall be approved until the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for West Chester Village are reviewed and approved by Zoning Commission.
- p. All lots shall be sold at a price consistent with those presented at the January 26, 2015 Zoning Commission meeting.

q. The applicant, developer, and/or builder shall be required to note on the title or deed of each lot, "Property subject to the Butler County Airport Zone District Restrictions". No Zoning Certificate shall be issued until documentation of such has been provided to the West Chester Township Community Development Department.

r. No Zoning Certificate shall be issued until cross access easements have been recorded that provide cross access to all adjoining property owners and the traveling public. A copy of said cross access easement shall be submitted to the West Chester Community Development Department.

s. No parking spaces shall be permitted at the entrance of any building. A sign clarifying "No Parking" shall be installed at the front entrance of any building.

t. The average for each building's masonry content shall be a minimum of 60% with no elevation falling below 50%. The shingles shall be dimensional.

u. Plans submitted for a Zoning Certificate shall include a landscaping plan and shall be approved by the West Chester Community Development department.

v. An entrance sign for the Woods Development shall be permitted with a display area not to exceed 16 sf.

w. The issuance of any Zoning Certificate shall require the West Chester Fire Department's approval.

2. A detailed landscaping plan shall be submitted at the FDP stage which depicts mounding and landscape screening in the Open Space area that lies between the rear yards of the houses on Orchard Ct. and the units on Whispering Run Ct. and Pinnacle Point Dr.

3. The sidewalks shown on the PDP, including the connection to the existing path at the north end of the development, are to be carried forward to the FDP.

4. This Section of The Woods of West Chester Village is to become a part of the Master Homeowners Association. A separate HOA may be created for the purpose of owning and maintaining the open space in this section. All documents are to be submitted at the FDP stage.

5. A blue line stream exists along the eastern boundary of the subject property. The applicant should coordinate with the Butler County Floodplain Administrator to ensure that all development is in compliance with all local, state and federal regulations, which may include the submission of a flood study, detailed drainage plain and a 75' stream buffer. All requirements are to be reflected on the Final Development Plan.

6. The type and location of all water quality features are to be identified on the design plans. These may include but are not limited to rain gardens, bioretention, pervious pavers/ pavement, vegetated or infiltration swales and mechanical systems.

7. A water line is to be loop and connected to the existing stubbed line at the north property line

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval as modified by this resolution. This action shall take effect this 26th day of January 2015.

West Chester Township
Butler County

Chairman:

Secretary:


James Williams


Michael F. Juengling
Community Development Director