

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
January 18, 2023**

MEMBERS PRESENT: Doug Rinnert, Larry Whited, Jim Williams,  
Jim Hahn, Brian Asbrock (seated)

MEMBERS ABSENT: Richard Grow

STAFF PRESENT: Timothy Dawson, Township Planner  
Beverly Worley, Administrative Professional III  
Charles Gavin, FBT; Legal Representation

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

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Mr. Hahn called the meeting to order. Mr. Dawson called the roll. A quorum was established.

Mr. Williams made a motion to approve December 19, 2022 minutes, seconded by Mr. Rinnert. Mr. Dawson called the roll. Motion carried 5-0.

Mr. Hahn made a motion to approve FDP 12-22-A North Pointe, Streets North; GetGo/WetGo and Resolution 22-13; Motion carried 5-0.

Mr. Hahn made a motion to approve ZMA05-22 Lyons Property and Resolution 22-14; Motion carried 5-0.

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

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**FDP 01-23-A Keefe, Tract 2; Outback Steakhouse**

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The applicant is Liberty Way Investments, LLC. The applicant is requesting replat of lot 4 as lot 11 & 12 and a final development plan approval for a 4,694 s.f. restaurant on lot 12 on 1.54 acres located along Liberty Way & Tylers Place Blvd.

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. Hahn asked if the building to the left was currently developed.

Mr. Dawson stated it is illustrated to show as a reference point for lot 11 or projection of what they think lot 11 will be developed as a subsequent development plan.

Mr. Dawson also stated that he was putting into consideration a condition to have the on-street parking updated with the finish surface grade and striping.

**Applicant**                      **Ashley Wallis**  
   **Bayer Becker**

Ms. Wallis made a clarification that the applicant is asking to put the parking and paving on lot 11. They understand they would return for a FDP for the building when a user was established.

**Josh Graber**  
**GPD Group on behalf of Outback Steakhouse**

Mr. Graber discussed the signage and building architecture.

Mr. Whited asked about the cross-access and the walkways.

Ms. Wallis stated they would add the additional sidewalks and crosswalks along with the additional shrubs.

Mr. Williams asked staff for clarification on the condition of the on-street parking.

Mr. Dawson apologized and stated that this was added on the revised draft.

**Proponents**                      **None**

**Opponents**                      **None**

**Neutral**                      **None**

**Deliberations**

Mr. Asbrock – great project. No issues as long as they conform to staff recommendations.

All Board members were in agreement with Mr. Asbrock.

**Mr. Rinnert made a motion to approve Case # – FDP 01-23-A Keefe, Tract 2; Outback Steakhouse based on staff and other agency comments and recommendations. Mr. Whited seconded the motion.**

Aye: Mr. Whited, Mr. Hahn, Mr. Asbrock, Mr. Williams, Mr. Rinnert

Nay:

Motion carried 5-0

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**Administrative Business:**

The next ZC meeting is scheduled for Wednesday, February 22, 2023 @ 6:00 p.m.  
This serves as Public Notice for this meeting.

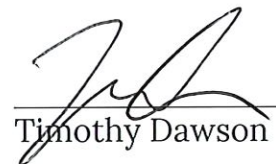
Mr. Hahn adjourned the meeting at 6:20 p.m.

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

Chairman:

  
\_\_\_\_\_  
Jim Hahn

Secretary:

  
\_\_\_\_\_  
Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 23-1  
KEEFE; TRACT 2, OUTBACK STEAKHOUSE – FDP (01-23-A)**

**WHEREAS**, on February 9, 2016, the West Chester Township Board of Trustees a 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 December 16, 2019, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 5 (19-22), which included a 4,176 square foot GE Credit Union with a drive-thru on approximately .99 acres; and,

**WHEREAS**, on June 21, 2021, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 6 (21-10), which included a 9,816 square foot daycare on approximately .9 acres; and,

**WHEREAS**, on October 17, 2022, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lots 1, 4, and 6 (22-10), which included three (3) business park identification signs located along the frontages of Liberty Way and Tylers Place Boulevard; and,

**WHEREAS**, on December 19, 2022, Liberty Way Investments, LLC. submitted an application requesting Final Development Plan approval for a 4,694 square foot restaurant on Lot 12 (previously Lot 4) on approximately 1.54 acres; and,

**WHEREAS**, on January 18, 2023 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.) Revisions to the Final Development Plan shall be submitted to the West Chester Community Development Department (WCTCDD) staff for approval within thirty days with the following included:
  - a) An adequate realignment of pedestrian cross-access paths, to include crosswalks as designated on Sheet 3.1, note 6; and
  - b) Adequate landscaping (shrubs) located along the Foster Lane frontage.

- 2.) Detailed grading plans and stormwater drainage plans and calculations shall be approved by the Butler County Engineers Office (BCEO) and shall meet all WCT and BCEO 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 (BCWSD) and shall meet all BCWSD requirements prior to the issuance of a zoning certificate, to specifically include the following:
  - a) A private sewer service easement on lot 11 in favor of lot 12;
  - b) Site plan comments provided at the time of water/sewer permitting;  
and
  - c) The service vault located outside of the public water main easement.
- 4.) 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) "No Parking – Fire Lane" designations shall be coordinated;
  - b) All drive surfaces shall comply with all safety service vehicles turning radius requirements;
  - c) The building shall be located within 400 feet of a fire hydrant; and
  - d) Public fire hydrant connections shall be located within 100 feet.
- 5.) All adjacent portions of Foster Lane shall install the finish-layer of pavement and all on-street parking spaces shall be striped prior to a final zoning inspection.
- 6.) Building signage shall only be approved as illustrated on the building wall elevations included in the FDP and shall be subject to the WCTZR, Article 20 due to a lack of proposed sign display area dimensions.
- 7.) The ground sign shall be subject to the previous approval, FDP 10-22-B, Resolution 22-10.
- 8.) The property owner shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition.

- 9.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.
- 10.) 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.

**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 the 18<sup>th</sup> day of January, 2023.

West Chester Township,  
Butler County, OH

Chairman:

  
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James Hahn

Secretary:

  
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Timothy Dawson  
Township Planner