

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
June 21, 2021**

MEMBERS PRESENT: Jim Hahn, Doug Rinnert, Mark Murphy, Richard Grow

MEMBERS ABSENT: Jim Williams, Larry Whited (alternate not seated)

STAFF PRESENT: Timothy Dawson, Township Planner
Beverly Worley, Administrative Assistant
Charles Galvin, 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. A quorum was established.

Mr. Murphy made a motion to approve May 17, 2021 minutes, seconded by Mr. Rinnert. Mr. Dawson called the roll. Motion carried 4-0.

Mr. Hahn made a motion to approve FDP 05-21-A Princeton Crossing; Al Joe's and Resolution 21-5; Motion carried 4-0.

Mr. Hahn made a motion to approve Mc03-21 BC TID at Liberty Way, Phase 3; Thornton's Fuel Station and Resolution 21-6; Motion carried 4-0.

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

ZMA04-21 Ackerman / Smith Property

The applicant is Robert Ackerman. The applicant is requesting approval for a Zoning Map Amendment from A-1 (Agricultural District) to R-1A (Suburban Residence District) located at 7571 Cincinnati Dayton Road on 5.26 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 recommend approval, approve with modifications, or deny the submitted Zoning Map Amendment unless additional information is deemed necessary to make an informed decision.

Mr. Hahn asked if Butler Country Engineering Office (BCEO) would require a curb cut on a single-family residence.

Mr. Dawson stated any grading, clearing, driveway access would be permitted by the BECO. He also added that the next step would be a zoning certificate / permit to build the home; driveway access would be involved in this stage.

Applicant **Not Present**

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

All Board Members were in agreement for the project.

Mr. Murphy made a motion to approve Case # – ZMA 04-21 Ackerman / Smith Property; based on staff and other agencies comments and recommendations. Mr. Grow seconded the motion.

Aye: Mr. Grow, Mr. Hahn, Mr. Murphy, Mr. Rinnert

Nay:

Motion carried 4-0

RFDP 06-21-A Keefe Property; Tract 3, The Towns of Wetherington

The applicant is Chester Residential LLC. The applicant is requesting a Revised Final Development Plan approval for 70 multi-family units on 5.7 acres located on Foster Lane.

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

Applicant **John Delverne**
 Bayer Becker

Mr. Delverne gave a PP presentation of the differences between the original PDP vs. the current RFDP. Highlights: this is a less dense plan, 70 units vs 104 units previously, these are owner occupied on its own platted lot, and exterior maintenance will be performed by the property owner's association. Please listen to video of meeting for complete lists of differences.

Applicant **Jenna Maxwell**
 Fisher Homes

Ms. Maxwell spoke about the change in elevations.

Proponents **James Bell**
 7043 Harbour Town Dr.

Mr. Bell is an adjacent property owner to the proposed project. He stated this property is going to be developed at some point and that this project takes into consideration the adjacent property owners.

Opponents **None**

Neutral **None**

Deliberations

Mr. Hahn asked Mr. Dawson if he was happy with the western side of the landscape plan.

Mr. Dawson said yes. He was initially concerned about transplanting to meet the drainage requirements but engineering wise it appears it will be vaulted.

All Board Members were in agreement that this is a good project and fits well in this area.

Mr. Murphy made a motion to approve Case # – RFDP 06-21-A Keefe Property; Tract 3, The Towns of Wetherington based on staff and other agencies comments and recommendations. Mr. Rinnert second the motion.

Aye: Mr. Grow, Mr. Hahn, Mr. Murphy, Mr. Rinnert

Nay:

Motion carried 4-0

ZMA05-21 Jefferey J. Honerlaw Property; Southview

The applicant is M/I Homes of Cincinnati. The applicant is requesting approval for a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development) and a Preliminary Development Plan for 85 single-family lots on 39.2 acres located at 9434 McCauley 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 / Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

No questions from the Board.

Mr. Hahn gave a brief summary of how the Zoning Commission process works. This Board only makes recommendations to the Board of Trustees. Board of Trustees make the final decision.

Applicant **Brad Austing**
 M/I Homes

Mr. Austing gave a PP presentation on the project which included styles of homes and price points. He stated this is a follow-up to Westview in 2018.

Mr. Hahn asked for clarification on which trees/tree lines will be preserved.

Mr. Austing pointed it out on the PP presentation.

Proponents **None**

Opponents **Greg Eling**
 8189 Brownstone Dr.

Mr. Eling shared his concerns regarding Stone Drive becoming a through street. He stated that he and several others did not receive notification about this project.

Nicole Sheanon
8182 Brownstone Dr.

Mrs. Sheanon shared her concerns regarding foot traffic and the water area that will not be fenced in.

Colin Jeffries
9554 Brownstone Dr.

Mr. Jeffries stated his concern regarding the traffic study. During COVID, most people were working from home. He also stated he did not receive notification about the meeting.

Dana Siewertsen
8324 Brownstone Dr.

Ms. Siewertsen stated she is also concerned regarding traffic and she also did not receive notification regarding the meeting.

Tom Pernik
9786 Bennington Dr.

Mr. Pernik stated he was at the ZC Meeting 3 years ago when the previous case was heard. I am in favor of the development however please be sure to have the right data for the traffic study when people are back to work.

Mr. Dawson stated the traffic study is not based on actual traffic; it is analyzed on trip generation models.

Mark Meyer
9506 McCauley Rd.

Mr. Meyer shared his concerns regarding the water tables and swells and the flooding that currently takes place in that area.

Brad Austing, applicant, returned to the podium.

Mr. Austing stated we do have a civil engineer, Jim Watson, here to answer any storm water questions. Mr. Austing confirmed that BCEO is aware of the traffic along West Chester at McCauley and at Dimmick. The whole area will be taken into account. He stated he believed the ORC requirements for mailings is 200' from the property site.

Mr. Dawson interjected that the township does do its own public notice based on the ORC 200' requirement.

Mr. Austing clarified that the cul-de-sac at Stone Drive; that was determined by the BCEO.

Mr. Hahn asked if there was going to be a retention or a detention pond.

Mr. Austing stated it will be wet.

Mr. Hahn asked about fencing around the retention.

Mr. Dawson stated there are no zoning requirements for ponds.

Mr. Austing stated the TIS should be completed at the time of FDP approval.

Applicant **Jim Watson**
MSP

He stated the traffic study was done by their consultant and the BCEO in April 2021 and had been adjusted by 5.26% factor. The traffic impact is measured 20 years from now for safety purposes. The consultant and the BCEO are working together to deem a solution.

Mr. Eling returned to the podium and stated he wanted the subdivision; just asking for reasonable accommodations.

Neutral **None**

Deliberations

Mr. Murphy shared his experience with M/I Homes where he lives. He stated they did a good job. He thinks it will be nice for neighborhood.

Mr. Grow re-iterated that the Board is only approving or disapproving the recommendation for zoning change.

Mr. Rinnert agreed with Mr. Grow. He stated that M/I Homes is a good company and we that they would cover the concerns at the FDP stage.

Mr. Hahn shared his thoughts on wide roads, neighborhood traffic speed, and the flooding issue.

Jim Watson, Civil Engineer was asked to return to the podium for further explanation of the flooding issue.

Mr. Hahn asked that once this is developed and established, will this help with the flooding issues.

Mr. Watson stated the objective of the pond will control the run-off as to why the size. There are two other locations for a dry basin to help control the run-off.

Mr. Hahn asked if there are any more questions/comments.

Mr. Dawson interjected that if anyone not within 200' of the property site, they can add their name/address to the list located at the back of the room.

Mr. Grow made a motion to approve Case # – ZMA 05-21 Jefferey J. Honerlaw Property; Southview based on staff and other agencies comments and recommendations. Mr. Rinnert seconded the motion.

Aye: Mr. Grow, Mr. Hahn, Mr. Murphy, Mr. Rinnert

Nay:

Motion carried 4-0

FDP 06-21-B Keefe Property; Tract 2, The Learning Experience

The applicant is Chester Residential LLC. The applicant is requesting a Final Development Plan approval for a single-story, 9,816 s.f. daycare center on 0.9 acres located of Lot 6 on Foster Lane.

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

Mr. Murphy asked for clarification on the pedestrian facilities.

Mr. Dawson explained the last minute change to the pedestrian facilities that he requested.

Applicant **John Delverne**
 Bayer Becker

Mr. Delverne stated he had prepared a presentation however Mr. Dawson hit on every one of them. He asked if there were any questions.

No questions from the Board for the applicant.

Proponents **None**

Opponents **None**

Neutral **Nick McElroy**
 GE Credit Union

He stated his concern is the parking allowance and how it should be shared. The applicant stated it is “no staging”. It is his understanding there is a CC&R in place – each parcel / lot has to be able to support its local governing body independently of one another.

Mr. Hahn asked Mr. Dawson for an explanation of this agreement.

Mr. Dawson stated the developer has a declaration which establishes a property owner association. Any agreements on shared parking would be outlined on that. It is a private / civil agreement which adds restrictions to the zoning requirements. Zoning asks the developer to meet parking requirements. Zoning Commission has flexibility within the PUD to have shared spaces. Each outlet of each development will be evaluated by a parking matrix.

Mr. Dawson stated that through the zoning aspect, the applicant is meeting our requirements.

Further discussion was held between the Board, Mr. Elroy, and Mr. Dawson.

Mr. Hahn asked if the applicant has the required parking.

Mr. Dawson stated they do not.

Deliberations

There was discussion on how the drop-offs and pick-ups took place.

Mr. Mike Sundermeyer, Architect. Based on Ohio Law Licensing Requirements, 164 children max. 19 teacher staff required, 2 administrative staff.

Mr. Hahn stated 57 spaces; 21 full-time consumed by staff. Mr. Hahn asked for counsel's viewpoint.

Mr. Galvin stated that the agreement would need to be enforced by the property owner and developer.

Mr. Dawson suggested that GE Credit Union could possibly add signage to state GE Credit Union parking only on the south side.

Mr. McElroy came back to the podium. He stated he's not opposed to the shared parking arrangement. He wanted the Board to be aware that the covenant is in place that currently states that each parcel has to independently support their parking needs of the local requirements. They applied for this design based on shared parking therefore not meeting the required parking spaces.

Mr. Murphy asked how is the Board to make a decision based on what Mr. McElroy has stated.

Mr. Galvin explained that the covenant is between the property owners within the development. The Township is not the enforcer.

Mr. Dawson stated that being in a PUD, the Board can consider that; it gives you flexibility. The Board is considering their proposal which is they can meet the parking requirements by picking up the shared parking and off-site parking.

Mr. Galvin repeated the Board has the flexibility because it's a PUD. It doesn't follow the strict guidelines as straight zoning would. He stated if the Board felt the parking is inefficient, then they should deny the case or modify with what they would agree to be efficient. The Board is not bound by the covenant; it is strictly between the owners of the covenant.

Mr. Dawson suggested they look at this like it was a residential HOA except this is commercial.

Mr. Murphy asked how many parking spaces GE Credit Union had.

Mr. Dawson stated GE Credit Union required 21 and they provided 34.

Mr. Rinnert did not have a concern with the project.

Mr. Murphy stated it's a good project however he is concerned about the parking.

Mr. Grow agreed with legal counsel.

Mr. Hahn stated that with this being a PUD, the Board has the flexibility to allow the project as is.

Mr. Rinnert made a motion to approve Case # - FDP 06-21-B Keefe Property; Tract 2, The Learning Experience based on staff and other agencies comments and recommendations. Mr. Murphy second the motion.

Aye: Mr. Grow, Mr. Hahn, Mr. Murphy, Mr. Rinnert

Nay:

Motion carried 4-0

Administrative Business:

The next ZC meeting is Monday, July 19 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 8:22 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:



James Hahn

Secretary:



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 21-7
ZONING MAP AMENDMENT -
ACKERMAN & SMITH PROPERTIES, 7571 & 7535 CINCINNAT-DAYTON ROAD
(PARCELS # Parcels M5610025000066, M5610025000021, & M5610025000022) -
ZMA 04-21 (A-1 to R-1A)**

WHEREAS, on May 17, 2021, Robert Ackerman submitted an application requesting a Zoning Map Amendment from A-1 (Agricultural District) to R-1A (Suburban Residence District) on approximately 5.26 acres; and,

WHEREAS, on June 8, 2021, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on June 21, 2021 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 recommend approval of the aforesaid application.

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 21st day of June, 2021.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 21-8**

KEEFE; TRACT 3, THE TOWNS OF WETHERINGTON - RFDP (06-21-A)

WHEREAS, on March 9, 2004, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan for Tracts 1, 2, and 3 (16-2004), which established the permitted uses, access points to the site, and the extension of Tylers Place Boulevard to Hamilton-Mason Road (now Liberty Way) on approximately 47.82 acres.; and,

WHEREAS, on February 9, 2016, the West Chester Township Board of Trustees approved a Zoning Map Amendment from C-PUD (Commercial Planned Unit Development District) to SP-PUD (Special Purpose Planned Unit Development District) and Preliminary Development Plan for Tracts 2 and 3 (04-2016) for a mixed-use development of retail, restaurant, office, and residential land uses, to include 150,395 square feet of commercial use and 104 multi-family units on 18.15 acres; and,

WHEREAS, on October 17, 2016, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 1 on Tracts 2 and 3 (16-18) for construction of the site, to include site grading, utilities, a stormwater retention area, Taylor Street, Private Street A, and Private Street B and the construction of sidewalks, street lighting, and landscaping along Taylor Street Private Street A, and Private Street B; and,

WHEREAS, on June 19, 2017, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 2 on Tracts 2 and 3 (17-12) for construction of the site, to include further site grading and utilities, a privacy fence, and initial landscaping within the landscape buffers along the south and west property lines; construction of Taylor Street, Private Street A, and Private Street B and the sidewalks; construction of street lighting and landscaping along Taylor Street, Private Street A, and Private Street B; and construction of sidewalks, fencing, and landscaping, along Liberty Way/ Hamilton-Mason Road; and,

WHEREAS, on April 16, 2018, the West Chester Township Zoning Commission approved a Final Development Plan for a four-story, 87,352 square foot residential building with a partial sub-surface parking garage, consisting of fifty-five (55) multi-family residential units (apartments) and initial work throughout the remaining site for future Phases 2 and 3, to include site grading and utilities and installation of the landscaping within the landscape buffers along the south and

west property lines and along Foster Lane (previously known as Taylor Street), Private Streets C and D, and along the Liberty Way/ Hamilton-Mason Road frontage on approximately 5.7 acres; and,

WHEREAS, on May 17, 2021, Chester Residential, LLC., submitted an application for a Revised Final Development Plan for twelve (12) buildings, consisting of seventy (70) multi-family units (landminums) and common space areas on 5.7 acres (12.3 units/ acre); and,

WHEREAS, on June 21, 2021, 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 adopt and affirm this Resolution and the following conditions, in issuing its approval of the aforesaid case.

- 1.) All site civil engineering plans shall be coordinated with the Butler County Engineer's Office (BCEO) and shall meet all requirements prior to the issuance of a zoning certificate.
- 2.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department and shall meet all requirements prior to the issuance of a zoning certificate.
- 3.) The applicant shall coordinate with the West Chester Township Fire Department at the permitting stage in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane requirements; and all other applicable building and fire codes, to specifically include the following:
 - a) Final decision on the street names;
 - b) Streets constructed at 20-26 feet in width (curb to curb) will be required to be posted "No Parking - Fire Lane";
 - c) Streets constructed at 26-32 feet in width (curb to curb) will be required to be posted "No Parking - Fire Lane" along the fire hydrant side of the street; and
 - d) Detailed architectural plans will be required for review at the permitting stage in order to determine whether the buildings will require sprinkler systems.

- 4.) Building setbacks shall be approved as illustrated on the FDP and the additional plan set provided.
- 5.) Architectural plans, including all four (4) building wall elevations and floor plans shall be provided at the permitting stage, which shall be clearly labeled as to the model type on the plans.
- 6.) All buildings shall be consistent with the building elevations that were provided, including Buildings #1, 2, 6, and 10, which were labeled as “high impact walls – 100% masonry materials” on Sheet C3.0 of the FDP.
- 7.) The Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for “The Oaks of Wetherington” subdivision, as designated for the subject site(Exhibit B), shall be recorded prior to any final zoning inspection with the following:
 - a) A subsection shall be added within Section XII (12) of the draft DCCRRE to include a public use easement along the portion of the sidewalk located on private property along Foster Lane.
- 8.) The home owners' association (HOA) shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping surrounding the base of the ground sign located at the site entryway shall be irrigated with a permanent system prior to a final zoning inspection.
- 9.) One (1) subdivision entryway, monument sign shall be permitted as illustrated on the FDP and subject to the West Chester Township Zoning Resolution, Article 10.15 in regard to traffic visibility.
- 10.) The ground sign shall only be permitted to be externally-illuminated by LED lighting at a maximum of a 4,000 level on the kelvin color scale.
- 11.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.
- 12.) WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD staff.

13.) The temporary construction access and vehicle staging area shall be coordinated with the BCEO and WCT prior to the issuance of a zoning certificate, 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 approval. This action shall take effect this 21st day of June 2021.

West Chester Township
Butler County

Chairman:

Secretary:



James Hahn

Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 21-9
JEFFEREY HONERLAW PROPERTY; SOUTHVIEW
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN -
ZMA 05-21 (R-1A to R-PUD)**

WHEREAS, on May 17, 2021, M/I Homes of Cincinnati, LLC. submitted an application requesting a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for eighty-five (85) single-family residential lots and five (5) open space lots on approximately 39.2 acres (2.16 units/ acre); and,

WHEREAS, on June 8, 2021, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on June 21, 2021, 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.) In regard to the Traffic Impact Study, all Butler County Engineer's Office (BCEO) and West Chester Township (WCT) requirements shall be met and illustrated on the Final Development Plan (FDP).
- 2.) All access ways and internal, public roads, and pedestrian facilities shall be coordinated and constructed as required by the BCEO and WCT standards for public roads. Additionally, parking shall be prohibited on all public roadways during snow events.
- 3.) The draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which also establishes the home owners' association (HOA), for the Southview residential subdivision shall include a subsection to include the restriction, "No parking along the public roadways during snow events," as stated above in Condition #2.
- 4.) A preliminary drainage report, pursuant to the Butler County Subdivision Regulations, Section 4.07, shall be provided to the BCEO and approved prior to the FDP stage.

- 5.) Detailed site civil engineering plans, including grading plans and stormwater drainage plans and calculations shall be coordinated with the BCEO at the FDP stage, to include the following:
 - a) Ditch and berm improvements along McCauly Road;
 - b) Abandonment of culvert(s) along McCauly Road;
 - c) The outlet flowrate of proposed retention pond located along McCauly Road;
 - d) A drainage swale beginning on the west side of Stone Drive and flowing west along the south property line into the retention pond; and
 - e) A storm pipe connection on the east side of Stone Drive, running to the existing storm pipe on the adjacent property, which would also require a construction easement.

- 6.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) at the FDP stage.

- 7.) The applicant shall coordinate with the Butler County Water and Soil Conservation District at the FDP stage in regard to the abandonment of any existing septic tanks and/ or private water wells; a high water table note will be required to be added to the final plat to ensure the developer takes special precautions to ensure any basements remain dry; and the high water table note required on the record, subdivision plat and the requirements for the area designated as "Wetland 1" on the PDP.

- 8.) The applicant shall coordinate with the West Chester Township Fire Department (WCTFD) at the permitting stage in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane requirements; and all other applicable building and fire codes, to specifically include the following:
 - a) All structures will need to be within four-hundred (400) feet of a fire hydrant;
 - b) Final decision on the street names;
 - c) Streets constructed at 20-26 feet in width (curb to curb) will be required to be posted "No Parking - Fire Lane"; and
 - d) Streets constructed at 26-32 feet in width (curb to curb) will be required to be posted "No Parking - Fire Lane" along the fire hydrant side of the street.

- 9.) All postal, cluster box locations shall be coordinated with the U.S. Postal Service and locations and details shall be provided at the FDP stage.

- 10.) Building setbacks shall be approved as labeled in the site data table on the Preliminary Development Plan (PDP), Sheet #1.
- 11.) Detailed floor plans and building elevations shall be provided at the FDP stage. All building walls shall contain a minimum of 50% masonry building materials (brick, stone, cultured stone, hardi-panel, etc.).
- 12.) Street light locations and light fixture details shall be provided at the FDP stage.
- 13.) A detailed landscaping plan shall be provided at the FDP stage, which consists of adequate landscape screening of any building rear wall that is highly visible from the McCauly Road public right-of-way; open space lots; street trees; dwelling perimeter landscaping details; and subdivision monument sign perimeter landscaping details.
- 14.) All open space lots shall be designated as such on the record, subdivision plat.
- 15.) Any subdivision identification, monument sign locations shall be illustrated on the FDP. All signage details, including illumination, shall be provided at the FDP stage.
- 16.) A draft DCCRRE, which also establishes the home owners' association (HOA), for the Southview residential subdivision shall be provided to the WCTCDD for review at the FDP stage. The DCCRRE shall include the Westview record, subdivision plat as a supplemental exhibit to the DCCRRE. A copy of the recorded DCCRRE shall then be provided to the WCTCDD for the case file records prior to the issuance of zoning certificate.
- 17.) The property owner and/ or the HOA 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.
- 18.) 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 21st day of June, 2021.


West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 21-10
KEEFE; TRACT 2; LOT 6, THE LEARNING EXPERIENCE - FDP (06-21-B)**

WHEREAS, on March 9, 2004, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan for Tracts 1, 2, and 3 (16-2004), which established the permitted uses, access points to the site, and the extension of Tylers Place Boulevard to Hamilton-Mason Road (now Liberty Way) on approximately 47.82 acres.; and,

WHEREAS, on February 9, 2016, the West Chester Township Board of Trustees approved a Zoning Map Amendment from C-PUD (Commercial Planned Unit Development District) to SP-PUD (Special Purpose Planned Unit Development District) and Preliminary Development Plan for Tracts 2 and 3 (04-2016) for a mixed-use development of retail, restaurant, office, and residential land uses, to include 150,395 square feet of commercial use and 104 multi-family units on 18.15 acres; and,

WHEREAS, on October 17, 2016, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 1 on Tracts 2 and 3 (16-18) for construction of the site, to include site grading, utilities, a stormwater retention area, Taylor Street, Private Street A, and Private Street B and the construction of sidewalks, street lighting, and landscaping along Taylor Street Private Street A, and Private Street B; and,

WHEREAS, on June 19, 2017, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 2 on Tracts 2 and 3 (17-12) for construction of the site, to include further site grading and utilities, a privacy fence, and initial landscaping within the landscape buffers along the south and west property lines; construction of Taylor Street, Private Street A, and Private Street B and the sidewalks; construction of street lighting and landscaping along Taylor Street, Private Street A, and Private Street B; and construction of sidewalks, fencing, and landscaping, along Liberty Way/ Hamilton-Mason Road; and,

WHEREAS, on August 19, 2019, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 8 (19-12) for a two-story, 30,650 square foot Planet Fitness on approximately 2.99 acres; and,

WHEREAS, on December 16, 2019, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 5 (19-22) for a 4,176 square foot GE Credit Union with a drive-thru on approximately .99 acres; and,

WHEREAS, on May 17, 2021, Chester Retail, LLC., submitted an application for a Final Development Plan for a single-story, 9,816 square foot daycare; and,

WHEREAS, on June 21, 2021, 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 adopt and affirm this Resolution and the following conditions, in issuing its approval of the aforesaid case.

- 1.) Revisions to the Final Development Plan (FDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff for approval within thirty (30) days with the following included:
 - a) Sidewalk and cross-walk connections that are coordinated with Lot 5 sidewalk layout;
 - b) Landscaping plan illustrating revised sidewalk locations; and
 - c) A dumpster enclosure detail, which shall meet the West Chester Township Zoning Resolution (WCTZR), Article 20.043 and the building materials matching the principle building materials.
- 2.) All site civil engineering plans shall be coordinated with the Butler County Engineer's Office (BCEO) and shall meet all requirements prior to the issuance of a zoning certificate.
- 3.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department and meet all requirements prior to the issuance of a zoning certificate.
- 4.) The applicant shall coordinate with the West Chester Township Fire Department at the permitting stage in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane requirements; and all other applicable building and fire codes, to specifically include the following:
 - a) Verification that drive aisles meet turning radius requirements; and
 - b) Drive aisle located in front of the building shall be posted "No Parking – Fire lane."

- 5.) Building setbacks shall be approved as illustrated on the FDP and the additional plan set provided.
- 6.) The Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for the Oaks at Wetherington shall include the record plat and the approved site plan as exhibits to the DCCRRE and shall be recorded prior to the final zoning inspection. A copy of the final, recorded DCCRRE shall then be provided to the WCTCDD for the case file records.
- 7.) The property owners' association (HOA) shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping located along the perimeter of the site shall be irrigated with a permanent system prior to a final zoning inspection.
- 8.) Rooftop mechanicals shall be screened by parapet walls.
- 9.) Two (2) building sign shall be permitted as illustrated on the FDP and subject to the West Chester Township Zoning Resolution (WCTZR), Article 20.
- 10.) Building light fixtures shall not project upward illumination onto the building.
- 11.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.
- 12.) WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD staff.
- 13.) The temporary construction access and vehicle staging area shall be coordinated with the BCEO and WCT prior to the issuance of a zoning certificate, 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 approval. This action shall take effect this 21st day of June 2021.

West Chester Township
Butler County

Chairman:



James Hahn

Secretary:



Timothy Dawson,
Township Planner