

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
April 15, 2024**

MEMBERS PRESENT: Jim Hahn, Larry Whited, Jose Alvarez,
William Brock, Brian Asbrock (seated)

MEMBERS ABSENT: Doug Rinnert

STAFF PRESENT: Timothy Dawson, Township Planner
Charles Gavin, FBT; Legal Representation
Beverly Worley; AP III
Katy Kanelopoulos, Interim Community Development Director

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. Alvarez made a motion to approve the March 25, 2024 minutes, seconded by Mr. Brock. Mr. Dawson called the roll. Motion carried 5-0.

Mr. Hahn made a motion to approve FDP 03-24-A Southview-Honerlaw Farm; Honerlaw Estates and Resolution No. 24-4. Motion carried 5-0.

Mr. Hahn made a motion to approve RFDP 03-24-B Bel Haven; Phase 5, Signage and Resolution No. 24-5. Motion carried 5-0.

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

Mr. Brock recused himself from hearing cases FDP 04-24-A Fields at Liberty Way; Phase 3, Lot 1 & Miscellaneous Improvements and FDP 04-24-B Fields at Liberty Way; Lot 4 due to Conflict of Interest.

FDP 04-24-A Fields at Liberty Way; Phase 3, Lot 1 & Miscellaneous Improvements

The applicant is requesting a Final Development Plan approval for improvement of common infrastructure and a multi-tenant building containing a 4,875 s.f. fuel station and a 3,250 s.f. restaurant with a drive-thru on 1.92 acres located south of 7750 Liberty Field Dr. Parcel #'s: M5610-015-000-031, M5610-020-000-002

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 staff if the building material shown in the application is the building material that will be used.

Mr. Dawson replied that the applicant did not state that but it is what was submitted.

Applicant **Mork Lachniet**
 CT Consultants / Site Civil Engineer

Mr. Lachniet is in agreement with staff's recommendations. Mr. Lachniet provided updated images of modified signage that show that they are ok to change the base to the stone veneer that's on top of the building.

Mr. Whited asked if the civil agreement was in place between lot 1 and lot 4.

Mr. Lachniet stated that the covenants and restrictions developed with the two hotels; this was also included in part of that.

Mr. Alvarez asked for clarification on the canopy location.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Hahn asked if the new proposed signage was approved by staff.

Mr. Dawson stated 48 sq. ft. was what was originally submitted. 10' high is the maximum height for a monument sign.

Signage/colors were discussed among the Board for clarification.

Mr. Alvarez made a motion to approve Case # - FDP 04-24-A Fields at Liberty Way; Phase 3, Lot 1 & Miscellaneous Improvements based on staff comments and other agency recommendations. Mr. Asbrock seconded the motion.

Aye: Mr. Alvarez, Mr. Asbrock, Mr. Hahn, Mr. Whited

Nay:

Motion carried 4-0

Mr. Leino stated that being 40' high, it should be able to be seen from a highway.

Mr. Asbrock stated he can see the sign being blocked by the interstate at Liberty Way.

Applicant **Mark Ford**
 Ford Architect

Mr. Ford stated that his company has worked with Med Vet for several years. He stated that collectively, all the signs are there to help clients find the facilities the easiest and safest way possible.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Alvarez asked staff how the proposed signage compared to the other area signs for hospitals

Mr. Dawson stated it pales in comparison to the hospital signage. Hospital signage is much larger.

Mr. Hahn clarified that all directional signage was approved in the prior case.

Mr. Dawson stated that was correct.

Mr. Hahn stated his position hadn't changed. Technology today is in most vehicles or on cell phones and it can get people where they need to be and give information they need to know.

Mr. Dawson explained to the Board where approved signage will occur.

The Board further discussed the 40' signage request.

Mr. Hahn asked if the resolution approved or disapproved the request.

Mr. Dawson stated that the condition would need to be added – whether approved or disapproved.

Mr. Hahn made a motion to approve Case # – FDP 04-24-B Fields at Liberty Way; Lot 4 based on staff comments and other agency recommendations with the exception of added condition #9 prohibiting the high-rise interstate sign. Mr. Whited seconded the motion.

Aye: Mr. Alvarez, Mr. Asbrock, Mr. Hahn, Mr. Whited
Nay:
Motion carried 4-0

Mr. Brock returned to the Board

FDP 04-24-C Bel Haven; Phases 6 & 7

The applicant is requesting approval for 46 single-family dwelling units on 16.4 acres to complete the subdivision along Beckett Rd. Parcel #: M5610-004-000-093

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.

No questions from the Board.

Applicant **David Labus**
 Bel Haven LLC.

Mr. Labus stated that he was in agreement with all conditions. This is a completion of the community.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

All Board members were in positive agreement on the project.

Mr. Hahn made a motion to approve Case # – FDP 04-24-C Bel Haven; Phases 6 & 7 based on staff comments. Mr. Whited seconded the motion.

Aye: Mr. Alvarez, Mr. Asbrock, Mr. Brock, Mr. Hahn, Mr. Whited
Nay:
Motion carried 5-0

Administrative Business:

No cases were received for the May meeting therefore the next ZC meeting is scheduled for Monday, June 17, 2024 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:00 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 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. 24-6
THE FIELDS AT LIBERTY WAY; PHASE 3, LOT 1 & MISC. IMPROVEMENTS – FDP
(04-24-A)**

WHEREAS, on September 13, 2016, the West Chester Township Board of Trustees approved a Zoning Map Amendment from M-1 (Light Industrial District) and A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (26-2016) for a four-story, extended-stay hotel on Lot 1, a five-story hotel on Lot 2, and 90,000 square feet of future development on approximately 13.35 acres; and,

WHEREAS, on October 17, 2016, the West Chester Township Zoning Commission approved a Final Development Plan (16-19) for a five-story, 70,490 square foot, 115 room hotel on approximately 2.2 acres; and,

WHEREAS, on November 20, 2017, a Final Development Plan (17-23) was approved for a five-story, 103,711 square foot, 136 room extended-stay hotel on approximately 4.06 acres; and,

WHEREAS, on March 18, 2024, MNR Investments, LLC. submitted an application requesting a Final Development Plan approval for common infrastructure improvements and a single-story, multi-tenant building containing a 4,875 square foot fuel station/ convenient store and a 3,250 square foot drive-thru restaurant.

WHEREAS, on April 15, 2024 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.) If not specified in this approval, all other previous conditions of approval shall still apply.
- 2.) 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) Sign details illustrating the proposed monument sign that is consistent with the building design, to include colors and materials; and
 - b) A landscaping plan that adequately screens the proposed transformer pad.

- 3.) 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 streets shall be designed to accommodate the turning radius of fire department vehicles. Templates available upon request;
 - b.) All streets between 20-26 feet in width shall be posted "NO PARKING - FIRE LANE" on both sides. All streets 26-32 feet in width shall be posted "NO PARKING - FIRE LANE" on one side (fire hydrant side);
 - c.) Parking areas and streets shall have no dead-end drives exceeding 150 feet without the use of an approved turn-a-round method (hammerhead, cul-de-sac, etc.);
 - d.) No building shall be located more than 400 feet from a fire hydrant
 - e.) All buildings shall be designed to applicable codes;
 - f.) Underground fuel tanks shall be permitted through the State of Ohio with courtesy copies of the plans submitted to West Chester Fire Department;
 - g.) All streets names shall be approved by the West Chester Fire Department prior to submittal to and approval by the Butler County Engineers Office;
 - h.) All exterior portions of the buildings shall be located within 150 feet of a fire department access road;
 - i.) Street names shall be unique and separate and posted immediately upon initiating construction of buildings; and
 - j.) Fire main shall be a looped system.
- 4.) Detailed site civil plans, to include 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.
- 5.) All water and sanitary sewer main installation and water 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.
- 6.) The recorded Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for The Fields at Liberty Way shall be amended with the record plat and the approved site plan as a supplemental exhibit to the DCCRRE and shall be recorded prior to the final zoning inspection. A copy of the final, recorded DCCRRE site shall then be provided to the WCTCDD for the case file records.

- 7.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.
- 8.) 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 15th day of April, 2024.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 24-7
THE FIELDS AT LIBERTY WAY; PHASE 3, LOT 4 – FDP (04-24-B)**

WHEREAS, on September 13, 2016, the West Chester Township Board of Trustees approved a Zoning Map Amendment from M-1 (Light Industrial District) and A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (26-2016) for a four-story, extended-stay hotel on Lot 1, a five-story hotel on Lot 2, and 90,000 square feet of future development on approximately 13.35 acres; and,

WHEREAS, on October 17, 2016, the West Chester Township Zoning Commission approved a Final Development Plan (16-19) for a five-story, 70,490 square foot, 115 room hotel on approximately 2.2 acres; and,

WHEREAS, on November 20, 2017, a Final Development Plan (17-23) was approved for a five-story, 103,711 square foot, 136 room extended-stay hotel on approximately 4.06 acres; and,

WHEREAS, on March 18, 2024, MGB Development Group, LLC. submitted an application requesting a Final Development Plan approval for a 8,380 square foot pet hospital; and,

WHEREAS, on April 15, 2024 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.) If not specified in this approval, all other previous conditions of approval shall still apply.
- 2.) Revisions to the Final Development Plan shall be submitted to the West Chester Community Development Department (WCTCDD) staff for approval within thirty (30) days with the following included:
 - a.) Adequate landscape screening shall be illustrated along the north property line.
- 3.) Hi-rise Interstate sign(s) shall be prohibited.
- 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.) All streets shall be designed to accommodate the turning radius of fire department vehicles. Templates available upon request;
 - b.) All streets between 20-26 feet in width shall be posted "NO PARKING - FIRE LANE" on both sides. All streets 26-32 feet in width shall be posted "NO PARKING - FIRE LANE" on one side (fire hydrant side);
 - c.) Landscaping shall not obstruct visualization of fire hydrants and not be located within three (3) feet of said hydrants;
 - d.) All fire hydrant locations shall be coordinated with the fire department;
 - e.) No building shall be located more than 400 feet from a fire hydrant
 - f.) All buildings shall be designed to applicable codes;
 - g.) Documentation shall be provided to confirm the 4" fire main is capable of providing the required flow demands as indicated in the Fire Code;
 - h.) All streets names shall be approved by the West Chester Fire Department prior to submittal to and approval by the Butler County Engineers Office;
 - i.) All exterior portions of the buildings shall be located within 150 feet of a fire department access road;
 - j.) Street names shall be unique and separate and posted immediately upon initiating construction of buildings; and
 - k.) Fire main shall be a looped system.
- 5.) Detailed site civil plans, to include 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.
- 6.) All water and sanitary sewer main installation and water 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.
- 7.) The recorded Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for The Fields at Liberty Way shall be amended with the record plat and the approved site plan as a supplemental exhibit to the DCCRRE and shall be recorded prior to the final zoning inspection. A copy of the final, recorded DCCRRE site shall then be provided to the WCTCDD for the case file records.
- 8.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.

9.) 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 15th day of April, 2024.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 24-8
BEL HAVEN, PHASE 6 & 7 – FDP (04-24-C)**

WHEREAS, on October 24, 2017 the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (29-2017) for 176 single-family residential lots, one (1) lot designated for the construction of a clubhouse, pool, and parking area, and one (1) open space lot designated as potential, future development on approximately 75.02 acres; and,

WHEREAS, on April 16, 2018, the West Chester Township Zoning Commission approved a Final Development Plan (18-7) for Phases 1-3, consisting of eighty-four (84) single-family residential lots, one (1) lot designated for the construction of a clubhouse, pool, and parking area, and four (4) open space lots on approximately 35.8 acres; and,

WHEREAS, on November 21, 2022, the West Chester Township Zoning Commission approved a Final Development Plan (22-11) for Phase 4, consisting of nineteen (19) single-family residential lots and two (2) open space lots on approximately 5.7 acres; and,

WHEREAS, on February 22, 2023, the West Chester Township Zoning Commission approved a Final Development Plan (23-5) for Phase 5, consisting of twenty-nine (29) single-family residential lots and three (3) open space lots on approximately 17.23 acres; and,

WHEREAS, on March 25, 2024, the West Chester Township Zoning Commission approved a Revised Final Development Plan (24-5) for Phase 5, to include two (2) additional, four (4) foot high, twenty-eight (28) square foot, subdivision identification signs located within open space lots 140 and 141; and,

WHEREAS, on March 18, 2024, Bel Haven, LLC. submitted an application requesting a Final Development Plan approval for Phase 6 and 7, consisting of forty-six (46) single-family residential lots on approximately 16.4 acres; and,

WHEREAS, on April 15, 2024, 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 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) Landscaping shall not obstruct visualization of any fire hydrant and not be located within 3 feet of any hydrant;
 - b) All roads shall comply with the turning radius of fire department vehicles. Template available upon request;
 - c) Roads with widths between 26 and 30 feet shall be posted "NO PARKING" on one side. Side shall be that with fire hydrants;
 - d) Landscaping shall not obstruct visualization of fire hydrants and not be located within 3 feet of said fire hydrants in all directions;
 - e) Fire hydrant locations shall be coordinated with the fire department;
 - f) No structure shall be located farther than 400 feet from a fire hydrant;
 - g) A solid, smooth road surface shall be provided capable of supporting fire department vehicles as construction begins; and
 - h) Road signs (temporary or permanent) shall be provided immediately upon construction of buildings.
- 2.) Detailed site civil plans, to include 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 water 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.
- 4.) A note added to the record plat, which shall state " the homebuilder will have to take special precautions to ensure basements remain dry due to an apparent high water table," if basements are constructed.
- 5.) The recorded Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for Bel Haven shall be amended with the record plat and the approved site plan as a supplemental exhibit to the DCCRRE and shall be recorded prior to the final zoning inspection. A copy of the final, recorded DCCRRE site shall then be provided to the WCTCDD for the case file records.
- 6.) The property owner or 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.

- 7.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.
- 8.) 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 15th day of April, 2024.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson
Township Planner