

**WEST CHESTER TOWNSHIP
ZONING COMMISSION
August 19, 2024**

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

MEMBERS ABSENT: Doug Rinnert, Larry Whited

STAFF PRESENT: Timothy Dawson, Township Planner
Charles Gavin, 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. Alvarez made a motion to affirm the July, 2024 minutes, seconded by Mr. Brock. Mr. Dawson called the roll. Motion carried 4-0.

Mr. Hahn made a motion to affirm MC 04-24 Beckett Ridge, Swim & Tennis Site; Solara at Beckett Ridge and Resolution No. 24-12. Motion carried 4-0.

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

MC 05-24 The Gateway of West Chester; Site D

The applicant is requesting a Major Change to the PUD to include a 4,824 s.f. fuel station/convenient store and a 3600 s.f. multi-tenant building with outdoor seating 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 Zoning Map Amendment unless additional information is deemed necessary to make an informed decision.

Applicant **Sam Suder**
Suder, LLC

Mr. Suder is the attorney for the applicant. He explained the Major Change to the PUD and that it is not departure from the concept plan that had been approved.

Applicant **Nicole Fontaine**
United Properties

Ms. Fontaine gave a brief presentation to outline the changes from the previous Preliminary Development Plan and to show that they want to be good neighbors in the Township.

Applicant **Larry Dillin**
Dillin, LLC

Mr. Dillin stated he represented the landowner Peter Mather. Mr. Dillin gave a brief history of the site.

Proponents **None**

Opponents **None**

Neutral **None**

Deliberations

Mr. Asbrock stated that the applicant seemed to have complied with the comments and suggestions from staff.

Mr. Brock commented that it would be interesting to see how the rest of the site balance out per square footage and the multi-tenant space. Overall, he felt it was a positive move.

Mr. Alvarez comments could not be heard on the recording.

Mr. Brock made a motion to approve Case # – MC 05-24 The Gateway of West Chester; Site D based on staff comments and other agency recommendations. Mr. Asbrock seconded the motion.

Aye: Mr. Alvarez, Mr. Asbrock, Mr. Brock

Nay:

Mr. Hahn abstained from voting

Motion carried 3-0


Administrative Business:

The next ZC meeting is scheduled for Monday, September 16, 2024 @ 6:00 p.m.
This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 6:45 p.m.

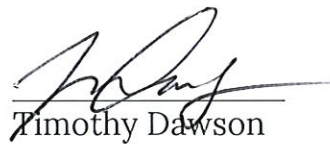
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

Chairman:



Jim Hahn

Secretary:



Timothy Dawson

WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO
RESOLUTION NO. 24-13
NORTH POINTE - STREETS NORTH -- THE GATEWAY; SITE D -
MC & PDP (MC05-24)

WHEREAS, on September 22, 2021, 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 November 21, 2022, the West Chester Township Zoning Commission recommended denial for a Phase 2, Final Development Plan (22-13) (Site D) for a 6,369 square foot fueling station and convenience store and a 3,500 square foot carwash on 4.13 acres; and,

WHEREAS, on April 17, 2023, the West Chester Township Zoning Commission recommended denial for a Phase 2, Final Development Plan (23-4) (Site D) for a 6,369 square foot fueling station and convenience store and a 3,500 square foot carwash on 4.13 acres; and,

WHEREAS, both of the aforementioned applications were withdrawn prior to the Board of Trustees hearings based on the previous recommendations; and,

WHEREAS, on June 17, 2024, the West Chester Township Zoning Commission recommended denial for a Major Change and Preliminary Development Plan for the previously approved Site D (24-11) for a 4,650 square foot 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, the aforementioned application was withdrawn prior to the Board of Trustees hearings based on the previous recommendations; and,

WHEREAS, on July 15, 2024, United Properties Development, LLC. submitted an application requesting a Major Change and Preliminary Development Plan for a 4,824 square foot fueling station and convenience store on 2.42 acres and a 3,600 square foot, multi-tenant retail building with outdoor seating on 1.71 acres; and,

WHEREAS, on August 13, 2024, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on August 19, 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 adopt and affirm this Resolution and the following conditions, in issuing its approval of the aforesaid case.

- 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 15-2021).
- 2.) With the recommended approval of an additional multi-tenant retail/ restaurant use on the subject site, previously approved Site D, only two (2) more sites on the previously approved Sites H, I and J shall be permitted to be retail/ drive-thru restaurant uses.
- 3.) 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.) Vehicular access to both lots will only be permitted from Imagination Way;
 - b.) A truck-turning template will need to be used to ensure maneuverability of larger trucks;
 - c.) A sight distance study will be required along the cross-access way and Imagination Way;
 - d.) Consideration should be given for a direct outlet of the drive-thru to the proposed cross-access way; and
 - e.) Clarification is required for any proposed work in the right-of-way.
- 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.
- 5.) 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.) Underground fire main will be required to be looped through the site; and

- e.) All drive aisles will need to meet safety service vehicle turning radius requirements.
- 6.) Any relocation of street lights (and associated cost) to accommodate the development will be the responsibility of the developer/contractor.
 - 7.) 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.
 - 8.) Any amplified sound is prohibited from the outdoor seating area.
 - 9.) Internally-illuminated building signage shall be prohibited from any north building wall or canopy side.
 - 10.) One (1) ground-mounted monument sign shall be permitted on each lot at 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.
 - 11.) A landscaping plan, which illustrates consistency with the preliminary landscaping plan shall be illustrated on the FDP.
 - 12.) The property owner shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining the private road; 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.) 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 recommendation of approval. This action shall take effect this 19th day of August 2024.

West Chester Township,
Butler County

Chairman:

Secretary:



James Hahn



Timothy Dawson
Township Planner