

RESOLUTION NO. 03-2016

**RESOLUTION APPROVING A MAJOR CHANGE AND
PRELIMINARY DEVELOPMENT PLAN FOR
CASE #MC-11-15 – WCP R-PUD - CHESTERWOOD VILLAGE**

WHEREAS, a R-PUD District and Preliminary Development Plan was approved by the Butler County Rural Zoning Commission on September 29, 1986 for land containing approximately 67 acres, situated in Section 11, Town 3, Range 2, Union Township, Butler County, Ohio. The approval included the development of a church, school, recreation area, retirement center and a retail area of 86,000 square feet, including a Kroger store; and,

WHEREAS, a Major Change to this PUD plan was approved by Butler County on October 3, 1988, which eliminated the proposed school building and some of the open space and recreation area and included the addition of approximately 96,000 square feet of commercial use and one outlot along Tylersville Road; and,

WHEREAS, on August 30, 1996, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase I; and,

WHEREAS, on November 4, 1996, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase III; and,

WHEREAS, on December 1, 1997, Chesterwood Village, Inc. received a Final Development Plan approval with conditions for Phase II; and,

WHEREAS, on March 22, 2005, Hillandale Communities received a Major Change and Revised Preliminary Development Plan approval for layout changes to the previously approved plan; and,

WHEREAS, on June 21, 2005, Carepointe Development, LLC. received a Final Development Plan approval for Buildings C, D, and E; and,

WHEREAS, on November 17, 2015, Hillandale Communities submitted a Major Change application requesting a Preliminary Development Plan approval for an expansion of the previously approved plan and layout changes for a one and two story, 105,088 square foot, 125 unit skilled nursing facility on 6.887 acres; and,

WHEREAS, on December 8, 2015, the Butler County Planning Commission recommended approval with conditions of the proposed request; and,

WHEREAS, on December 21, 2015, the West Chester Township Zoning Commission conducted a public meeting for said Major Change and Preliminary Development Plan and recommended approval of the aforesaid application with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid Major Change and Preliminary Development Plan was conducted before the West Chester Township Board of Trustees on January 26, 2016 as applied for by Hillandale Communities; and,

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto.

NOW THEREFORE, BE IT RESOLVED that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the proposed Major Change and Preliminary Development Plan for the aforesaid application with the following conditions:

SECTION 1. An approval to this current proposal shall only grant changes to the approved Major Change and Preliminary Development Plan on March 22, 2005, Trustee Resolution No. 04-2005, as it is illustrated on the proposed Preliminary Development Plan. The West Chester Plaza Residential Planned Unit Development (R-PUD) shall otherwise remain subject to the restrictions as previously approved.

SECTION 2. The proposed land use is consistent with the intent and purpose of the Comprehensive Land Use Plan and the designated classifications, the West Chester Zoning Resolution, and the existing, approved West Chester Plaza R-PUD permitted land uses.

SECTION 3. A detailed drainage plan shall be submitted with the Final Development Plan for review by the Butler County Engineer's Office (BCEO) to ensure that adequate storm water detention is provided.

SECTION 4. Separate parcels shall be consolidated as one parcel, due to the proposed building and parking locations, in conformance with the BCEO requirements, at the Final Development Plan stage and before issuance of a Zoning Certificate.

SECTION 5. The main access drive on Chesterwood Boulevard shall meet all BCEO requirements upon submission of the Final Development Plan.

SECTION 6. Cross-access easements shall be provided for granting legal access throughout the West Chester Plaza R-PUD and the maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Zoning Certificate.

SECTION 7. The proposed and required parking plan for each land use and the percentage of open space for the proposed site shall be shown on the Final Development Plan. All off street parking shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.

SECTION 8. The proposed building shall be limited to one-story along the south property line, which is adjacent to a residential district, on the Final Development Plan.

SECTION 9. Detailed floor plans shall be provided, regarding unit sizes and (color) building elevations shall be provided, which shall demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout.

SECTION 10. The common open space shall be held in private ownership and maintained by the property owner.

SECTION 11. A detailed Landscape Plan shall be submitted at the Final Development Plan stage, which depicts existing trees and all proposed landscaping and tree plantings, which shall provide adequate screening along the south and west property lines. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.

SECTION 12. A 50' landscaping buffer along the south property line shall be illustrated and dimensioned on the Layout and Landscape Plan at the Final Development Plan stage.

SECTION 13. At the Final Development Plan stage, a photometric analysis should be provided that demonstrates acceptable light levels are being maintained along the existing residential development to the south.

SECTION 14. Pursuant to the West Chester Township Zoning Resolution, Article 17.062, the proposed building shall only be permitted two ground signs. No sign details were submitted for the signs. Therefore, the signs shall only be permitted through the Final Development Plan process if they are determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.

SECTION 15. The applicant shall meet all other agencies' requirements for the submittal to the Zoning Commission of the Final Development Plan.

BE IT FURTHER RESOLVED that all plats, plans, applications, and other data submitted are hereby incorporated into this approval.

Adopted this 9th day of February, 2016.

ATTEST:

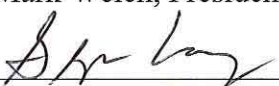
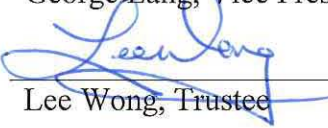


Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director

<u>Excused Absence</u>	_____
Mark Welch, President	Yes/No
	<u>YES</u>
George Lang, Vice President	Yes/No
	<u>Yes</u>
Lee Wong, Trustee	Yes/No