

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
June 17, 2024**

MEMBERS PRESENT: Jim Hahn, Larry Whited, Jose Alvarez,
William Brock, Doug Rinnert

MEMBERS ABSENT: Brian Asbrock (not-seated)

STAFF PRESENT: Timothy Dawson, Township Planner
Jon Roach, FBT; Legal Representation
Beverly Worley; AP III
Katy Kanelopoulos, 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. Whited made a motion to approve the April, 2024 minutes, seconded by Mr. Rinnert. Mr. Dawson called the roll. Motion carried 5-0.

Mr. Hahn made a motion to approve FDP 04-24-A Fields at Liberty Way; Phase 3, Lot 1 & Miscellaneous Improvements and Resolution No. 24-6. Motion carried 5-0.

Mr. Hahn made a motion to approve FDP 04-24-B Fields at Liberty Way; Lot 4 and Resolution No. 24-7. Motion carried 5-0.

Mr. Hahn made a motion to approve FDP 04-24-C Bel Haven; Phases 6 & 7 and Resolution No. 24-8. Motion carried 5-0.

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

MC 02-24-BC TID @ Liberty Way, Lot 2 Wawa

The applicant is requesting a Major Change to the C-PUD for a 6,372 s.f. fuel station and convenience store with pick-up window on Lot 2 on 2.885 acres located at the NE corner of Liberty Way and Veterans Blvd. Parcel #'s: M5620-476-000-001, 002, 003, 004

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 Major Change unless additional information is deemed necessary to make an informed decision.

No questions from the Board

Applicant **Jonathon Wocher**
 McBride Dale Clarion

Mr. Wocher gave a presentation pointing out a few points that he wanted to emphasize on. He also stated that they do agree to the conditions that were recommended by staff.

Applicant **Patrick Warnement**
 Wawa

Mr. Warnement shared information about their history on food service and how they operate. He clarified that the drive-thru window is for mobile pick-up only; no transactions can occur. Mr. Warnement stated these are not franchise locations; Wawa owns and operates each store.

Mr. Wocher returned to the podium to enhance reasons for allowing the request. He also pointed out that Lot 1 is not being changed, it's still proposed as a multi-tenant retail. This project will have shared access with Lot 1.

Mr. Wocher finished up by stating that over the last seven (7) years BrandiCorp has been working to fill these two (2) properties without success and they believe that they've got a good user that meets the intent with a few modifications/conditions. None of the conditions from Butler County are game changers. They've talked with Mr. Loffler about traffic, and understand their conditions. An updated traffic study is not required. So, this really is about use.

They would ask that the Commission consider two (2) points regarding signage. They are, agreeable to the height and number that's proposed; one ground sign per lot and the size would be 48 sq. ft. We would ask that the Township allow Wawa to share a panel lot one, so that would not change the size, but it would identify that they could be on that panel.

Additionally, he asked for a directional sign at this right end. They would meet directional sign requirements, I believe, there, you know, no more than four square four feet tall and six square feet. So we think because that's going to be an entrance for our development that's shared with the future retail that it would be appropriate. And actually it would be a benefit.

Mr. Brock asked for clarification on the location of the pickup window.

Mr. Wocher gave clarification.

Mr. Brock asked how much traffic comes to the pickup window.

Mr. Warnement stated that it's a new concept for Wawa and he didn't have enough data to provide the Board. He did state that it's designed for customers to spend no more than 50 seconds at the pickup location.

Mr. Brock asked what has changed with within the PUD from previous denied applications.

Mr. Wocher and Mr. Warnement stated their thoughts.

Applicant **Matt Grever**
 BrandiCorp

Mr. Grever represents BrandiCorp, He stated everything has changed within the PUD. He stated when they purchased this property, there was no Veterans Parkway, and there was no Costco. They bought the 14 acres from the transportation district.

He said the big pushback that he felt like they received was that the Township didn't want it on the corner, didn't want it to be that prominent. He felt they hit a homerun here to get both the equality of user that they want with the products that they want - the food and everything else. He stated yes, they do sell gas. But it's not the major thing they do. They'll keep the prominent corner for another use which he guaranteed they'll get when they develop the back.

Mr. Grever stated that they have had conversations with numerous restaurants but none have signed on. The challenge is the site is deeper than it is wide. The back portion of the property will always be a challenge.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Whited questioned if there was going to be a curb cut out on Liberty Way.

Mr. Dawson stated that since the County did their own widening of the area the developer was not required to put in a drop turn lane.

Mr. Alvarez stated the times have changed. He stated he didn't have as much of an objection as he started with at the beginning.

Mr. Rinnert stated he was in favor.

Mr. Brock shared his concern with the pickup window location.

Mr. Whited stated he was torn on the issue.

Mr. Hahn stated that the applicant has presented a decent case. Originally to the north the land was slated to be all medical. That has obviously changed with Costco present and apartments are to go in. He agreed with the land being difficult to develop based on the rectangle shape. However he stated it didn't change since they purchased the property.

Mr. Rinnert commented by asking if this project didn't go in, what else could go in it.

Mr. Brock commented that the generation of traffic from the apartments are going to be immense which could lend it more of a need in that quadrant to serve the residents.

Mr. Brock stated that the gas station wasn't included in the PUD due to intensity of the use and that hadn't changed.

Mr. Dawson clarified that the land use was recommended in 2013 and the case was heard in 2017.

Mr. Hahn asked Staff what the next step was in the process.

Mr. Dawson replied that Legislation will be served with the preliminary plan, and then, they'll have to work toward conditions of final. In the approval you can make a recommendation for approval with a modification. Obviously, we have to address the offsite directional signage that they're requesting.

Mr. Hahn asked if the signs could be addressed at the FDP stage.

Mr. Dawson stated no, he thought the Board needed to legislate it because it was a departure from the code. The typical requirement prohibits offsite signage. The Trustees need to legislate it.

The Board deferred to Legal Counsel about the approval.

Legal Counsel stated that Staff was correct in having the decision declared this evening before it is heard by the Trustees.

Discussion was held amongst the Board regarding the directional signage request.

Mr. Alvarez made a motion to approve Case # - MC 02-24 BC TID at Liberty Way, Lot 2; Wawa based on staff comments and other agency recommendations. Mr. Rinnert seconded the motion.

Aye: Mr. Alvarez, Mr. Rinnert, Mr. Whited

Nay: Mr. Hahn, Mr. Brock

Motion carried 3-2

FDP 06-24-B Gates of West Chester

The applicant is requesting a Final Development Plan approval for a 6,710 s.f. commercial building – to include restaurant, medical, retail and banking on 2.128 acres and 27 two-story with basement townhome units on 5.428 acres located at 9774 Cincinnati Columbus Rd. Parcel #'s: M5610-016-000-023, 026

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. Whited asked for clarification regarding the pipes.

Mr. Dawson explained that in lay terms, the water main, this area doesn't have the capacity for the number of units they are requesting. I'm sure their engineer can explain it a lot better than me. But, they'll have an option to either loop it to the north, which is going to require, a civil agreement between adjacent property owners, which is going to be difficult or they'll have to reduce those units from 27 to 25 units.

Mr. Alvarez asked Staff if the hammerhead turnaround can be achieved with the layout.

Mr. Dawson said it would be achieved.

Applicant **David Lorei**
 Abercrombie & Associates

Mr. Lorei provided a summary of the project from the preliminary stage to the Trustees approval to where things now stand. Mr. Lorei stated that this was the first he heard about the reduction in quantity.

Mr. Hahn asked the applicant if they wanted to continue the case to further investigate the information.

Applicant **Ranjit Sharma**
 Property Owner

Mr. Sharma stated they reduced the density from the original plan based on the WCT Fire Department.

Mr. Dawson stated that this information was coming from the Butler County Water and Sewer Department (BCWS).

Mr. Hahn asked again if the applicant wanted to continue the case.

Mr. Dawson stated that the way the conditions are written, the applicant needs to meet all recommendations including BCWS. He would require any revision to the plan meet the water and sewer requirements at the permitting stage.

Mr. Sharma clarified what he thought Mr. Dawson was saying is that the Board could approve it at 27, but they would still need the BCWS approval. The BCWS is not going to approve it for permitting if they are over 25 units unless they loop it. Mr. Sharma stated if the Board approves the 27 units then they would work with the County to get their approval.

Proponents **None**

Opponents **Andrew Johnston**
9783 Tall Timber Dr., Lot 51

Mr. Johnston doesn't think the landscape is substantial enough for a barrier between his yard and their backyard. The subdivision is aware the land will be developed, they just want it done correctly. Mr. Johnston complained about the maintenance of the land at this time. It was not being kept up to standards. Lastly, he shared his concerns regarding the setbacks.

Mr. Johnston stated he had discussed this concern before however he didn't feel it was getting addressed properly.

Opponents **Wyatt Dolce**
9795 Tall Timber Dr., Lot 50

Mr. Dolce reiterated the concerns regarding the bordering in landscaping. He stated they kept being told the landscape would increase and be addressed at the FDP stage however the updated plans do not show the fuller/taller barriers.

Opponents **William Gregory**
9747 Tall Timber Dr., Lot 54

Mr. Gregory shared his concern regarding landscaping but felt it had been addressed. His other concern is the pace of movement on the project. He felt it was not getting done in a timely matter.

Neutral **None**

Deliberations

Mr. Dawson stated that the landscape plan was consistent with the Preliminary Development Plan. Mr. Dawson suggested that the Board could add a condition to require a four (4) foot mounding to the landscape plan.

Landscaping and setbacks were discussed by the Board.

Mr. Hahn asked Staff if there are timelines that an applicant must complete a job.

Mr. Dawson stated that once the applicant is in the construction phase, the project is regulated by the County and their performance bonds.

Mr. Hahn asked Staff about the architectural plans that are reviewed.

Mr. Dawson stated that the Township only stipulates what the building material percentage is, the Township does not regulate the colors except in Olde West Chester, which is an overlay district.

Mr. Dawson added that as far as the building setbacks, the building footprints are shown. If there was an addition shown on the building elevations, it would need to fit within that square box that they're showing. The patios, are shown on here, but they don't require any setback. Any flat work typically doesn't require zoning approval. The public spaces would be regulated by the HOA.

Mr. Sharma was recalled to the podium.

Mr. Hahn asked the applicant if they would be willing to submit a new landscape plan with additional landscape barriers; possibly with Evergreens.

Mr. Sharma stated that they could provide an updated landscape plan.

Mr. Hahn asked the applicant to provide an updated landscape plan for the Staff to review then approve or deny.

Discussion was held regarding what would be included in the upgraded landscaping.

Mr. Dawson made a recommendation to the Board to add a condition for the 4' mound.

Mr. Hahn made a motion to approve Case # - FDP 06-24-A Gates of West Chester based on staff comments and other agency recommendations and the added conditions. Mr. Whited seconded the motion.

Aye: Mr. Alvarez, Mr. Rinnert, Mr. Hahn, Mr. Whited, Mr. Brock

Nay:

Motion carried 5-0

MC 03-24 The Gateway of West Chester

The applicant is requesting a Major Change to the PUD to include the original approval and a 4,650 s.f. fuel station on the western portion and a 2,365 s.f. café/coffee shop with a drive-thru on the eastern portion on 4.131 acres located along Imagination Blvd. Parcel #: M5620-027-000-112

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 Major Change unless additional information is deemed necessary to make an informed decision.

No questions from the Board.

Applicant **Nicole Fontaine**
 United Properties

Ms. Fontaine shared their proposal for this property. She stated that they did have a meeting with Butler County engineers last week to review the updated plans. They didn't express any concerns other than reducing the width of the first drive off of Imagination Boulevard from 35 to 30ft, which we don't think is an issue. They also commented on the location of the outdoor dining area along Union Center Boulevard. Not that it affects them at all, but they mentioned that we should think about moving this to the northern end of the site, and that is part of the reason we switched the orientation of the building so we could actually move that outdoor seating area to the north, where it would be a little bit quieter.

The Board asked for clarification of the revision of the building vs. what was submitted.

Mr. Hahn asked the applicant why their proposal is better than the previous applicant that was denied.

Ms. Fontaine stated the difference is this proposal does not include a carwash it includes products that residents would want next to them i.e., coffee shop, restaurant, and ice cream.

Mr. Hahn asked Mr. Dawson to read the description of what was previously approved by the Trustees.

Mr. Dawson replied that it was slated to be a walkable mixed use site with a streetscape.

Proponents **None**

Opponents **None**

Neutral

None

Deliberations

Mr. Hahn shared his concern with this marquee parcel of land that it is going to get piecemealed together without a true master developer that's going to handle the entire site. He stated there was a purpose and a reason that the PDP had only three (3) drive thru's and they were on the other side of the creek.

There's always an opportunity for change. But it would seem reasonable to me if there is going to be a change, that we should see how it's going to change in its entirety, and not just the piecemeal side.

Mr. Whited asked if they could approve a fourth drive-thru.

Mr. Dawson interjected that the original plan would stay in place unless the Board approved the drive thru and put a condition that, with the approval of this drive thru, will only permit two more drive thru restaurants throughout the site.

Mr. Dawson also stated that the other thing to consider was they mentioned the design standards and this being, a major change to the PUD, it wasn't specified whether they were going to keep the previous design standards or if they were moving away from that.

The Board was in agreement that there's not enough convincing evidence to show there needed to be a change from the original approval.

Mr. Alvarez made a motion to approve Case # MC- 03-24 The Gateway of West Chester based on staff comments. No second motion.

Approval denied

Mr. Whited made a motion to deny Case # MC- 03-24 The Gateway of West Chester based on staff comments. Mr. Alvarez seconded the motion.

Aye: Mr. Alvarez, Mr. Rinnert, Mr. Brock, Mr. Hahn, Mr. Whited

Nay:

Motion carried 5-0

Administrative Business:

Annual Board Appointments – 2024/2025

Mr. Whited nominated Mr. Hahn to continue as Chairman; Mr. Rinnert seconded the nomination. Motion carried by unanimous vote.

Mr. Hahn nominated Mr. Whited to continue as Vice Chairman; Mr. Alvarez seconded the motion. Motion carried by unanimous vote.

The next ZC meeting is scheduled for Monday, July 15, 2024 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 8:42 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:

Secretary:



Jim Hahn



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 24-9
BC TID AT LIBERTY WAY; LOT 2, WAWA- MC & PDP
(MC02-24)**

WHEREAS, on August 22, 2017, 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 (24-2017) for a mix of uses, including two (2), two-story buildings consisting of a total of 95,000 square feet of medical office use; a four-story, 60,000 square foot building consisting of a one-hundred and one (101) room hotel use; and a one-story, 8,360 square foot, multi-tenant building consisting of retail/ restaurant uses on approximately 14.8 acres; and,

WHEREAS, on April 16, 2018, the West Chester Township Zoning Commission approved a Final Development Plan (18-6) for Phase 1 of the site to include a lot split; right-of-way dedication; and construction of road improvements along Liberty Way; site grading, which includes a retention area; installation of site utilities; and construction of the internal, public roadway and the pedestrian facilities on approximately 14.8 acres; and,

WHEREAS, on August 20, 2018, the West Chester Township Zoning Commission approved a Final Development Plan (18-18) for Phase 2 of the site, to include a two-story, 50,000 square foot Tri Health medical office building on 9.4 acres; and,

WHEREAS, on May 17, 2021, the West Chester Township Zoning Commission recommended denial of an application for a Major Change to the C-PUD and Preliminary Development Plan (21-6), which was submitted by Thorntons, LLC. for a 4,400 square foot retail building/ fuel station on 1.3 acres; and,

WHEREAS, the aforementioned application was withdrawn prior to the Board of Trustees hearing based on the previous recommendation; and,

WHEREAS, on August 16, 2021, the West Chester Township Zoning Commission recommended denial of an application for a Major Change to the C-PUD and Preliminary Development Plan (21-12), which was submitted by Thorntons, LLC. for a 4,400 square foot retail building/fuel station on 1.3 acres; and,

WHEREAS, the aforementioned application was withdrawn prior to the Board of Trustees hearing based on the previous recommendation; and,

WHEREAS, on June 28, 2022, the West Chester Township Board of Trustees denied an application for a Major Change to the C-PUD and Preliminary Development Plan (17-2022), which was submitted by Mike's Car Wash, Inc. for a 5,284 square foot car wash conveyor on 2.52 acres; and,

WHEREAS, on May 20, 2024, Jonathan Wochoer, on behalf of Wawa, submitted an application requesting a Major Change to the C-PUD and Preliminary Development Plan on Lot 2 for a 6,372 square foot Wawa fuel station/ convenience store with a pick-up window on 2.9 acres; and,

WHEREAS, on June 11, 2024, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on June 17, 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 findings, the West Chester Township Zoning Commission does hereby recommend approval the aforesaid application as submitted with the following conditions:

- 1.) If not specifically conditioned with an approval of this Major Change and PDP, all subsequent Final Development Plan (FDP) applications shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 24-2017).
- 2.) 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.) The applicant will need to evaluate the feasibility of a cross-access drive with the property to the north and coordinate those efforts with the BCEO;
 - b.) Turn arrows will be required for the southbound left lane along the extent of Veterans Boulevard to the northern access way;
 - c.) Area of impervious surface appears to have increased from the original proposal. Therefore, a comparison of run-off coefficients is required to determine if additional stormwater storage is required; and
 - d.) The Final Development Plan (FDP) shall reflect the current conditions of Liberty Way (widening & re-striped) and Liberty Way shall only be permitted a right-turn access point.
- 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 permits, testing and inspection of underground fuel tanks shall go through the State Fire Marshall's Bureau (BUSTR);
 - b.) Applicant shall confirm 24 hour operations and attendance of fuel station pumps, to determine if canopy fire suppression system is needed;
 - c.) "No Parking" fire lanes shall be coordinated with the FD;
 - d.) The building shall be within four-hundred (400) feet of a fire hydrant; and
 - e.) All drive aisles will need to meet safety service vehicle turning radius requirements.
- 4.) Detailed water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department at the FDP stage, to include the following:
- a.) The sewer easement located on the north property line shall be labeled on the record plat.
- 5.) The site perimeter sidewalks/ crosswalks located within the public right-of-way shall be constructed as required by the BCEO, in regard to the public design standards and for materials and compaction.
- 6.) A private, civil agreement shall be obtained with the adjacent property owner for the construction and maintenance of both shared drive aisles.
- 7.) Cross-access and storm sewer easements shall be illustrated on the re-plat of the subject site and a maintenance agreement and/or reciprocal easement agreement (REA) document.
- 8.) All easements illustrated on the FDP and a draft of the maintenance/ REA document shall be provided at the FDP stage for review and approval. Subsequently, that document and plat will then need to be recorded prior to a final zoning inspection.
- 9.) One (1) ground-mounted monument sign shall be permitted on each lot at a maximum of eight (8) feet in height and forty-eight (48) square feet of display area and subject to all other requirements of Article 20 standards for ground signs.

- 10.) Internally-illuminated signage shall not be permitted on the east building wall and east canopy face.
- 11.) A landscaping plan, which illustrates adequate screening and buffering along the public right-of-way frontage shall be provided at the FDP stage.
- 12.) The property owner or a recorded property owners' association 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 all major landscaping shall be irrigated with a permanent system prior to a final zoning inspection.
- 13.) A temporary construction road and vehicle staging area shall be illustrated on each 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 approval. This action shall take effect this 17th day of June, 2024.

West Chester Township,
Butler County, OH

Chairman:

Secretary:



James Hahn



Timothy Dawson,
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 24-10
SHARMA; GATES OF WEST CHESTER, PHASE 2 – FDP (06-24-A)**

WHEREAS, on March 12, 2019, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to SP-PUD (Special Purpose Planned Unit Development District) and a Preliminary Development Plan (05-2019) for a 12,000 square foot, multi-tenant building consisting of retail/ restaurant uses and sixteen (16) single-family residential, landownership lots on approximately 5.1 acres (4.8 units/ acre); and,

WHEREAS, on October 17, 2022, the West Chester Township Zoning Commission approved a Final Development Plan (22-9) on October 17, 2022 for a 12,000 square foot commercial building consisting of retail and a restaurant use on approximately 1.54 acres; and,

WHEREAS, on February 27, 2024, the West Chester Township Board of Trustees approved a Major Change (10-2024) to expand the existing SP-PUD (Special Purpose Planned Unit Development District) 2.84 acres to the north, which included a Preliminary Development Plan for an additional multi-tenant commercial building consisting of a 6,710 square feet on approximately 2.13 acres and a total of twenty-seven (27) single-family residential landownership lots on approximately 5.43 acres (5 units/ acre); and,

WHEREAS, on May 20, 2024, Gates of West Chester, LLC. submitted an application requesting Final Development Plan approval for a 6,710 square foot building consisting of office and a restaurant use on approximately 2.13 acres and twenty-seven (27) single-family residential, landownership lots on approximately 5.43 acres (4.97 units/ acre); and,

WHEREAS, on June 17, 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.) 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 specifically include the following:
 - a.) Stormwater runoff for Lots 8-18 will be required to be directed to the street catch basins; and

- b.) Surface runoff from the swale behind Lots 8-18 will be required to be directed to catch basins located within the hammerhead turnaround.
- 2.) 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 dead-end drive shall exceed 150 feet without providing a method of turning around (cul-de-sac, hammerhead, etc.). This condition exists at the end of the street nearest Sunshine Acres, Lot 12;
 - b.) Addresses for buildings shall be visible at street;
 - c.) All streets shall have turning radius capable of supporting fire department vehicles. Contact the Loss Prevention Bureau for templates;
 - d.) All streets shall have signs visible for emergency responders at the point where construction begins on the structures;
 - e.) Access roads shall be maintained in a solid, smooth condition capable of supporting fire department vehicles;
 - f.) All construction debris shall be disposed of properly, on a daily basis as not to contribute to an unnecessary fire loading condition;
 - g.) No access road shall be blocked preventing emergency responder access to the property; and
 - h.) Developer shall provide confirmation related to water main to whether it is a public or private water system.
- 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.) The water main must loop to the north with an eight (8) inch pipe or some units will not be feasible to construct;
 - b.) The applicant is proposing twenty-seven (27) units, where twenty-five units is a maximum for a dead end site;
 - c.) Details are required on how the proposed water main will connect to the existing one; and
 - d.) The fire hydrant located between the commercial lot and Lot 29 will be required to be moved closer to the road and the abandoned water main line.
- 4.) Two (2) ground-mounted monument signs shall be approved along the public right-of way frontage. The commercial messaging sign shall be a maximum of eight (8) foot in height and forty-eight (48) square feet of display area and

subject to all other requirements of Article 20 standards for ground signs. The residential subdivision identification sign shall be subject to Article 11.

- 5.) Building signage shall be approved as noted on the building elevations sheet of the FDP.
- 6.) A revised landscaping plan shall be submitted to the WCTCDD staff within thirty (30) days of this approval, which shall illustrate the following along Lots 8-30 in addition to the previous proposal throughout the site:
 - a.) A minimum of a four (4) foot high mound located within the Landscape Easement on the east property line and within Lots 12-18 and 30;
 - b.) A variety of coniferous trees, which are a minimum of six (6) feet in height and spaced twenty (20) feet apart in two rows in a staggered pattern, along the entire east property line;
 - c.) A minimum of two (2) Pampas grass shrubs located within the twenty (20) feet of spacing between each coniferous tree; and
 - d.) A variety of deciduous trees, which are a minimum of twelve (12) feet in height and spaced as one (1) tree per lot, located along the entire east property line; and
- 7.) Staff shall have the discretion to require items #6a-d along Lots 8-11 upon an inspection of the clearing limits up to the Landscape Easement along the east property line.
- 8.) The recorded Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) for Gates of West Chester shall be amended with the record plat of Lot 16 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.
- 9.) 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 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.
- 10.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate approval process.

- 11.) 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.
- 12.) The temporary construction access and vehicle staging area shall be coordinated with the ODOT 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 recommended approval. This action shall take effect the 17th day of June, 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. 24-11**

NORTH POINTE - STREETS NORTH - THE GATEWAY - MC & PDP (MC03-24)

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 20, 2024, United Properties Development, LLC. submitted an application requesting a Major Change and Preliminary Development Plan for a 4,650 fueling station and convenience store on 2.42 acres and a 2,300 square foot drive-thru restaurant with outdoor seating on 1.71 acres ; and,

WHEREAS, on June 11, 2024, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on June 17, 2024, 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 denial of the aforesaid application as submitted.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and other data submitted are hereby incorporated in this denial. This action shall take effect this 17th day of June, 2024.

West Chester Township,
Butler County, OH

Chairman:



James Hahn

Secretary:



Timothy Dawson,
Township Planner