

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
January 23, 2017**

MEMBERS PRESENT: Jim Williams, Susan Hendel, Doug Rinnert,  
James Hahn, Bruce Fisher

MEMBERS ABSENT: Gerry Stoker

STAFF PRESENT: Aaron Wiegand, Director  
Timothy Dawson, Township Planner  
Beverly Worley, Administrative Assistant

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 8:35 p.m.

Mr. Hahn called the meeting to order. Mr. Dawson called the roll.

December minutes approved as written.

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Old Business:

**ZMA01-16 BC TID at Liberty Way** – The applicant has formerly requested to continue the case to the February 2017 meeting.

Mr. Hahn entertained a motion to continue this case until the February 27, 2017 West Chester Township Zoning Commission meeting. Mr. Rinnert – so moved.

**Aye: Mr. Hahn, Mr. Rinnert, Mr. Williams, Mr. Fisher, Ms. Hendel**

**Nay:**

**Motion carries 5 – 0**

This will serve as public notice for case ZMA01-16 BC TID at Liberty Way to be continued to the February 27, 2017 meeting at 6:30 p.m.

New Business:

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**ZMA10-16 Cooper Meadows; Self-Storage**

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The applicant is Christopher Moore. He is requesting a Zoning Map Amendment and a Preliminary Development Plan from a R-PUD (Residential Planned Unit Development District) to a C-PUD (Commercial Planned Unit Development District). The applicant is

proposing six, self-storage buildings, totaling 76,895 s.f.

The subject site is located along Cincinnati-Columbus Road (US 42), approximately 2,100 feet south of Dimmick Road. The site consists of 6.9 acres and does not have any frontage, but has obtained a cross-access easement with the adjacent property to the south in order to access US 42. The site is characterized as a plateau, which elevates from around all directions. The site is vacant with mature trees around the perimeter, but contains improvements from the previous Final Development Plan approval, which includes a private street, storm and sanitary sewers, storm detention areas, and water main utilities.

The West Chester Township Board of Trustees approved a Zoning Map Amendment on April 27, 2004, which was in conjunction with a Preliminary Development Plan for 19 duplexes (38 units) on the rear portion of the property and a commercial building on the front portion of the property.

The West Chester Township Zoning Commission approved a Final Development Plan on August 16, 2005 for the R-PUD portion of the development, which included 19 duplexes (38 units), the access road on the adjoining property, and development signage.

The Comprehensive Land Use Plan for West Chester Township offers the following guidance for the future development of the subject property:

Land Use Recommendation: Office/ Residential Transitional

Office/Residential Transitional - "Medium density detached or attached housing, low intensity office uses and related compatible uses that provide a transition between residential districts."

It does allow for low intensity retail, which adds a neighborhood amenity.

The Land Use Planning Committee (LUPC) reviewed the subject site on January 3, 2017 to consider if the applicant's proposed land use was consistent with Comprehensive Land Use Plan (CLUP) designated land use classification; if the designated land use classification warrants a recommendation for an amendment that is more consistent with the current character of the surrounding area and the original intent of the designation; and if the proposed land use is not consistent with CLUP's designated land use classification.

The LUPC considered the proposed self-storage land use to be consistent with the CLUP's recommended designation of the Office/ Residential Transitional land use classification. The LUPC considered the self-storage use to be consistent with the characteristics of a low-intensity retail use that adds an amenity to the surrounding neighborhoods. Furthermore, the LUPC's recommendation for approval was given upon the condition that the proposed buildings are consistent with the CLUP's recommended residential transitional characteristics.

The applicant is proposing 76,895 s.f., six buildings, approximately 250 units; 80 RV units. The applicant is providing 27 parking spaces where 26 are required and 36% open space where 15% is required.

The Ohio Department of Transportation indicated that a Traffic Impact Study (TIS) was not required however they are requiring a turn lane warrant analysis and site distance study which will evaluate the access for traffic into the site off of US 42.

A detailed civil, site engineering plan will need to be provided at the FDP stage, which addresses all preliminary review concerns, regarding proper grading and drainage of the site.

The Butler County Water and Sewer Department has indicated that any existing utilities for the previous residential plan will need to be abandoned and not used for the commercial site.

The gated access way to the site will need to be coordinated with the West Chester Township Fire Department.

Building elevations that were provided are not consistent with the LUPC recommendation for the building design to be residential in character therefore will need to be revised at the FDP stage.

Light locations and light fixture details will need to be provided at the FDP stage to ensure a design that minimizes glare and light spillover onto the surrounding residences. Sign locations and details will need to be provided as well. Also Staff considerations for building signage is that illuminated building signs should be prohibited due to the surrounding residences.

The applicant has provided a preliminary landscaping plan. Staff's consideration is that the tree plantings shown on the FDP are consistent as shown here on the preliminary. Also that there be a minimum 30' buffer of the existing mature tree line.

## **ACTION**

The West Chester Township Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Map Amendment/Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

No questions from the Board members.

**Applicant**                      **John Milligan**  
   **SMBP – Law Firm**  
   **5300 Socialville Foster Rd.**  
   **Mason, OH**

I am here on behalf of Christopher Moore. I have nothing to add. It's our opinion, the already existing storage facility is a good neighbor. The landscaping is well-kept and its

low intensity, low impact type business. There are a lot of neighborhoods in the area and we feel it will serve the citizens well.

**Proponents**            **None**

**Opponents**           **None**

**Neutral**                **None**

### **DELIBERATIONS**

Mr. Williams – I have no problems with this project.

Mr. Hahn – as long as the applicant does what staff has requested with landscaping and proper screening from the neighbors that it will be a good project.

**Mr. Williams made a motion to approve Case # ZMA10-16 Cooper Meadows; Self-Storage with all the minimum conditions recommended by staff. Mr. Fisher seconds the motion.**

**Aye: Mr. Fisher, Mr. Hahn, Mr. Rinnert, Mr. Williams, Ms. Hendel**

**Nay:**

**Motion carries 5 – 0**

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### **ZMA11-16 New Life Chapel**

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The applicant is Choice One Engineering. They are requesting a Zoning Map Amendment from R-1 (Suburban Residence District) to B-1 (Neighborhood Business District) for the purpose of the permitted land uses within the B-1 zoning district

The subject site is located along Cincinnati-Dayton Road approximately 230' north of Cresthaven Ave.

The site consists of 18.1 acres having approximately 875 feet of frontage along Cincinnati-Dayton Road. The site is characterized as a valley between the two, higher elevations of I-75 and Cincinnati-Dayton Road, which includes three vacant houses with a majority of the site consisting of mature trees.

The Comprehensive Land Use Plan for West Chester Township offers the following guidance for the future development of the subject property:

Land Use Recommendation: Neighborhood Retail

Neighborhood Retail – “Low intensity neighborhood oriented retail and service uses that provide a transition between residential uses and other types of development or that achieve compatibility with and provide services to the adjacent residential areas”

Seeing the land use is consistent with the Land Use Plan, the LUPC did not convene on the subject site.

The applicant has stated the intention for the zoning map amendment is for the future development of a church and principal permitted uses within the B-1 (Neighborhood Business District).

Staff met with the applicant on numerous occasions to discuss their plans for the site. Staff had encouraged the applicant on these occasions to pursue a Commercial Planned Unit District to allow flexible design and development regulations, which assure a more efficient utilization and allocation of the land and; therefore, minimize adverse effects on natural features and the environment and allow greater efficiency in providing public utility services or public amenities that offer increased overall benefit to the community. The applicant preferred to pursue the zoning map amendment to the B-1 zoning district due to the uncertainty of developing or the sale of the remainder of the site, besides the intended principal permitted use of a church.

In consideration of the character and intensity of the surrounding land uses, the proposed zoning map amendment to the B-1 (Neighborhood Business District) would begin the recommended transition from the more intense commercial land uses (Highway Services) to the north into the less intense Olde West Chester commercial district.

## **ACTIONS**

The West Chester Township Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Map Amendment unless additional information is deemed necessary to make an informed decision.

No questions from the Board members.

**Applicant**                      **Michael Seeger**  
**Choice One Engineering**  
**203 W. Loveland Ave.**  
**Loveland, OH**

We decided to move ahead with the B-1 due to the uncertainty of the future remainder of the land that will be left over. The B-1 allows it to not be stuck; we felt it was the best avenue to pursue at this time seeing that it followed along with the CLUP

Mr. Hahn – what is the size of the congregation and the parish?

Mr. Seeger – I do not have that information at this time.

Mr. Hahn – how big is the structure that is intended to be put up there?

Mr. Seeger – we have not finalized the plan at this time. We are still working with the architect who is working with the congregation to see their needs. In which we are uncertain at this time to know how much land will be left over for further development.

**Proponents**            **None**

**Opponents**            **Clay Enos**  
**8661 Cincinnati-Dayton Rd**  
**West Chester, OH**

I am the property that sits adjacent to the subject site. Our concern is the traffic along Cincinnati Dayton Road which is already extremely bad and looking forward if we are right next to the B-1 district, we are concerned about the value of our property. I don't have any particular issue with the church per say, I'm concerned about additional traffic especially if it's a large congregation, and like many churches today they use it for more than just worship services, which is understandable.

Now as an opponent I would ask if our property can also be rezoned as B-1 in addition to this requested property. So my concerns are the traffic and the possible adverse effect this could have on my property.

Mr. Hahn – do you understand that we can't talk about your specific property with changing your property. There is a process to submit your application to change the zoning of your property as this applicant has done here. Are you aware of the process?

Mr. Enos – I'm not aware of the process but I was sure there was one.

Mr. Hahn – I'm sure if you speak with Mr. Dawson he can direct you on the process to have your property.

Mr. Dawson – I do recall speaking to the resident and giving him considerations to rezone his property.

Mr. Hahn – very good. We will definitely take into consideration your concerns regarding the traffic.

**Mr. John Cobey / Jan Frankel**  
**231 Oliver Road**  
**Cincinnati, OH**

We are part of the owners of the agricultural real estate that is across the street; 72 +/- acres. Our concern is if there has been a TIS with the amount of people going in and out.

Mr. Hahn – I tried to ascertain that question by asking how large the congregation is. The applicant didn't have the information at this time.

Mr. Cobey – that's part of our concern with the narrowness of the road; they keep widening it by taking some of our property. Is there going to be a traffic light somewhere along the way to help the situation? Or some type of traffic control device?

**Carol Monson**  
**6654 Cresthaven**  
**West Chester, OH**

I'm not against the proposed development I just have a couple questions. Is the church going to be where the Russell Kline home is? My property butts up against the more wooded area. So it wasn't clear to me what parcel is being used for the chapel.

Mr. Hahn – if this Map Amendment gets approved, they have the opportunity to put the church wherever they want.

Mr. Dawson – as far as this application is concerned it is only for the zoning map amendment; there is no proposed development plan. The applicant stated their intention for the site in the application but there's no development plan at this stage of the process. The subsequent process if the map amendment is approved, the applicant would have to apply for a zoning certificate and building permits and go through the review of the township zoning requirements for the B-1 zoning district as well as all the county reviewing agencies for their building permits. That also involves traffic as far as access management and dedication of right of way.

Mr. Hahn – do you understand all of this?

Ms. Monson – yes, I believe you are saying all this type detail will come later in the process. My other question was really relative to the plan for the property which is more of the wooded area that is behind my property, which comes up against my property.

Mr. Hahn – if this map amendment gets approved, their next step is to come back with more information so I encourage you to keep your eyes peeled for the green sign. Then come back and become more informed about what the applicant proposes.

**Craig Howard  
5596 Sugar Maple  
Liberty Township, OH**

My father is the principal owner of 6668 Cresthaven Ave. He is out of town and asked me to attend to speak for him. My questions I have regarding this are in relation to the current state of the property was built with Frisch's and the hotel. When they were built, the actual run off from the creek actually caused quite a bit of flooding to my parents property for the 20+ years. So that's been the main principal of our concern with this project is any time any kind of pavement or building had been added to the facility that run off was severe, we actually lost a lot of the property erosion.

The gentleman that lives across the street, he has had to spend a lot of his own money in order to repair the side of his land that has fallen into the creek. I'm not exactly sure what can be done regarding that. I know changing the zone will intensify just not what is already there but all the way down that area of property.

We've had to put in 5 or 6 sump pumps in the house over the last 10-15 years to keep up with all the water that comes in on the ground level.

**Neutral**                      **Pat Hoelscher  
5680 Tylersville Rd  
West Chester OH**

I am the owner of 8671 Cincinnati-Dayton Rd. There has been a problem with flooding as Mr. Howard said. What is going here is that ever since Frisch's and the hotel went in and all that surface was made impervious plus the run off from the widening of the road and etc. – that runs down Cincinnati-Dayton Rd; there's a collection box, so to speak, at the corner of Mr. Enos' and my property where the drainage takes a westerly run off into the creek. I got a call from Mrs. Anderson, who lived across the street years ago, when all the development started north of the hotel. She called saying we are getting flooded out. And we were, water was almost into both houses. It's a drainage problem that the county needs to address.

I've gone through this with the county – there's a pipe that goes westerly to the creek, just above the Howard's property, and it dumps into the creek and heads south. The pipe that runs under Cresthaven Ave isn't large enough to accommodate the huge amount of water runoff. I was told by the county that when they do the upcoming widening of Cincinnati-Dayton Road, within 2-3 years, that the drainage will be reconfigured.

### **DELIBERATIONS**

Ms. Hendel – the issues we are dealing with tonight is just the zoning, correct?

Mr. Hahn – yes, that is correct. The applicant is requesting a zoning map amendment. They've indicated they want to put a church there. It meets the LUP and it meets the zoning.

Mr. Williams – it meets all the requirements. The only thing we can do is deal with it when they come back, after the design. We can try to address some of these concerns: traffic, property values, drainage. I think it should move forward.

Mr. Fisher – anytime we can bring more churches into our community, I'm all for it.

Mr. Rinnert – I'm fine with it. At the next stage we can take care of some of these problems.

Mr. Hahn – I agree whole-heartedly. The traffic study will come, the appropriate documents will get put in front of the engineer's office. They will make an evaluation whether a traffic study is needed. Ms. Hoelscher provided some fantastic information regarding the drainage issue. Mr. Dawson – do you know when they plan to widen the road?

Mr. Dawson – it is currently planned for 2018

**Mr. Fisher made a motion to approve Case # ZMA11-16 New Life Chapel with all the minimum conditions as stated by staff. Mr. Williams seconds the motion.**

**Aye: Mr. Hahn, Mr. Rinnert, Mr. Williams, Mr. Fisher, Ms. Hendel**

**Nay:**

**Motion carries 5 – 0**



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**MC12-16 Keefe Property, Lot 1; Chick-fil-A**

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The applicant is GBC Design, Inc. The applicant is requesting a Major change to a Planned Unit Development / Preliminary Development Plan for the purpose of a split of Lot 1 for a 4,594 s.f. restaurant with a drive-thru and outdoor seating.

The subject site is located along Liberty Way, Tylers Place Blvd, Trailside Dr., and Cabela Dr. approximately 1,400 feet west of the I-75/Liberty Way interchange.

The site consists of 1.16 acres having approximately 370 feet of frontage on Liberty Way. The site is fully developed, excluding the proposed building.

The case history on the subject site is very lengthy. Originally the zoning map amendment for Tract 1 and the preliminary development plan was approved on March 9, 2004. That established the permitted uses and the access points to the site, including the extension of Tylers Place Blvd to Hamilton-Mason Road.

As we can see, the original preliminary development plan for Tract 1 approved 195,000 s.f. of general business uses. In addition to the preliminary development plan, there were numerous other cases. The most noted was the Revised Preliminary Development Plan that was approved on July 21, 2014, which included the lot layout of four development parcels, one open space parcel, Tylers Place Boulevard improvements and common elements and features improvements. Additionally, the preliminary layout of Lot 3 of Tract 1 was provided for the existing Cabela's.

Due to some recent concerns with the adjacent residents involving the traffic for the subject site and proposed use, staff would like to address a few of those concerns. At that time, regarding traffic, the TIS was not approved. However a condition of an internal access through Tract 2, of Keefe Tracts 2 & 3, was provided to address the concerns of the residents adjacent to the west until the access location at Tylers Place Blvd and Trailside Dr.

There are 2 signalized intersections that were existing at the time and the temporary access road through Tracts 2 & 3 was provided with a condition of a full access through the site at the development of Tract 2.

Additionally on the Final Development Plan for Cabela's, for Lot 3, Tract 1 was approved for a reduction in square footage from 195,000 general business square footage down to 140,000 with the TIS completed.

In researching the subject site, staff has thoroughly gone through the case history, has recognized and gave consideration to the Zoning Commission that the originally approved square footage for general business use of Tract 1 was 140,000 square feet. At finish square footage, including the proposed site would put the site at 94,000 square feet. A TIS was not required by Butler County Engineer's Office (BCEO) due to their review that it was in fitting of the original TIS. The applicant will have the opportunity to address these concerns that was provided to you.

The Zoning Commission is considering tonight is a Major Change to lots 1 & 2 for a 4,594 s.f. restaurant including 103 seats with a drive-thru and outdoor seating. The applicant is providing 46 parking spaces where 31 are required; 22% open space will be provided where 15% is required.

The land use is consistent with the conditions of Trustee Resolution 16-2004. This allows for general business uses.

Due to the proposed lot split, the property ownership could change in the future. If ownership does change, an amended Property Owners' Association and amended cross-access agreements will need to be reviewed and approved by staff and the applicant will need to record the amended agreements.

A detailed civil, site engineering plan will need to be provided at the FDP stage, which addresses all preliminary review concerns, regarding, grading, drainage, utilities, and circulation.

Adequate pavement striping and/or directional signage will need to be provided to increase the efficiency of the site's vehicular and pedestrian traffic circulation.

Dumpster enclosure details were not provided. The enclosure building materials will need to be consistent with the exterior building materials of the principle building.

Sign details were not provided at the PDP stage; therefore, signs should only be permitted at the FDP stage.

A preliminary landscaping plan has been provided which is consistent with the Final Development Plan of Lot 1. We requested that the plans be consistent.

## **ACTIONS**

The West Chester Township Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Major Change unless additional information is deemed necessary to make an informed decision.

No questions from the Board members.

**Applicant**                      **Allen Wiley**  
   **GBC Design**  
   **565 White Pond Dr**  
   **Akron, OH**

Thank you Tim for a thorough review of the project. Regarding the TIS, we went before BCEO and they stated they did not require a traffic study update. We also asked the Township two different times if an update would be required and we were told no both times. As you can see on the aerial that there's already significant improvements there. There's a lot of traffic there already, I don't think Chick-fil-A will add significantly to that.

Ms. Hendel – would you be willing to do an updated traffic study?

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Mr. Wiley – we would but given where we are in the project it would probably push us back to spring of 2018. They are wanting to start construction this fall. It would push the project back six months.

**Proponents**            **None**

**Opponents**            **Kevin Cox**  
**7353 Preserve Place**  
**West Chester, OH**

I am here tonight speaking as a resident and also as the President of the HOA of at the Preserves of Wetherington. First I have a question for Mr. Dawson – I didn't understand your comment about BCEO and the TIS.

Mr. Dawson – they didn't require a TIS for the proposed use.

Mr. Cox – I recall Mr. Hahn and Ms. Hendel you were here in 2014, when we went through the issues quite extensively as it relates to our community. I feel it's important to know the history from where we started because I feel the Township fumbled the ball a little bit communicating to the applicant as far as the history relating to traffic.

We are a community of 36 homes; we only have one ingress and egress into our community and that is Preserves Place that dumps into Tylers Place Blvd. Preserves Place is synonymous with Tylers Place. Preserves Place shares an intersection with this applicant. There is no traffic light there so part of the major discussion back in 2014 to today is do we look at signaling that intersection? Right now we have a stop sign; when I go to turn left out of the subdivision, I am crossing 5 lanes of traffic.

The West Chester CLUP specifically talks about our location. This is an excerpt from pages 12 & 13 of the CLUP. You can see its Liberty Way, west of I-75. "In keeping with the neighborhood pod concept, a high quality, low-intensity commercial/residential mix could work here. The design of any such development would need to focus foremost on protecting and transitioning to adjoining single family residential". It goes further to say "It is important to closely consider the aforementioned goals of the area for a low-intensity development to preserve and protect the existing residential uses". So twice within the same paragraph they talk about the importance of protecting my neighborhood. So that's a little bit of the history.

Now I want to talk about the traffic study that was done. I know the applicant may be caught off guard with the Township not asking for a TIS at this point. But I would like to show you the TIS that was done in 2014 because it's an important point to our contention. This TIS at the request of the BCEO, at the urging of our community, in support of the Township staff. They used Cabela's actual store data (even though it's not your typical retail store) and then made some assumptions as to what else would go in there. So they used a large scale, sit-down, high turnover restaurant like Applebee's. Common sense would prevail that you understand that Applebee's even during their busiest time and the traffic that they generate is an entirely different animal from the applicant's proposal of Chick-fil-A.

Forward to today, we know a few things are critically wrong with this traffic study. First of all, this traffic study assumed that the line of Cabela's traffic would use the south entrance known as Outfitters Dr. And if an updated traffic study were done today, it would clearly show that the vast majority of traffic use Trailside Dr. entrance. It's the same entrance that the applicant and every other fast food restaurant that's been put in that plaza is using. That's a critical assumption that was missed.

The second critical assumption is, this Applebee's restaurant that doesn't exist. We have a Pot-Belly's drive-thru, a Freddie's drive-thru and now a proposal for a Chick-fil-A restaurant. Those are three radically different uses for a traffic study and I believe that the Township is being absolutely, for lack of a better term, irresponsible if they don't require an updated traffic study to see what is going on.....because I'm on a point now to page 5 of the traffic study. All these numbers – let me tell you what the two read areas mean. These two areas are my community. These are broken down by letter grades. Before any of the above mentioned restaurants were talked about, my community is rated an F. Just as in school, F's are bad. It doesn't get any worse. The study is broken into two parts; its current data and factoring out 20 years. And obviously twenty years from now it gets a heck of lot worse. So this is what we knew in 2014 and today we stand here with an applicant that we know generates traffic volume that is higher than any other fast-food restaurant and conspicuously absent from any discussion today is traffic impact. It is mind boggling to me that we haven't asked that question. And it's entirely fair for this Board to say: based on the CLUP, based what we knew in 2014 and on what we know today, and the potential detrimental impact on the residents, we can absolutely require that.

And I want to point to one more thing and that was when we went through this process in 2014, we were offered a compromise as far as a temporary access road through Keefe Property, Tract 2, Mr. Dawson did bring that up. I think it's fair to say that part of the discussion Mr. Dawson left out is that road is no longer exist; it's closed. It's been closed for months and there's heavy dirt moving equipment in front of it and at this point and time, the new owner of that land, has not submitted anything to this fine Board to show what the future of that road is going to look like. So I think it's also irresponsible to say let's continue to pile traffic on at the intersection of Tylers Place and Preserve Place because an access road potentially exist in the future for these people. I just can't believe that's the answer this Board wants to give back to us.

And then lastly, the culmination of all this discussion in 2014 said that we understand you're an F grade, we'll continue to watch it. I received a letter 8/15/14 from the BCEO, which the Township agreed to, stating (paraphrased) "We're going to continue to watch this, we understand there are concerns, they do have a temporary access drive now but at a minimum when there's future development in Keefe Tracts 2 & 3, we're going to re-look at traffic and see about potentially signaling or what needs to be changed in this area. And I recognize that is for Tracts 2 & 3 and we are talking about Keefe, Tract 1 here, but with all due respect, this agreement by the BCEO, which was agreed to by the Township, did not factor in a Major Change that is being presented here this evening. So in the spirit of what was done here, the Township has already agreed to re-visit the traffic, Butler County has agreed to it and I just submit to you one more time that it's just irresponsible that we are glossing over that concern as a major land use change is being presented to the existing PUD. So we have asked both via legal counsel and through HOA to have the decision delayed, we are not against Chick-fil-A, we are not against

anybody going in there, we are not disputing that it's not a proper use for the PUD, nor are we disputing that the square footage requirements or that anything else is in-line but what we are saying is that no one has stopped and said is there a greater impact, traffic wise to our community, because we already know its an F, we already know the CLUP protects us, in spirit, and we already know the BCEO and Township has agreed to look at traffic in the future so why are we not doing it now and why are we not requesting it of this applicant.

Mr. Fisher – what would be the ultimate resolve for your case here? Are you saying another traffic study?

Mr. Cox – I think the only possible conclusion would be to ask for an updated TIS. Why aren't we making sure this is ok? The traffic study should look like this: we have actual data now. Instead of guessing like we did in 2014, we know what the tenant mix is there, we can actually do a traffic study that ascertains which entrances are being used. That's very critical in my mind because before Chick-fil-A lands here, you can already go see that there's a stacking problem in the left-hand turn lane to Trailside Dr. If a new traffic study proves me wrong, then fantastic, the township has done their due diligence.

Mr. Williams – the site isn't completely built out yet? The entire site is fed by these two access drives?

Mr. Cox – correct

Mr. Williams – so there's still some available land for development?

Mr. Cox – no, not on Keefe Tract 1 that we are referring to.

Mr. Williams – so this will be the last business?

Mr. Cox – no, this does not exist. We are talking about an amendment to an existing parcel that has a strip shop on it.

Mr. Williams – my point/questioning is the TIS that was developed was based off Applebee's. So now Applebee's is not coming into that plat; you have Chick-fil-A coming in. Are there other opens areas within that parcel that can be developed?

Mr. Cox – no, I'm sorry. Instead of Applebee's; it was replaced by a multi-tenant building.

Mr. Williams – so I'm assuming a multi-tenant building would be less traffic? Even though I'm inclined to kind of move in your direction, I'm just trying to understand, if there was available land for more development I could really say that it would be necessary but based off the original plan, based off the original TIS, that's where you kind of get into a gray area of even if they did a plus/minus from the original plan to kind of determine that; I'm not sure you're going to get the answer.

Mr. Cox – with all due respect, that's what I'm trying to say; the fact is nobody knows. So what you're saying is we're not sure, I'm not sure; nobody knows. But what we do know is this: there's holes in the traffic study that was done and that I'm an F grade.

Mr. Williams – true, it was a projection. An F grade based off a concept, originally.

Mr. Cox - prove me wrong but my argument is why would the Township hang their hat on an unknown when they've agreed already to re-look at it on what we know is wrong.

Mr. Williams – I see what you're saying.

**Tony DiAngelo**  
**7343 Preserve Place**  
**West Chester, OH**

I just want to make sure something is not lost in this because I'm surprised you don't have current overheads that you can pull off google to show where those roads actually are now. The problem with that traffic study/the biggest concern is that the traffic said the majority of the traffic would go through the south side through directional signage. That hasn't happened. We are not opposed to Chick-fil-A going in, we are opposed for no traffic change/control changes whatsoever.

**Neutral**                      **Mike Gilbert**  
**4209 Galvatin Pike**  
**Nashville TN 37076**

We are the landowners for Lots 1 & 2. I want to thank Tim and the Board for all the hard work you've done for us. My purpose is I want to make sure I understand what I've heard. It's my understanding that the original traffic study for Tract 1 was based on 140,000 + square feet of development. Then it was modified to the upper 90's. It seems to me that this particular discussion they were searching for a problem that doesn't exist. The traffic study deals with a larger number of square footage. Chick-fil-A completely builds out for Tract 1; Tract 1 is done forever. I certainly understand the neighbors' concerns and the future impact of Tract 2 & 3 but this is Tract 1. The reason why Butler County didn't ask for an updated TIS is because the traffic study was based on such a large usage. Chick-fil-A only represents less than a percent of impact. So I think we are looking for a problem on Tract 1 that doesn't exist and holding the applicant in hostage wanting documents revised that don't need to be revised.

Mr. Williams – that was good clarity Mr. Gilbert.

### **Deliberations**

Mr. Williams – Tract 1 was initially planned at 140,000 s.f. but now it's roughly about 90?

Mr. Dawson – 94,000

Mr. Williams – and so Tract 2 & 3 which is a portion of that drive still has some area for development?

Mr. Dawson – so the condition for the re-evaluation of the intersection at Tylers Place Blvd and Preserve Place was conditioned to take place at the development of Tract 2, which is currently under development. The Final Development Plan was submitted to the

Zoning Commission which approved Phase 1 Miscellaneous Improvements which included the retention area and the final road construction of Taylor St which was previously the temporary access street. All of this is currently under construction. This will be re-evaluated with the Final Development Plan of Tract 2.

Mr. Hahn – during the development of Tract 1, the HOA requested a secondary access, ingress/egress. I think I heard from Mr. Cox that the access is not accessible.

Mr. Dawson – that is correct; it is currently under construction. The temporary access was available through Tracts 2 & 3 all summer. The finished road improvement is under construction which will be available again after construction.

Mr. Hahn – so you're saying no matter who develops that land; the road will have to be completed and accessible. It's just unfortunate that we have no time-line.

Mr. Dawson – I can get that information from the Engineer's Office/Building Dept.

Ms. Hendel – the resident was correct when we said we would revisit the traffic study. I remember that meeting when the home owner's asked us. I don't remember if we totally agreed to it but there was a discussion to it.

Mr. Hahn – is it in the resolution?

Mr. Dawson – yes. So stated in the revised preliminary development plan for Tract 1 dated July 21, 2014 condition # 8 stated a TIS was submitted by the applicant and is currently under review by the BCEO. At the time of this staff report additional information was requested from the applicant. Any updated information will be presented at the public hearing. All comments and concerns of the Engineer's Office should be addressed on the preliminary development plan subsequent final development plan. The TIS was not approved at that time. An additional condition of #8 with the development of Tract 2 an internal access drive should be provided from Preserve Place through Tract 2 to the future traffic light on Liberty Way as an alternate means of access. This future traffic light is expected to be installed; they are referencing the traffic light on Liberty Way. On the final development plan, it states the TIS was still currently under review and it should be installed prior to opening Cabela's.

Mr. Hahn – and then at some point after that the impact study came out, correct?

Mr. Dawson – correct and you had a copy of the improved TIS from Bayer-Becker that was submitted to the Engineer's Office with conditions was approved August 15, 2014.

Mr. Hahn – so Cabela's gets built and then another parcel goes up. We get Pot-Belly's, we get, and I don't know what order everything came in.

Mr. Dawson – subsequently after Cabela's, Lots 1 & 2 were finalized as multi-tenant retail centers. It's what's existing now which included a drive-thru Pot Belly's on the east side of Lot 2 then a final development plan of Lot 4 with a drive-thru restaurant.

Mr. Hahn – at that point the applicant submitted an application; did that go before BCEO?

Mr. Dawson – yes, TIS were not required for either of those developments.

Mr. Hahn – and all the information stating exactly what was going in there was submitted to their office?

Mr. Dawson – at each development plan stage the Engineer's Office re-evaluates it based on the initial approval. They also run background traffic which is a 1% increase per year so that's included in it as well. As stated by Mr. Williams and Mr. Cox these are projections. The concerns by the residents should not be the sole purpose for a recommendation to the Trustees. It's been advised by staff for the Zoning Commission to give considerations to those concerns and if you need further information to make an informed decision then that's your decision.

Mr. Hahn – we have a company that wants to come in and do business, we have neighbors who say whoa. It's not that we don't you, we're concerned with traffic. We (the Board) rely on traffic experts, we're not traffic engineers. So at every subsequent submittal, as this tract gets built out from Cabela's to the next parcel then the next parcel, to the final parcel; they've seen what's gone in. Why wouldn't they do something, it's not like they didn't know. So why did they not ask for an updated traffic study?

Mr. Williams – I'm assuming it's based on what we talked about earlier – square footage and the type of business that's actually on the parcel. So I think that evaluation is how they are deriving that they did not need a TIS updated yet. What I'm hearing – when 2 & 3 are completely developed out; a TIS will be needed before completing those 2 parcels.

Mr. Dawson – when the development plans come in for the uses, a TIS will be re-evaluated.

Mr. Williams – that's where I'm thinking this total issue will be addressed.

Mr. Dawson – the condition for the secondary access was conditioned because of the concerns in the 2014 approval of the traffic. And it was also conditioned they would re-evaluate that since it was only projected from the preliminary development plan on Tracts 2 & 3. When we start getting final development plans of the uses then they can re-evaluate that to see if that intersection needs to be signalized or whatever types of improvements they think need to be done. Mr. Cox's concern about the difference between what's the actual traffic and what's projected traffic could be re-evaluated, that could be a consideration of the zoning commission but we have the stated conditions, previous approvals and recommendations of the Engineer's Office.

Mr. Williams – I think it's too early. I've been there when there's traffic and when there's not. From my perspective I think a TIS will have to be done when these other parcels are coming through with their final development plan.

Mr. Fisher – I'm sympathetic with traffic issues. I live on Eagle Ridge Dr, I see cars flying down our road.

Ms. Hendel – can I clarify what you said – Mr. Williams you think its too early to ask for a TIS?



Mr. Williams – I think it's something we will need to do but for now it's too early.

Mr. Hahn – I think we need to leave it to the experts to tell us when it is the time. The unfortunate thing is for the residents is why is that road closed, how long is it going to be closed? I don't know if there were conditions put on that? I think where the Zoning Commission Board failed was to make sure there were conditions to make that road accessible as soon as possible and to remain open. However we couldn't foresee that; we made an assumption. Is there anything we can do about that at this point?

Mr. Dawson – no, the final development plan for the road improvement has been approved. They would have had to submit a timeline to the Building Department and I can get that information for Mr. Cox and the residents.

Mr. Williams – I think that would be very helpful. I think for the Major Change consideration I think it needs to move forward.

Mr. Hahn – can the Township make a request to Steiner to get that road open?

Mr. Dawson – I will have to research our legal standing on that.

Mr. Williams – after you get the schedule from the county, we can see what's realistic.

Ms. Hendel – why doesn't BC look at the type of restaurant instead of square footage.

Mr. Williams – we're not saying that's how they do it, we're just kind of assuming that's how they made that consideration; that they did not need to do a TIS now. I think they do exactly what you are saying – they look at the intensity of use, but in this case, based on previous projections things have changed. So at this point they don't its necessary but when 2 & 3 gets developed, it will be necessary.

Mr. Dawson – also the Zoning Commission could make a consideration for a re-evaluation of Preserves Place intersection when Tract 2 is developed, as far as solidifying the previous for the going forward. You can add this as a consideration with the recommendation.

Mr. Williams – I think that's a good idea; that way it won't get lost.

Mr. Rinnert – and it's in the record.

Mr. Dawson – “With the added consideration for previously approved conditions on the PUD for re-evaluation of Preserves Place intersection when Tract 2 is developed in conjunction with the development of Tract 2 in coordination with the previous approved internal access drive shall be required”.

**Mr. Williams made a motion to approve Case # MC12-16 Keefe Property, Lot 1; Chick-fil-A with minimum conditions and recommendations by staff and other agencies with the added consideration and re-evaluation of the TIS and the Preserves Place and Tylers Place Blvd intersection at the Final Development Plan stage of Tract 2 & 3 by Butler County Engineers Office and West Chester Township**

in coordination with the previously approved August 15, 2014 TIS and Zoning Resolution No. 14-15/14-18. Mr. Rinnert seconds the motion.

**Aye:** Mr. Hahn, Mr. Rinnert, Mr. Williams, Mr. Fisher, Ms. Hendel

**Nay:**

**Motion carries 5 – 0**

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### **RFDP-12-16-A Lakota Self-Storage**

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The applicant is LSL, LLC. The applicant is requesting a Revised Final Development Plan (RFDP) for the addition of a 4,200 square foot, self-storage building and additional square footage to existing buildings.

The subject site is located along Cincinnati-Dayton road, east of the intersection with Mauds-Hughes Road. The site consists of 8.5 acres having approximately 215 feet of frontage along Cincinnati-Dayton Road. The site is characterized as a plateaued hillside, rolling from east to west. The site currently has four of the six proposed buildings constructed and a fifth is currently under construction.

The West Chester Township Zoning Commission approved a Final Development Plan on April 20, 2015 for three buildings, which included two self-storage buildings (Buildings 1 and 2) and one office building (Building 4) and an outdoor storage area.

It was brought to my attention from a member of the Zoning Commission that was familiar with the case that the Final Development Plan only approved buildings 1,2 & 4. Due to the transition of staff personnel, from the original FDP to this proposed RFDP, there was some vagueness in the previous resolution that stated the approval of all the buildings as permitted uses of self-storage and office use that was interpreted as the approval of the buildings therefore staff had approved some staff level revisions to buildings 5 & 3 which were thought to be approved on the FDP. Since this has been brought to staff's attention, at this time we request the applicant to provide building elevations for buildings 3, 5A, & 5B to assure the buildings are consistent with the previously approved building materials provided on the FDP. These staff level revisions were consistent with the original FDP except for the difference that building 5 was split into two buildings still meeting all the required setbacks and heights. It has been brought to my attention that Zoning Commission needs to approve these as well. As you can see on the proposed plan, the proposed buildings on this RFDP include 5A, 5B, 3, and an additional building 6.

Detailed building elevations were not provided. Therefore, the building materials will be required to be consistent with the previously approved elevations provided with FDP.

Light locations and light fixture details were not provided. If the applicant intends to provide lighting around the proposed building, light details and a photometric analysis will to be provided to ensure a design that minimizes glare and light spillover onto the adjacent residential district.

A landscaping plan was not provided. However, landscaping plans will need to be provided if the addition of Building 6 alters the previously approved landscaping plan provided with FDP.

A sign plan was not provided. Therefore, any signs will remain subject to Trustee Resolution 05-2015 and Zoning Commission Resolution 15-9.

**ACTION**

The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Revised Final Development Plan, unless additional information is deemed necessary to make an informed decision.

No questions from the Board members.

**Applicant**                    **Bob Hutsenpiller**  
   **7404 Liberty One Dr**  
   **Liberty Township, OH**

Building 6 is really other than a formality on Building 5A & 5B, is why we are here tonight. We didn't bring elevations of the colors because it was approved on our original PUD that everything matched; we did those colors back then. Buildings 5A & 5B are consistent.

Mr. Hahn – no issues with the lack of clarity from the previous approvals? Therefore you can provide what we need to get that cleaned up?

Mr. Hutsenpiller – yes. 5A & 5B were already emailed to Tim before we left the office today.

**Proponents**                **None**

**Opponents**                **None**

**Neutral**                    **Gary Roberts**  
   **7775 Cedar Falls Lane**

My property borders 1.8 acres of this tract. What is that zoned?

Mr. Dawson – that is still zoned residential.

**DELIBERATIONS**

No questions from the Board – all agree it's pretty straight forward.

**Ms. Hendel made a motion to approve Case # RFDP-12-16-A Lakota Self Storage with conditions as recommended by staff. Mr. Rinnert seconds the motion.**

**Aye: Mr. Hahn, Mr. Rinnert, Mr. Williams, Mr. Fisher, Ms. Hendel**

**Nay:**

**Motion carries 5 – 0**

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**ZMA13-16 Rinck Farm II**

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The applicant is Chris Wunnenberg. The applicant is requesting a Zoning Map Amendment from B-2 (General Business) to M-1 (Light Industrial). This is for the purpose of permitted land uses in the M-1 zoning district.

The subject site is located along Princeton-Glendale Road (SR 747) approximately 1,600 feet north of Union Centre Boulevard. The site consists of 1.8 acres having approximately 76 feet of frontage along Princeton-Glendale Road (SR 747). The site is characterized as vacant, flat, and heavily vegetated with trees along the east property line.

The Land Use Plan recommends Office / Light Industrial. The request would be consistent with the Comprehensive Land Use Plan which defines it as a Professional and corporate office, warehouse, and research and development uses and related compatible uses.

The proposed zoning map amendment is consistent with the Comprehensive Land Use Plan's recommended Office/ Light Industrial land use classification for the subject site.

In consideration of the character and intensity of the surrounding land uses, the proposed zoning map amendment to the M-1 (Light Industrial District) will be an extension of the 39.7 acre site to the south that was recommended for approval at the December 19, 2016 Zoning Commission hearing, in which both sites are intended for a warehouse/ distribution/ office land use.

**ACTION**

The West Chester Township Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Zoning Map Amendment, unless additional information is deemed necessary to make an informed decision.

No questions from the Board members.

**Applicant**                      **Chris Wuunnenberg**  
   **Schumacher Dugan**  
   **6355 Centre Park**

I was in last month, all of these were different farm names all under Schumacher Dugan. This one piece was zoned B-2, the remaining was M-1. After discussions with the Land Use Planning Committee, we are requesting to rezone as M-1.

**Proponents**                      **None**

**Opponents            None**

**Neutral**

**DELIBERATIONS**

Mr. Williams – it all makes sense.

**Mr. Rinnert made a motion to approve Case # ZMA13-16 Rinck Farm II with all conditions as recommended by staff. Mr. Hahn seconds the motion.**

**Aye: Mr. Hahn, Mr. Rinnert, Mr. Williams, Mr. Fisher, Ms. Hendel**

**Nay:**

**Motion carries 5 – 0**

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**Administrative Matters:**


The next meeting is February 27, 2017 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 8:33 p.m.

Chairman:

Secretary:

  
\_\_\_\_\_  
James Hahn

  
\_\_\_\_\_  
Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-1  
COOPER MEADOWS; SELF-STORAGE – ZMA 10-16 (R-PUD to C-PUD)**

**WHEREAS**, on April 27, 2004, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) and B-2 (General Business District) to R-PUD (Residential Planned Unit Development District) and C-PUD Commercial Planned Unit Development District) and a Preliminary Development Plan for 19 duplexes (38 units) on the west portion of the property and a multi-tenant retail center on the east portion of the property on approximately 7.6 acres; and

**WHEREAS**, on September 19, 2005, the West Chester Township Zoning Commission approved a Final Development Plan for the R-PUD portion of the property, which included 19 duplexes (38 units), the access road on the adjoining property, and development signage on approximately 6.9 acres; and

**WHEREAS**, on May 15, 2006, the West Chester Township Zoning Commission approved a Revised Final Development Plan for the R-PUD portion of the development, which included revisions to the parcel lines for the purpose of accommodating the option of a deck/patio; and

**WHEREAS**, on December 19, 2016, Christopher Moore submitted an application requesting a Zoning Map Amendment from R-PUD to C-PUD and a Preliminary Development Plan for six self-storage buildings, totaling 76,895 square feet on approximately 6.9 acres; and

**WHEREAS**, on January 3, 2017, the West Chester Township Land Use Planning Committee reviewed the subject property and recommended approval of the proposed self-storage land use, which was considered to be consistent with the West Chester Township Comprehensive Land Use Plan's recommended Office/ Residential Transitional land use classification for the subject site, with the consideration of the proposed buildings are consistent with the recommended residential character, which includes pitched roofs and building materials that are compatible with the surrounding residences; and

**WHEREAS**, on January 10, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and

**WHEREAS**, on January 23, 2017, 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 as submitted with the following conditions:

- 1.) The current approval shall only grant changes to the subject site. The existing Cooper Meadows C-PUD shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 24-2004).

- 2.) A turn lane warrant analysis and a sight distance study shall be provided to the Ohio Department of Transportation (ODOT) for the existing access way along Cincinnati-Columbus Road (US 42). All requirements of ODOT and West Chester Township (WCT) shall be incorporated into the FDP.
- 3.) A grading plan and stormwater drainage plan and calculations shall be provided at the FDP stage and shall meet all requirements of the Butler County Engineer's Office (BCEO) and WCT.
- 4.) All water and sanitary services not used for the development shall be properly abandoned under the discretion of the Butler County Water and Sewer Department (BCWSD) and WCT at such time deemed necessary by the BCWSD.
- 5.) All access and road ways; locations of fire hydrants; and fire lane signage shall be coordinated with 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
- 6.) 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 retention/ detention area performs the designated function; and maintaining all landscaping in good condition.
- 7.) 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.
- 8.) Trash pick-up shall be between the hours of 7:00 a.m. and 7:00 p.m. to reduce detrimental impact to adjoining or in close proximity residential subdivisions.
- 9.) Detailed floor plans and building elevations shall be provided at the FDP stage. The building elevations shall demonstrate a residential character with at least fifty percent high-quality masonry building materials (brick, stone, etc.) and a pitched roof design being utilized throughout.
- 10.) A photometric analysis shall be provided at the FDP stage that demonstrates .02 foot candle levels along the adjoining residential subdivision(s).
- 11.) 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(s).
- 12.) A detailed landscaping plan shall be provided at the FDP stage, which shall provide adequate berming coordinated with the proposed site perimeter tree plantings. The existing perimeter mature tree-line shall be maintained with a thirty foot buffer from all property lines. 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.

- 13.) 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. Illuminated building signs shall be prohibited.
- 14.) All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing 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 in this recommended approval. This action shall take effect this 23<sup>rd</sup> day of January 2017.

West Chester Township  
Butler County

Chairman:

Secretary:



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James Hahn



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Timothy Dawson  
Township Planner



**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-2  
NEW LIFE CHAPEL – ZMA 11-16 (R-1 to B-1)**

**WHEREAS**, on December 19, 2016, Michael Seeger, on behalf of New Life Chapel, submitted an application requesting a Zoning Map Amendment from R-1 (Suburban Residence District) to B-1 (Neighborhood Business District) on approximately 18.1 acres; and

**WHEREAS**, on January 10, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and

**WHEREAS**, on January 23, 2017, 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.

**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 this 23<sup>rd</sup> day of January 2017.

West Chester Township  
Butler County

Chairman:

Secretary:

  
\_\_\_\_\_  
James Hahn

  
\_\_\_\_\_  
Timothy Dawson  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-3  
KEEFE PROPERTY; TRACT 1; WETHERINGTON POINTE;  
LOT 1; CHICK-FIL-A – MC 12-16**

**WHEREAS**, on March 9, 2004, 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 Preliminary Development Plan that established the permitted uses and the access points to the site, including the extension of Tylers Place Boulevard to Hamilton-Mason Road (now Liberty Way) on approximately 47.82 acres; and

**WHEREAS**, on May 17, 2004, the West Chester Township Zoning Commission approved a Final Development Plan, which included the Tylers Place Boulevard extension, the Preserve Place Road section inside the C-PUD boundary and open space improvements; and

**WHEREAS**, on July 21, 2014, the West Chester Township Zoning Commission approved a Revised Preliminary Development Plan, which included the lot layout of four development parcels, one open space parcel, Tylers Place Boulevard improvements and common development improvements. Additionally, the preliminary layout of Lot 3 was provided for Cabela's as the proposed use; and

**WHEREAS**, on August 18, 2014, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 1 of the C-PUD, which included the lot layout of four development parcels, one open space parcel, Tylers Place Boulevard improvements and common development improvements and the construction of a 75,330 s.f. Cabela's on Lot 3 of Tract 1; and

**WHEREAS**, on August 17, 2015, the West Chester Township Zoning Commission approved a Final Development Plan for Lots 1 and 2 of Tract 1, which included the construction of a 12,192 s.f. multi-tenant building with retail and restaurant uses on Lot 1 and a 9,312 s.f., multi-tenant building with retail and restaurant uses on Lot 2; and

**WHEREAS**, on July 18, 2016, the West Chester Township Zoning Commission approved a Revised Final Development Plan for Lot 2 of Tract 1, which included directional signs and three (3) building signs in addition to the directional signs, totaling 120 s.f.; and

**WHEREAS**, on October 17, 2016, the West Chester Township Zoning Commission approved a Revised Final Development Plan approval for Lots 1 and 2 of Tract 1, which included all building signage; and

**WHEREAS**, on December 19, 2016, GBC Design, Inc. on behalf of Chik-Fil-A, Inc., submitted an application requesting a Major Change to the PUD and Preliminary Development Plan, which included a split of Lot 1 for a 4,594 s.f. Chick-Fil-A restaurant with a drive-thru and outdoor seating; and

**WHEREAS**, on January 10, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and

**WHEREAS**, on January 23, 2017, 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 of aforesaid application as submitted with the following conditions:

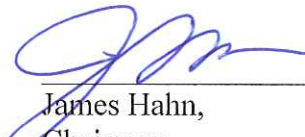
- 1.) The current approval shall only grant changes to the subject site. The remaining Keefe; Tract 1 C-PUD shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 16-2004 and Zoning Commission Resolution 14-15).
- 2.) The lot split provided on the Final Development Plan (FDP) shall be consistent with the proposed lot split provided on the Preliminary Development Plan (PDP) and shall be recorded prior to the issuance of a zoning certificate.
- 3.) A utility plan, grading plan and stormwater drainage plan and calculations shall be provided at the FDP stage and shall meet all requirements of the Butler County Engineer's Office (BCEO) and West Chester Township (WCT).
- 4.) All access and road ways; locations of fire hydrants; and fire lane signage shall be coordinated with 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.
- 5.) At which time the property ownership changes, an amended Property Owners' Association, vehicular cross-access, and public use easement agreements shall be provided for maintenance of the site and granting legal access throughout the Keefe; Tract 1 C-PUD.
- 6.) 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 retention/ detention area performs the designated function; and maintaining all landscaping in good condition.
- 7.) Dumpster enclosure details shall be provided at the FDP stage. The enclosures 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.
- 8.) Detailed floor plans, including indoor and outdoor seating charts shall be provided at the FDP stage.
- 9.) Detailed building elevations shall be provided at the FDP stage. The building elevations shall demonstrate at least fifty percent high-quality, masonry building materials (brick, stone, etc.) are being utilized throughout.

- 10.) A detailed landscaping plan shall be provided at the FDP stage, which shall be consistent with the Preliminary Development Plan (PDP) stage. 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.
- 11.) A detailed sign plan shall be provided at the FDP stage. All signage shall be approved at the FDP stage. All ground-mounted signs shall be consistent with the exterior building materials for the principle building. All building signage shall remain subject to the previously approved conditions of Zoning Commission Resolution 16-20.
- 12.) All comments from other agencies shall be adequately addressed to the satisfaction of the reviewing 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 in this recommended approval. This action shall take effect this 23<sup>rd</sup> day of January 2017.

West Chester Township  
Butler County

Chairman:

  
\_\_\_\_\_  
James Hahn,  
Chairman

Secretary:

  
\_\_\_\_\_  
Timothy Dawson,  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-4  
LAKOTA SELF-STORAGE – 12-16-A  
REVISED FINAL DEVELOPMENT PLAN**

**WHEREAS**, on February 10, 2015, the West Chester Township Board of Trustees approved a Zoning Map Amendment from M-1 (Light Industrial District), A-1 (Agricultural District) and R-1A (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan for five, self-storage buildings, including office uses, and an outdoor storage area on approximately 8.5 acres; and

**WHEREAS**, on April 20, 2015, the West Chester Township Zoning Commission approved a Final Development Plan for three, self-storage buildings (Buildings 1, 2, and 3), two, office buildings (Buildings 2 and 4), and an outdoor storage area on approximately 8.5 acres; and

**WHEREAS**, on March 9, 2016, a staff-level revision was approved for Building 5, which increased the 6,000 square foot building into two buildings, consisting of a 3,920 square foot Building 5a and a 3,200 square foot Building 5b; and

**WHEREAS**, on December 12, 2016, a staff-level revision was approved for Building 3, which increased the 7,700 square foot building to 9,800 square foot; and

**WHEREAS**, on December 20, 2016, LLS, LLC. submitted an application requesting a Revised Final Development Plan approval for an additional 4,200 square foot, self-storage building (Building 6) on the east portion of the site, north of Building 3; and

**WHEREAS**, on January 23, 2017, the West Chester Township Zoning Commission conducted a public meeting 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 approve the aforesaid application as submitted with the following conditions:

1. A revised plan shall be submitted within 30 days to reflect the following changes: 1) The sanitary line and easement as illustrated on the Final Development Plan (FDP), Case # 04-15-A, which shall not be in conflict with proposed retaining wall along the proposed building; 2) As-built water main utilities, including the valve depth and stationing easement; 3) Detailed building elevations for Buildings 3, 5a, 5b and 6, which shall demonstrate exterior building materials that are consistent with materials approved with the FDP; 4) Light locations and light fixture details to ensure a design that minimizes glare and light spillover onto the adjacent residential district; and 5) A photometric analysis if any lighting is intended to be installed, which shall meet .02 foot candle levels along the adjacent residential district.
2. This approval is only for Buildings 3, 5a, 5b and 6 as shown on the Revised Final Development Plan (RFDP). The existing Lakota Self-Storage C-PUD shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 05-2015 and Zoning Commission Resolution 15-9).

3. All access and road ways; locations of fire hydrants; and fire lane signage shall be coordinated with the West Chester Township Fire Department and incorporated into the Revised Final Development Plan to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.
4. All comments from other agencies shall be adequately addressed to the satisfaction of the agencies and West Chester Township during the zoning certificate review process.
5. The West Chester Community Development Department (WCCDD) staff shall be authorized to approve minimal revisions to the approved Revised Final Development Plan. Any changes to the plan that are required by other agencies shall be subject to approval by the WCCDD staff.

**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 23<sup>rd</sup> day of January 2017.

West Chester Township  
Butler County

Chairman:

Secretary:

  
\_\_\_\_\_  
James Hahn  
\_\_\_\_\_  
Timothy Dawson  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-5  
RINCK FARM II - ZMA 13-16 (B-2 to M-1)**

**WHEREAS**, on April 11, 2006, the West Chester Township Board of Trustees approved a Zoning Map Amendment from M-2 (General Industrial District) to B-2 (General Business District) on approximately 23.8 acres; and

**WHEREAS**, on December 20, 2016, Chris Wunnenberg submitted an application requesting a Zoning Map Amendment from B-2 (General Business District) to M-1 (Light Industrial District) on approximately 1.8 acres; and

**WHEREAS**, on January 10, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and

**WHEREAS**, on January 23, 2017, 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 of the aforesaid application.

**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 this 23rd day of January, 2017.

West Chester Township,  
Butler County, OH

Chairman:

Secretary:

  
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James Hahn

  
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Timothy Dawson,  
Township Planner