

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
September 18, 2017**

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

MEMBERS ABSENT:

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

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 7:44 p.m.

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

Mr. Hahn asked if we have approval of the August 21, 2017 minutes. Mr. Williams made a motion to approve. Minutes are approved as written.

Case # FDP 08-17-C The Woods at West Chester Village; Landominiums; the applicant has formally requested a continuance of this case to the October hearing. I would like to make a motion to continue this case until next month. Mr. Williams made the motion, Mr. Stoker second the motion.

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

---

**New Business:**

---

**RFDP – 08-17-A West Chester Towne Centre; Huff Realty**

---

The applicant is HUC Development, LLC. The applicant is requesting a Revised Final Development Plan approval for a reduction in parking from the existing 119 spaces for the proposed tenant uses which would require 131 spaces.

The subject site is located along the southwest corner of the Center Point Drive and Muhlhauser Road. The site consists of 2.7 acres, which consists of an existing 30,120 s.f. multi-tenant building, parking area, and perimeter landscaping.

The West Chester Township Board of Trustees approved a Zoning Map Amendment from CBD (Central Business District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan (03-2002) on January 22, 2002, which

included 200,000 square feet of mixed office/ retail uses and two (2) outlots on approximately 25.56 acres.

The West Chester Township Zoning Board of Trustees approved a Major Change to the C-PUD, including a Preliminary Development Plan (05-2011) on January 27, 2004, which included 182,364 square feet of mixed office/ retail uses and three (3) outlots.

The West Chester Township Zoning Commission approved a Final Development Plan (04-40) for Lot 5, as illustrated on the previously approved Preliminary Development Plan, on August 16, 2004, which included a 30,120 square foot multi-tenant building consisting of mixed office/ retail uses.

The applicant has provided a description of the existing and proposed tenants with the corresponding areas of the tenant spaces within the building and the required parking spaces associated with those uses. Although, the applicant originally requested a reduction from what he calculated as 126 required parking spaces to the 119 provided, staff correctly calculated the required parking as 131 based on the description of the tenant uses and areas.

A number of considerations were given to the Zoning Commission, but staff has indicated that the most favorable consideration, given the circumstances, would be a reduction in required parking spaces in relation to the hours of operation for the site's tenants. All the uses have typical daytime operations, except for the two (2) restaurant uses. Stone Creek Dining operates from 11 am to 10 pm, M-F and Wise Owl Wine Bar operates from 4 pm to 1 am, T-F. Given the hours of operation, the eleven (11) parking spaces the Wise Owl Wine Bar requires could be utilized by the uses requiring them during typical daytime operations, which would also result in a reduction of only one (1) parking space for 119 parking spaces provided, where 120 are required during daytime operations

Furthermore, any approval of the aforementioned considerations are only for the proposed tenants and further considerations for any future change of use within the tenant spaces should occur at that time. Therefore, the West Chester Township Community Development Department staff will ensure any future applications for a zoning certificate within the site are consistent with the conditions of the resolution, if approved. Any future application for a zoning certificate, which proposes an intensity of the approved uses and parking requirements should be reconsidered by the West Chester Township Zoning Commission.

Finally, the twenty-four (24) foot drive aisle located along the south property is the minimal width required for West Chester Township Fire Department's emergency services access; and therefore, does not have any designated parking spaces. However, "no parking" signage was not previously required; therefore, patrons of the site are parking along the drive aisle. In order to maintain proper access for emergency services, the property owner should stripe the drive aisle pavement to indicate that "no parking" is available.

## **ACTION**

The 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 comments / questions from the Board.

**Applicant**            **Tim Schlosser**  
                              **Huff Realty**  
                              **6192 Muhlhauser**

**Hank Davis**  
                              **Cashman & Wakefield**  
                              **621 Main St**  
                              **Cincinnati OH 45202**

Mr. Schlosser – I run the Huff Realty office. Real Estate office have changed; there may be 5-8 people in the office at any time; most of us during the day. Stone Creek mostly in the evening. We've not encountered any parking situations to this point.

Mr. Rinnert – You don't have any problems striping the 24' wide on that parking?

Mr. Schlosser – No, that will be fine

Mr. Hahn – The other conditions in the resolution, you don't have a problem with?

Mr. Schlosser – No, we're good.

No comments / questions from the Board.

**Proponents**            **None**

**Opponents**            **None**

**Neutral**                **None**

**DELIBERATIONS**

Mr. Hahn – This seems pretty straight forward

All agreed.

**Mr. Williams made a motion to approve Case # – RFDP 08-17-A West Chester Towne Centre; Huff Realty. Mr. Rinnert seconds the motion.**

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

**Nay:**

**Motion carries 5 – 0**

---

**RFDP – 08-17-B Tylersville Square; Aldi**

---

The applicant is Russ White on behalf of Aldi, Inc. The applicant is requesting a Revised Final Development Plan approval for a 1,991 s.f. addition to the rear of the existing building.

The subject site is located along Tylersville Road approximately 1,290 feet west of the I-75 interchange. The site consists of 2.39 acres, which consist of an existing 16,335 s.f. Aldi grocery store, parking area, and perimeter landscaping.

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 a Preliminary Development Plan (14-1994) on January 24, 1994, which included a 119,062 s.f. retail building, five (5) outlots, one (1) interior lot, and an open space lot along the west property line, which was designated as a landscape buffer on approximately 33.28 acres.

The West Chester Township Zoning Commission approved a Final Development Plan (06-43) on November 20, 2006 for a 16,335 square foot Aldi grocery store on approximately 2.39 acres.

The subject site's previous Final Development Plan (06-43) was approved on November 20, 2006 as the existing 16,335 square foot Aldi grocery store, which included 88 parking spaces, where 55 were required and 33% open space. The proposed Revised Final Development Plan for a 1,991 square foot addition will bring the building to total of 18,326 square feet, which will only require 62 parking spaces. Therefore, the proposed addition is consistent with the previous approvals and development requirements.

As you can see on the floor plans, the addition will be utilized as operations and storage. And the proposed building materials will remain consistent with the existing.

**ACTION**

The 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 comments / questions from the Board.

**Applicant**                      **Russ White**  
   **4400 South Charleston Pike**  
   **Springfield, OH 45502**

**Jim Tuttle**  
**DLZ**  
**6121 Huntley Road**  
**Columbus, OH 43221**

We are looking forward to doing the expansion. We are excited about this. Since we built this store, our product line has grown from 900ish products to close to 1500 items now so frankly we don't have the space to give proper shelving to our products. We are looking to expand the majority of our stores to allocate proper shelving space for our products and give our customers the appropriate experience in the store.

Mr. Stoker – it's exciting to see all of you expand; they are one of the largest if not the largest in Europe. Apparently it's very successful over there.

Mr. White – thank you. It's been very busy the past couple of years. We made an announcement about a year and half ago to expand every one of our stores in the U.S., which is about 1500 stores and we are building another 900 over the next 5 years. I only cover Ohio, Kentucky and West Virginia, but I've gone from doing 5 or 6 a year to 23 stores next year.

**Proponents**            **None**

**Opponents**            **None**

**Neutral**                **None**

### **DELIBERATIONS**

Mr. Hahn – This is pretty straight forward.

Mr. Rinnert – Yes it is straight forward. It's nice to see a company that is growing.

Mr. Williams – I am a frequent shopper; I'm glad to hear they are staying and growing.

**Mr. Rinnert made a motion to approve Case # – RFDP 08-17-B Tylersville Square; Aldi. Mr. Fisher seconds the motion.**

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

**Nay:**

**Motion carries 5 – 0**

---

### **ZMA03-17; Keehner Property; Bel Haven**

---

The applicant is Dave Labus on behalf of Bel Haven, LLC. The applicant is requesting a Zoning Map Amendment from R-1A (Suburban Residence District) to a R-PUD (Residential Planned Unit Development) and a Preliminary Development Plan for 177 single-family residential lots, clubhouse with pool, and one potential future development lot.

The subject site is located at the southeast corner of the Tylersville Road and Beckett Road intersections. The site consists of 75.02 acres having approximately 2,430 feet of frontage along Beckett Road. The site is characterized as flat and consists of an existing single-family dwelling, agricultural fields, a mature tree line along the east and south property lines, and two streams running along the northwest and south portions of the site.

The West Chester Township Comprehensive Land Use Plan (CLUP) proposes Suburban Single Family as the adopted land use recommendation for the subject site.

**Suburban Single Family** – "Medium density detached single-family housing and related compatible uses."

General Location and Development Characteristics:

- Density not exceeding three dwelling units/ acre; and
- Unique development and architectural design characteristics such as neo traditional are encouraged.

The subject site is consistent with the intent and purpose of the West Chester Township Comprehensive Land Use Plan's (CLUP) recommended Suburban Single-Family land use classification by achieving compatibility with the surrounding land uses. The site is located along the major corridor of Tylersville Road with frontage and proposed access along Beckett Road. The area of the site offers the opportunity for a well-appointed, medium density, residential development, which integrates unique architectural design. Furthermore the site would be complimentary to the surrounding residential and public (schools) uses by providing pedestrian connectivity along Beckett Road from Smith Road to Tylersville Road.

In consideration of the character and intensity of the surrounding existing uses, the proposed detached, single-family residential use is consistent and compatible with the nearby residential and public uses. In regard to the proposed open space lot, Lot 177 (potential future development), any future use will need to be considered a principal permitted use or a permitted accessory (amenity) use within a R-PUD district and be subject to the West Chester Township Zoning Resolution (WCTZR), Article 26.18. This determines the difference between a major and minor use change.

The proposed Preliminary Development Plan (PDP) is also consistent with the intent and purpose of the CLUP development characteristics by maintaining consistency with the recommended medium density, which is defined as not exceeding three (3) dwelling units per acre and providing a unique residential development that is marketed toward the empty-nester demographics of the population by offering ownership of a "patio home" on a smaller lot with limited maintenance, which allows for the ability to customize the side and rear yard patio areas, while the home owners' association maintains the rest of the lot. The architectural design will be considered to be traditional by utilizing preferred building materials, such as a minimum of 50% masonry on the façades and dimensional shingles, which will achieve coordination with the existing, surrounding residential and public uses. Furthermore the site layout is considered to be well-appointed by utilizing the existing natural features; providing extensive landscaping; and establishing pedestrian connectivity throughout the site and the public use of the surrounding area.

Site development has been designated to occur in five (5) phases at an eighteen (18) month per phase timeline, which will include the following:

- 176 SFR lots on 75 acres (2.35 units/ acre) with varying lot areas and the following building setbacks:
  - Front yard - 25' minimum
  - Side yard - 5' ; 10' minimum between buildings
  - Internal lot rear yard - 10' minimum
  - Perimeter lot rear yard - 30' min. along Beckett Road
    - 30' min. along Tylersville Road
    - 30' min. along east property line
    - 25' min. along south property line
- One (1) lot containing a clubhouse, pool and fifteen (15) parking spaces, which will be constructed in Phase I;
- One (1) open space lot, which could potentially be developed in the future, which is included in Phase IV; and
- An overall, 17.3 acres (23%) of open space provided.

The building setback dimensions have been provided in the site data table, which are typical of a patio home layout that consist of minimal side and rear yard setbacks. However, the lots located on the perimeter of the site are deeper and; therefore, have a larger setback. The additional "setback note" states the stoops, steps, eaves, patios, and covered porches should be permitted to encroach into the building setbacks, but it does not state the dimension they should be allowed to encroach. Therefore, consideration should be given for a minimum five (5) foot encroachment for the aforesaid structures through the zoning approval and the home owners' association restrictions.

The applicant has proposed two site access ways along Beckett Road. A Traffic Impact Study (TIS) will need to be provided to the Butler County Engineer's Office (BCEO) for review to coordinate right-of-way dedications for future road improvements and site access ways. In regard, to the proposed open space lot, Lot 177 (potential future development), the BCEO has indicated that access will not be granted from the public right-of-way; therefore, the access will need to be established from the proposed interior, public roadway. Additionally, all right-of-way dedications will need to occur with the recording of the Phase IV subdivision plat.

Preliminary grading, utility, and stormwater drainage plans and stormwater calculations will need to be provided for review in order to provide recommendations on the capacity of the proposed stormwater retention areas.

During the preliminary review, the Butler County Water and Sewer Department indicated the existing and proposed water and sanitary sewer lines and connections will need to be further coordinated at the Phase I, FDP stage to assess the need for a

pressure-release valve pit on the eight (8) inch water main located at the Beckett Road and Tylersville Road intersection; water main connections and looping will need to be coordinated; and the sanitary sewer connection will need to be extended to the northeast corner of the property. The applicant has stated he will coordinate all water and sewer requirements prior to the FDP, which requires coordination with the future Kroger site, as well.

A five (5) foot wide, concrete sidewalk is proposed along the both sides of the internal public roads and the Beckett Road frontage within the public right-of-way dedication, which will require a span of bridge over the blue-line stream located on the south portion of the site. Additionally, the BCEO has indicated a sidewalk is required along the Tylersville Road frontage, per the Butler County subdivision regulations. However, staff has recognized the subject site provides the last opportunity for a public infrastructure improvement with the cooperation of private development, which could realize the CLUP's recommended pedestrian connection along Beckett Road from Smith Road to Tylersville Road. In regard to the connection, staff has advised the applicant on the flexibility of various location and design options that can be considered through the PUD process. The applicant has expressed a willingness to achieve the most favorable outcome between the interests of development costs and the community pedestrian connections. Staff recognizes the pedestrian facilities plans will require further coordination and recommends consideration be given at the Phase I, FDP stage.

As shown on the preliminary landscaping plan, adequate street trees are illustrated along the public roadways on the perimeter and throughout the site. However, additional evergreen trees should be illustrated on the FDP along the perimeter of the lot containing the clubhouse and pool to adequately screen the surrounding residential lots. Additionally, a sight triangle and line of sight study will need to be coordinated with the landscaping plan to ensure site access safety concerns.

Preliminary sign type and locations were not provided at the PDP stage. Therefore, all signage should be approved the FDP stage. However, consideration should be given to maintain the residential character by requiring all signage to meet the WCTZR, Articles 10 and 11 signage requirements, with the exception for the location, which should be given further consideration at the FDP stage as long as the proposed locations are not within the public right-of-way dedications.

A Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE) will need to be provided at the Phase I, FDP stage. At each subsequent FDP stage, the applicant will need to provide the plat of the proposed subdivision phase. The plat and a list of the lots within each phase should then be recorded as a supplemental exhibit to amend the DCCRRE prior to a final zoning inspection for each phase. A copy of the final, recorded DCCRRE containing the entire site will then need to be provided to the WCTCDD for the case file records.

## **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.

Mr. Williams – Just a clarification, which might even help some in the audience, can you explain the difference between an R1-A and a R-PUD.

Mr. Dawson – An R1-A, we refer to as a straight zoning district, which the development regulations and requirements of the development are included and stated in that article of the West Chester Township Zoning Resolution. Within a R-PUD, this allows the developer and the Township more flexibility in the overall site design, which generally is on a property with 3 or more acres. This allows more efficiency and flexibility within the development site which is all considered by the Zoning Commission and then that resolution and conditions for that site, as approved by the Board of Trustees through the Zoning Map Amendment and Preliminary Development Plan, then regulates that site as its own unique zoning requirement instead of being stated in the zoning resolution.

Mr. Stoker – Lot 177, have they indicated what they anticipate in doing with that piece of property?

Mr. Dawson – No not at Preliminary stage; I don't expect it at the Final Development Plan stage either. That's why the condition was recommended for it being subject to a major or minor use change in the future.

Mr. Hahn – In other words, they are coming in front of us again when it gets developed.

**Applicant**                      **David Labus**  
   **8000 Park Place Circle**

**Chris Mann**  
**EMH&T**  
**5500 New Albany Rd**  
**Columbus OH 43054**

It's nice to be back here again and with a new project. I'll start with a little bit of history. I think many of you have been on the board for a while and are familiar with what we've done across the street. As Tim shown in the presentation, we are the developers of the Villas at Park Place, a community of 85 condominiums on the west side of Beckett Road. We have had much success with the project. Our target audience in that community and anywhere else we have built in the country is the empty-nester market. That is a growing demand in every municipality across the country. We have found through our market research and through our experience with the Villas at Park Place project that this is a great location and we are looking to really develop this location with a new project as a true destination that the empty-nester buyers from around the Cincinnati market can gravitate to. I think we have some very exciting things going on both as a community and also the homes and the neighborhoods that we are building.

We are generally in agreement with all the comments from the Staff and various county departments. I will address a few items that have come up. First on Lot 177, it's somewhat over 5 acres, the only reason there's nothing on that is through our preliminary field work, we've determined there is a stream therefore the cost of bridging over that is well into the

six figures and by the time you get your street and everything in there it only allows for about 5 home lots and it doesn't warrant putting homes on that side of it. However they may be an opportunity later down the road to use this lot as an amenity to the community or possibly build something there.

We've had some discussion kind of early on pedestrian connectivity. I'm actually a resident within the Villas of Park Place as well as the builder/developer and I'm one of the brave souls that walks down the brim of the road to use the other paths that generally start around the intersection of Beckett Ridge Blvd and Beckett Rd. We are trying to work out a solution that allows us to change from the normal subdivision regulations like putting a sidewalk down Tylersville or rather have a sidewalk on one side of the street rather than both sides within the subdivision. In an effort to try to come up with funding to pay for the pedestrian connectivity, there's really a lot of detail to that. We hope to find a solution and come back to you at the Final Development Plan stage.

I asked Tim to include photos of the buildings of Park Place because it really is the same type of product that we are proposing across the street. You might recall that we refer to these homes as "Courtyard" homes. And the reason for that is we have fairly small lots; the empty-nesters are really trying to get away from mowing the yards and things like that and the homes are designed around a private courtyard area. We had someone come in today wanting to see what this was about. They said that on the website it says patio/courtyard homes and as we drove around we didn't see any. After they were shown around they understood the privacy and uniqueness of the courtyard homes.

As we go across the street to Bel Haven, we look to have a little more diversity. This community will be at least double in size and a little more of square shape so we will have a few more streets that will have homes on both sides so as we come back with the Final Development Plan we will be presenting more details of the architectural side of things. The general size and shape of the homes will be the same but we will be adding more diversity in terms of siding color, stone / brick choices, and things like that to give it more diversity on a larger site.

We do look to have a clubhouse/pool facility much like we have across the street. Just a few notes on our impact on the community in general. When completed Villas of Park Place will in about \$35M in property value. The new community presents a possibility of \$75M in property value. As an example in Villas of Park Place, I believe at the moment we have one household that have two school aged children so from an income standpoint to the school system and the community this is really a nice thing for West Chester as a whole.

Tim does a great job covering things I don't have to say a whole lot. I'm certainly open to any questions and EMH&T is here to answer any engineering questions that might arise.

No comments / questions from the Board.

**Proponent**                      **John Adamson**  
   **8205 Park Place Circle**

We have been residents in West Chester Township since 1996. We lived on Eagle Ridge and moved to Villas of Park Place in July 2014. We are one of five families that moved off of Eagle Ridge into Villas of Park Place. All five of us reared our children in the Township now we just pay the taxes in the Township. I think one of the more significant things I want to get a crossed for the consideration of the community is the evidence that is presented by the place where we live. This is a community that the entire Township can be proud of. The residence is certainly proud of it; we have a strong activity group within the residence, we always have something going on. The club house is kept busy when it's not rented out privately. Significantly I think the property values, when we came in we paid more for the house than we anticipated when we were downsizing but according to Zillow.com, our property may have gone up as much as 20% since we moved in. I offer that as evidence that the property that these folks have developed is continually growing and improving in its value and adding to the community. As I looked at the site plans today and I see all of the green space that's in, all the retention ponds which will be both aesthetic and functional and the things they've done with landscaping in our community and the way our community is kept up, this should be evidence of the whole Township should be proud of what they are going to have on the 200+ homes on both sides of Beckett Rd. The only potential complaint I've heard is that Beckett Rd could become very busy. Well Beckett Rd is already very busy and I think; I'm not a traffic engineer but there has been consideration in our community and in this community for setback to allow for the opportunity for improvements to the road and I think Lot 177, which no one has asked me about, which seems to me would be a great spot for a turning circle (roundabout) if someone wants to alleviate the traffic there at that intersection with the school. I'm just proud to stand up for it and I think it's a great addition to the Township and I hope you approve it.

**Proponent**                      **Harry Ritter**  
   **7895 Hollow Oak Ct**

I think the development will work out very well for the area and I haven't heard anyone pose any questions of any major concern. I live on Hollow Oak which is on the eastern perimeter, the backside, of this development and what I'm sort of curious about is, hopefully we'll have an ongoing dialogue about when they develop the areas that back up to our property because right now I don't know where the property line is at. At one time there was an old barb-wired fence which is missing in most places. I don't know where my property ends and begins. Hopefully we can have a dialogue on down the road about that in case there are any issues about where our property lines are at. Is there a problem with that?

Mr. Hahn – I don't see why there would be. I shouldn't speak for the applicant but I believe there will be a boundary survey; a survey of the perimeter of the property which I believe your parcel backs up to. I won't say they will stake your parcel but they should know exactly where your property is versus theirs.

Mr. Ritter – Since I've lived there we have a lot of tree trimmers roaming up and down that perimeter (easement) there's a like a 30' setback, is that to take care of the easement or what?

Mr. Williams – If there are power lines depending on the amount of voltage of those power

lines, determines what easements there are. So 138KB could be 50', less power could be like 30', it really depends on where those power lines are located and that easement will be outside of the power lines.

Mr. Ritter – Ok, I didn't know how that would affect our property lines or whatnot going forth.

Mr. Dawson – I would defer to the applicant as far as the boundary of any utility easement along that eastern property line as well as how they are going to conserve that mature tree line which should be designated on the Final Development Plan. Also I would advise the resident to contact the WCCDD, as a resident of the Township but anytime you have any questions about the development.

Mr. Ritter – I don't think there'll be any issues. We just want to be kept in the loop.

**Opponent**                      **Jeff Gies**  
**7879 Hollow Oak Ct**

So I heard the developer, he does have a nice site over on the opposite side of the proposed property. I also heard the guy that lives there. I drive Beckett Rd every single day and he's right, it's a mess. So we are talking about adding 177 more homes, 2 cars each, figure 1.5 cars each, before you even think about approving this, shouldn't there be a traffic study somewhere along the way before we even think about changing the zoning in this area. That's my first question.

The second question is what accountability do we as Hollow Oak home owners or other residents, what assurances can we be made that these houses aren't going to be 5' from our property line? In looking at these drawings, I'm looking at these examples, they look great but if I really look closely, it looks like there's 5' maybe 10' before it hits my backyard. We've been living a life of luxury for 18 years, we haven't had anyone behind us. I don't want that to change. I can't change that, I wish you well. But I really don't want him to be well, I want it to go away, I want it to stay a farm. So what can we do to get assurances? Harry brought up a great point, those telephone lines, who's going to maintain those trees that grow in there? Right now the county sends somebody through and they take care of them. If there are patio homes back there, who's going to maintain that? I think there are so many questions and so many balls that are up in the air at this point that I don't know how any committee can approve to change the zoning of this until anything is further researched. I've never been to a meeting but I can't understand how none of these questions are asked and I don't even know the time frame. I don't know how long before they think they'll break ground. To me it just seems that it wouldn't be responsible until we get the impact study for traffic let alone; I mean if you look at what draws to Lakota, the freshman building alone, on top of everything. I'm assuming you have driven through there between 4:00 and 6:00 on any given weeknight; it's impossible. The traffic starts at Union Center and goes all the way around. You can't get around there so we're going to add another 177 houses. At some point it's going to happen but we have to rebuild our infrastructure before we can even think about doing this. And they painted a great picture of tax dollars and I applaud you for that but the reality is our infrastructure doesn't support this at this point.

Mr. Hahn – I think I can speak on a couple of things, I'm going to have staff interject. With respect to the traffic you are absolutely right. This is a preliminary development plan that we are looking at to change and I believe the actual case is a zoning map amendment so they have to complete that traffic study because the Butler County Engineer's Office is going to require that. If the BCEO doesn't think the infrastructure can handle it, the additional volume, then it would be up to the developer to make those changes to that infrastructure. The Traffic Impact Study would take place sometime between now and the Final Development Plan they will have to get that completed. We can bring the applicant back up to see when they might be breaking ground but it may be too early to even tell. They may know or they may not.

Mr. Gies – What about that area between where they are putting those houses?

Mr. Hahn – Do we have one of their submittals on the slide presentation? Sheet 3? As you notice, there's a 30' setback that is in place for all the properties along Hollow Oak on their side of the property line that they cannot encroach upon.

Mr. Gies – How close to that 30' line are those houses?

Mr. Dawson – The building setback dimensions would be 10' from the rear setback and an allowance of a 5' encroachment with the patio, which is outlined in the site data table.

Mr. Hahn – So what that basically means with the exception of the patio, the structure is going to be 40' from the property line.

Mr. Gies – Ok, but 35' if it's a patio back there?

Mr. Hahn – The patio could potentially extend 5' into the setback, yes.

Mr. Gies – What assurances do we have? I know this is the preliminary, is there any possibility that these units could change and go multi-unit or anything like that?

Mr. Hahn – Not unless it comes before us; zero chance.

Mr. Gies – Is it easier to change that once you agree to change it from farmland or anything like that? Now that it's already started?

Mr. Williams – That's why I asked for the definition earlier; no because it's not farmland.

Mr. Dawson – So as I stated earlier, when the zoning map is amended to a residential planned unit development with a preliminary development plan, those requirements are stated within their own unique zoning code. I can get you an example of the zoning resolution for a planned unit development. There are a list of conditions. When we go through our review with staff and our considerations to the Zoning Commission who then makes a recommendation to the elected officials who ultimately approve it; those conditions are set by the Board of Trustees and basically anything that's not consistent with this Preliminary Development Plan cannot move on to the Final Development Plan stage. So if they change the intensity of the use whether that's higher density residential or change to commercial or anything like that would be considered a Major Change and

would need to go through this process all over again.

Mr. Hahn – All we are doing is making a recommendation to the Board of Trustees of the Township. They are the ones who will either approve or deny this development, ultimately. What we look at and have control over is the zoning code, the land use plan. Does this development or any development on any green space does it meet what we have in the zoning code and what the future land use is for the property based on the Land Use Plan. Does that help at all?

Mr. Gies – Yes it does. They need to keep coming back to make sure it's on track and it's pretty early in the ballgame so to speak.

Mr. Hahn – It's extremely early but it's never too early for you to keep staying involved. The applicant is very active in the community and speaking to the surrounding neighbors and property owners and I'm sure he'd be happy to maintain communications with you.

**Opponent**                      **Matt Terrell**  
**7833 Hollow Oak**

We have lived there for about 10 years. I have a few concerns that Jeff mentioned but I just kind of want to reiterate for a concern of my own. The rear setbacks for this development, I don't know the rear setbacks for my current home, I could probably guess but I don't live in a patio home community so I just want to make sure there is enough buffer between my home and the eventual Phase V of what will become their setback. I do have some concerns about their setback requirement making sure they take into consideration the community of Beckett Ridge. I don't know if you have any knowledge of what a normal setback is at Beckett Ridge or if you can speak to that opposed to what is being proposed for the new setback for the new residents.

Mr. Dawson – Beckett Ridge is within a residential planned unit development district as well so their setbacks are going to be unique to their PUD site as well. I would have to research it and get back to you.

Mr. Terrell – Please keep that in mind because I don't want to feel like I live in a patio home community. The other concern I have is for light pollution. I don't know if we have a lighting plan as far as street lights or if they are going to have street lights in the community. So we set up a little bit higher and overlooking a lot of light pollution would be quite irritating. Seeing the school to the right is a little bit of a light pollution concern of mine already. Where we live, we don't have street lights, it's up to the residents to light up their own front drive. So maybe just put that on the radar as a concern. Pedestrian traffic I'm a little concerned about as well especially with the new Kroger going in at some point and adding 177 homes is going to be quite challenging. I think maybe the traffic reports will come back more as a negative input with a lot of new infrastructure going on. Those are my concerns.

**Neutral**                      **None**

**DELIBERATIONS**

Mr. Stoker – Light pollution – the standards will be put in according to the zoning

---

requirements that are needed. I'm glad it was explained what the difference is in the two zoning codes; I think that helped. I think the development is fine, I have no real objections to any of this. I know those items in regards to the Traffic Impact Study that's going to happen prior to the Final Development Plan getting approved.

Mr. Hahn – It's going to be interesting to see how the Traffic Impact Study comes back.

Mr. Stoker - I think the layout is great, I like the open space, the green space, the walkability especially once you have a Kroger and I'm sure there will be other small shopping there and people of my age like it when they have something close by to walk to. I am in favor of this.

Mr. Fisher – I am too, I agree.

Mr. Rinnert – Most of the concerns that people have brought on are going to be handled at the Final Development Plan stage. As you stated it will be the Trustees that make the ultimate decision and we'll go from there. But they can be assured when it does come back to us we will be looking at lighting and all the other concerns. Other than that, I think it's a good plan; they've always done a good job with their projects. I have confidence in them.

Mr. Williams – I'm echoing your remarks. This developer has done well in West Chester. When they come back with Final Development Plan that will enable us to make sure they met all the requirements of the zoning code as well as possibly define everything that people are concerned about. I think we'll be fine.

Mr. Hahn – I agree with everyone here. One point I would like to put forth, I'm sure we've all driven past it behind Lakota West, the roundabout on Lakota Drive West, Butler County Engineer's Office is starting to implement these roundabouts in more and more locations. If anyone's tried to get around Milliken and Princeton, the construction is for another roundabout and so what I think we are going to see, especially in these high traffic areas where the infrastructure is starting to become overloaded to help elevate that because that's the whole purpose of a roundabout. I think as this comes out we're going to start to see the need for these in other intersections around this development and in that general area. It will be interesting to see out the impact study comes out.

Mr. Williams – So wouldn't you say based off the Traffic Impact Study some of the road development would occur first?

Mr. Dawson – That is correct. The Engineer's Office, based on the Traffic Impact Study, will require right away dedication for any type of turn lane southbound or northbound into the site, whether that's going to require road widening and any other future planned project of the intersection of Beckett and Tylersville and also Smith as well.

Mr. Williams – So we have road development then utilities typically, then at that point the rest is market driven. Market driven can be 5 years or 30 years.

Mr. Hahn – The only other thing I'd like to talk about is the connectivity. I hope the applicant can work something out between staff and the Engineer's Office. I do hope they

can figure out a way to bring connectivity down south to Smith Road.

Mr. Dawson – Which would be consistent with the Connections Plan and the Comprehensive Land Use Plan.

Mr. Hahn – I think they'll get there and it will be nice for everyone in that area to be able to have that pedestrian connectivity.

**Mr. Williams made a motion to approve Case # – ZMA03-17 Keehner Property; Bel Haven. Mr. Fisher seconds the motion.**

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

**Nay:**

**Motion carries 5 – 0**

---


**Administrative Business:**

The next meeting is October 16, 2017 @ 6:30 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:43 p.m.

Chairman:

Secretary:

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

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



**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 17-14  
WEST CHESTER TOWNE CENTRE; HUFF REALTY, RFDP (08-17-A)**

**WHEREAS**, on January 22, 2002, the West Chester Township Board of Trustees approved a Zoning Map Amendment from CBD (Central Business District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (03-2002), which 200,000 square feet of mixed office/ retail uses and two (2) outlots on approximately 25.56 acres; and,

**WHEREAS**, on January 27, 2004, the West Chester Township Board of Trustees approved a Major Change to the C-PUD, including a Preliminary Development Plan (05-2011), which included 182,364 square feet of mixed office/ retail uses and three (3) outlots; and,

**WHEREAS**, on August 16, 2004, West Chester Township Zoning Commission approved a Final Development Plan (04-40) on Lot 5 within the C-PUD, which included a 30,120 square foot multi-tenant building consisting of mixed office/ retail uses; and,

**WHEREAS**, on August 15, 2017, HUC Development, LLC. submitted an application requesting a Revised Final Development Plan approval for an existing 119 parking spaces, where the proposed seven (7) tenant space uses and areas occupied require 131 parking spaces; and,

**WHEREAS**, on September 18, 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 approve the aforesaid application as submitted with the following conditions:


- 1.) The current approval shall only grant changes to the subject site. The remaining West Chester Towne Centre C-PUD shall otherwise remain subject to the conditions as previously and last approved (Trustee Resolution 03-2002, 05-2011, and Zoning Commission Resolution 04-40).
- 2.) The current approval shall only be granted for the designated uses and corresponding tenant space areas and hours of operation.
- 3.) Any future change of use shall be determined by West Chester Township Community Development Department (WCTCDD) staff to be consistent with the approved uses or shall require an application to the West Chester Township Zoning Commission for a Revised Final Development Plan.
- 4.) The twenty-four (24) foot drive aisle, located along the south property line of the subject site, shall be striped "No Parking" to maintain required access for emergency service vehicles.
- 5.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and West Chester Township at the zoning certificate approval process.

- 6.) The WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD 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 18<sup>th</sup> day of September 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. 17-15  
TYLERSVILLE SQUARE; ALDI, RFDP (08-17-B)**

**WHEREAS**, on January 24, 1994, 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 a Preliminary Development Plan (14-1994), which included a 119,062 retail building, five (5) outlots, one (1) interior lot, and an open space lot along the west property line, which was designated as a landscape buffer on approximately 33.28 acres; and,

**WHEREAS**, on November 10, 2006, the West Chester Township Zoning Commission approved a Final Development Plan (06-43) for a 16,335 square foot Aldi grocery store on an approximate 2.39 acre lot within the C-PUD; and,

**WHEREAS**, on August 15, 2017, Russ White, on behalf of Aldi, Inc. submitted an application requesting a Revised Final Development Plan approval for a 1,991 square foot addition to the rear of the existing building; and,

**WHEREAS**, on September 18, 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 approve the aforesaid application as submitted with the following conditions:

- 1.) The current approval shall only grant changes to the subject site. The remaining Tylersville Square C-PUD shall otherwise remain subject to the conditions as previously and last approved.
- 2.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and West Chester Township at the zoning certificate approval process.
- 3.) The WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD 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 18<sup>th</sup> day of September 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. 17-17  
KEEHNER PROPERTY; BEL HAVEN  
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN  
(R-1A to R-PUD)**

**WHEREAS**, on August 15, 2017, Bel Haven, LLC. submitted an application requesting a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for 176 single-family residential lots, one (1) lot designated for the construction of a clubhouse, pool, and parking area, and one (1) open space lot designated as potential, future development on approximately 75.02 acres; and,

**WHEREAS**, on September 12, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

**WHEREAS**, on September 18, 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 with the following conditions:

- 1.) 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 Phase 1, 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.
- 2.) All public right-of-way dedications shall be shown on the Phase 1, FDP and shall be dedicated as required by the BCEO and the Butler County Thoroughfare Plan prior to the issuance of a zoning certificate.
- 3.) All internal, public roadways shall be constructed as required by the BCEO standards for public roads.
- 4.) All access ways and internal roadways; connections and locations of fire hydrants; 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.
- 5.) Detailed grading plans, utility plans, and stormwater drainage plans and calculations shall be provided at each FDP stage and shall meet all WCT and BCEO requirements prior to the issuance of a zoning certificate.
- 6.) Existing and proposed water and sanitary sewer plans shall be provided to the Butler County Water and Sewer Department (BCWSD) for review prior to the Phase I, FDP stage.

- 7.) All water main connections and looping through the site shall meet all BCWSD requirements.
- 8.) All sanitary sewers shall meet all BCWSD requirements regarding the sewer main extensions and connections.
- 9.) All pedestrian facilities along the internal, public roads and the Beckett Road and Tylersville Road frontages shall be approved at each FDP stage.
- 10.) Building setbacks shall be approved as labeled in the "Site Data" table, "Yard Requirements" on the Preliminary Development Plan (PDP), Sheet 3.
- 11.) All additions, as stated in the "Site Data" table, "Setback Notes" on the PDP, Sheet 3 shall be allowed to encroach five (5) feet into the building setbacks.
- 12.) At each FDP stage, all setbacks shall be labeled on all lots to ensure the setback dimensions are meeting the required dimensions.
- 13.) Detailed floor plans and building elevations shall be provided at the Phase I, FDP stage. Any building elevations that are highly visible from Beckett Road, Tylersville Road or the internal, public roads shall contain a minimum of 50% high-quality, building materials (brick, stone, masonry, etc.), unless another means of screening and/or elevation upgrade is determined to be acceptable by staff at the time of permitting as long as the intent to the overall design is being met.
- 14.) Light locations and light fixture details shall be provided at each FDP stage to ensure a consistent design throughout the site.
- 15.) A detailed landscaping plan shall be provided and approved at each FDP stage. The landscaping plan for each FDP stage shall illustrate adequate mounding and screening elements along the Beckett Road and Tylersville Road frontages, the street trees along the internal, public roads, and any additional landscaping details within the site.
- 16.) A sight triangle and line of sight study, which is coordinated with the landscaping plan to ensure site access safety concerns, shall be provide at the Phase I, FDP stage and shall meet all WCT and BCEO requirements prior to the issuance of a zoning certificate.
- 17.) 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.
- 18.) All signs shall be pursuant to the WCTZR Articles 10 and 11, excluding the location. All ground-mounted sign locations shall be approved at each FDP stage.
- 19.) All sign structures shall be consistent with the masonry building materials utilized on the clubhouse and residential dwellings.
- 20.) A draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which also establishes the home owners' association (HOA), shall be

provided to the WCTCDD for approval at the Phase I, FDP stage and shall then be recorded prior to a final zoning inspection. Prior to a final zoning inspection for each subsequent FDP phase approval, the applicant shall record the plat and an accompanying list of the lots within each of the subdivision phases as a supplemental exhibit to amend the DCCRRE. A copy of the final, recorded DCCRRE containing exhibits and lot numbers for the entire site shall then be provided to the WCTCDD for the case file records.

- 21.) All open space areas shall be designated as such on the recorded subdivision plat.
- 22.) The property owner or a recorded DCCRRE/ HOA 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.
- 23.) All construction traffic shall access the site from Beckett Road. Therefore, the Phase I, FDP shall include a temporary construction road, which shall be designed to support all construction traffic in all weather conditions.

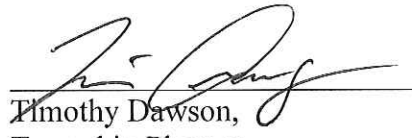
**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval. This action shall take effect this 18th day of September, 2017.

West Chester Township,  
Butler County, OH

Chairman:

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

Secretary:

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