

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
April 17, 2023**

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

MEMBERS ABSENT: Jim Williams

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.

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

Mr. Rinnert made a motion to approve the March 20, 2023 minutes, seconded by Mr. Whited. Mr. Dawson called the roll. Motion carried 4-0.

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

ZMA01-23 Recchie Property; Smith & 747 LLC

The applicant is MV Commercial Development LLC. The applicant is requesting approval for a Zoning Map Amendment from C-PUD (Commercial Planned Unit Development) to R-PUD (Residential Planned Unit Development) and a Preliminary Development Plan for 108 multi-family units on 10.247 acres located along Smith Road. Parcel #'s: M5610-009-000-034, 035

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/PDP unless additional information is deemed necessary to make an informed decision.

Applicant **Kyle Kitzmiller / MV Investment**
 Emily Supinger / Strauss Troy Co. LPA

Mr. Kitzmiller presented an updated site plan to show six (6) three (3) story buildings and increased open space; addressing staff concerns with pedestrian connections and sidewalks to the existing path; and architectural concepts, floor plans, interior and exterior, market study

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Everyone liked the proposal however the chairman questioned whether a change from commercial to residential would maintain consistency with the Township's recommended ratio of 60% residential and 40% commercial.

Mr. Hahn questioned staff for current ratio analysis. Staff stated he would research those ratios and be prepared for the Board of Trustees.

Mr. Hahn stated he was concerned recommending approval of a change from commercial to residential since the Trustees wanted a commercial use on this site previously.

Mr. Rinnert agreed with Mr. Hahn's argument.

Mr. Whited made a motion to approve Case # - ZMA01-23 Recchie Property; Smith & 747 LLC based on staff comments and other agency recommendations. Mr. Grow seconded the motion.

Aye: Mr. Whited, Mr. Grow, Mr. Asbrock

Nay: Mr. Hahn, Mr. Rinnert

Motion carried 3-2

FDP-04-23-A North Pointe; Street North, GetGo/WetGo

The applicant is GetGo Portfolio III, LLC. The applicant is requesting final development plan approval for a 6,369 s.f. retail/fueling station/restaurant and a 3,500 s.f. carwash on 4.131 acres located along Union Center Blvd and Imagination Way

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.

Applicant **Jonathan Woche / McBride Dale Clarion**
Larry Dillin / Property Developer

Mr. Dillin explained the intent of the site was for a fuel station. Mr. Dillin stated he felt the proposal was meeting the intent of the original approval. The applicant revised the plan to a lesser intensity and updated the landscaping, building facades, buffered the planned residential to the north and moved the carwash exit to the south. Furthermore, he felt the applicant was also now meeting the site design standards established in the property owners association declaration.

Mr. Whited asked why there was an alteration of the circulation which was included in the previous approval.

Mr. Dillin stated the planned residential is held by another property owner who has an applicant that does not prefer a vehicular crossed access way and the current applicant was advised to buffer and screen the planned residential use.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Asbrock had concern with vehicular congestion.

Mr. Whited and Mr. Grow liked the concept of the fresh food and dining options for surrounding patrons and residents.

Mr. Hahn agreed it was a good concept and stated they revised the plan as advised by staff however they missed on the two key points to staff's advisement which was the size and scope of the site and use which was not consistent with the previous approval.

Mr. Hahn made a motion to deny Case # - FDP-04-23-A North Pointe; Street North, GetGo/WetGo based on staff comments and other agency recommendations. Mr. Rinnert seconded the motion.

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

Nay:

Motion carried 5-0

Administrative Business:

The next ZC meeting is scheduled for Monday, May 15, 2023 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:46 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. 23-3
RECCHIE PROPERTY; SMITH AND 747 APARTMENTS
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN -
ZMA 01-23 (C-PUD to R-PUD)**

WHEREAS, on June 6, 1988, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (PDP), which included a multi-family residential development on approximately 50.7 acres; and,

WHEREAS, on April 15, 1991, the West Chester Township Zoning Commission approved a Revised Preliminary Development Plan, which included the Wyndtree Apartments site and the subject site for the YMCA, including a soccer field and open space on approximately 45.4 acres; and,

WHEREAS, on May 20, 1991, the West Chester Township Zoning Commission approved a Final Development Plan for road improvements within the Wyndtree Apartments and the subject site; and,

WHEREAS, on November 3, 1997, the West Chester Township Zoning Commission approved a Revised Preliminary Development Plan (97-31), which included 296 multi-family residential units within the Wyndtree Apartments site (9 units/ acre) and deletion of the YMCA development from the subject site on approximately 45.4 acres; and,

WHEREAS, on April 20, 1998, the West Chester Township Zoning Commission approved a Final Development Plan (98-11), which included 296 multi-family residential units within the Wyndtree Apartments site on approximately 32.5 acres (9 units/ acre); and,

WHEREAS, on January 24, 2006, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-PUD (Residential Planned Unit Development District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (02-2006), which included an office development consisting of four (4), three-story buildings totaling 86,400 square feet, which also included the donation of 3.1 acres of the existing R-PUD on the north side of Smith Road to the Lakota School District on approximately 10.3 acres; and,

WHEREAS, on February 22, 2023, MV Commercial Development, LLC. submitted an application requesting a Zoning Map Amendment from C-PUD (Commercial Planned Unit Development District) to R-PUD (Residential Planned Unit Development

District) and a Preliminary Development Plan for nine (9), three-story buildings, consisting of a total of 108 multi-family units (townhomes) on 10.3 acres (10.5 units/acre) and an activity area, which includes a clubhouse and pool; and,

WHEREAS, on March 14, 2023, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval of the aforesaid application; and,

WHEREAS, on March 20, 2023, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and passed a motion to continue the case to the following hearing; and,

WHEREAS, on April 17, 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.) The residential density shall be a maximum of 10.5 units/ acre, but shall remain subject to any reduction at the Final Development Plan (FDP) stage.
- 2.) Any updates to the previous Traffic Impact Study (TIS) shall be approved prior to the FDP. All recommendations of the approved TIS and requirements of the Butler County Engineer's Office (BCEO), in coordination with West Chester Township (WCT), shall be incorporated into each corresponding FDP to the extent said requirements are necessary as a result of traffic generated by the subject site.
- 3.) The applicant shall coordinate with the West Chester Township Fire Department (WCTFD) prior to submission of the FDP in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes, to specifically include the following:
 - a) All structures shall be located within 400 feet of a fire hydrant;
 - b) Underground fire protection water main shall be a looped system;
 - c) Each building shall have an independent, dedicated Fire Department connection with location approved by the fire code official;
 - d) All exterior portions of the buildings shall be within 150 feet of a fire department access road – Buildings 4 and 6 shall require confirmation of compliance by the fire code official;
 - e) All roads shall be a minimum of 24 feet in width and shall meet all safety service vehicle turning radius requirements;
 - f) The streets signs must be installed once construction begins; all streets must be posted “No Parking – Fire Lane” on both sides if less than 24 feet wide;

- g) Dead-end roads exceeding 150 feet in length shall not be permitted, unless an approved method of turning is provided (hammerhead, cul-de-sac, etc.)
 - h) Fire hydrant locations shall be approved by the fire code official;
 - i) All roadways must meet safety service vehicle turning radius requirements;
 - j) the street names will need to be submitted for approval at the FDP or permitting stage;
 - k) A solid, drivable surface shall be constructed at the point where building construction begins, including foundations; and
 - l) Street signs, temporary or otherwise, shall be provided at the point where building construction begins, including foundations.
- 4.) Detailed grading plans, including a geotechnical study of the soils, and stormwater drainage plans and calculations shall be provided at the FDP stage and shall meet all OEPA, BCSWCD, BCEO, and WCT requirements prior to the issuance of a zoning certificate.
- 5.) All water and sanitary sewer main installation upgrades and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) and meet all requirements prior to the issuance of a zoning certificate.
- 6.) The parking ratios shall be approved at 1.8 parking spaces per unit.
- 7.) All pedestrian connections shall be approved at the FDP stage, as required by the WCT staff, to include the extensions of the internal sidewalks to the existing multi-purpose path located along Smith Road at the proposed western extent and the access way.
- 8.) The maintenance required to bring the portion of the existing multi-purpose path up to current standards shall be coordinated with the BCEO and WCT prior to the issuance of a zoning certificate and be implemented prior to a final zoning certificate.
- 9.) A draft, maintenance agreement between the BCEO and/ or the West Chester Township Services Department and the property owner shall be provided at the FDP stage, which shall be consistent with previous maintenance agreements in regard to the multi-purpose path contained within the subject site.
- 10.) Any open space lots shall be designated as such on the record, subdivision plat.

- 11.) Building setbacks shall be approved at the FDP stage, but shall remain consistent with the general layout as illustrated on the PDP.
- 12.) Detailed building elevations, to include the clubhouse, shall be provided at the FDP stage, which shall reflect a minimum of 50% high-quality exterior building materials. As required by the West Chester Community Development Department (WCTCDD) staff, colored elevations for all sides of the buildings shall be provided and the specific exterior building materials shall clearly be labeled on the plan.
- 13.) A percentage of the floor plan (unit mix) shall be provided and only approved at the FDP stage.
- 14.) Specific interior finish details and individual unit amenities shall be provided at the FDP stage. Such interior finish details and amenities may include, but shall not be limited to granite countertops throughout, tile bathrooms, crown molding, washer/dryer connections, high-speed internet, etc.
- 15.) Detailed floor plans and specific details regarding the unit sizes shall be provided at the FDP stage, which shall include size (measured in square feet) and floor plans.
- 16.) Detailed plans and descriptions of any common/ public, exterior amenities and elements shall be provided at each FDP stage. Such amenities may include, but shall not be limited to the following: Clubhouse and pool, fitness center, outdoor grilling areas, outdoor fire pits, business center, cyber café, wireless “hotspots” in all common areas, planned social activities, etc.
- 17.) Any dumpster locations, dumpster enclosure, and/or compaction building locations and details shall be provided at each FDP stage. The enclosures shall be pursuant to the WCTZR, Articles 10.031 and 20.043. The enclosure(s) shall be consistent with the high-quality, masonry building materials of the principle building. Dumpster enclosures located along the public frontage shall be adequately screened in coordination with WCT.
- 18.) All light locations and light fixture details shall be provided at each FDP stage to ensure a consistent design that minimizes glare and light spillover.
- 19.) A detailed landscaping plan shall be provided at the FDP stage, which consists of adequate landscape screening of any building perimeters; trash collection areas; throughout any open space areas/ recreational areas; and ground sign perimeter landscaping details.

- 20.) Any residential development identification sign shall be illustrated on the FDP with setback dimensions. All signage details in regard to height, area, illumination, colors, and materials shall be provided at the FDP stage.
- 21.) Ground signs shall only be permitted to be externally-illuminated by LED lighting at a maximum of a 4,000 level on the kelvin color scale.
- 22.) The property owner shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the retention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping beds surrounding the subdivision identification, monument sign shall be irrigated with a permanent system prior to the issuance of a final zoning inspection.
- 23.) 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 20th day of March, 2023.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 23-4**

**NORTH POINTE - STREETS NORTH - THE GATEWAY; GETGO/ WETGO - FDP
(04-23-A)**

WHEREAS, on September 22, 2020, the West Chester Township Board of Trustees approved a Zoning Map Amendment from CBD (Central Business District) to SP-PUD (Special Purpose Planned Unit Development District) and a Preliminary Development Plan (15-2021) for approximately 497,000 square feet of commercial use, 870 multi-family units, and a 140 room hotel (Sites A-O) on approximately 98.6 acres; and,

WHEREAS, on May 16, 2022, the West Chester Township Zoning Commission approved a Final Development Plan for a Phase 1, Final Development Plan (Site B) approval for five (5), four-story buildings totaling three-hundred and thirty-one (331) multi-family units on approximately 11.04 acres (30 units/ acre); and,

WHEREAS, on March 17, 2023, GetGo Portfolio III, LLC. submitted an application requesting a Phase 2, Final Development Plan (Site D) approval for a 6,369 square foot retail/ fueling station and a 3,500 square foot carwash on 4.13 acres; and,

WHEREAS, on April 17, 2023, 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 deny the aforesaid application.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this decision of denial. This action shall take effect this 17th day of April 2023.

West Chester Township
Butler County

Chairman:

Secretary:


James Hahn


Timothy Dawson
Township Planner