

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
July 17, 2017**

MEMBERS PRESENT: Jim Williams, Doug Rinnert, Gerry Stoker, Bruce Fisher

MEMBERS ABSENT: James Hahn

STAFF PRESENT: Aaron Wiegand, Director  
Timothy Dawson, Township Planner

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 6:59 p.m.

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

This evening we have a 4 member quorum. Staff has advised the applicant that they are able to continue the case until next month however they elected to proceed this evening.

Staff and anyone speaking in tonight's case are sworn in.

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**Old Business:**

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**ZMA02-17 BC TID at Liberty Way**

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The applicant is Brian Copfer of Liberty Way Cincy, LLC. The applicant is requesting a Zoning Map Amendment and Preliminary Development Plan to construct two (2) medical office buildings, a hotel, and a multi-tenant building including retail and restaurant with a drive-thru.

The subject site is located at the northeast corner of the Liberty Way / Hamilton-Mason Road and Cox Road intersection. The site consists of 14.75 acres having approximately 1,615 feet of frontage along Liberty Way / Hamilton-Mason Road. The site is characterized as vacant, flat, and heavily vegetated with mature trees.

The current zoning of the site is A-1, Agricultural Use. Adjacent to the east, we also have an A-1 parcel and to the west a Commercial Planned Unit Development. As you can see Liberty Township adjoins the property to the north which is classified as their Cox Road Corridor Overlay District which is a mixed commercial use district. The subject site is consistent with the intent and purpose of the West Chester Township Comprehensive Land Use Plan recommended Office / General Retail land use

classification by achieving compatibility with the surrounding land uses. The site is located along the major corridor of Liberty Way / Hamilton-Mason Road with very close proximity to two other major corridors, which includes the Interstate 75 and Butler County Veterans Highway (SR 129) interchanges. Located along the major corridor, the site will serve the community market and would be complimentary to the surrounding mix of office, retail, and public uses.

The proposed Preliminary Development Plan is also consistent with the intent and purpose of the Comprehensive Land Use Plan development characteristics by maintaining consistency with the intensity of the surrounding retail and office uses.

The proposed development achieves coordination with the existing, surrounding uses and building heights, as well as the proposed future land uses to the north and the site layout is considered to be well-appointed by utilizing the existing natural features; well-designed vehicle circulation; and providing extensive landscaping and pedestrian connectivity throughout the site which includes 6' concrete sidewalks and a 10' asphalt multi-purpose path.

Additionally, the proposed site access ways along Liberty Way / Hamilton-Mason Road will be coordinated with the Butler County Engineer's Office and the cross-access connections stubbed to the adjacent property to the north have been coordinated with Liberty Township for future development.

The applicant is proposing two (2) medical offices within two phases of Final Development Plan's. They consist of two 2-story buildings totaling 95,000 sq. ft., as well as a 4-story 60,000 sq. ft. hotel, and a 8,360 sq. ft. retail/restaurant with a drive-thru use.

The total parking provided is 679 spaces where 618 are required. The applicant is providing 20% open space through-out the site where 15% is required.

In consideration of the character and intensity of the surrounding existing uses, the proposed uses are consistent and compatible with the nearby medical campuses and commercial uses located along the highway interchanges and the Liberty Way / Hamilton-Mason Road commercial corridor.

A Traffic Impact Study is still under review by the Butler County Engineer's Office at this time. The Butler County Engineer's Office has indicated an approval of the Traffic Impact Study will outline the required site access ways and any improvements to Liberty Way / Hamilton-Mason Road are subject to change based on the full review of the Traffic Impact Study. However, at this time, some preliminary recommendations have been made in regard to the right in/right out/left in access way along Liberty Way / Hamilton-Mason Road and the right of way dedications and any road widening that may occur along Liberty Way / Hamilton-Mason Road due to the improvements.

Preliminary grading plans and storm water drainage plans and calculations have been provided for review in order to provide recommendations on the capacity of the proposed storm water retention areas. The Butler County Engineer's Office has indicated an approval of the detailed, storm water drainage report at the Final

Development Plan stage may increase the size of the proposed retention areas, which may result in a decrease of the intensity of the site plan, in regard to proposed parking areas and the building footprints.

The Butler County Water and Sewer Department has indicated a 10 foot wide water main easement will need to be provided either within the site, within a shared easement, or located on an adjacent property if an easement agreement can be reached. Additionally, a 10 inch water main line connection should be illustrated on the Final Development Plan along the internal, public road within the public right of way. Furthermore, the proposed sanitary sewers will need to meet all Butler County Water and Sewer Department requirements regarding public and private sewer mains and lateral spans and the corresponding connections.

The Butler County Soil and Water Conservation District has indicated that the site has poor drainage and the applicant should avoid development over areas identified as a designated wetland. If development occurs within the areas it should be coordinated with the applicable agencies to ensure it is meeting all requirements.

The preliminary landscaping plan proposes adequate trees within the lots and along internal roads throughout the site. However, the open space along the Liberty Way / Hamilton-Mason road frontage is not illustrated as providing adequate street trees. Additional landscaping should be considered at the Final Development Plan stage to properly screen the adjacent parking areas in an effort to minimize any vehicle headlight glare into traffic along the public road.

Preliminary sign type locations were provided but defined locations and details of the signs were not provided. However the applicant is proposing a ground sign at the west corner of the site at the intersection of Liberty Way and Cox Road, which is an entry way to the Township as well as five (5) building signs for the Phase 1 medical office building, which do need consideration. The ground sign is proposed at fifteen (15) feet in height with an eighty (80) sq. ft. display area. Additionally, two of the building signs, which would be located on the west and south building elevations, are proposed to project ten (10) feet above the roofline. However, the applicant has stated that the architectural design of the building façade is projected over the roofline, on which the building signs will be located.

Although the proposed height and display area of the proposed ground sign is not consistent with the West Chester Township Zoning Resolution, Article 20, the proposed height and display should be considered to allow for better visibility at the location and grade near the major traffic corridors. Additionally, in order to allow for both, West Chester Township and the applicant, signs at the proposed location and not have a cluttered and unattractive appearance, considerations should be given to allow the applicant to incorporate the West Chester Township secondary, entryway sign into the applicant's proposed ground sign structure. Furthermore, the proposed west and south elevation building signs are not considered to be projected over the roofline if they are incorporated into the building façade, which would be consistent with Article 20 of the West Chester Township Zoning Resolution.

The site location lends itself to the opportunity for two (2) well-placed, West Chester Township entry ways signs at the Township's border. A secondary sign should be located on the west corner of the site at the intersection of Liberty Way / Hamilton-Mason Road and Cox Road and a tertiary sign on the west side of the proposed internal, public road along the north property line. The signs should be designed as illustrated in the Township's strategic plan, which was prepared in November 1998.

In consideration of reducing detrimental impacts to the adjacent residential subdivision to the northeast, any dumpster enclosures should be located an appropriate distance from the residential district and trash pick-up times should occur at an appropriate time during the day.

Additionally, a photometric analysis should be provided, which demonstrates that adequate light levels are being maintained and appropriate light fixtures are utilized and internally-illuminated building signs shall be prohibited on the east building wall elevation of the hotel on Lot 2.

Further details in regard to the building elevations, landscaping, and signage will be provided at the Final Development Plan stage.

Finally, the site will contain three lots and are intended for each to be held under separate ownership. Therefore, a Declaration of Covenants, conditions, and Restrictions and Reservation of Easements (DCCRRE) needs to be provided, which establishes vehicular cross-access and public use easement agreements; grants legal access throughout the site and to the adjacent property to the north; and defines maintenance responsibilities for all common features and elements throughout the site.

## **ACTION**

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

Comments from the Board:

Mr. Stoker – I had emailed Mr. Dawson a question about the signage but he already clarified it for me in the Staff Report.

Mr. Williams – In the resolution it says the proposed west and south elevation building signs are over the roofline are not consistent with Article 20, can you identify which area again?

Mr. Dawson – Staff has not been provided any details of the building façade but it's been stated by the applicant that the signs will be located on the west elevation of Phase 1 medical office and on the south elevation so they'll have visibility from Liberty Way interchange as well as the west bound traffic along Liberty Way for their signs.

Mr. Williams – And that's pretty consistent from what I remember as we drive up 75 and

those building to the right. I believe some of those medical buildings did have some signage; they didn't initially but they do now. Is that pretty consistent?

Mr. Dawson – This architectural design is to have a projected façade over what would be considered the roofline or the mechanics over top of the roof. This will actually have the façade projecting above that roofline. So it would actually be part of the façade rather than be a sign projecting above the façade.

**Applicant**                      **Brian Copfer**  
**Miller-Valentine Group**  
**9349 Waterstone Blvd**  
**Cincinnati OH 45249**

I won't say a whole lot more; Tim did a great job of summarizing the project. We've been working here for about 2 years on this project. It obviously included the whole 90 acre to the north. Tri-Health is our anchored tenant; they are taking this building but we initially had a piece going to Tri-Health Campus; they were going to take about 33 acres. After we got started Tri-Health changed their minds and we weren't sure what to do with the 90 acres, the economics got a little sideways and then roadway issues. Our focus now is on the 14 acre; TID property. Right now Tri-Health is contemplating a Phase 1 building and a Phase 2 building; total will be roughly 100,000 sq. ft.

We are working with the county for a master development agreement with who's paying for what regarding the roadway and what's happening with the traffic improvement. As Tim mentioned, we do have a Traffic Impact Study that's under review with Butler County Engineer's Office. We are extremely close to completing this. We want to allow for growth along Liberty Way.

We are excited to get all this going.

Mr. Fisher – Have you committed to the owner of the hotel?

Applicant – No we have not determined that yet. We are under 3 acres so it will not be a full service hotel.

**Proponents**                      **None**

**Opponents**                      **None**

**Neutral**                              **None**

### DELIBERATIONS

Mr. Fisher – I like the project.

Mr. Stoker – I do too. I'm glad to see there's continued demand for hotels.

Mr. Williams – I have to agree with both you.

Mr. Rinnert – I liked the project from the first time I saw it. I think it's going to be helpful

to that area to have it grow. I'm pleased to see it going in.

Mr. Williams – I agree with you also. There's just a lot of great things going on in Butler County; this will facilitate that as well.

**Mr. Stoker made a motion to approve Case # – ZMA02-17 BC TID at Liberty Way.  
Mr. Rinnert seconds the motion.**

**Aye: Mr. Stoker, Mr. Rinnert, Mr. Williams, Mr. Fisher**

**Nay:**

**Motion carries 4 – 0**

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**Administrative Matters:**

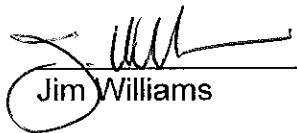
June minutes are approved as written.

The next meeting is August 21, 2017 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Williams adjourned the meeting at 6:29 p.m.

Vice Chairman:

Secretary:

  
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Jim Williams

  
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Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-11  
BC TID AT LIBERTY WAY  
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN  
(A-1 to C-PUD)**

**WHEREAS**, on May 16, 2017, Liberty Way Cincy, LLC. – Brian Copfer submitted an application requesting a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan for four buildings totaling 163,360 square feet with a mix of uses, including a two-story, 50,000 square foot medical office; a two-story, 45,000 square foot medical office; a four-story, 60,000 square foot, 101 room hotel; and a one-story, 8,360 square foot, multi-tenant building consisting of retail/ restaurant uses on approximately 14.8 acres; and,

**WHEREAS**, on June 12, 2017, the Butler County Planning Commission public hearing, which was regularly scheduled for June 13, 2017, was canceled due to a lack of a five-member quorum and the aforesaid application was continued to a special hearing on June 20, 2017; and,

**WHEREAS**, on June 19, 2017, the West Chester Township Zoning Commission conducted a public hearing and passed a motion to continue the aforesaid application due to compliance with Ohio Revised Code, Title (5) V, Article 519.12, which requires a recommendation from the Butler County Planning Commission prior to the Zoning Commission hearing; and,

**WHEREAS**, on June 20, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

**WHEREAS**, on July 17, 2017, the West Chester Township Zoning Commission conducted public hearing for the aforesaid application.

**NOW THEREFORE BE IT RESOLVED**, that on the basis of the above actions and findings, the West Chester Township Zoning Commission does hereby recommend approval of the aforesaid application with the following conditions:

- 1.) The permitted uses shall include the Principal Permitted Uses of the West Chester Township Zoning Resolution's (WCTZR) O-1, O-2, and B-1, Districts, excluding Articles 18.024, 18.025, 18.026, 18.028, 19.024, 19.025, 21.025, 21.027, 21.0291 and only include the B-2 District, Articles 22.027, 22.028, and 22.0210 - excluding "night clubs."
- 2.) All recommendations of the Traffic Impact Study (TIS) and requirements of West Chester Township (WCT), in coordination with the Butler County Engineer's Office (BCEO), shall be incorporated into the Final Development Plan (FDP). A copy of the approved TIS and letters of approval from the appropriate agencies shall be provided to the West Chester Township Community Development Department (WCTCDD) at the FDP stage.
- 3.) Any construction to widen Liberty Way/ Hamilton-Mason Road (LW/ HMR), as required by the TIS, shall occur on the north side of LW/ HMR.

- 4.) All public right-of-way dedications shall be shown on the Phase I, FDP and shall be dedicated as required by the BCEO and the Butler County Thoroughfare Plan prior to the issuance of a zoning certificate.
- 5.) All access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the WCTCDD and the West Chester Township Fire Department and shall be incorporated into each FDP phase to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.
- 6.) Detailed grading plans, stormwater drainage plans and calculations, and utility plans shall be provided at each FDP stage and shall meet all WCT and BCEO requirements prior to the issuance of a zoning certificate.
- 7.) A water main easement shall either be illustrated on the Phase 1, FDP within the subject site or an easement agreement shall be established on an adjacent property, as required by BCWSD. The location of the easement and an accompanying draft easement agreement, with the construction and maintenance responsibilities clearly defined, shall be coordinated with the WCTCDD and the Butler County Water and Sewer Department (BCWSD) at the Phase I, FDP stage. The easement agreement shall be provided to the WCTCDD for approval at the Phase 1, FDP stage and shall be recorded prior to the issuance of a zoning certificate.
- 8.) A ten (10) inch water main line connection shall be illustrated on the Phase 1, FDP along the internal public road, as required by the BCWSD.
- 9.) All sanitary sewers shall meet all BCWSD requirements regarding public and private sewer mains and lateral spans and the corresponding connections.
- 10.) Any development that occurs within a designated wetland shall be coordinated with WCT, BCEO, and Butler County Soil and Water Conservation District and shall meet all requirements prior to the issuance a zoning certificate.
- 11.) Detailed floor plans and building elevations shall be provided at each FDP stage. The exterior building elevations shall demonstrate high-quality, modern architectural design building materials (metals, glass, brick, stone, masonry, etc.) are being utilized throughout the site.
- 12.) Dumpster enclosure locations and details shall be provided at each FDP stage. The enclosures shall comply with the provisions of the West Chester Township Zoning Resolution (WCTZR), Articles 10.031 and 20.043 and shall be consistent with the building materials of the principle building. Dumpster enclosures shall be located in a manner to reduce detrimental impacts to the adjacent residential subdivision.
- 13.) Trash pick-up shall occur between the hours of 7:00 a.m. and 7:00 p.m. to reduce detrimental impacts to adjoining or close proximity residential subdivisions.
- 14.) A photometric analysis that demonstrates .02 foot candle levels along the north and east property lines shall be provided at the Phase 1, FDP stage.



- 15.) Light locations and light fixture details shall be provided at each FDP stage to ensure a consistent design that minimizes glare and light spillover onto the adjacent residential subdivision.
- 16.) A detailed landscaping plan shall be provided and approved at each FDP stage to ensure adequate landscaping throughout the site. The landscaping plan included in the Phase 1, FDP shall illustrate adequate screening elements along the LW/ HMR frontage, to include an adequate quantity, size, and spacing of tree plantings, and any additional landscaping to screen the parking areas.
- 17.) One (1), fifteen (15) foot high ground sign, consisting of an eighty (80) square foot display area, shall be permitted at the west corner of Lot 3 at the intersection of LW/ HMR and Cox Road. In addition to the commercial sign display area, the sign shall also include the incorporation of a "Secondary," West Chester Township (WCT) entryway sign within the structure design.
- 18.) Two (2) WCT entryway signs shall be illustrated on the Phase 1, FDP. A "Secondary" sign shall be incorporated into the applicant's ground sign structure, located at the west corner of the site at the intersection of LW/ HMR and Cox Road. A "Tertiary" sign shall be located on the west side of the proposed internal, public road along the north property line. The signs shall be designed according to the "Secondary" and "Tertiary" signage details illustrated in the "Identity Study Summarization for West Chester in Union Township Butler County, Ohio" that was prepared by McGill Smith Punshon, Inc. in November 1998. The signs shall be included as common elements in the required DCCRRE and constructed and maintained by the property owner or property owners' association. The specific location, design, landscaping, etc. for the signs shall be approved at the Phase 1, FDP stage.
- 19.) A detailed sign plan shall be provided at each FDP stage. All signage details, which are not approved on the Preliminary Development Plan (PDP), shall be approved at each FDP stage.
- 20.) All signs shall be pursuant to the WCTZR Articles 10 and 20, excluding the height and display area of the ground sign illustrated as #3 on the PDP and referred to in the "Drawing Notes" and "Lot 3 - Sign Notes."
- 21.) All sign structures shall be consistent with the exterior building materials of the principle building.
- 22.) Internally-illuminated building signs shall be prohibited on the east building wall elevation of the hotel on Lot 2.
- 23.) A Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) shall be provided to the WCTCDD for approval at the Phase I, FDP stage and shall be recorded prior to the issuance of a zoning certificate. The DCCRRE shall establish easement agreements for vehicular cross-access and public use of pedestrian facilities by providing legal access throughout the site and to the adjacent property to the north, with the maintenance responsibilities for all common features and elements throughout the site and within the public right-of-way of the internal public road clearly defined, and all exhibits pertaining to the agreements.

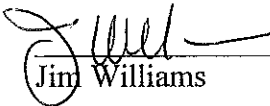
24.) The property owner or a recorded property owners' association shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and all major landscaping shall be irrigated with a permanent system prior to the issuance of a zoning certificate.

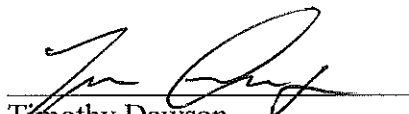
**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 17th day of July, 2017.

West Chester Township,  
Butler County, OH

Vice Chairman:

Secretary:

  
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Jim Williams

  
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Timothy Dawson,  
Township Planner