

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
April 20, 2015**

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

MEMBERS ABSENT:

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 9:30 p.m.

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

Minutes were presented from the Zoning Commission meeting from March 16, 2015 and approved as submitted.

Princeton Crossing-RFDP Gospel Baptist Church, 04-15-A

Mr. Juengling presented the staff report and a PowerPoint presentation that included: aerials, background of site, the proposed Revised Final Development Plan, staff comments, and site views.

Mr. Juengling stated that the subject property is currently zoned C-PUD and is located at 9248 Princeton Glendale Rd. He stated that the property was rezoned to C-PUD and the Preliminary Development Plan was approved by the Union Township Board of Trustees on March 28, 1995. He stated that the purpose of the approval was for development of a commercial office/retail development. He stated that on June 17, 2002 the West Chester Zoning Commission granted Final Development Plan approval specifically for a "Life Success Seminars Building on Lot 1, and only the lot dimensions, access points and necessary utilities were approved for lots 2-4. He stated that parking was also approved for Lot 2. He stated that the FDP also approved the access point located near the joint property line of Lots 1 & 2 as a temporary full movement driveway until development occurs on lots 2-7 and that at that time the full movement driveway shall become right-in/right-out only

Mr. Juengling stated that the applicant is requesting to change the existing "Life Success Seminars" use requirement to allow for Office and/or Church uses.

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

**Applicant: David Berger
 6660 Druwood Lane
 Cincinnati, Ohio**

Mr. Berger stated that he is the architect working for Gospel Baptist church. He reviewed the project and stated that they recently purchased the building and would like to make minor modifications to the interior of the building and use the building for a church.

**Proponents: Vonda Brooks
9044 Canal Way
West Chester, Ohio**

Ms. Brooks questioned if the church would run a day care center out of the building. Mr. Berger stated that there would only be child care provided during the church services.

Opponents: none

Neutral: none

Deliberations

Mr. Rinnert stated that this request is pretty straight forward.

Mr. Rinnert made a motion to approve the request for Princeton Crossing-RFDP Gospel Baptist Church, 04-15-A subject to staff comments. Mr. Hupp seconded the motion.

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

Nay: none

Lakota Self-Storage-FDP, 04-15-B

Mr. Rinnert recused himself from this case due to conflict.

Mr. Juengling presented the staff report and a PowerPoint presentation that included: aerials, history of site, previously approved Preliminary Development Plan, proposed Final Development Plan, proposed elevations, site plan, proposed fence elevation, proposed landscape plan, proposed sign locations and sign elevations, site views, staff comments and outside agency comments.

Mr. Juengling stated that the subject property is located on the south and east side of Cincinnati-Dayton Road, just east of the of the Cincinnati-Dayton & Maude-Hughes intersection. He stated that on February 10, 2015 the West Chester Township Board of Trustees approved the rezoning of the property from M-1, A-1 and R-1A to C-PUC (Commercial Planned Unit Development) and Preliminary Development Plan approval for a commercial development that includes self-storage and office buildings.

Mr. Juengling stated that the applicant is requesting Final Development Plan (FDP) approval for the C-PUD Development, including lighting, landscaping, and signage. He stated that the applicant is also requesting building elevation approval for buildings 1, 2, and 4. He stated that Final Development Plan (FDP) approval for the building elevations for buildings 3 and 5 are not a part of this request.

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

Mr. Williams questioned if the color of building #3 on the proposed rendering is accurate. Mr. Juengling stated that he believes so.

Applicant: Bob Hutsenpiller
7404 Liberty One Drive
Liberty Township, Ohio

Mr. Hutsenpiller reviewed the property and the request. He stated that he has tried to work with the neighboring property owners and their concerns expressed on this request. He stated the coloring on building #1 proposes an off white building with sky blue doors. He reviewed the decorate fence and the location for the proposed fence around the property. He introduced others in attendance to speak for this request and answer possible questions the board may have.

Rob Painter
4333 Aaron Court
West Chester, Ohio

Mr. Painter stated that they will address all comments received from the Fire Department, Butler County Water and Sewer, and the Butler County Engineer's Office and reviewed the detention basin.

Darrell Sears
9392 Montgomery Road
Cincinnati, Ohio

Mr. Sears reviewed the proposed lighting for the site.

Mr. Williams questioned the color scheme and why the colors that are proposed were chosen. Mr. Sears stated that because of the location for building #1 the colors are important for clients to locate the facility.

Mr. Hahn questioned if building #1 can be seen from Cincinnati-Dayton Road. Mr. Sears stated yes.

Vince Klusty
3160 E. Kemper Road
Cincinnati, Ohio

Mr. Williams questioned why the large sign. Mr. Klusty stated that because the fence is eight feet. Mr. Klusty reviewed the proposed site locations and proposed sizes of the signs.

Mr. Williams questioned if the sign is back lit. Mr. Klusty stated that it would be back lit and led.

Mr. Williams questioned the size of the proposed letters. Mr. Klusty reviewed the sizes.

Mr. Williams questioned what would be issues if the sizes were conditioned to meet the current allowable sizes permitted. Mr. Klusty stated that there would be no sign located at the back of the property east of the railroad. Mr. Klusty stated that sign would be visible from Cincinnati-Dayton Road.

Proponents: Tom McGill
6764 Cincinnati-Dayton Road
Liberty Township, Ohio

Mr. McGill stated that he previously owned this parcel and reviewed the history of the site. He stated that the proposed use is a needed use in the area. He stated that he is in favor of this application.

**Gary Woodworth
6957 Hidden Ridge
West Chester, Ohio**

Mr. Woodworth stated that he has questions and concerns about the proposed location of the entrance into the proposed development. He stated that he also has concerns about the height of the railroad overpass and has seen trucks stuck in that location.

Mr. Hutsenpiller stated that the overpass clearance is 12'6" tunnel and should fit most vehicles, trucks, and recreational vehicles. He stated that the entrance and signage are proposed the way they are due to the right-of-way and the tunnel locations. He stated that the back of the pylon sign will be painted black.

Opponents: none

Neutral: none

Deliberations

Mr. Williams stated that the signage request is written for a reason and the height of the pylon sign is a concern.

Mr. Hupp stated that he is against the size of the pylon sign but believes that it can work. He stated that it is a high quality sign.

Mr. Hahn questioned if the sign can be lit 24 hours a day. Mr. Juengling stated that it can be on 24 hours a day.

Ms. Hendel stated that she does see that the pylon sign is needed but feels that the sign guidelines should be followed.

Mr. Hahn stated that he does not want to set a precedent with the sign but feels that this parcel shape is unique. He stated that the signs would still be hard to see.

**Mr. Hahn made a motion to approve Lakota Self-Storage FDP, 04-15-B subject to staff comments.
Mr. Hupp seconded the motion.**

Aye: Mr. Hahn, Mr. Hupp, Mr. Williams

Nay: Ms. Hendel

Mr. Rinnert re-entered the meeting.

West Chester Centre-RFDP Bella Vino, 04-15-C

Mr. Juengling presented the staff report and a PowerPoint presentation that included: aerials, history of site, site plan, proposed Revised Final Development Plan, proposed sign elevations, site views, and staff comments.

Mr. Juengling stated that the subject property is located at 6064 West Chester Road. He stated that the property is zoned C-PUD. He stated that the C-PUD District was approved for this property by the West Chester Township Board of Trustees on February 8, 2000 in conjunction with a Preliminary Development Plan that contained a 30,000 sf retail center, a 2,400 sf out-lot building with a drive-thru and a 7,500 sf

bank with a drive thru. He stated that on March 20, 2000, the West Chester Zoning Commission approved a Final Development Plan for the 30,000 sf retail center. He stated that also on March 20, 2000, under a separate approval, the Zoning Commission approved the Final Development Plan for a Great Steak and Potato restaurant with a drive-thru in the westernmost tenant space of the retail center. He stated that on October 16 2006, the West Chester Zoning Commission approved a Revised Final Development Plan for a Noble Roman restaurant in the space formerly occupied by Great Steak and Potato. He stated that on July 20, 2009 the West Chester Zoning Commission approved a Revised Final Development Plan for a restaurant called Soup Du Jour in the same westernmost tenant space. He stated that on August 20, 2012 the West Chester Zoning Commission approved a Revised Final Development Plan for Bella Vino Wine Merchant and Bar in the westernmost tenant space and the conversion of the drive-thru into an outdoor patio area.

Mr. Juengling stated that as a condition to the approval given on August 20, 2012, Building signage was permitted pursuant to Article 20 of the West Chester Township Zoning Resolution. He stated that Article 20 limits the amount of building signage to 8% of the area of the front building elevation. He stated that the applicant is requesting Revised Final Development plan approval to exceed that requirement.

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

**Applicant: Ron Wetherholt
6064 West Chester Road
West Chester, Ohio**

Mr. Wetherholt stated that they are not a traditional wine bar and they are community driven. He stated that the information in the proposed sign lets customers know what they do and that they run several fund raisers a year. He stated that he is trying to raise community awareness about Bella Vino.

Mr. Hahn questioned if the proposed sign is a metal sign bolted to the wall. Mr. Wetherholt stated yes. He stated that it would be an old world feel.

Mr. Hahn questioned if the graphics could be changed or if a new sign is needed. Mr. Wetherholt stated that a sign replacement would be required.

Proponents: none

Opponents: none

Neutral: none

Deliberations

Mr. Rinnert stated that he has concerns with the request being 44 s.f. over the permitted sign size.

Mr. Hahn questioned if the current signage meets the size standard. Mr. Juengling stated yes, and reviewed the size of the current signage.

Mr. Williams stated that he would like to promote the business but not sure about the larger size requested.

Mr. Rinnert stated that this would be setting a precedent but would like to help the business owner out.

Mr. Hahn stated that the information that would be listed on the sign could be advertised with mailers or coupons. He stated that it is not the right fit.

Mr. Hupp stated that the business is a right fit but feels the sign is not what brings customers in. He stated that the signage may be over board.

Mr. Hupp made a motion to deny West Chester Centre-RFDP Bella Vino, 04-15-C. Ms. Hendel seconded the motion.

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

Nay: none

MC03-15 White House Landominiums

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

Mr. Juengling stated that the Butler County Planning Commission recommended approval of the proposal subject to conditions.

Mr. Juengling stated that the subject property contains 7.056 acres and is located at 4940 Muhlhauser Rd. He stated that it is part of the Woodland Hill R-PUD and was originally approved by the Butler County Commissioners in May of 1982 and allowed limited commercial uses. He stated that in May of 1989, the Butler County Commissioners granted Final Development Plan approval for a restaurant on the westernmost lot in the Woodland Hills R-PUD. He stated that on August 18, 2014 the West Chester Zoning Commission granted Revised Final Development Plan approval for the placement of two freestanding signs for the White House Inn Restaurant.

Mr. Juengling stated that the applicant is requesting a Major Change to a Final Development Plan for the purposes of demolishing a commercial restaurant use and to construct 67 owner occupied attached residential units. He stated that this request is considered a Major Change to a Final Development Plan because it is a part of an approved R-PUD Development Plan and per Article 26.181 of the West Chester Zoning Resolution, the proposed change 1) Increases the density and intensity, 2) Significantly modifies the type of land use, and 3) Modifies the internal street and locations and traffic patterns.

The Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Major Change, unless additional information is deemed necessary to make an informed decision.

**Applicant: Patrick Merten
500 Wessel Drive
Fairfield, Ohio**

Mr. Merten reviewed the history of the site and reviewed the site plan. He reviewed the proposed elevations and stated that detailed building materials will be submitted at the Final Development Plan stage. He stated that the proposed development will be consistent with the Proposed Land Use Plan for that site.

Opponents: Joe Beyke
11800 Conroy Road
Cincinnati, Ohio

Mr. Beyke stated that he is an attorney representing the Lake Princeton Condominium Homeowner's Association. He reviewed the area included in the Lake Princeton area. He stated that some of the concerns addressed are high density, proximity to the property lines, time line for development, buffering, loss of green space, noise issues, and decreased property values.

Dorothy Daniel
5063 Columbia Circle
West Chester, Ohio

Ms. Daniel stated that she is on the Board of Directors of Lake Princeton and expressed their concerns including the property values, significant quality of life impact, security, unauthorized use of their facilities, pet waste and security.

Andy Celmer
5017 Columbia Circle
West Chester, Ohio

Mr. Celmer stated that the property line outline on the presentation is disingenuous. He reviewed the property line against his patio. He stated that in a proposed turnaround the headlights of cars will project into his glass door. He stated that a buffer needs to be in place on the plan and he concurs with his neighbors' concerns. He also expressed concerns for the detention plan proposed.

Julie Sisson
5014 Columbia Circle
West Chester, Ohio

Ms. Sisson expressed concerns for the detention plan for storm sewers and prior flooding in basements that she feels will be aggravated. She also agreed with the concerns from surrounding property owners.

Dan Brankamp
6900 Maple Creek Drive
Liberty Township, Ohio

Mr. Brankamp stated that he is with the Woodland Hills Condo Association and that he agrees with the stated concerns. He reviewed the site plan and reviewed the area where a creek is located. He stated that they do have concerns with storm water runoff and feels that the additional pavement will increase those issues. He stated that traffic is a concern. He stated that the high density is also a concern.

William Browning
1198 Wintercrest
Cincinnati, Ohio

Mr. Browning stated that he is with Towne Properties and they are the management company for Lake Princeton. He stated that they have concerns with loss of property values. Mr. Browning reviewed the site plan as it pertains to Lake Princeton. He stated that safety of children is also an issue.

Mr. Hahn questioned when Lake Princeton was developed. Mr. Browning stated 1982-1989.

Mr. Williams questioned when Lake Princeton was developed what was their main connecting road. Mr.

Browning stated that it has always been Muhlhauser Road.

**Dorothy Daniel
5063 Columbia Circle
West Chester, Ohio**

Ms. Daniel stated that this proposed development may cause more owner occupied units to be rental units as the property owners move out.

**Andy Celmer
5017 Columbia Circle
West Chester, Ohio**

Mr. Celmer stated that there are several zoning violations at the current White House Property and has concerns over the stewardship of the property.

Proponents: none

Neutral: none

**Joe Schwarz
5305 Bibury Road
Fairfield, Ohio**

Mr. Schwarz stated that he is a property owner of the current White House. He stated that there will be more impervious surfaces but may not be more than the current facility and parking lot. He reviewed the site plan and the drainage on the current site. He stated that the proposed facility will generate more parking but may not be more than the current facility on the weekend. He stated that the proposed buildings will be brick and they are currently surrounded by multi family.

Deliberations

Mr. Hupp questioned the original R-PUD approval and if it included the restaurant. Mr. Juengling stated that the original Woodland Hills PUD did include the restaurant. He questioned if the original approval included a density for the green space and restaurant area. Mr. Juengling stated that original density for the Woodland Hills development did not include density for the restaurant site.

Mr. Hahn questioned what the density requirements are for PUD. Mr. Juengling stated that there is not a set density requirement for a PUD.

Mr. Williams stated that there have been a lot of concerns expressed tonight. He stated that this request does meet the Proposed Land Use Plan for the site. He stated that some of the expressed concerns can be addressed at the Final Development Plan stage.

Mr. Juengling stated that to address the discussion concerning buffering and the close proximity of the existing units to the property line, the board may want to consider increasing the buffer to the west and to the north and screening the buffer. Mr. Juengling stated that the board can establish a setback.

Mr. Hupp stated that he is concerned about the historical buildings in the township being demolished and would like for the applicant to at least look into keeping this building and incorporating it in to the proposed development.

Mr. Rinnert made a motion to recommend approval for MC03-15 White House Landominiums

with the proposed conditions and adding the following condition; developer to provide adequate buffer/setback from the existing north, east, and west line. Ms. Hendel seconded the motion.

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

Nay: none

ZMA04-15 Lexie's Place

Mr. Juengling presented the staff report and a PowerPoint presentation that included: aerials, description of request, current zoning, proposed zoning, Proposed Land Use Plan, prior site history, proposed site plan, proposed Preliminary Development Plan, proposed elevations, proposed floor plans, site views, outside agency comments, and staff comments.

Mr. Juengling stated that the subject property contains 5.412 acres and is located at northwestern side of Cincinnati-Dayton Rd with its northern property line directly across from Fox Plum Dr.

Mr. Juengling stated that the applicant is requesting a Zoning Map Amendment to rezone the property to R-PUD and Preliminary Development Plan approval for the purposes of developing 12 single family lots of approximately 13,000 square feet in area and construct single family houses. He stated that the project area is to consist of 4.4679 acres and .6552 acres (13%) will be designated as Open Space. He stated that a single, cul-de-sac road at the center of the property is proposed to serve the development and it is proposed to be located approximately 200 feet south of Fox Plum Dr.

Mr. Juengling stated that the Butler County Planning Commission recommended denial of the proposal request on the basis that it does not conform to the Land Use Plan for West Chester Township and that the layout shown does not comply with the Butler County Subdivision regulations with regard to street design.

The Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Map Amendment and Preliminary Development Plan, unless additional information is deemed necessary to make an informed decision.

Mr. Williams questioned the West Chester Township Police Department comment that there are site distance issues. Mr. Juengling reviewed that comment and the site plan.

**Applicant: Joe Allen
Cincinnati, Ohio**

Mr. Allen stated that he is representing George McFarren the developer and builder. Mr. Allen stated that the Butler County Planning Commission did deny the request because they thought that the land use issues should be decided at the West Chester Township level. He stated that Butler County also would prefer that the development line up with Fox Plum Drive but they do not own the property to line the streets up. He stated that originally this property was approved for a church use with a higher traffic volume. He stated that with the product proposed this will meet the Proposed Land Use Plan.

**George McFarren
1562 Jack's Way
Cincinnati, Ohio**

Mr. McFarren stated that the proposed lot size does not meet the Proposed Land Use Plan but that the lot costs would not be affordable as estate manor lots. He stated that he will develop this area as a

community. Mr. McFarren reviewed the proposed elevations and landscaping plan. Mr. Hahn questioned the price point for the homes. Mr. McFarren stated that the homes would list from \$410,000 to \$700,000.

Mr. William stated that it looks like a very nice quality product but wishes that the density would be limited.

Proponents: Tom McGill
6764 Cincinnati-Dayton Road
Liberty Township, Ohio

Mr. McGill stated that he owns the adjoining property to the left. He stated that for the last 12-13 years it has been proposed as a church. He stated that this would be an excellent use and a nice addition. He stated that there is a site distance issue and he has requested that the Butler County Engineer's Office install hidden drive signs to slow the traffic down.

Ronald Estridge
6435 N. Windwood Drive
West Chester, Ohio

Mr. Estridge stated that he is the pastor of the church that was proposed at this site and is currently owned by the church. He stated that they originally bought this site to build a church but when they moved from the city to the suburbs they lost half of their membership and finances will not allow them to build. He stated that a traffic study was originally done and approved on this site.

Martha Bachelor
7161 Dixie Highway
Fairfield, Ohio

Ms. Bachelor stated that when the approval was granted for the church the traffic study was completed and approved and that should be taken into consideration for this request. She stated that the egress for the church is at the same location as the proposed road into this development and was approved for 100 parking spaces.

William Marsh
7419 Cincinnati-Dayton Road
West Chester, Ohio

Mr. Marsh stated that this property fits in well with the area. He stated that he is the northern property owner. He stated that the use proposed is a good fit. Mr. Marsh stated that in the last few minutes he has decided to allow Mr. McFarren to buy the property that he owns to align the proposed street onto Fox Plum Drive. He stated that safety is a concern and that aligning the two streets would be much safer.

Mr. Hupp questioned if Mr. Marsh has a septic system on his property. Mr. Marsh stated yes and he reviewed the sewer system lines that are adjoining his property. He reviewed his site plan.

Opponents: none

Neutral: Laureen Woodworth
6957 Hidden Ridge Drive
West Chester, Ohio

Ms. Woodworth stated that this request is the lesser of all evils and she is o.k. with the homes as

presented. She stated that she has concerns with the buffering along the property lines.

Bob Recchiuti
6973 Hidden Ridge Drive
West Chester, Ohio

Mr. Recchiuti stated that he has drainage concerns when there are heavy rains currently his back yard and the wooded area become a swamp. He questioned if the proposed homes will have septic sewers. Mr. Williams stated that they will have public sewers.

Mr. Allen stated that they have no objection to lining up with Fox Plum Drive and stated that is good news. He stated that they would lose one lot to realign the street but they are fine with that. He stated that the homes on both sides and behind the proposed development don't have any objection to the proposed plan. He stated that with the type of homes they are proposing he does feel that the Board can sway from the Proposed Land Use Plan for this site.

Mr. McFarren stated that it is good news that they can now realign the proposed street with Fox Plum Drive. He stated that they will now have eleven homes in the proposed development.

Mr. Williams questioned if the lots are limited to five is that feasible. Mr. McFarren stated that it would not be economically feasible. Mr. McFarren reviewed the site plan and the changes that would take place with the road realignment. He stated that he will try and preserve as many trees as possible to address some of the concerns.

Deliberations

Mr. Hahn questioned the approvals that were granted previously on this property. Mr. Juengling reviewed the Board of Zoning Appeals approval. Mr. Hahn stated that the traffic study was done and approved for the church and sees no issue with that.

Mr. Williams stated that the only issue he sees is the density issue.

Mr. Hahn stated that the Proposed Land Use Plan requires Manor residential and this is an upscale residential neighborhood.

Ms. Hendel stated that once the street realignment was proposed she feels like the request matches the surrounding residential areas.

Mr. Hupp stated that he is glad that the realignment will take place but questioned the density.

Mr. Juengling stated that one of the conditions proposed requires a stub street to the property to the north for any future development.

Mr. Rinnert stated that the concerns that he had have been addressed. He stated that he likes the design of the homes.

Mr. Williams stated that several more details will be worked out at the Final Development application stage.

Mr. Hahn made a motion to recommend approval of ZMA04-15 Lexie's Place with conditions and the inclusion of the road aligning up with Fox Plum Drive and require a revised Preliminary Development Plan within 30 days. Mr. Rinnert seconded the motion.

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

Nay: none

ZTA01-15 West Chester Trustees

Mr. Juengling presented the staff report and a PowerPoint presentation including an executive summary of the proposed changes.

Mr. Juengling stated that Union Township adopted local zoning and the zoning resolution in November of 1989 and that the Township Trustees adopted text amendments in November 1990, April 1991, January 1993, January 1994, April 1995, September 1996, November 1997, September 1999, September 2001, August 2003, July 2004, April 2005, May 2005 and September 2011. Mr. Juengling stated that on January 24, 2012 the West Chester Township Board of trustees appointed a Zoning Resolution Review Committee of eleven (11) voting members. He stated that the committee was responsible for reviewing the current zoning resolution and recommending revisions to the Board of Trustees. He stated that the Committee presented their recommendations to the Board of Trustees on October 28, 2014.

Mr. Juengling stated that the applicant is requesting approval of the recommendations of the Zoning Resolution Review Committee as modified by at least a majority of the Board of Trustees and incorporated other text amendments initiated by a majority of the Board of Trustees

Mr. Juengling stated that the Butler County Planning Commission recommended approval.

The Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Text Amendment, unless additional information is deemed necessary to make an informed decision.

Opponents: none

Proponents: none

Neutral: none

Mr. Rinnert made a motion to recommend approval of the proposed Text Amendments ZTA01-15 West Chester Township Trustees. Mr. Hupp seconded the motion.

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

Nay: none

Administrative Matters:

Communication & Miscellaneous Business

Mr. Williams stated that the next scheduled meeting would be May 18, 2015 at 6:30 p.m.

The Commission voted unanimously to adjourn at 10:00 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:


James Williams

Secretary:


Michael Juengling

**WEST CHESTER ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-8
PRINCETON CROSSING - RFDP
GOSPEL BAPTIST CHURCH**

WHEREAS, a C-PUD District and Preliminary Development Plan was approved by the Union Township Board of Trustees (Zoning Commission Case 13-94) on March 28, 1995 for land containing approximately 12.92 acres; and

WHEREAS, the purpose of the aforementioned approval was for development of a commercial office/retail development; and

WHEREAS, on April 3, 2000, an application of Princeton Crossing submitted an application requesting Final Development Plan (FDP) approval Phase 1 for lot 2 (12,000 s.f. office building); lot 3 (6,000 s.f. office building); lot 4 (6,000 s.f. office building); and lot 5 (32,400 s.f. Convenience Store); and

WHEREAS, on June 17, 2002, the West Chester Zoning Commission approved a Revised Final Development Plan for lot 1 (13,488 s.f. office building for Life Success Seminars, Inc.), and lot dimensions only for lot 2 (19,290 s.f. office building), lot 3 (19,290 s.f. office building) and lot 4 (32,400 s.f. office building); and

WHEREAS, on February 24, 2015 an application was received from David W. Berger requesting approval for a Revised Final Development Plan to change the existing "Life Success Seminars" use requirement of Lot 1 to allow for office and/or Church uses; and,

WHEREAS, said application was reviewed by the Zoning Commission at public meetings conducted on April 20, 2015.

NOW THEREFORE BE IT RESOLVED, that the West Chester Township Zoning Commission does hereby approve Final Development Plan for office and/or church uses on Lot 1, and keeping only the lot dimensions, access points and necessary utilities for lots 2-4:

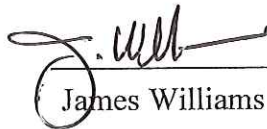
- 1) The access point located near the joint property line of Lot 1 and Lot 2 shall be permitted as a temporary full movement driveway subject to ODOT's approval of sight distance criteria. At such time that any development occur on Lots 2-7, the full movement driveway shall become a right-in/right-out only at the developer's expense. A performance bond shall continue to be held by Butler County until such time that the full movement driveway is modified to a right-in/right-out driveway.

- 2) Signage shall be allowed pursuant to Article 17 of the West Chester Township Zoning Resolution.
- 3) All conditions of the original June 17, 2001 FDP approval shall apply

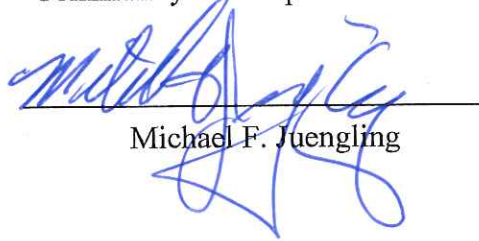
BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data approved are hereby made part of this resolution

West Chester Township, Butler County
April 20, 2015

Chairman:


James Williams

Community Development Director


Michael F. Juengling

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-9
LAKOTA SELF STORAGE
FINAL DEVELOPMENT PLAN**

WHEREAS, on February 10, 2015, the West Chester township Board of trustees approved a Zoning Map Amendment for 8.50 acres from M-1 (Light Industrial District), A-1 (Agricultural District) and R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development) with a Preliminary Development Plan that included five buildings for self-storage and office uses and an outdoor storage area.; and,

WHEREAS, on March 17, 2015, LLS, LLC. submitted an application requesting Final Development Plan (FDP) approval for the Site plan, outside storage area, signage, fencing, lighting, and only building elevations for 1, 2 and 4 of the previously approve Preliminary Development Plan (PDP).

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 consistent with the submitted FDP and associated drawings with the following conditions:

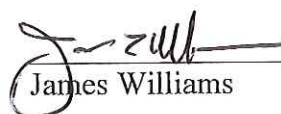
1. All uses are limited to storage and office uses.
2. Buildings 1, 2 and 3 shall be permitted for self-storage uses; the open parking lot area south and west of Building 1 shall be permitted outdoor storage for vehicles, motorhomes, boats, campers and the similar; Buildings 4 and 5 shall be permitted for general office uses.
3. The main access drive on Cincinnati-Dayton Road shall be designed according to BCEO. All required roadway improvements shall be illustrated accordingly on the Final Development Plan.
4. Prior to receiving a Final Zoning Certificate, a detailed grading and drainage plan shall be submitted which shall locate the necessary stormwater facilities on-site and comply with all county requirements. If the required stormwater facilities cannot be accommodated on-site, the overall use shall be reduced accordingly.
5. At a minimum, all highly visible elevations shall contain brick and stone.
6. All fencing shall be decorative fencing as shown on the Final Development Plan and shall be installed prior to the issuance of a final zoning certificate. All fencing or gates shall be equipped with a Knox Box for emergency ingress.
7. The landscaping approved on the FDP is to be installed at each building as they are built. The screening provided along the perimeter of the property is to be installed with the establishment of the outdoor storage area. All appropriate landscaping is to be installed prior to receiving a Final Zoning Certificate for the corresponding structure or storage facility. All major landscaping areas shall be irrigated with a permanently installed system. All landscaping shall be maintained in good condition.

8. Light shall be installed per the approved FDP and demonstrate 0.0 foot-candles at the property line prior to the issuance of a Final Zoning Certificate.
9. The appropriate right-of-way dedication on Cincinnati-Dayton Road, if necessary, as required by the Butler County Thoroughfare Plan, or as otherwise required by the BCEO. The right-of-way shall be dedicated prior to the issuance of any Zoning Permit.
10. Calculations are to be submitted to confirm that the existing off-site detention basin has adequate capacity, Building 3 will not be permitted to be constructed over the existing storm drain pipe, Grading will need to ensure that water is able to get into the existing storm drain catch basins and not out onto Cincinnati-Dayton Road, and all other improvements required by Butler County Engineers Office pertaining to storm drainage are to be made prior to the issuance of a Zoning Permit.
11. Any requirements that the Butler County Engineers Office and the Butler County Water & Sewer department have regarding the location and design of the RV Dump Station are to be met and become a part of the Final development Plan.
12. All requirements of the Butler County Water & Sewer department are to be met prior to the issuance of a Final Zoning Certificate.
13. The access drives, turning radii and fire hydrant locations shall be subject to approval by the West Chester Fire Department and reflected appropriately on the Final Development Plan. Additionally, the parking lot layout shall be coordinated with the West Chester Fire Department, BCEO and West Chester Community Development Department to ensure there is good circulation and access to all buildings.
14. The appropriate cross-access easements are to be recorded and evidence of same submitted at the time the Zoning Permit is issued.
15. Signs are to conform to those approved as a part of the FDP.
16. A revised Final Development Plan is to be submitted within 30 days of this resolution addressing each of the conditions of approval.

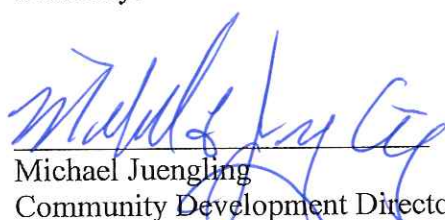
BE IT FURTHER RESOLVED that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval as modified by this resolution. This action shall take effect this 20th day of April 2015.

West Chester Township
Butler County

Chairman:


James Williams

Secretary:


Michael Juengling
Community Development Director

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-10
WEST CHESTER CENTRE – BELLA VINO SIGN, RFDP**

WHEREAS, an C-PUD District was approved by the West Chester Township Board of Trustees on February 8, 2000 in conjunction with a Preliminary Development Plan that contained a 30,000 square foot retail shopping center (being constructed at the time of rezoning), a 2,400 square foot outlot building with a drive-thru and a 7,500 square foot single-story bank with a drive-thru; and

WHEREAS, on March 20, 2000, the West Chester Zoning Commission approved a Final Development Plan for a 30,000 s.f. retail center that was originally permitted under the previous zoning district and was existing at the time of FDP approval; and

WHEREAS, on March 20, 2000, the West Chester Zoning Commission approved a separate Final Development Plan for a Great Steak & Potato restaurant with a drive-thru in the westernmost tenant space in the retail center; and

WHEREAS, on October 16, 2006, the West Chester Zoning Commission approved a Revised Final Development Plan for a Noble Roman's restaurant in the westernmost tenant space in the retail center, which did not utilize the drive-thru; and

WHEREAS, on July 20, 2009, the West Chester Zoning Commission approved a Revised Final Development Plan for a gourmet soup, salad and sandwich café called Soup Du Jour in the westernmost tenant space in the retail center; and

WHEREAS, on September 17, 2012, the West Chester Township Zoning Commission granted Revised Final Development Plan approval for Bella Vino Wine Merchant and Bar in the westernmost tenant space for the conversion of the existing drive-thru into an outdoor patio area; and

WHEREAS, on March 17, 2015, Ron Wetherholt on behalf of Bella Vino submitted an application for Revised Final Development Plan approval for Bella Vino Wine Merchant and Bar in the westernmost tenant space for the mounting of an additional sign; and

WHEREAS, on April 20, 2015, the West Chester Township Zoning Commission conducted a public meeting for said Revised Final Development Plan.

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Zoning Commission does hereby deny said Revised Final Development Plan

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this denial as modified by this resolution. This action shall take effect this 20th day of April 2015.


West Chester Township
Butler County

Chairman:



James Williams

Secretary:



Michael F. Juengling
Community Development Director

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-11
WOODLAND HILLS-MAJOR CHANGE TO AN R-PUD PLAN**

WHEREAS, an R-PUD District was approved by the Butler County Commissioners in May 1982, which was called Woodland Hills and allowed limited commercial uses; and,

WHEREAS, in May 1989, the Butler County Commissioners granted Final Development Plan approval for a restaurant on the westernmost lot in the Woodland Hills R-PUD; and,

WHEREAS, on November 19, 2007, the West Chester Zoning Commission approved a Revised Final Development Plan for additional freestanding signage; and,

WHEREAS, on August 18, 2014, The West Chester Township Zoning Commission approved a Revised Final Development Plan for additional freestanding signage; and,

WHEREAS, on March 17, 2015, Muhlhauser White House LLC submitted an application requesting a Major Change to an R-PUD for the purpose of demolishing a commercial restaurant and to construct 67 owner occupied attached residential units;

WHEREAS, on April 14, 2015, the Butler County planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions.

WHEREAS, on April 20, 2015, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Zoning Commission does hereby recommend approval of said Major Change consistent with the submitted Preliminary Development Plan with the following conditions:

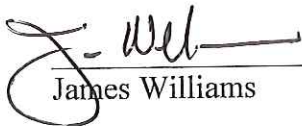
1. Per the Preliminary Development Plan (PDP) the units are to be platted as "landominiums" and sold separately as fee simple title lots.
2. All buildings are to be a minimum of 50% Brick/masonry on each elevation.
3. A system of interior pedestrian paths is to be included on the Final Development Plan, as well as a pedestrian path along the Muhlhauser Rd. frontage.
4. All requirements of the Butler County Water & Sewer Department are to be met on the Final Development Plan.
5. All requirements of the Butler County Engineers Office pertaining to storm drainage, and access management are to be met on the Final development Plan.
6. A Homeowners Association is to be established to maintain the open space, private drives, drainage easements, and any other common area. All documents regarding the homeowners association are to be included and submitted with the Final Development Plan.
7. Developer to provide adequate buffering along the north, and west boundary line at the Final Development Plan stage.

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 20th day of April 2015.

West Chester Township
Butler County

Chairman:

Secretary:


James Williams


Michael F. Juengling
Community Development Director

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-12
LEXIES PLACE
ZONING MAP AMENDMENT & PRELIMINARY DEVELOPMENT PLAN**

WHEREAS, on March 17, 2015, George McFarren submitted an application requesting a Zoning Map Amendment for 5.412 acres from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development) with a Preliminary Development Plan in order to develop 12 single-family lots; and,

WHEREAS, on April 14, 2015, the Butler County Planning Commission conducted a public hearing and recommended denial of the proposed zone change from A-1 to R-PUD for the Lexie's Place residential development, on the basis that the proposed use does not conform to the Land Use Plan for West Chester Township and that the layout shown does not comply with the Butler County Subdivision regulations with regard to street design; and,

WHEREAS, on April 20, 2015, the West Chester Township Zoning Commission conducted a public meeting for said Zoning Map Amendment and Preliminary Development Plan.

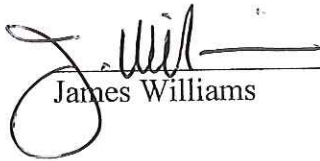
NOW THEREFORE BE IT RESOLVED, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby recommend approval of the aforesaid application consistent with the submitted site plan with the following conditions:

1. All Butler County Access Management Regulations are to be met, including the alignment of the new road with existing Fox Plum Drive. A traffic analysis is to be performed and all recommended improvements are to be included on the Final Development Plan. All Butler County site distance requirements are to be met.
2. A homeowners association is to be established to maintain the open space, drainage easements and any other common areas. All documents regarding the homeowners association are to be included and submitted with the Final development Plan.
3. The home are to be built per the submitted plans and contain a minimum of 50% brick/masonry on each elevation.
4. A landscaping plan is to be included with the Final Development Plan.
5. Sidewalk are to be provided within the development as well as a pedestrian path along the Cincinnati-Dayton Road frontage.
6. All requirement of the Butler County Water & Sewer Department pertaining to water and sanitary sewers are to be met at the Final Development Plan stage.
7. All requirements of the Butler County Engineers Office pertaining to storm drainage are to be met at the Final development Plan stage.
8. A revised Preliminary Development Plan is to be submitted within 30 days that aligns the development's road with Fox Plum Dr. and provides a stubbed street to the property to the north for future development.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval as modified by this resolution. This action shall take effect this 20th day of April 2015.

West Chester Township
Butler County

Chairman:


James Williams

Secretary:


Michael Juengling
Community Development Director

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 15-13
ZONING TEXT AMENDMENTS**

WHEREAS, on March 10, 2015, the West Chester Township Trustees approved Resolution No. 07-15 initiating various text amendments to the West Chester Zoning Resolution recommended by the Zoning Resolution Review Committee along with modifications approved by at least a majority of the Board of Trustees and other text amendments initiated by a majority of the Board of Trustees; and

WHEREAS, said text amendments were certified to the Butler County Planning Commission, as required by law, for a recommendation to the West Chester Township Zoning Commission; and

WHEREAS, on April 14, 2015, the Butler County Planning Commission conducted a public hearing and recommended approval of the proposed text amendments to the West Chester Zoning Resolution with the comment that Section 10.183(b) should ensure that if a concrete curb is used adequate openings in the curb be provided to allow for storm water runoff into the landscaped area; and

WHEREAS, said text amendment was submitted to the Zoning Commission for a recommendation to the West Chester Board of Trustees; and

WHEREAS, on April 20, 2015, the West Chester Zoning Commission conducted a public hearing for the aforesaid text amendments to the West Chester Zoning Resolution; and


WHEREAS, said text amendments were reviewed by the Zoning Commission with respect to their effect and impact on land use in the township; and

NOW THEREFORE BE IT RESOLVED, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby recommend approval of said text amendments to the West Chester Zoning Resolution (known as Case ZTA 01-15) for the aforesaid application as presented.

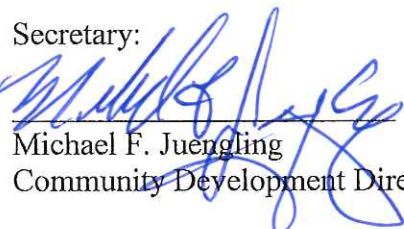
BE IT FURTHER RESOLVED, that the submitted text amendments, application, and other data submitted are hereby incorporated in this approval. This action shall take effect this 20th day of April, 2015.

West Chester Township
Butler County

Chairman:


James Williams

Secretary:


Michael F. Juengling
Community Development Director