

# West Chester

— OHIO —

## ZONING COMMISSION

April 21, 2025

MEMBERS PRESENT: Jim Hahn, Jose Alvarez, William Brock, Larry Whited  
Gerry Stoker

MEMBERS ABSENT: Brian Asbrock (not-seated)

STAFF PRESENT: Timothy Dawson, Township Planner  
Charles Galvin, FBT; Legal Representation  
Beverly Worley; AP III  
Katy Kanelopoulos, Community Development Director

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

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Mr. Hahn called the meeting to order. Mr. Dawson called the roll. A quorum was established.

Mr. Whited made a motion to affirm the March 17, 2025 minutes, seconded by Mr. Stoker. Mr. Dawson called the roll. Motion carried 5-0.

Mr. Hahn made a motion to affirm FDP 03-25-A Crossings of Beckett; Outlot 10 and Resolution No. 25-04. Motion carried 5-0.

Mr. Hahn made a motion to affirm ZTA 01-25 WCT Board of Trustees; Zoning Resolution and Resolution No. 25-05. Motion carried 5-0.

Mr. Hahn made a motion to affirm ZTA 02-25 WCT Board of Trustees; Comprehensive Land Use Plan and Resolution No. 25-06. Motion carried 5-0.

Mr. Whited made a motion to approve a continuance for Case # MC 04-25 Beckett Ridge; Tri-County Baptist, Cincinnati Christian Schools to the May 2025 meeting; seconded by Mr. Hahn. Motion carried 4-0.

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

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**ZMA 03-25 Mullins Property**

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The applicant is requesting Zoning Map Amendment approval from A1 (Agricultural District) to R-PUD (Residential Planned Unit Development) for 68 single-family residential lots (townhomes) on 10.7 acres located at 6084 Tylersville Road.  
Parcel #: M5610-030-000-010

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

**Action**

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

Mr. Stoker asked if the units would be owner occupied and if there would be an HOA and renting regulations.

Mr. Dawson stated that the units would be owner occupied. We will need to defer to the applicant on the other questions.

Mr. Brock asked if the screening along the existing homes was meeting requirements since it seemed a little sparse.

Mr. Dawson replied that the applicant will need a wider variety of trees. This is just a preliminary plan. A more developed landscaping plan will be presented at the final development stage.

Mr. Alvarez stated his concern regarding the access points and if the right of way is doable.

Mr. Dawson addressed Mr. Alvarez concerns.

**Applicant**                      **Max Radin**  
   **NVR, Inc.**

Mr. Radin explained that NVR is the parent company to Ryan Homes. Mr. Radin gave a summary of the proposed application. He stated that after reviewing the staff report, they affirm that they will also address and resolve every staff and department comment. He explained the civil case that Mr. Mullins had in 2012 with the property. Mr. Radin shared their concern regarding a less dense community.

Mr. Stoker asked for clarification about the property being filled and if it was compacted.

Mr. Radin stated they were not involved/responsible at the time of the fill. The fill is compacted, it's non-native and not suitable for development and they will have to off hull it.

Mr. Stoker then asked about short term rentals with this development.

Mr. Radin stated their interest.

Mr. Whited asked if he knew what the parent company's intentions were on owner vs. rental units.

**Shawn Bullock**  
**NVR, Inc.**

Mr. Bullock stated their intention was to hold three of the five seats on the board of the HOA and have these units as non-rentals.

Mr. Brock asked if it was the intent of the developer to maintain the density or maintain the number of units.

Mr. Radin stated we have all seen the right of way plans and how it was going to reduce the total acreage. They just want to make sure they can keep the seven units per acre.

Mr. Alvarez asked if there were any plans for sidewalks in and around the property.

Mr. Radin stated that was in the staff comments and they will be adding sidewalks to the perimeter.

**Proponents**                      **None**

**Opponents**                      **Barbara Finkes**  
**6040 Tylersville Rd**

Ms. Finkes shared her concerns regarding safety and traffic.

**Judy Ulmer**  
**6151 Indian Trail**

Ms. Ulmer shared her concerns regarding traffic and noise from traffic/accidents. She stated that the land is not compacted. The land is unstable.

**Shareef Sarwar**  
**7707 LeSourdsville West Chester Rd**

Mr. Sarwar shared his concerns regarding stormwater flows from this development and traffic.

**Charles Bruce**  
**6141 Indian Trail**

Mr. Bruce shared his concern regarding density of the housing, 68 units on 10 acres. His other concerns were the capacity of the school system and the traffic. He also stated the property is not compacted.

**Colleen Rose**  
**8020 LeSourdsville West Chester Rd**

Ms. Rose shared her concern regarding traffic. She asked how this was going to be handled.

**Kevin Archibald**  
**6061 Indian Trail**

Mr. Archibald added his concerns regarding traffic and safety

**Neutral**                      **Larry Driscoll**  
**7606 LeSourdsville West Chester Rd**

Mr. Driscoll stated he's neither opposed or in favor; he liked the plans. It's just the traffic; it's too heavy now and will only get worse.

### Deliberations

Mr. Hahn addressed the audience:

1. Traffic – He stated the Board cannot make decisions based on traffic. It's not in the zoning code nor was it their decision. A traffic impact study was being conducted through the Butler County Engineers Office (BCEO). Once the study was completed the BCEO will make requirements/recommendations that the applicant will have to fulfill in order to handle the additional traffic.
2. Soil – The Board must follow the zoning code. The applicant had completed a geotechnical engineering report.
3. Stormwater – this is also handled by the BCEO
4. Emergency Services are aware of all the applications that come into the Township and they provide comments to staff.

Mr. Stoker stated that he's concerned about the number of units and that the project should be consistent with the surrounding areas. He suggested decreasing the number of buildings from seven to six per acre.

Mr. Whited stated he also had a concern about density.

Mr. Brock stated he also thought density was an issue.

Mr. Alvarez was concerned about the traffic. He was not as concerned about the density.

Mr. Hahn stated that the applicant proposed density that was allowable for a transitional period. He would also like to see more evergreens in the landscaping however that will come in the final development stage if it would be approved.

The Board discussed the density.

Mr. Dawson interjected by asking legal counsel if the density needed to be set in the legislation going before the Trustees or was that something the zoning commission could do as a judiciary board.

Mr. Galvin stated that it was typical to have it in what you are recommending to the Trustees.

Mr. Dawson recommended that if the Board decided on a set density then condition one would need to be modified to that decision if the motion would carry.

Mr. Whited asked for clarification regarding the number of units if land would be taken away to address traffic issues.

Mr. Dawson stated the application was based on gross acreage.

**Mr. Stoker made a motion to approve Case # - ZMA 03-25 Mullins Property based on staff comments and other agency recommendations with the condition of changing 7 units per acre to 6 units per acre. No second motion.**

**Mr. Alvarez made a motion to approve Case # - ZMA 03-25 Mullins Property based on staff comments and other agency recommendations with the modification of condition one. Mr. Whited second the motion.**

**Aye: Mr. Alvarez, Mr. Brock, Mr. Hahn, Mr. Whited**

**Nay: Mr. Stoker**

**Motion carried 4-1**

Mr. Hahn addressed the audience by stating that only the Trustees made decisions in the Township. He encouraged the residents to attend the hearing to address their concerns.

**Administrative Business:**

The next ZC meeting is scheduled for Monday, May 19, 2025 @ 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Hahn adjourned the meeting at 7:15 p.m.

**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.**

Chairman:



Jim Hahn

Secretary:



Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 25-7  
MULLINS PROPERTY  
ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN -  
ZMA 03-25 (A-1 to R-PUD)**

**WHEREAS**, on March 17, 2025, NVR, Inc. submitted an application requesting a Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for sixty-eight (68) single-family residential lots (landminiums) on approximately 10.7 acres (7 units/ acre); and,

**WHEREAS**, on April 8, 2025, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval of the aforesaid application; and,

**WHEREAS**, on April 21, 2025, 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.) The residential density shall be subject to the Preliminary Development Plan approval (7 units/ acre).
- 2.) A Traffic Impact Study (TIS) shall be approved prior to the FDP approval. All recommendations of the approved TIS and requirements of the Butler County Engineer's Office (BCEO), in coordination with West Chester Township (WCT), shall be incorporated into the FDP to the extent said requirements are necessary as a result of traffic generated by the subject site.
- 3.) All site civil engineering plans shall be coordinated with the Butler County Engineer's Office (BCEO) and shall meet all requirements prior to the Final Development Plan (FDP) stage, to specifically include the following:
  - a.) A full drainage report needs to be provided;
  - b.) Offsite flows need to be considered in drainage design;
  - c.) Vehicle traffic access to Tylersville Road will be prohibited;
  - d.) A sidewalk and pedestrian crossing plan is needed;
  - e.) Consider relocation of box culvert proposed near property line;
  - f.) Left turn-lane warrant analysis required at proposed drive on LV-WC Road;
  - g.) Illustrate driveways on west side of LV-WC Road;

- h.) BCEO will not vacate r.o.w., which was purchased in the past. Revise plan to accommodate r.o.w;
  - i.) Provide r.o.w. dedication as needed by the BCEO for future roundabout at the intersection of Tylersville and LV-WC Roads;
  - j.) Coordinate secondary, emergency access requirements with WCFD and revise plan appropriately;
  - k.) Consider sidewalk along entire perimeter of site and coordinate with WCCDD and BCEO; and
  - l.) Overall pedestrian plan, including neighborhood sidewalk connections to adjacent school district property where there are significant grade changes in elevation.
- 4.) All water and sanitary sewer main installation upgrades and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) and meet all requirements prior to the issuance of a zoning certificate, to specifically include the following:
- a.) The proposed sewer main layout needs to be revised to only one existing sewer connection; and
  - b.) The proposed water main layout will need to be revised to loop throughout the site.
- 5.) The applicant shall coordinate with the Butler County Soil and Water District (BCSWD) prior to submission of the FDP in regard to the following:
- a.) A high water table note will need to be added to the final plat to ensure the developer takes special precautions to ensure any basements remain dry; and
  - b.) A representative geotechnical study is recommended at locations with high slopes, which are greater than 12% slope.
- 6.) The applicant shall coordinate with the West Chester Township Fire Department (WCTFD) prior to submission of the FDP in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes, to specifically include the following:
- a.) Secondary emergency access drive is required and shall be a minimum of 20 feet in width and be constructed of a hard, paved surface capable of supporting 75,000 lbs;
  - b.) Securing emergency access drive is permitted with the use of manual or electronic gates. Manual gates secured must provide fire department access with the use of Knox Padlocks. Electronic gates must be installed with a siren activation device as well as a Knox Key Switch;
  - c.) All drivable surfaces shall be designed to the turning radius of fire department vehicles. Templates are available upon request;

- d.) Street names are required to be approved by the West Chester Fire Department prior to filing with the Butler County Engineer's office;
  - e.) All roads 20-26 feet in width shall be posted "No Parking - Fire Lane". All roads 26-30 feet in width shall be posted on one side of the road. This shall be coordinated with the West Chester Fire Department;
  - f.) All trees and vegetation proposed shall not obstruct the height and width requirements of the roads. The canopy above the drivable surfaces shall be maintained at 13 ft - 6 in, minimum; and
  - g.) Water main shall be a looped system and fire hydrants shall be within 400 feet of each structure.
- 7.) All internal road circulation, road design, parking, vehicular cross-access connections, pedestrian connections and facilities, and central activity area shall be approved at the FDP stage.
- 8.) The amount of open space shall only be approved at the FDP stage. The percentage of open space for the overall PUD site shall be noted on the initial FDP and the percentage of open space shall be noted for each subsequent FDP site.
- 9.) All pedestrian connections shall be approved at the FDP stage, as required by the WCT staff.
- 10.) All pedestrian facilities, located on private property shall have a public-use easement illustrated along the extent of the facilities and shall be recorded on the final plat, as required by Butler County.
- 11.) All open space lots shall be designated as such on the record, subdivision plat.
- 12.) Building setbacks shall be approved at the FDP stage.
- 13.) Detailed building elevations shall be provided at the FDP stage, which shall reflect a minimum of 50% high-quality exterior building materials (brick and stone). As required by the West Chester Community Development Department (WCTCDD) staff, colored elevations for all sides of the buildings shall be provided and the specific exterior building materials shall clearly be labeled on the plan.
- 14.) Detailed floor plans and specific details regarding the unit sizes shall be provided at the FDP stage, which shall include size (measured in square feet) and floor plans.
- 15.) Detailed plans and descriptions of any common/ public, exterior amenities and elements shall be provided at each FDP stage.

- 16.) All light locations, light fixture details, and photometric analysis shall be provided at each FDP stage to ensure a consistent design that minimizes glare and light spillover and meets the WCTZR, Article 10.28.
- 17.) A detailed landscaping plan shall be provided at the FDP stage, which consists of adequate landscape screening of any building perimeters; throughout any open space areas/ recreational areas; and ground sign perimeter landscaping details.
- 18.) Any residential development identification sign shall be illustrated on the FDP with setback dimensions. All signage details in regard to height, area, illumination, colors, and materials shall be provided at the FDP stage, which shall be pursuant to the WCTZR, Articles 10 and 11.
- 19.) Ground signs shall only be permitted to be externally-illuminated by LED lighting at a maximum of a 4,000 level on the kelvin color scale.
- 20.) The draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which also establishes the home owners' association (HOA), for the subject residential subdivision shall be provided to the WCTCDD for review at the FDP stage. The DCCRRE shall include the record, subdivision plat as a supplemental exhibit to the DCCRRE. A copy of the recorded DCCRRE shall then be provided to the WCTCDD for the case file records prior to the issuance of zoning certificate.
- 21.) A temporary construction road and vehicle staging area shall be illustrated on the FDP, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

**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 21<sup>st</sup> day of April, 2025.

West Chester Township,  
Butler County, OH

Chairman:

  
James Hahn

Secretary:

  
Timothy Dawson  
Township Planner