

RESOLUTION NO. 03-2017

**RESOLUTION APPROVING A MAJOR CHANGE TO A PLANNED UNIT DEVELOPMENT
FOR CASE #MC 07-16 – WCP CHESTERWOOD VILLAGE CAREPOINTE**

WHEREAS, on September 29, 1986, Butler County approved an R-PUD District and Preliminary Development Plan for a development of a church, school, recreation area, retirement center and a retail area of 86,000 square feet, including a Kroger store on approximately 67 acres; and,

WHEREAS, on October 3, 1988, Butler County approved a Major Change to the PUD and Preliminary Development Plan, which eliminated the proposed school building and a portion of the open space and recreation area and included approximately 96,000 additional square feet of commercial use and one outlot along Tylersville Road; and,

WHEREAS, on August 30, 1996, the West Chester Township Zoning Commission approved a Final Development Plan with conditions for Phase I of the Chesterwood Village main campus; and,

WHEREAS, on November 4, 1996, the West Chester Township Zoning Commission approved a Final Development Plan with conditions for Phase III of the Chesterwood Village main campus; and

WHEREAS, on December 1, 1997, the West Chester Township Zoning Commission approved a Final Development Plan with conditions for Phase II of the Chesterwood Village main campus; and,

WHEREAS, on March 22, 2005, the West Chester Township Zoning Commission approved a Major Change to the PUD and Preliminary Development Plan to expand the Chesterwood Village main campus for a three story, 129,620 square foot, 94 unit, Congregate Living facility including single-story garages, a pool area, and a putting green; and,

WHEREAS, on June 21, 2005, the West Chester Township Zoning Commission approved a Final Development Plan for the main campus expansion with conditions for Buildings C, D, and E; and,

WHEREAS, on February 9, 2016, the West Chester Township Board of Trustees approved a Major Change to the PUD and Preliminary Development to modify the expansion to the Chesterwood Village main campus for a one and two story, 105,088 square foot, 125 unit, skilled nursing facility on 6.887 acres; and,

WHEREAS, on March 21, 2016, the West Chester Township Zoning Commission approved a Final Development Plan for the modified expansion with conditions for a one and two story, 105,088 square foot, 125 unit skilled nursing facility on 7.554 acres; and,

WHEREAS, on November 15, 2016, Brent Dixon submitted an application for a Major Change to the PUD and Preliminary Development Plan for the subject site, sitting just west of the modified expansion application in February 2016 for a four story, 176,400 square foot, 146 unit, independent, senior living facility; and,

WHEREAS, on November 28, 2016, the West Chester Township Land Use Planning Committee reviewed the subject property and recommended approval of an amendment to the West Chester Township Comprehensive Land Use Plan from the designated Public & Institutional land use classification to the Residential Transitional land use classification for the subject site. The recommended land use modification will be proposed in the next West Chester Township Comprehensive Land Use Plan public update process; and,

WHEREAS, on December 13, 2016, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, on December 19, 2016, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on January 24, 2017 as applied for by Brent Dixon; and,

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

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 Major Change to the West Chester Plaza Residential Planned Unit Development District and Preliminary Development Plan with the following conditions:

SECTION 1. The current approval shall only grant changes to the subject site. The remaining West Chester Plaza R-PUD shall otherwise remain subject to the conditions as previously and last approved.

SECTION 2. A letter regarding the intended targeted, market demographic for the land use, which is consistent with and compatible to the existing Chesterwood Village senior living and assisted care facility, shall be provided at the Final Development Plan (FDP) stage.

SECTION 3. All recommendations of the Traffic Impact Study (TIS) and requirements of the Butler County Engineer's Office (BCEO) and West Chester Township (WCT) shall be incorporated into the FDP. A copy of the approved TIS and letters of approval from the appropriate agency shall be provided to the West Chester Community Development Department (WCCDD) at the FDP stage.

SECTION 4. All access and road ways; locations of fire hydrants; and fire lane signage shall be coordinated with the WCCDD and the West Chester Township Fire Department and incorporated into the FDP to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.

SECTION 5. A wetland delineation study shall be coordinated with WCT and shall be provided to the Butler County Soil and Water Conservation District for approval if any construction occurs within the designated area.

SECTION 6. A grading plan and stormwater drainage plan and calculations shall be provided at the FDP stage, which shall meet all requirements of the BCEO and WCT.

SECTION 7. A stormwater drainage plan for the parking garage shall be provided at the FDP stage.

SECTION 8. The retention basin's fountain features shall be included on the FDP. The details of the fountains shall be provided at the FDP stage.

SECTION 9. Vehicular cross-access easement agreements shall be provided for granting legal access throughout the West Chester Plaza PUD to the Cox Road and Tylersville Road public rights-of-way. The easements shall be illustrated on the FDP. The draft easement agreement(s) with the maintenance responsibilities clearly defined, shall be provided to the WCCDD and BCEO for approval at the FDP stage and shall then be recorded prior to the issuance of a zoning certificate.

SECTION 10. A public use easement agreement shall be provided for the five foot wide, concrete sidewalk throughout the site and extended to the site's west property line. The draft easement agreement with the maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a zoning certificate.

SECTION 11. The property owner or a recorded property owners association shall be responsible for keeping all common features and elements maintained and free from trash and litter; maintaining all drainage ways to ensure the retention/ detention area performs the designated function; and maintaining all landscaping in good condition.

SECTION 12. The first floor parking garage plan shall be provided at the FDP stage, which includes the proposed parking spaces and circulation patterns.

SECTION 13. Detailed floor plans and building elevations shall be provided at the FDP stage. The exterior building elevations shall demonstrate high-quality, masonry building materials (brick, stone, etc.) are being utilized throughout.

SECTION 14. Dumpster enclosure location(s) and details shall be provided at the FDP stage. The enclosure(s) shall comply with the provisions of the West Chester Township Zoning Resolution, Article 20.043 and shall be consistent with the high-quality masonry building materials for the principle building.

SECTION 15. Trash pick-up shall be between the hours of 7:00 a.m. and 7:00 p.m. to reduce detrimental impact to the residential subdivision to the south.

SECTION 16. A detailed landscaping plan shall be provided at the FDP stage, which is consistent with the Preliminary Development Plan. All major landscaping areas are the responsibility of the property owner or a recorded property owners association and shall be well maintained in good condition and irrigated with a permanent system prior to the issuance of a zoning certificate.

SECTION 17. A photometric analysis shall be provided at the FDP stage that demonstrates .02 foot candle levels are maintained along the adjacent residential subdivision to the south.

SECTION 18. Light locations and light fixture details shall be provided at the FDP stage to ensure a design that minimizes glare and light spillover onto the adjacent residential subdivision.

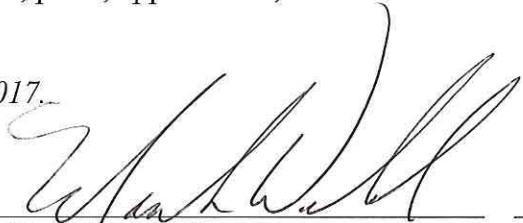
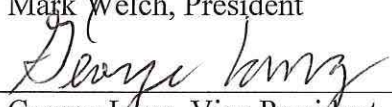
SECTION 19. Signs shall only be permitted at the FDP stage. All ground-mounted signs shall be consistent with the exterior building materials for the principle building.

SECTION 20. Any building signage on the south elevation shall not be illuminated.

SECTION 21. All comments from other agencies shall be adequately addressed to the satisfaction of the agencies and WCT during the FDP and zoning certificate approval process.

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

Adopted this 14th day of February, 2017.

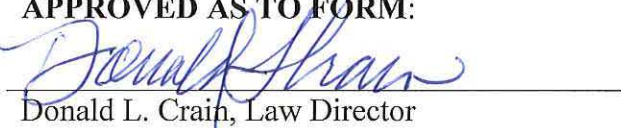
 _____ Mark Welch, President	<u>YES</u> Yes/No
 _____ George Lang, Vice President	<u>YES</u> Yes/No
<u>excused absence</u> _____ Lee Wong, Trustee	<u>—</u> Yes/No

ATTEST:



Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director