

# AGENDA ITEM COVER SHEET



| Trustee Meeting Date:                            | Agenda Item Type: |
|--------------------------------------------------|-------------------|
| October 13, 2026                                 | Resolution Item   |
| Submitted By:                                    |                   |
| Jeff Uckotter, Director of Community Development |                   |

| Motion:                                                                             |
|-------------------------------------------------------------------------------------|
| Motion to approve Resolution 32-2026 approving MC 09-26 Keefe Property; Lots 1 & 13 |

| Background:                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The applicant is requesting a Major Change and Preliminary Development Plan approval for a mixed-use development to include restaurant, retail, and commercial on a total of 1.66 acres located along Liberty Way &amp; Oak Lane. Parcel #: M5620-461-000-030, 031</p> |

| Finance | Budgeted Item:   | N/A; |                    |        |
|---------|------------------|------|--------------------|--------|
|         | CIP #:           |      |                    |        |
|         | TIF Info:        |      |                    |        |
|         | Purchase Req. #: |      | Total Encumbrance: | \$ .00 |

## **RESOLUTION NO. 32-2026**

### **Resolution approving a Major Change and revised Preliminary Development Plan for Lots 1 and 13 of the Keefe Property SP-PUD Case MC-09-26**

**WHEREAS**, the Keefe Property SP-PUD was established through ZMA 04-2016, and subsequent approvals include Trustee Resolution 26-2025 (MC 08-25), approving a revised Preliminary Development Plan for Tract 2, and Zoning Commission Resolution 26-2 (FDP 01-26-B), establishing the current lot configuration and related circulation and landscaping requirements; and

**WHEREAS**, Liberty Way Investments, LLC, through its representative Bayer Becker, requests approval of a Major Change and revised Preliminary Development Plan for Lots 1 and 13, Parcel Nos. M5620-461-000-030 and M5620-461-000-031, replacing the previously approved single-building concept with a 6,000- to 10,000-square-foot building on Lot 1 and a building not exceeding 9,343 square feet on Lot 13, together with associated parking, circulation, landscaping, and pedestrian improvements; and

**WHEREAS**, on September 21, 2026, the West Chester Township Zoning Commission held a public hearing on Case MC-09-26 and voted 5-0 to recommend approval with conditions, including capacity for at least two eight-cubic-yard dumpsters on Lot 13 and a restriction on food and beverage drive-through uses on Lot 1; and

**WHEREAS**, following the Commission's hearing, the applicant submitted revised Preliminary Development Plan materials, including a layout sheet revised September 25, 2026, for consideration by the Board of Trustees; and

**WHEREAS**, October 13, 2026, the West Chester Township Board of Trustees held a public hearing on the application and considered the staff report, the Commission's recommendation, the revised plans, and the evidence presented; and

**WHEREAS**, the Board finds that the proposal, subject to the conditions in Exhibit A, is consistent with the Planned Community designation of the 2025 Comprehensive Land Use Plan and the intent of the established SP-PUD, reduces the approved building scale, and provides for compatibility with surrounding development through final development review and required site improvements;

**NOW THEREFORE BE IT RESOLVED**, on the basis of the above actions and findings, by the West Chester Township Board of Trustees that:

**SECTION 1.** The Board approves Case MC-09-26, a Major Change and revised Preliminary Development Plan for Lots 1 and 13 of the Keefe Property SP-PUD, subject to the conditions in Exhibit A, which is incorporated into this Resolution.

**SECTION 2.** This approval is limited to the Major Change and revised Preliminary Development Plan. Each lot remains subject to Final Development Plan approval. Prior PUD approvals and conditions remain applicable except as expressly modified by this Resolution

*Adopted this \_day of \_\_\_\_\_, 2026.*

\_\_\_\_\_  
Ann Becker, Chair      Yes/No

**ATTEST:**

\_\_\_\_\_  
Lee Wong, Vice Chair      Yes/No

\_\_\_\_\_  
Bruce Jones, Fiscal  
Officer

\_\_\_\_\_  
Amanda Ortiz, Trustee      Yes/No

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott D. Phillips, Law  
Director

**Exhibit A**  
**Conditions of Approval**  
**Case MC-09-26 Keefe Property Lots 1 and 13**

- 1. Substantial Conformance.** Development of Lots 1 and 13 shall substantially conform to the revised Preliminary Development Plan prepared by Bayer Becker, revised September 25, 2026, and accompanying sheets included in the Trustees' approval, as modified by these conditions. All conditions of Trustee Resolution 04-2016, Trustee Resolution 26-2025 (MC 08-25), and other applicable PUD approvals not specifically modified by MC-09-26 remain in full force and effect. Unless expressly modified by the approved Preliminary Development Plan or these conditions of approval, the Zoning Resolution in effect at the time of submission of any future Final Development Plan application shall govern review of the Final Development Plan. Approval of this Preliminary Development Plan shall not be interpreted as approval of deviations from otherwise applicable Zoning Resolution standards unless such deviations are specifically identified and approved.
- 2. Maximum Building Area.** The combined building area on Lots 1 and 13 shall not exceed 19,343 square feet. Lot 1 shall contain a building between 6,000 and 10,000 square feet, and Lot 13 shall not exceed 9,343 square feet.
- 3. Foster Lane and Pedestrian Improvements.** Foster Lane shall remain an existing private street within the PUD. Improvements associated with development of Lots 1 and 13 shall include the on-street parallel parking and pedestrian crossing and sidewalk connections generally shown on the revised PDP, subject to final engineering and agency review.
- 4. Western and Southern Buffer.** The FDP for Lot 1 shall provide supplemental landscape screening along the western side of the parking area sufficient to reduce headlight glare and views toward the Towns of Wetherington. Screening shall account for the final grading relationship and include trees and vegetation of sufficient height and density to provide an effective year-round visual buffer. The FDP for Lot 13 shall provide a landscape buffer south of the drive-through lane to screen vehicles and soften views of the drive-through and adjacent dumpster enclosures from Foster Lane and surrounding properties. Landscaping shall maintain required sight distance and shall not obstruct pedestrian routes or access to the dumpster enclosures.

- 5. Parking and Loading.** Each FDP shall provide a use-specific parking and loading analysis based on the final tenant mix, demonstrate continued compliance with the shared parking agreement, and satisfy applicable WCTZR accessible-parking and loading requirements.
- 6. Refuse and Service Areas.** Final dumpster quantity, location, enclosure design, recycling, loading, and service functions shall be shown with the applicable FDP. All dumpsters serving Lots 1 and 13 shall be located on the subject parcels and shall comply with WCTZR Section 4.02.C.7. The masonry dumpster enclosures shown on Lot 13 and Lot 1 shall each be sized to accommodate a minimum of two eight-cubic-yard dumpsters, as depicted on the approved plan. The required dumpster capacity shall be provided within a single enclosure on each lot and shall not be divided among separate smaller enclosures. Refuse facilities shall be appropriately sized for the approved tenant mix and located and screened to minimize impacts on adjoining properties. All waste grease, cooking oil, and similar materials shall be stored within the principal building. Exterior grease tanks, totes, barrels, or similar storage containers shall not be permitted.
- 7. Architecture, Landscaping, and Lighting.** Each FDP shall provide complete building elevations, landscape plans, grading, and photometric plans demonstrating consistency with the established development character of The Oaks and compliance with applicable WCTZR standards. Lighting and vehicle-oriented glare shall be minimized along residential-facing edges. Existing trees on Lot 15 that are dead, dying, or in an unhealthy condition shall be replaced with comparable landscaping as part of the development of Lots 1 and 13. For Lot 13, the FDP shall maintain a site arrangement and architectural character generally comparable to the plans and elevations previously presented with FDP 06-26-A, subject to reasonable refinement through final development review. Lot 1 shall incorporate a minimum of 50 percent of architectural masonry such as brick, natural stone, or manufactured stone on all building elevations. The required masonry percentage shall not include EIFS, vinyl siding or fiber cement siding or board.
- 8. Signage.** Signage shall comply with WCTZR Article 9 and applicable PUD conditions. Sign locations shown on the PDP are conceptual and do not constitute sign approval. Electronic message center signs shall not be permitted on Lots 1 or 13.

**9. Prohibited Uses.** Automobile or truck sales/dealership, a vehicle rental agency or substantially similar retail uses shall not be permitted on Lots 1 or 13.

**10. Departmental Review.** Final development shall address all applicable comments and requirements of West Chester Township, Butler County, and the Ohio Department of Transportation (ODOT), subject to review and approval by the respective reviewing departments and agencies.

**11. Lot 1 Drive-Through Restriction.** Any drive-through window facility on Lot 1 shall be limited to a use that does not provide food or beverages. Food, beverage, and quick-service restaurant drive-through uses shall not be permitted on Lot 1.

DRAFT



**WEST CHESTER TOWNSHIP  
BOARD OF TRUSTEES STAFF REPORT**

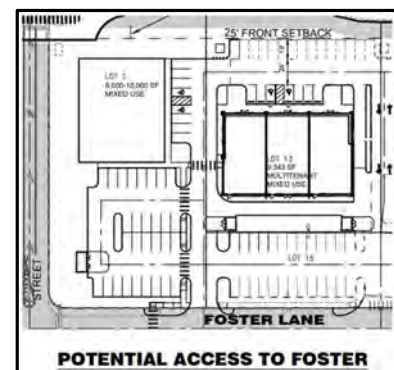
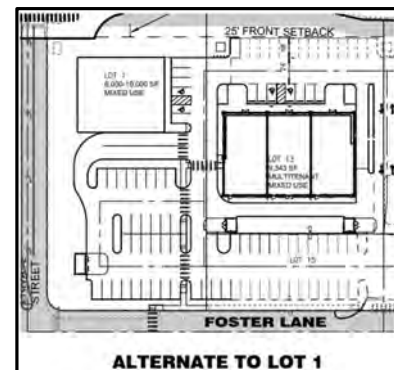
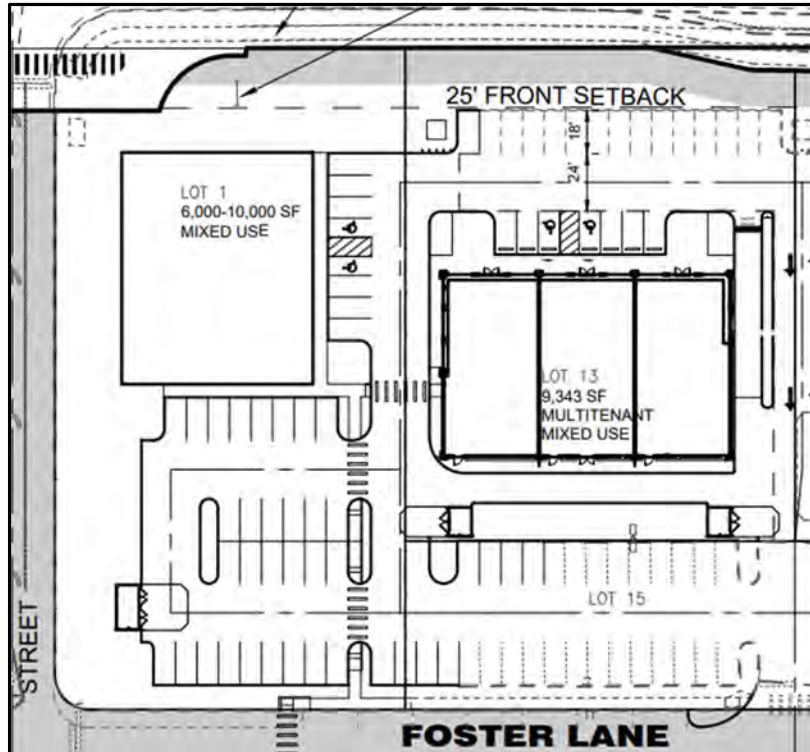
October 13, 2026

**MC-09-26 | MAJOR CHANGE - REVISED PRELIMINARY DEVELOPMENT PLAN  
The Oaks at Wetherington, Lots 1 & 13**

| CASE #   | APPLICANT                                      | REPRESENTATIVE | PARCEL #                                | ZONING |
|----------|------------------------------------------------|----------------|-----------------------------------------|--------|
| MC-09-26 | Liberty Way Investments, LLC (Owner/Applicant) | Bayer Becker   | M5620-461-000-030 and M5620-461-000-031 | SP-PUD |

**REQUEST**

Liberty Way Investments, LLC requests approval of a Major Change and revised Preliminary Development Plan for Lots 1 and 13 of the Keefe Property SP-PUD. The proposal replaces the previously approved larger two story single-building of approximately 45,000 square foot concept with two smaller mixed-use buildings: a 6,000- to 10,000-square-foot building on Lot 1 and a 9,343-square-foot multi-tenant building on Lot 13, for a combined maximum of 19,343 square feet. The revised PDP also establishes associated parking, internal circulation, Foster Lane improvements, pedestrian connections, conceptual site features, and alternates for each



tenants

**PRIOR SITE ACTIONS**

**2016 ZMA 04-2016:** Established the Keefe Property SP-PUD.

**2025 MC 08-25 / Trustee Resolution 26-2025:** Approved a revised Preliminary Development Plan for Tract 2, reducing development intensity and reorganizing the remaining commercial area.

**2026 FDP 01-26-B / Zoning Commission Resolution 26-2:** Established the current lot configuration and related circulation and landscaping requirements.

**FDP 06-26-A:** Proposed a standalone development plan for Lot 13. The Zoning Commission determined that the changes required approval as a Major Change, resulting in MC 08-26

#### **SURROUNDING DEVELOPMENT**

| AREA                      | ZONING           | EXISTING USE                    | COMP PLAN DESIGNATION    |
|---------------------------|------------------|---------------------------------|--------------------------|
| <b>Subject Properties</b> | <b>SP- PUD</b>   | <b>Vacant</b>                   | <b>Planned Community</b> |
| North                     | Liberty Township | Liberty Center                  | Liberty Township         |
| South                     | SP-PUD           | Planet Fitness                  | Planned Community        |
| East                      | SP-PUD           | Vacant                          | Planned Community        |
| West                      | SP-PUD           | Towns of Wetherington Townhomes | Planned Community        |



### **ZONING COMMISSION**

#### **COMMISSION RECAP**

On September 21, 2026, the Zoning Commission voted 5–0 in support of Case MC09-26, subject to the conditions in the staff report, with two modifications. Condition 6 was amended to require the dumpster enclosure area on Outlot 13 to accommodate a minimum of two eight-cubic-yard dumpsters. Condition

11 was added to limit any drive-through window facility on Outlot 1 to a non-food use. These modifications are incorporated into the conditions below and highlighted for reference.

### **POST COMMISSION PLAN UPDATES**

Following the hearing, the applicant submitted revised PDP materials, including a layout sheet revised September 25, 2026. The revisions primarily address the drive-through configuration on Outlot 13 to accommodate the proposed operation and add dumpster enclosures on either side of the landscape buffer directly south of the drive-through lane. The layout also includes a note prohibiting food or beverage drive-throughs on Outlot 1, consistent with the Commission's recommendation. These revised materials were submitted after the Commission's hearing and are presented for the Trustees' consideration.

## **PLANNING AND ZONING ANALYSIS**

### **COMPREHENSIVE LAND USE PLAN**

The 2025 Comprehensive Land Use Plan designates the subject property and surrounding West Chester properties as Planned Community. The proposed land-use pattern remains commercial and is consistent with the established PUD and Planned Community designation. The principal compatibility issue is the residential interface west of Lot 1. Because the proposed Lot 1 parking area sits at a higher elevation than portions of the adjacent townhome development, final site design should include supplemental landscape screening sufficient to reduce headlight glare and views of the parking field from the residences.

### **ZONING RESOLUTION STANDARDS**

WCTZR Section 10.01.R.1 governs Major Changes to existing Planned Unit Developments. The proposal modifies the approved distribution, location, and scale of the remaining building program on Lots 1 and 13 and is appropriately processed as a Major Change with a revised Preliminary Development Plan. Review should consider compatibility with surrounding development; adequacy of access, circulation, parking, and service functions; landscaping and buffering; and consistency with the intent and purpose of the Zoning Resolution. Prior PUD conditions not specifically modified by MC-09-26 remain applicable.

### **PERMITTED USES**

Lots 1 and 13 are within the commercial portion of the Keefe Property SP-PUD and may accommodate retail, restaurant, office, and other commercial uses permitted by the governing PUD approvals. Residential uses approved elsewhere within the PUD are not proposed on these lots. No specific tenants are approved through this Major Change. Lot 1 is presently contemplated for a bank, financial institution, or similar financial-service use. A restaurant or quick-service restaurant with a drive-through is not proposed or approved for Lot 1 as part of this Major Change. A drive-through or pick-up facility on Lot 1 may be considered only when accessory to a bank, financial institution, or substantially similar use and shall remain subject to final FDP review. Lot 13 may accommodate a drive-through or pick-up window, including as part of a restaurant use, subject to FDP review demonstrating adequate parking, stacking, circulation, pedestrian safety, screening, lighting, noise control, and compatibility with surrounding development.

## SITE DESIGN AND COMPATIBILITY ANALYSIS

### ACCESS AND CIRCULATION

The Major Change Plan continues to rely on the established internal circulation network and Foster Lane, an existing private street within the PUD. The plan also includes additional on-street parallel parking along Foster Lane and a pedestrian crossing with sidewalk connections to the Planet Fitness site. To provide flexibility for future tenants, alternate site configurations are proposed for Lots 1 and 13. For Lot 1, any drive-through or pick-up facility is intended to serve a bank, financial institution, or substantially similar use; a restaurant or quick-service restaurant drive-through is not contemplated by this approval. Lot 13 may include a drive-through or pick-up window associated with an otherwise permitted commercial or restaurant use. Final FDP review shall demonstrate safe circulation and adequate stacking and address pedestrian conflicts, menu-board and speaker placement where applicable, lighting, noise, screening, and compatibility with nearby development

### PARKING

The preliminary parking analysis uses a mixed-use ratio of one space per 300 square feet. At the maximum 10,000-square-foot Lot 1 building, 34 spaces are shown as required and 37 are provided. For the 9,343-square-foot Lot 13 building, 32 spaces are shown as required and 22 are provided. Both lots participate in the established shared parking system, which is identified as providing 385 spaces against 225 required for the participating lots. The reduced building program is expected to reduce demand compared with the prior concept; however, the actual requirement will depend on the final tenant mix. Each FDP must provide use-specific parking, loading, accessible-parking calculations, and continued compliance with the shared parking agreement.

### LIGHTING

Final lighting and photometric plans are not approved through this Major Change. Each future FDP must demonstrate compliance with WCTZR Article 8, including fixture height, shielding, and property-line illumination. Particular attention should be given to the western edge of Lot 1 so that site lighting, parking-lot lighting, and vehicle headlights do not create unnecessary glare toward the Towns of Wetherington.

### LANDSCAPING AND WESTERN RESIDENTIAL BUFFER

The revised PDP is conceptual and does not include the final landscape plan required with each FDP. Final landscaping must remain consistent with the established character and prior approvals for The Oaks and satisfy applicable street-tree, perimeter, parking-lot, and open-space standards. Staff recommends supplemental screening along the west side of Lot 1, particularly adjacent to the parking area, using evergreen and/or other materials of sufficient height and density to reduce headlight impacts and views toward the townhome development. The final grading relationship should determine the necessary screening height and composition.

## **OPERATIONAL AND DESIGN CONSIDERATIONS**

### **SCREENING AND WASTE HANDLING**

Final refuse, recycling, loading, and service-area locations are required at the FDP stage. Development of Lot 13 shall include an on-site dumpster and enclosure located on Lot 13 and designed in accordance with WCTZR Section 4.02.C.7. Dumpster quantities must be adequate for the final tenant mix and consolidated to the greatest extent practicable. All enclosures must comply with applicable WCTZR standards and prior PUD conditions, including compatible masonry materials, opaque gates, and required screening. Under WCTZR Section 3.02.F, objectionable odors and other substances are prohibited. The Township has experienced an increase in problems associated with poorly managed outdoor grease containers, including odors, spills, staining, and general site-maintenance concerns. Accordingly, all waste grease, cooking oil, and similar materials shall be stored within the principal building. Exterior grease tanks, totes, barrels, or similar storage containers shall not be permitted. Refuse, loading, and similar service functions for Lot 1 should, where practicable, be located away from the western residential-facing edge and screened from the Towns of Wetherington.

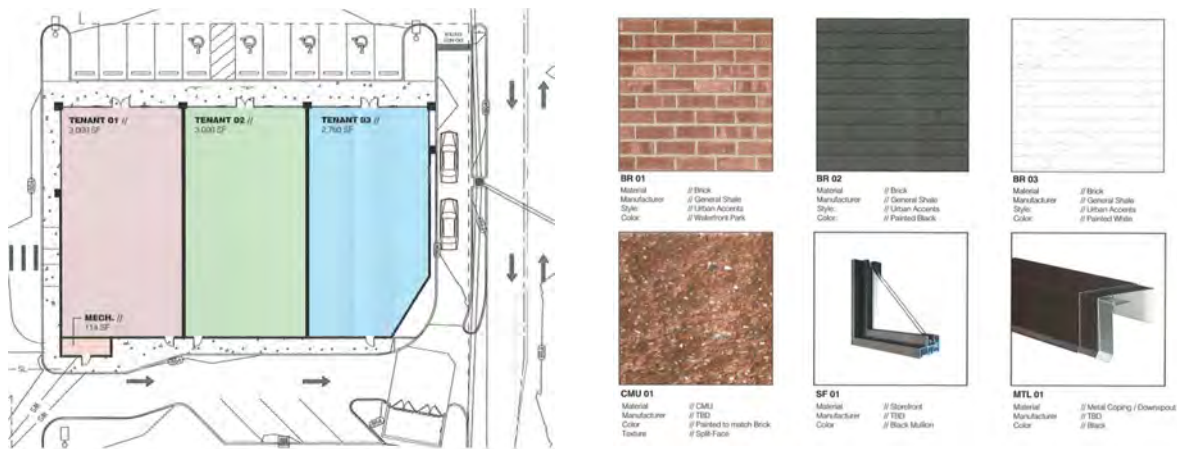
### **ARCHITECTURAL TREATMENT AND BUILDING ELEVATIONS**

Building elevations are not approved as part of the revised PDP. Future FDP applications for Lots 1 and 13 must provide complete architectural elevations and demonstrate compatibility with previously approved and constructed buildings within The Oaks, including multi-sided architectural treatment, durable exterior materials, rooftop and mechanical screening, and appropriate treatment of rear and service elevations visible from Foster Lane and adjacent properties.

For Lot 13, the site arrangement and architectural character presented with the future FDP shall be generally comparable to the Lot 13 site plan and elevations previously presented to the Zoning Commission as part of FDP 06-26-A, including the overall building orientation, storefront treatment, masonry character, and relationship of the building to parking and circulation. Minor refinements may be considered through the FDP process provided the overall design character remains consistent with the previously presented concept.

## PRIOR LOT 13 FDP DESIGN REFERENCE

As part of FDP 06-26-A, the applicant previously presented the following site plan, architectural elevations, and building renderings for Lot 13 to the Zoning Commission. While FDP 06-26-A was not approved as a standalone Final Development Plan, these materials provide the architectural and site-design context previously reviewed by the Commission and serve as a reference for the future development of Lot 13. The future FDP for Lot 13 shall remain generally comparable in overall site arrangement, building orientation, architectural character, storefront treatment, masonry materials, and relationship to parking and circulation, while allowing reasonable refinement through final development review.



## SIGNAGE

The revised PDP depicts conceptual ground-mounted monument sign locations. Final sign type, area, height, setback, separation, and placement are not approved through this Major Change and must comply with WCTZR Article 9 and all applicable PUD conditions at the FDP and zoning-certificate stages. Staff recommends that electronic message center signs not be permitted on Lots 1 or 13

## OTHER SITE SPECIFIC CONSIDERATIONS

The Major Change Plan is intended to accommodate neighborhood-serving retail, restaurant, office, and commercial-service uses in smaller-format buildings. Staff recommends prohibiting automobile or truck sales/dealership uses or substantially similar retail uses on Lots 1 and 13. Outdoor seating may be considered with future FDP applications where adequate pedestrian circulation, parking, and separation from residential uses are demonstrated.

## MAJOR CHANGE/PLANNED UNIT DEVELOPMENT CONSIDERATIONS AND STAFF FINDINGS

### REVIEW CONSIDERATIONS

- The Major Change retains the established commercial land-use pattern and is consistent with the Planned Community designation of the 2025 Comprehensive Land Use Plan.
- The maximum combined building area of 19,343 square feet is a substantial reduction from the previously approved larger single-building concept and reduces the physical scale and massing of the remaining commercial buildout.
- The existing internal street network, Foster Lane, shared parking system, and proposed pedestrian improvements can serve the reduced building program, subject to final FDP review and use-specific parking and loading calculations.
- Compatibility with the Towns of Wetherington can be improved through supplemental western-edge landscaping, lighting controls, and location of service functions away from the residential interface.
- Future architecture, landscaping, lighting, waste handling, parking, loading, and signage remain subject to detailed FDP review, the WCTZR, and prior PUD approvals.

### SUMMARIZED AREAS OF CONCERN/STAFF FINDINGS

**1. Residential interface.** The Lot 1 parking area is immediately east of the Towns of Wetherington, across the internal private street, and is higher than portions of the residential development. Supplemental landscape screening is warranted to reduce headlight glare and visual impacts.

**2. Final FDP details.** The revised PDP establishes the development envelope but does not resolve final tenant parking ratios, loading, architecture, landscaping, lighting, signage, or refuse-service details. Those items must be demonstrated with each future FDP.

## CONDITIONS OF APPROVAL

*Staff recommends approval subject to the following conditions, incorporating the Zoning Commission's recommended modifications to Condition 6 and addition of Condition 11. Condition 1 identifies the revised plans submitted following the Commission's hearing*

1. **Substantial Conformance.** Development of Lots 1 and 13 shall substantially conform to the revised Preliminary Development Plan prepared by Bayer Becker, revised September 25, 2026, and accompanying sheets included in the Trustees' approval, as modified by these conditions. All conditions of Trustee Resolution 04-2016, Trustee Resolution 26-2025 (MC 08-25), and other applicable PUD approvals not specifically modified by MC09-26 remain in full force and effect.
2. **Maximum Building Area.** The combined building area on Lots 1 and 13 shall not exceed 19,343 square feet. Lot 1 shall contain a building between 6,000 and 10,000 square feet, and Lot 13 shall not exceed 9,343 square feet.
3. **Foster Lane and Pedestrian Improvements.** Foster Lane shall remain an existing private street within the PUD. Improvements associated with development of Lots 1 and 13 shall include the on-street parallel parking and pedestrian crossing and sidewalk connections generally shown on the revised PDP, subject to final engineering and agency review.
4. **Western and Southern Buffer.** The FDP for Lot 1 shall provide supplemental landscape screening along the western side of the parking area sufficient to reduce headlight glare and views toward the Towns of Wetherington. Screening shall account for the final grading relationship and include trees and vegetation of sufficient height and density to provide an effective year-round visual buffer. The FDP for Lot 13 shall provide a landscape buffer south of the drive-through lane to screen vehicles and soften views of the drive-through and adjacent dumpster enclosures from Foster Lane and surrounding properties. Landscaping shall maintain required sight distance and shall not obstruct pedestrian routes or access to the dumpster enclosures
5. **Parking and Loading.** Each FDP shall provide a use-specific parking and loading analysis based on the final tenant mix, demonstrate continued compliance with the shared parking agreement, and satisfy applicable WCTZR accessible-parking and loading requirements.
6. **Refuse and Service Areas.** Final dumpster quantity, location, enclosure design, recycling, loading, and service functions shall be shown with the applicable FDP. All dumpsters serving Lots 1 and 13 shall be located on the subject parcels and shall comply with WCTZR Section 4.02.C.7. The dumpster enclosure area on Outlot 13 shall accommodate a minimum of two eight-cubic-yard dumpsters. Refuse facilities shall be appropriately sized for the approved tenant mix and located and screened to minimize impacts on adjoining properties. All waste grease, cooking oil, and similar materials shall be stored within the principal building. Exterior grease tanks, totes, barrels, or similar storage containers shall not be permitted
7. **Architecture, Landscaping, and Lighting.** Each FDP shall provide complete building elevations, landscape plans, grading, and photometric plans demonstrating consistency with the established development character of The Oaks and compliance with applicable WCTZR standards. Lighting and vehicle-oriented glare shall be minimized along residential-facing edges. Existing trees on Lot 15 that are dead, dying, or in an unhealthy condition shall be replaced with comparable landscaping as part of the development of Lots 1 and 13. For Lot 13, the FDP shall maintain a site arrangement and architectural character generally comparable to the plans and elevations previously presented with FDP 06-26-A, subject to reasonable refinement through final development review.
8. **Signage.** Signage shall comply with WCTZR Article 9 and applicable PUD conditions. Sign locations shown on the PDP are conceptual and do not constitute sign approval. Electronic message center signs shall not be permitted on Lots 1 or 13.
9. **Prohibited Uses.** Automobile or truck sales/dealership, or substantially similar retail uses shall not be permitted on Lots 1 or 13.
10. **Departmental Review.** Final development is subject to review and approval by all applicable West Chester Township, Butler County, and ODOT comments and requirements
11. **Outlot 1 Drive through restriction.** Any drive through window facility on outlot 1 shall be limited to a non-food/beverage/quickservice use

## TRUSTEE ACTION AND CASE ADMINISTRATION

### OPTION 1 - APPROVAL

The Board of Trustees finds the proposed Major Change and revised Preliminary Development Plan for Case MC-09-26 comply with the West Chester Township Zoning Resolution and approves the application.

### OPTION 2 - APPROVAL WITH CONDITIONS

The Board of Trustees finds the proposed Major Change and revised Preliminary Development Plan for Case MC-09-26 comply with the West Chester Township Zoning Resolution, subject to the conditions enumerated in this report, and approves the application with those conditions.

### OPTION 3 - DENIAL

The Board of Trustees finds the application does not support the determinations required for approval of the proposed Major Change and revised Preliminary Development Plan and denies Case MC-09-26 based upon findings stated in the record.

### OPTION 4 - CONTINUANCE

The Board of Trustees continues the public hearing for Case MC-09-26 to [date and time] to allow additional information to be provided and outstanding concerns or questions identified by the Board to be addressed.

#### ATTACHMENTS:

| A          | B                                                   | C                                                         |
|------------|-----------------------------------------------------|-----------------------------------------------------------|
| Resolution | Revised Preliminary Development Plan, Lots 1 and 13 | FDP 06-26-A Lot 13 Site Plan and Architectural Elevations |

PREPARED BY:

DATE:



WILL DINGEE, SENIOR PLANNER

[WDINGEE@WESTCHESTEROH.ORG](mailto:WDINGEE@WESTCHESTEROH.ORG)

513-777-4214 EXT 7333

OCTOBER 2, 2026

# **ATTACHMENT A**

## **RESOLUTION**

## **RESOLUTION NO. 32-2026**

### **Resolution approving a Major Change and revised Preliminary Development Plan for Lots 1 and 13 of the Keefe Property SP-PUD Case MC-09-26**

**WHEREAS**, the Keefe Property SP-PUD was established through ZMA 04-2016, and subsequent approvals include Trustee Resolution 26-2025 (MC 08-25), approving a revised Preliminary Development Plan for Tract 2, and Zoning Commission Resolution 26-2 (FDP 01-26-B), establishing the current lot configuration and related circulation and landscaping requirements; and

**WHEREAS**, Liberty Way Investments, LLC, through its representative Bayer Becker, requests approval of a Major Change and revised Preliminary Development Plan for Lots 1 and 13, Parcel Nos. M5620-461-000-030 and M5620-461-000-031, replacing the previously approved single-building concept with a 6,000- to 10,000-square-foot building on Lot 1 and a building not exceeding 9,343 square feet on Lot 13, together with associated parking, circulation, landscaping, and pedestrian improvements; and

**WHEREAS**, on September 21, 2026, the West Chester Township Zoning Commission held a public hearing on Case MC-09-26 and voted 5-0 to recommend approval with conditions, including capacity for at least two eight-cubic-yard dumpsters on Lot 13 and a restriction on food and beverage drive-through uses on Lot 1; and

**WHEREAS**, following the Commission's hearing, the applicant submitted revised Preliminary Development Plan materials, including a layout sheet revised September 25, 2026, for consideration by the Board of Trustees; and

**WHEREAS**, October 13, 2026, the West Chester Township Board of Trustees held a public hearing on the application and considered the staff report, the Commission's recommendation, the revised plans, and the evidence presented; and

**WHEREAS**, the Board finds that the proposal, subject to the conditions in Exhibit A, is consistent with the Planned Community designation of the 2025 Comprehensive Land Use Plan and the intent of the established SP-PUD, reduces the approved building scale, and provides for compatibility with surrounding development through final development review and required site improvements;

**NOW THEREFORE BE IT RESOLVED**, on the basis of the above actions and findings, by the West Chester Township Board of Trustees that:

**SECTION 1.** The Board approves Case MC-09-26, a Major Change and revised Preliminary Development Plan for Lots 1 and 13 of the Keefe Property SP-PUD, subject to the conditions in Exhibit A, which is incorporated into this Resolution.

**SECTION 2.** This approval is limited to the Major Change and revised Preliminary Development Plan. Each lot remains subject to Final Development Plan approval. Prior PUD approvals and conditions remain applicable except as expressly modified by this Resolution

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Ann Becker, Chair

\_\_\_\_\_  
Yes/No

**ATTEST:**

\_\_\_\_\_  
Lee Wong, Vice Chair

\_\_\_\_\_  
Yes/No

\_\_\_\_\_  
Bruce Jones, Fiscal Officer

\_\_\_\_\_  
Amanda Ortiz, Trustee

\_\_\_\_\_  
Yes/No

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott D. Phillips, Law Director

**Exhibit A**  
**Conditions of Approval**  
**Case MC-09-26 Keefe Property Lots 1 and 13**

- 1. Substantial Conformance.** Development of Lots 1 and 13 shall substantially conform to the revised Preliminary Development Plan prepared by Bayer Becker, revised September 25, 2026, and accompanying sheets included in the Trustees' approval, as modified by these conditions. All conditions of Trustee Resolution 04-2016, Trustee Resolution 26-2025 (MC 08-25), and other applicable PUD approvals not specifically modified by MC-09-26 remain in full force and effect. Unless expressly modified by the approved Preliminary Development Plan or these conditions of approval, the Zoning Resolution in effect at the time of submission of any future Final Development Plan application shall govern review of the Final Development Plan. Approval of this Preliminary Development Plan shall not be interpreted as approval of deviations from otherwise applicable Zoning Resolution standards unless such deviations are specifically identified and approved.
- 2. Maximum Building Area.** The combined building area on Lots 1 and 13 shall not exceed 19,343 square feet. Lot 1 shall contain a building between 6,000 and 10,000 square feet, and Lot 13 shall not exceed 9,343 square feet.
- 3. Foster Lane and Pedestrian Improvements.** Foster Lane shall remain an existing private street within the PUD. Improvements associated with development of Lots 1 and 13 shall include the on-street parallel parking and pedestrian crossing and sidewalk connections generally shown on the revised PDP, subject to final engineering and agency review.
- 4. Western and Southern Buffer.** The FDP for Lot 1 shall provide supplemental landscape screening along the western side of the parking area sufficient to reduce headlight glare and views toward the Towns of Wetherington. Screening shall account for the final grading relationship and include trees and vegetation of sufficient height and density to provide an effective year-round visual buffer. The FDP for Lot 13 shall provide a landscape buffer south of the drive-through lane to screen vehicles and soften views of the drive-through and adjacent dumpster enclosures from Foster Lane and surrounding properties. Landscaping shall maintain required sight distance and shall not obstruct pedestrian routes or access to the dumpster enclosures.
- 5. Parking and Loading.** Each FDP shall provide a use-specific parking and loading analysis based on the final tenant mix, demonstrate continued compliance with the shared parking agreement, and satisfy applicable WCTZR accessible-parking and loading requirements.

- 6. Refuse and Service Areas.** Final dumpster quantity, location, enclosure design, recycling, loading, and service functions shall be shown with the applicable FDP. All dumpsters serving Lots 1 and 13 shall be located on the subject parcels and shall comply with WCTZR Section 4.02.C.7. The masonry dumpster enclosures shown on Lot 13 and Lot 1 shall each be sized to accommodate a minimum of two eight-cubic-yard dumpsters, as depicted on the approved plan. The required dumpster capacity shall be provided within a single enclosure on each lot and shall not be divided among separate smaller enclosures. Refuse facilities shall be appropriately sized for the approved tenant mix and located and screened to minimize impacts on adjoining properties. All waste grease, cooking oil, and similar materials shall be stored within the principal building. Exterior grease tanks, totes, barrels, or similar storage containers shall not be permitted.
- 7. Architecture, Landscaping, and Lighting.** Each FDP shall provide complete building elevations, landscape plans, grading, and photometric plans demonstrating consistency with the established development character of The Oaks and compliance with applicable WCTZR standards. Lighting and vehicle-oriented glare shall be minimized along residential-facing edges. Existing trees on Lot 15 that are dead, dying, or in an unhealthy condition shall be replaced with comparable landscaping as part of the development of Lots 1 and 13. For Lot 13, the FDP shall maintain a site arrangement and architectural character generally comparable to the plans and elevations previously presented with FDP 06-26-A, subject to reasonable refinement through final development review. Lot 1 shall incorporate a minimum of 50 percent of architectural masonry such as brick, natural stone, or manufactured stone on all building elevations. The required masonry percentage shall not include EIFS, vinyl siding or fiber cement siding or board.
- 8. Signage.** Signage shall comply with WCTZR Article 9 and applicable PUD conditions. Sign locations shown on the PDP are conceptual and do not constitute sign approval. Electronic message center signs shall not be permitted on Lots 1 or 13.
- 9. Prohibited Uses.** Automobile or truck sales/dealership, a vehicle rental agency or substantially similar retail uses shall not be permitted on Lots 1 or 13.
- 10. Departmental Review.** Final development shall address all applicable comments and requirements of West Chester Township, Butler County, and the Ohio Department of Transportation (ODOT), subject to review and approval by the respective reviewing departments and agencies.

**11. Lot 1 Drive-Through Restriction.** Any drive-through window facility on Lot 1 shall be limited to a use that does not provide food or beverages. Food, beverage, and quick-service restaurant drive-through uses shall not be permitted on Lot 1.

DRAFT

**ATTACHMENT B**

**REVISED PRELIMINARY DEVELOPMENT PLAN,**

**LOTS 1 AND 13**

# REVISED PRELIMINARY DEVELOPMENT PLAN KEEFE PROPERTY SP-PUD TRACT #2: LOTS 1 & 13

1.661 ACRES  
SECTION 18, TOWN 3, RANGE 2  
WEST CHESTER TOWNSHIP ~ BUTLER COUNTY, OHIO

## GENERAL NOTES

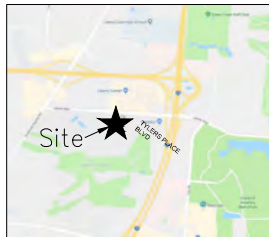
1. EXISTING ZONING - SP-PUD, (RES. No. 04-2016)
2. PROPOSED ZONING - SP-PUD; MAJOR CHANGE TO TRACT 2
3. SANITARY SEWER SERVICE CONNECTED TO INTO BUTLER COUNTY SYSTEM.
4. WATER SERVICE TO BE INSTALLED AND CONNECTED TO BUTLER COUNTY SYSTEM.
5. ELECTRIC TO BE SUPPLIED BY DUKE ENERGY ELECTRIC COMPANY.
6. EXISTING TOPOGRAPHY FROM BAYER BECKER FIELDWORK.
7. THE SITEWORK WILL BEGIN FALL 2026.
8. STORM WATER MANAGEMENT FACILITIES TO BE MAINTAINED BY THE OAKS AT WETHERINGTON OWNERS ASSOCIATION INC.
9. EXISTING USE: VACANT
10. OUTDOOR SEATING MAY ACCOMPANY RESTAURANT USES.

## PROJECT SUMMARY

| TRACT2                             | PROPOSED USE                                                                    | ACREAGE    | PROPOSED 15% MINIMUM OPEN SPACE REQUIRED | PROPOSED 15% MINIMUM OPEN SPACE REQUIRED | STREET EASEMENT AREA | NET SITE AREA |
|------------------------------------|---------------------------------------------------------------------------------|------------|------------------------------------------|------------------------------------------|----------------------|---------------|
| LOTS 5, 6, 9, 10, 11, 12, 14, & 15 | MIXED USE** AS APPROVED W/ FIDPs                                                | 10,729 AC. | 58,684 SF                                | 1.81 AC.                                 | 1.38 AC.             | 11.00 AC.     |
| LOTS 1 & 13                        | MIXED USE**                                                                     | 1,661 AC.  | 19,343 SF                                | 0.29 AC.                                 | N/A                  | N/A           |
| TRACT2                             | MIXED USE** INCLUDING: RESTAURANT, RETAIL, OFFICE, & RESTAURANT W/ DRIVE THRU** | 12,390 AC. | 78,027 SF                                | 1.88 AC.                                 | 4.20 AC.             | 11.00 AC.     |

NOTES: \*\*FOLLOWING USES ARE NOT PERMITTED PER RESOLUTION NO. 16-2004: SECTION 21.023 OF B-1 DISTRICT: SECTION 22.023 (EXCEPT FOR AUTOMOBILE AND TRUCK SALES), 22.022, 22.024, 22.029, 22.0241, 22.028, 22.0210, 22.0211, & 22.0212 OF THE B-2 DISTRICT.

NOTES: \*\*16-2004: 22.029 RESTAURANT WITH DRIVE THRU IS PERMITTED ON LOT 14 PER RESOLUTION 26-2025. 16-2004: 22.029 RESTAURANT WITH DRIVE THRU IS PROPOSED ON LOT 13 (PICKUP WINDOW ONLY).



VICINITY MAP  
NO SCALE

## OWNERS

LIBERTY WAY INVESTMENTS, LLC  
4016 TOWNSFAIR WAY, SUITE 201  
COLUMBUS, OH 43219

## APPLICANT

LIBERTY WAY INVESTMENTS, LLC  
4016 TOWNSFAIR WAY, SUITE 201  
COLUMBUS, OH 43219

## LAND PLANNER / ENGINEER / SURVEYOR

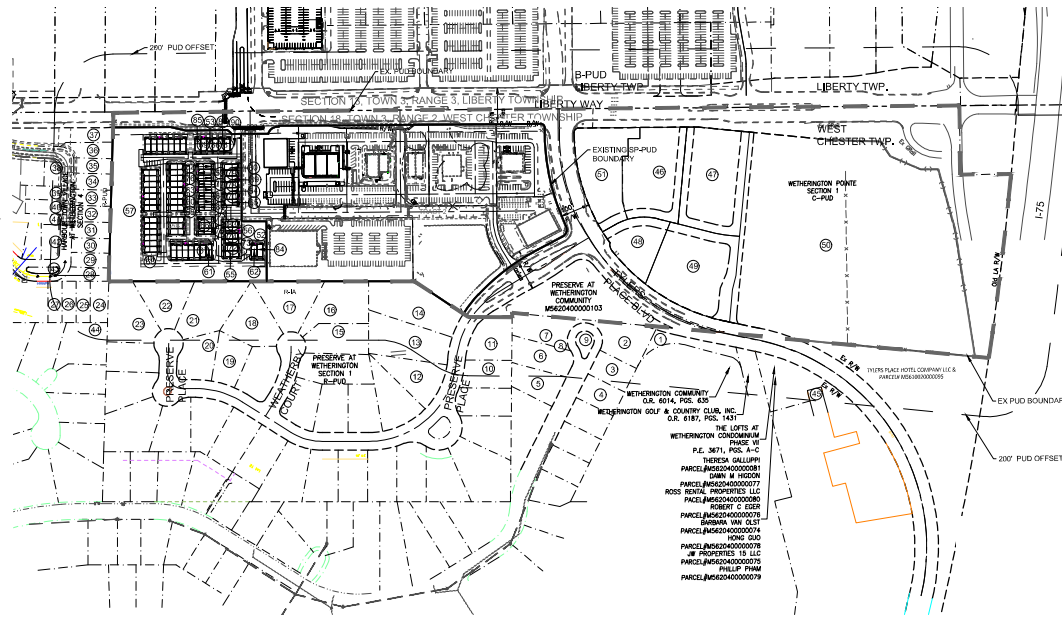
BAYER BECKER  
6900 TYLERVILLE ROAD, SUITE 4  
MASON, OHIO 45040  
PH: (513)336-6600

## INDEX OF SHEETS

|   |                          |          |
|---|--------------------------|----------|
| 1 | TITLE SHEET              | 09-23-26 |
| 2 | EXISTING CONDITIONS      | 07-18-25 |
| 3 | LAYOUT PLAN              | 09-23-26 |
| 4 | PRELIMINARY UTILITY PLAN | 09-23-26 |

- ① HITECH & MANDA SHAH  
PARCEL#MS620487000010  
EDWARD & ERLANI GUZMAN  
PARCEL#MS620487000039  
② FISCHER SINGLE FAMILY HOMES IV LLC  
PARCEL#MS620487000066  
③ MS620487000030  
④ MS620487000062  
⑤ MS620487000054  
⑥ MS620487000063  
⑦ MS620487000053  
⑧ MS620487000057  
⑨ MS620487000058  
⑩ MS620487000059  
⑪ MS620487000055  
⑫ MS620487000032  
⑬ MS620487000061  
⑭ TOWNS OF WETHERINGTON COMMUNITY  
ASSOCIATION INC  
PARCEL#MS620487000071  
⑮ MS620487000073  
⑯ MS620487000072  
⑰ MS620487000074  
⑱ OKI PROPERTIES LLC  
PARCEL#MS620487000035  
⑲ CAROL LILLIS  
PARCEL#MS620487000070  
⑳ KAH & RAMONE LAWRENCE  
PARCEL#MS620487000033  
㉑ ALLISON LACASAGNE & CHRIS ALAN  
PLACE  
PARCEL#MS620487000034  
㉒ FISCHER MANAGEMENT LLC  
PARCEL#MS620487000037  
㉓ SATYANARAYANA & MADHAVI NAJANA  
PARCEL#MS620487000009  
㉔ MS620487000015  
㉕ KELLY & SARAH MONTYRE  
PARCEL#MS620487000038  
㉖ LANE & SARAH HOLMES  
PARCEL#MS620487000031

- ㉗ ANDREW & CAMILLA WORRELL  
PARCEL#MS620487000040  
㉘ NICOLE & GREGORY DRACH  
PARCEL#MS620487000042  
㉙ SRSI HOMES LLC  
PARCEL#MS620487000043  
㉚ ANGUSANO RITA JESSICA ANDREINA  
ANGELINA TENZIO PLO DANIEL PENIA  
PARCEL#MS620487000029  
㉛ MIKAELA VETTE & HILL CURTIS  
HARDMAN  
PARCEL#MS620487000069  
㉜ ANDRES BARROS  
PARCEL#MS620487000008  
㉝ MUHAMMAD DARS  
PARCEL#MS620487000011  
㉞ YALAKA RAJASEKHAR REDDY &  
KALLAM GETHA REDDY  
PARCEL#MS620487000012  
㉟ KCOX ENTERPRISES LLC  
PARCEL#MS620487000036  
㊱ RACHEL C MITCHELL  
PARCEL#MS620487000041

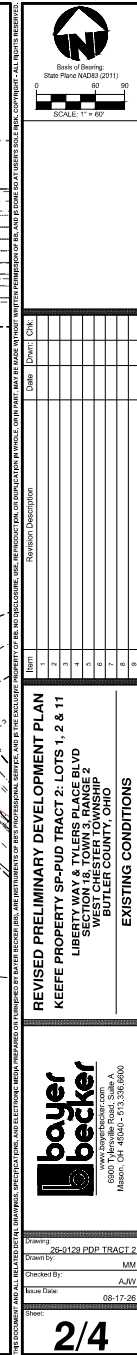


- ㊲ WETHERINGTON GOLF & COUNTRY  
CLUB INC  
PARCEL#MS610020000097  
㊳ LEIF & TERRE ROZIN  
PARCEL#MS620400000010  
㊴ DEREK & ELIZABETH ANN HINDMAN  
PARCEL#MS620400000009  
㊵ PATRICK A JOHNSON TR  
PARCEL#MS620400000008  
㊶ ROBERT C & KAREN K BARNES  
PARCEL#MS620400000013  
㊷ MARK W & JULIE A DUNAWAY  
PARCEL#MS620400000012  
㊸ ABULLAH AL RAMADAN  
PARCEL#MS620400000011  
㊹ JULIE A DUNAWAY TR  
PARCEL#MS620400000017  
㊺ WETHERINGTON HOA  
PARCEL#MS620400000016  
㊻ THOMAS J SHORNE TR  
PARCEL#MS620400000097  
㊼ JOANNA SEARS & JULIE ARNOLD  
PARCEL#MS620400000096  
㊽ CHRISTOPHER & TERESA WALONE  
PARCEL#MS620401000027  
㊾ PRADEEPK & POONAM R DHAMIA  
PARCEL#MS620401000028  
㊿ PHUOC & SANG TRAN  
PARCEL#MS620401000029  
① SEEMA GUJARI  
PARCEL#MS620401000021  
② JASON A & STEPHANIE A WATKINS  
PARCEL#MS620401000020  
③ BRAD & MICHELLE EVANS  
PARCEL#MS620401000014  
④ STEVEN & SHELIA R SOLORIA  
PARCEL#MS620401000018  
⑤ KEVIN JAMSON  
PARCEL#MS620401000016  
⑥ RUAD BENGALI TR  
PARCEL#MS620401000015  
⑦ MARWAN COLLART & KEVIN COONEY  
PARCEL#MS620401000014  
⑧ GARY & AMY MENKE  
PARCEL#MS620401000013  
⑨ MOHAMED MAHMOUD & ISMA MOUSA  
PARCEL#MS620401000012  
⑩ MICHAEL R & SHOUJUH S HALL  
PARCEL#MS620401000011  
⑪ KEVIN & SHANNON DOLL  
PARCEL#MS620401000010  
⑫ RUTH P HEMBACH  
PARCEL#MS620401000008  
⑬ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620401000007  
⑭ CAROL ANN NAIL  
PARCEL#MS620401000005  
⑮ JEFFREY & KATHLEEN SWORMSTEDT  
PARCEL#MS620381000153  
⑯ JAMES D & JOAN L MATTHEWS  
PARCEL#MS620381000154  
⑰ JOHN & MARY S BANCHEY  
PARCEL#MS620381000155  
⑱ LESLIE W STRUGGLES TR  
PARCEL#MS620381000156  
⑲ JONATHAN W HARDING  
PARCEL#MS620381000157  
⑳ WILLIAM C & SUSAN E CARROLL  
PARCEL#MS620381000149  
㉑ JOAN R DELUSIE TR  
PARCEL#MS620381000158  
㉒ JAMES D & JUNE V BELL  
PARCEL#MS620381000159  
㉓ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620381000113  
㉔ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620381000114  
㉕ ADAM & HEATHER ROSS TR  
PARCEL#MS620381000108  
㉖ JUDITH A WILKMAN TR  
PARCEL#MS620381000105  
㉗ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620381000115  
㉘ DONNA J RUSSELL  
PARCEL#MS620381000142  
㉙ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620381000106  
㉚ KEPLER GEORGE &  
PARCEL#MS620381000022  
㉛ ROSS RENTAL PROPERTIES LLC  
PARCEL#MS620381000007  
㉜ HARBOUR TOWN VILLAGE COMMUNITY  
PARCEL#MS620381000006  
㉝ TRILSIDE LIBERTY WAY LLC  
PARCEL#MS620400000111  
㉞ LIBERTY COMMERCIAL, LLC  
PARCEL#MS620400000106  
㉟ WETHERINGTON POINTE OWNERS  
PARCEL#MS620400000099  
㊱ ELIZABETH WETHERINGTON LLC  
PARCEL#MS620400000107  
㊲ BASS PRO OUTDOOR WORLD LLC  
PARCEL#MS620400000107  
㊳ PURPOSE 011 LLC  
PARCEL#MS620400000104  
㊴ LOFTS AT WETHERINGTON CONDO  
ASSOCIATION  
PARCEL#MS620400000104

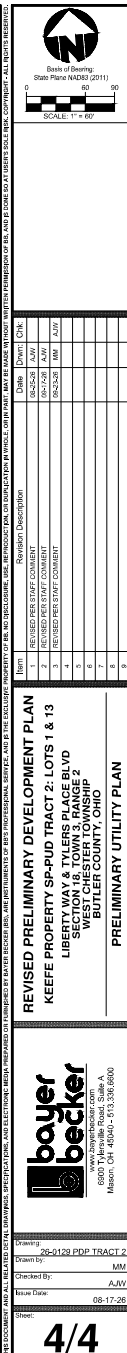
REVISED PRELIMINARY DEVELOPMENT PLAN  
KEEFE PROPERTY SP-PUD TRACT 2: LOTS 1 & 13  
LIBERTY WAY INVESTMENTS, LLC  
SECTION 18, TOWN 3, RANGE 2  
WEST CHESTER TOWNSHIP  
BUTLER COUNTY, OHIO



26-0128 PDP TRACT 2  
Checked By: MM  
Issue Date: 08-17-26  
Sheet: 1/4





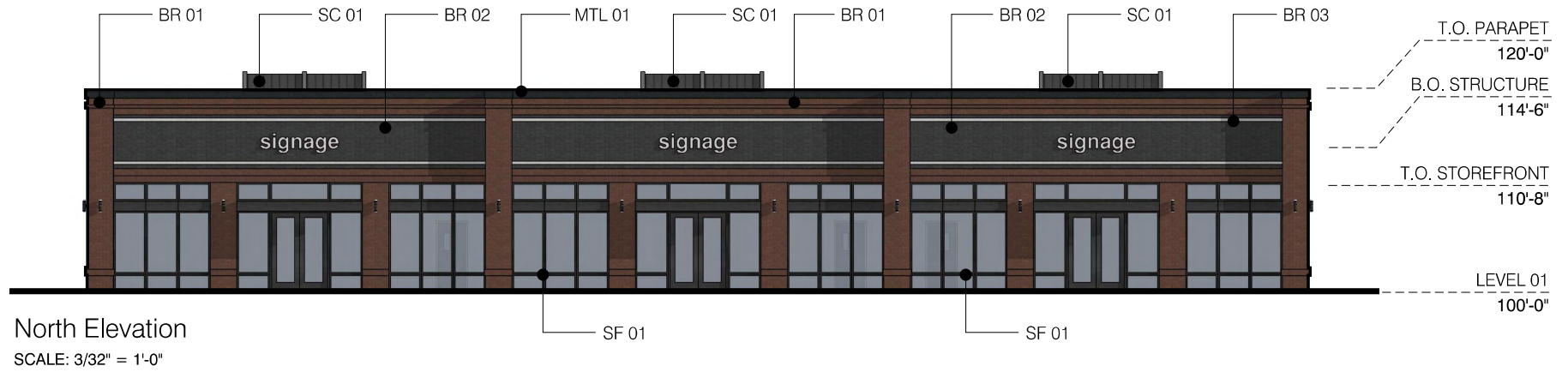


**ATTACHMENT C**

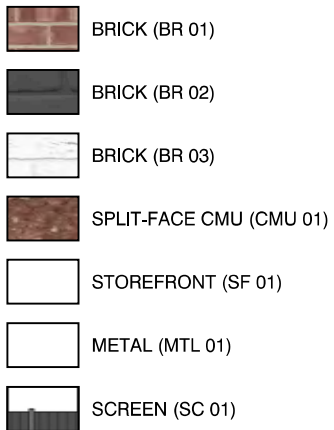
**FDP 06-26-A LOT 13 SITE PLAN AND ARCHITECTURAL  
ELEVATIONS**





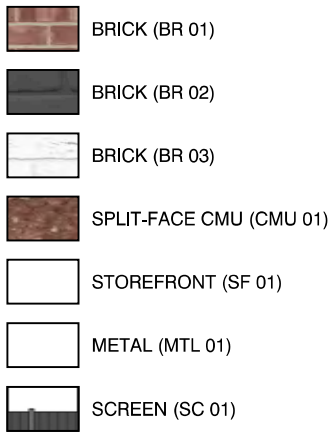


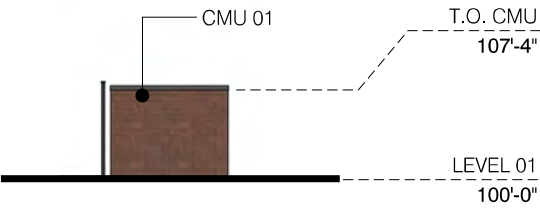
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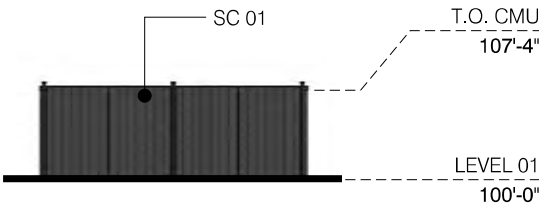


### Material Legend //





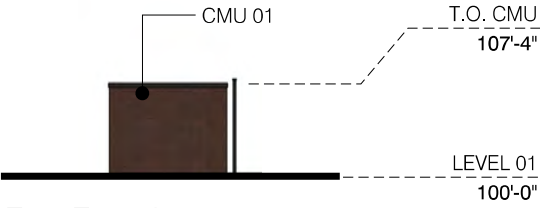
West Elevation  
SCALE: 3/32" = 1'-0"



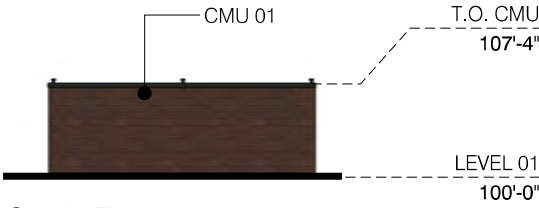
North Elevation  
SCALE: 3/32" = 1'-0"

Material Legend //

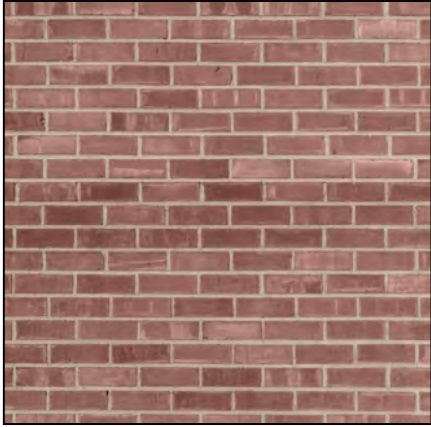
- BRICK (BR 01)
- BRICK (BR 02)
- BRICK (BR 03)
- SPLIT-FACE CMU (CMU 01)
- STOREFRONT (SF 01)
- METAL (MTL 01)
- SCREEN (SC 01)



East Elevation  
SCALE: 3/32" = 1'-0"

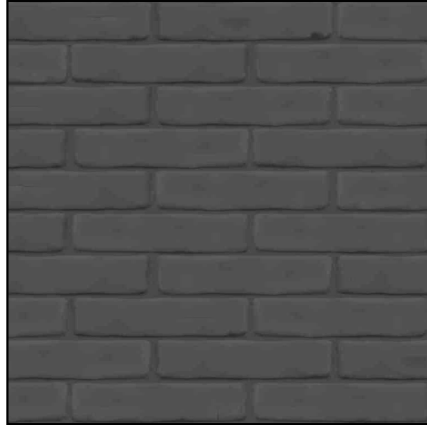


South Elevation  
SCALE: 3/32" = 1'-0"



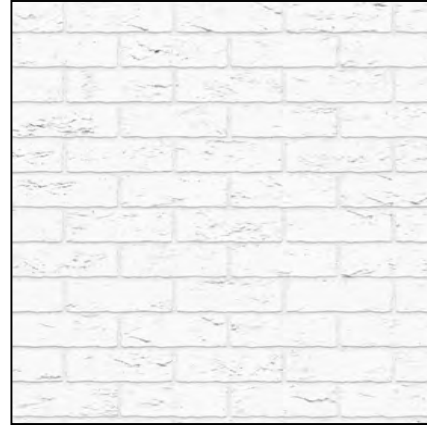
**BR 01**

Material // Brick  
 Manufacturer // TBD  
 Color // Red  
 Texture // TBD



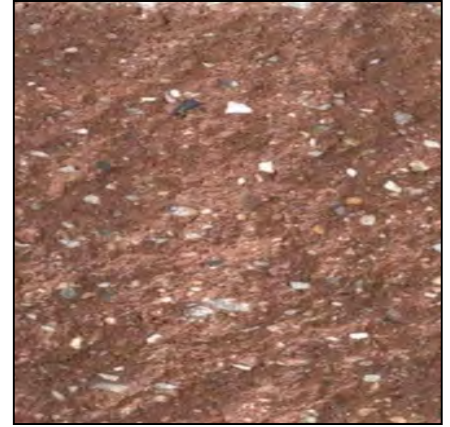
**BR 02**

Material // Brick  
 Manufacturer // TBD  
 Color // Painted Black  
 Texture // TBD



**BR 03**

Material // Brick  
 Manufacturer // TBD  
 Color // Painted White  
 Texture // TBD



**CMU 01**

Material // CMU  
 Manufacturer // TBD  
 Color // Painted to match BR 01  
 Texture // Split-Face



**SF 01**

Material // Storefront  
 Manufacturer // TBD  
 Color // Black Mullion



**MTL 01**

Material // Metal Coping / Downspout  
 Manufacturer // TBD  
 Color // Black



**SC 01**

Material // Composite Screening  
 Manufacturer // TREX  
 Color // Charcoal Black

APPLICATION FOR A MAJOR CHANGE  
TO A PUD DISTRICT  
WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT  
9577 Beckett Road, Suite 100, West Chester, Ohio 45069  
Telephone: (513) 777-4214

.....  
FOR WEST CHESTER COMMUNITY DEVELOPMENT DEPARTMENT USE ONLY:

CASE # \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

FEE RECEIPT # \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_  
.....

THIS APPLICATION MUST BE TYPEWRITTEN - USE ADDITIONAL SHEETS IF NECESSARY

NAME OF APPLICANT Liberty Way Investments LLC

ADDRESS 4015 Townsfair Way, Suite 201

CITY/STATE/ZIP Columbus, OH 43219

PHONE NO. 614-414-7300 FAX NO. \_\_\_\_\_

EMAIL mfry@steiner.com

NAME, ADDRESS & PARCEL NUMBER OF EACH PROPERTY OWNER OF RECORD  
WITHIN THE PROPERTY WHICH IS REQUESTED FOR THE MAJOR CHANGE:

1. M5620-461-000-031 - Liberty Way Investments LLC, 4016 Townsfair Way, Suites 201 Columbus, OH 43219
2. M5620-461-000-030 - Liberty Way Investments LLC, 4016 Townsfair Way, Suites 201 Columbus, OH 43219
3. \_\_\_\_\_

REQUEST RE-DESIGNATION OF AREA FROM \_\_\_\_\_ TO \_\_\_\_\_

TOTAL ACRES 1.66

LOCATION OF PROPERTY FOR MAJOR CHANGE:

SECTION 18 TOWN 3 RANGE 2  
PARCEL (S) M5620-461-000-031, M5620-461-000-030

PROPERTY ADDRESS Oak Lane

CITY/STATE/ZIP West Chester Township, OH 45069

(MY) (OUR) INTEREST IN THE PROPERTY TO BE RECLASSIFIED IS AS:

OWNER X AGENT \_\_\_\_\_ LESSEE \_\_\_\_\_ OPTIONEE \_\_\_\_\_

APPLICANT Jana Widulski 4016 Townsfair Way, Suite 201. Columbus, OH 43219 614-414-7300  
Signature Address/City/ST/Zip Phone Number

OWNER (S) Liberty Way Investments LLC

Jana Widulski 4016 Townsfair Way, Suite 201. Columbus, OH 43219 614-414-7300  
Signature Address/City/ST/Zip Phone Number

**THE APPLICANT SHOULD PREPARE DEFINITIVE STATEMENTS REGARDING THE FOLLOWING: (USE ADDITIONAL SHEETS IF NECESSARY)**

*1) What are the specific changes in the character and conditions of the area, which have occurred to make the property no longer suitable or appropriate for the existing PUD classification or to make the property appropriate for the proposed PUD district?*

Consistent with the balance of the project, we have been entitling and building out the commercial components of the development in the east to west direction. Based on feedback from the Township at the July hearing, it was determined that the site plan refinements to the remaining portion of the developable area were significant enough to merit a new PDP. Consistent with that interpretation, we are submitting this PDP that refines a development vision that we feel most appropriately matches the ongoing progression of the market and this district. The scale, massing and density of the originally approved building footprints are being reduced to respond to market feedback and better match demand.

Since the original approval, the commercial marketplace has evolved significantly. Many national retailers and restaurants have reduced their prototype sizes, adopted omnichannel business models, or located elsewhere within the Township, substantially reducing demand for large-format commercial space once included in the plan. The proposed amendment responds to these changing market conditions by allowing a greater variety of smaller-format retail and restaurant users that better reflect current leasing trends. Rather than diminishing the project, this approach creates a more engaging environment with additional storefronts, greater tenant diversity, improved long-term occupancy potential, and increased flexibility to adapt to future market demands. The result is a commercial center that is more resilient, more attractive to residents, and better aligned with the Township's long-term planning objectives

*2) What is the benefit that the neighborhood or community as a whole will derive from this change?*

The proposed amendment will provide a more vibrant, sustainable, and occupied commercial center that better serves both nearby residents and the traveling public. By allowing a greater diversity of smaller-format retail, restaurant, and service uses, the project can attract a broader range of tenants, resulting in increased shopping and dining choices, greater convenience, and enhanced economic vitality.

The revised layout will also create a more engaging pedestrian environment through additional storefronts, a curbside pick-up window, and varied entrances while preserving the overall commercial character and intensity previously envisioned for the site. By enhancing the marketability and long-term viability of the remaining commercial area, the amendment increases the ability for the project to be built and occupied in the near term, ensuring that the community realizes the full benefit of the previously approved development.

*3) Will the site be accessible from public roads, which are adequate to carry the traffic that will be imposed upon them if the change is granted, or will road improvements be required?*

Yes. The site will be accessible from Foster Lane (private) and with the reduction in overall density, the traffic volumes and parking demand will be less than what was originally approved. The roadway improvements in place on Liberty Way were constructed per the approved TIS for overall development.

*4) Has this change been discussed with regard to traffic design with the Butler County Engineer's office? When? Who?*

A Traffic Impact Study has been performed on the site for the full intensity of the original PDP. The modification in 2025 and the proposed modification reduce the intensity of use from the original study. Traffic improvements were constructed based on the TIS study.

*5) Is the property currently or can it be serviced by public sewer and water and can proper drainage be provided?*

The site is served by existing public water and sewer mains existing water and sewer service stubs are constructed for Lot 1 and Lot 13. The stormwater basin was designed and constructed for water quality and quantity for the development, including the proposed modification area.

*6) What is the anticipated proposed use of property and character (architectural treatment) of the development?*

The proposed development is intended to accommodate a mix of neighborhood-serving retail, restaurant, and commercial service uses consistent with the previously approved commercial vision for The Oaks. The revised building footprints are designed to provide greater flexibility for smaller-format tenants that better reflect current market demand while maintaining the overall character and function of the commercial center.

Architecturally, the buildings will be designed to be compatible with the existing development within The Oaks and will incorporate high-quality materials, including brick, CMU, fiber cement, metal accents, glass, and other complementary finishes, together with enhanced landscaping, pedestrian connections, and site amenities. The overall design will continue the established architectural character set throughout the development while providing an attractive and inviting streetscape with better distributed and smaller parking fields.

**DESCRIPTION OF REQUEST AND REASONS FOR MAJOR CHANGE TO PUD DISTRICT  
WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT  
9577 Beckett Road, Suite 100, West Chester, Ohio 45069  
Telephone: (513) 777-4214**

.....  
FOR WEST CHESTER COMMUNITY DEVELOPMENT DEPARTMENT USE ONLY:

CASE # \_\_\_\_\_

DATE RECEIVED:

.....  
**NOTE: THIS APPLICATION SHOULD BE TYPEWRITTEN**

The area of land sought to be changed contains approximately 1.66 acres, having frontage of approximately 309.5 feet located (1) along the South side of Liberty Way approximately 675 feet West of Tylers Place. Or (2) at the \_\_\_\_\_ corner of the intersection of \_\_\_\_\_ and \_\_\_\_\_.

**THE APPLICANT SHOULD PREPARE DEFINITIVE STATEMENTS REGARDING THE FOLLOWING: (USE ADDITIONAL SHEETS IF NECESSARY)**

- 1) What are the specific changes in the character and conditions of the area, which have occurred to make the property no longer suitable or appropriate for the existing PUD classification or to make the property appropriate for the proposed PUD district?

**\*\* See Attached for Responses**

- 2) What is the benefit that the neighborhood or community as a whole will derive from this change?

- 3) Will the site be accessible from public roads, which are adequate to carry the traffic that will be imposed upon them if the change is granted, or will road improvements be required?

- 4) Has this change been discussed with regard to traffic design with the Butler County Engineer's office? When? Who?

- 5) Is the property currently or can it be serviced by public sewer and water and can proper drainage be provided?

- 6) What is the anticipated proposed use of property and character (architectural treatment) of the development?

## PROPERTY OWNER'S AFFIDAVIT

STATE OF OHIO  
COUNTY OF BUTLER

I (we) Liberty Way Investments

hereby certify that we are all of the owners of the real estate which is the subject of the pending zoning application; that we hereby consent to the Board of Trustees of West Chester Township approving a Major Change to a PUD for the subject real estate; that we understand that our application will be considered and processed in accordance with the regulations as set forth by the West Chester Township Community Development Department and Zoning Resolution; that we agree to accept, fulfill and abide by those regulations and all stipulations and conditions attached to the Major Change to the PUD plan. I (we) authorize West Chester Township to place a Public Meeting notification sign on the property. I (we) authorize West Chester Township staff and board members to enter and inspect the property. The statements and attached exhibits are in all respects true and correct to the best of my/our knowledge and belief.

Laura Wedekind  
Signature

Laura Wedekind

Printed Name

4016 Townsfair Way Suite 201

Mailing Address

Columbus, OH 43219

City / State / Zip

614-414-7300

Phone

Subscribed and sworn to before me this 17th day of August 2020



RENEE ADDISON KREUTLER  
Notary Public, State of Ohio  
My Commission Expires  
08/17/2027

[Signature]  
Notary Public

Person to be contacted for details, other than signatory:

|              |                                               |              |
|--------------|-----------------------------------------------|--------------|
| Bayer Becker | 6900 Tylersville Rd. Suite A. Mason, OH 45040 | 317-207-9328 |
| Name         | Address/City/St/Zip                           | Phone Number |

REVISED PRELIMINARY DEVELOPMENT PLAN
KEEFE PROPERTY SP-PUD TRACT #2: LOTS 1 & 13

1.661 ACRES
SECTION 18, TOWN 3, RANGE 2
WEST CHESTER TOWNSHIP ~ BUTLER COUNTY, OHIO

GENERAL NOTES

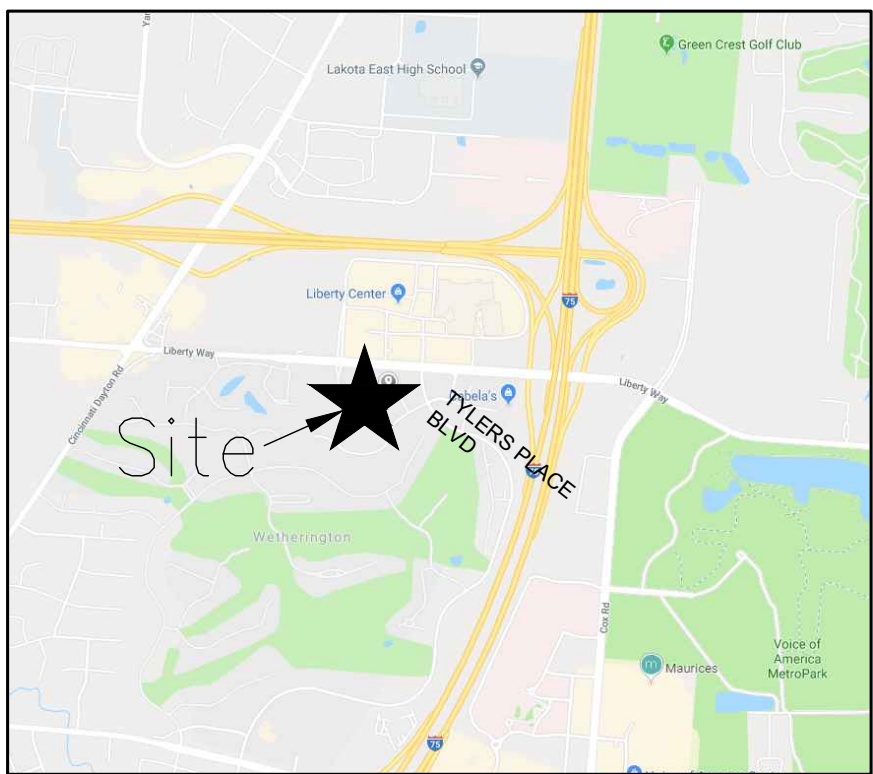
- 1. EXISTING ZONING - SP-PUD. (RES. No. 04-2016)
2. PROPOSED ZONING- SP-PUD: MAJOR CHANGE TO TRACT 2
3. SANITARY SEWER SERVICE CONNECTED TO INTO BUTLER COUNTY SYSTEM.
4. WATER SERVICE TO BE INSTALLED AND CONNECTED TO BUTLER COUNTY SYSTEM.
5. ELECTRIC TO BE SUPPLIED BY DUKE ENERGY ELECTRIC COMPANY.
6. EXISTING TOPOGRAPHY FROM BAYER BECKER FIELDWORK.
7. THE SITEWORK WILL BEGIN FALL 2026.
8. STORM WATER MANAGEMENT FACILITIES TO BE MAINTAINED BY "THE OAKS AT WETHERINGTON OWNERS ASSOCIATION INC".
9. EXISTING USE: VACANT
10. OUTDOOR SEATING MAY ACCOMPANY RESTAURANT USES.

PROJECT SUMMARY

Table with 7 columns: TRACT2, PROPOSED USE, PROPOSED ACREAGE, PROPOSED INTENSITY OF USE, 15% MINIMUM OPEN SPACE REQUIRED, PROPOSED OPEN SPACE, STREET EASEMENT AREA, NET SITE AREA. Rows include Tract 2 details and a summary row.

NOTES: \*FOLLOWING USES ARE NOT PERMITTED PER RESOLUTION No. 16-2004: SECTION 21.023 OF B-1 DISTRICT, SECTION 22.023 (EXCEPT FOR AUTOMOBILE AND TRUCK SALES), 22.022, 22.024, 22.029, 22.0241, 22.028, 22.0210, 22.0211, & 22.0212 OF THE B-2 DISTRICT.

NOTES: \*\*16-2004: 22.029 RESTAURANT WITH DRIVE THRU IS PERMITTED ON LOT 14 PER RESOLUTION 26-2025. 16-2004: 22.029 RESTAURANT WITH DRIVE THRU IS PROPOSED ON LOT 13 (PICKUP WINDOW ONLY).



VICINITY MAP
NO SCALE

OWNERS

LIBERTY WAY INVESTMENTS, LLC
4016 TOWNSFAIR WAY, SUITE 201
COLUMBUS, OH 43219

APPLICANT

LIBERTY WAY INVESTMENTS, LLC
4016 TOWNSFAIR WAY, SUITE 201
COLUMBUS, OH 43219

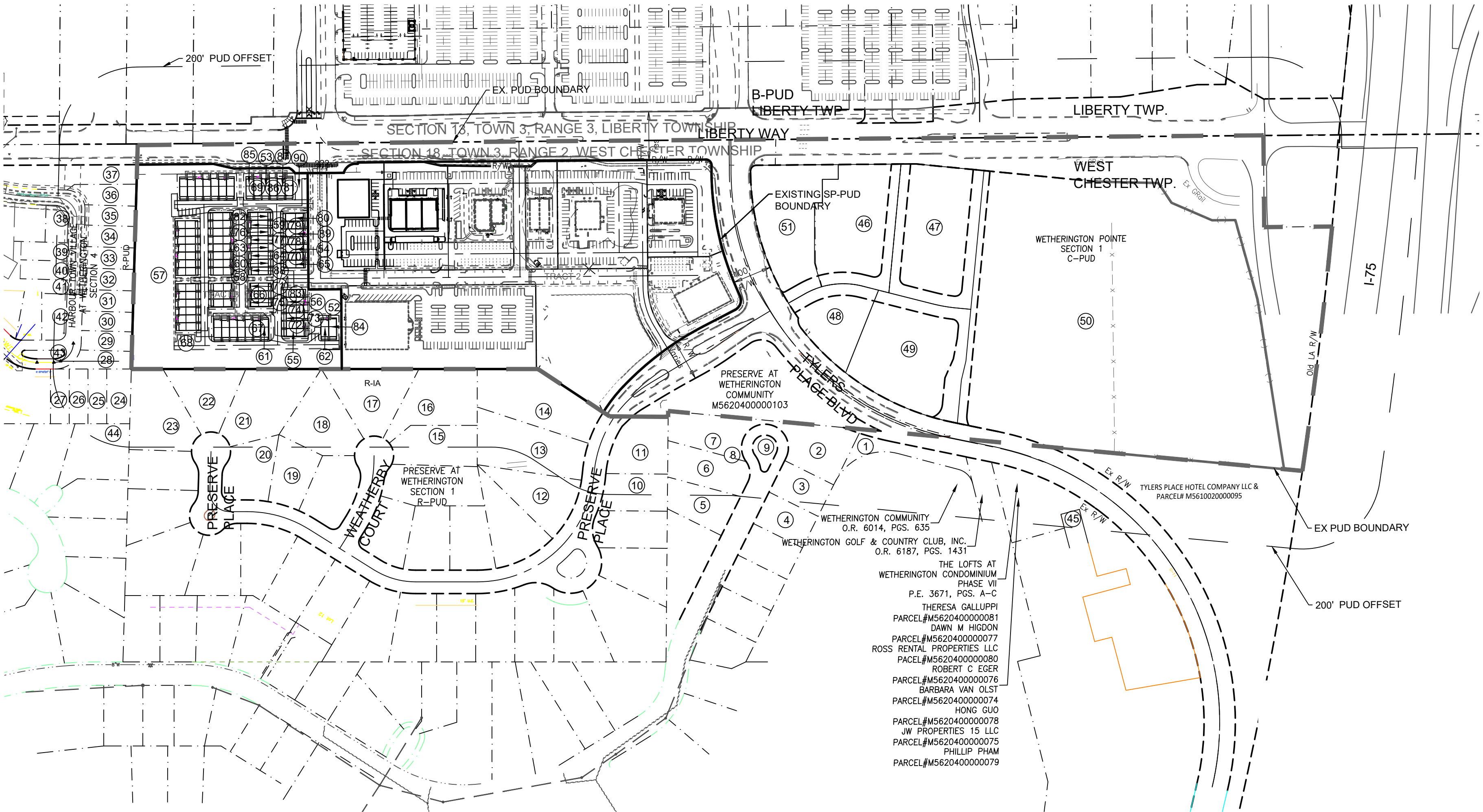
LAND PLANNER /
ENGINEER / SURVEYOR

BAYER BECKER
6900 TYLERSVILLE ROAD, SUITE A
MASON, OHIO 45040
PH: (513)336-6600

INDEX OF SHEETS

Table with 3 columns: Sheet Number, Title, Date. Lists sheets 1 through 4.

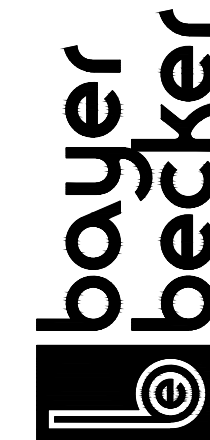
- 53 HITESH & MANDA SHAH
54 EDUARD & ERLANI GUZMAN
55 FISCHER SINGLE FAMILY HOMES IV LLC
56 #M5620487000056, #M5620487000060, #M5620487000030, #M5620487000062, #M5620487000054, #M5620487000063, #M5620487000053, #M5620487000057, #M5620487000058, #M5620487000059, #M5620487000055, #M5620487000032, #M5620487000061
57 TOWNS OF WETHERINGTON COMMUNITY ASSOCIATION INC
58 PARCEL#M5620487000071, #M5620487000073, #M5620487000072, #M5620487000074
60 OKI PROPERTIES LLC
62 CAROL GILLIS
63 KIAH & RAMONE LAWRENCE
64 ALLYSON LACASSAGNE & CHRIS ALAN PLACE
65 FISCHER MANAGEMENT LLC
69 SATYANARAYANA & MADHAVI NAJANA
70 KELLY & SARAH MCINTYRE
76 LANE & SARAH HOLMES



- 1 WETHERINGTON GOLF & COUNTRY CLUB INC
2 PARCEL#M5610020000097
3 LEIF & TERRE ROZIN
4 DEREK & ELIZABETH ANN HINDMAN
5 PATRICIA A JOHNSON TR
6 ROBERT C & KAREN K BARNES
7 MARK W & JULIE A DUNAWAY
8 JULIE A DUNAWAY TR
9 WETHERINGTON HOA
10 THOMAS J BARONE TR
11 JOANNA SEARS & JULIE ARNOLD
12 CHRISTOPHER & TERESA MALONE
13 PRADEEPK & POONAM R DHAMIA
14 PHUOC & SANG TRAN
15 SEEMA QUADRI
16 JASON A & STEPHANIE A WATKINS
17 BRAD & MICHELLE EVANS
18 STEVEN & SHEILA R SOLORIA
19 KEVIN JAMISON
20 FUAD BENGALI TR
21 MARIANNE COLLEARY& KEVIN COONEY
22 GARY & AMY MENKE
23 MOHAMED MAHMOUD & SOHA MOUSA
24 MICHAEL R & SHOWYUH S HALL
25 KEVIN & SHANNON DOLL
26 RUTH P HEIMBACH
27 HARBOUR TOWN VILLAGE COMMUNITY
28 CAROL ANN NAIL
29 JEFFREY & KATHLEEN SWORMSTEDT
30 JAMES D & JOAN L MATTHEWS
31 JOHN & MARY S BANCHY
32 LESLIE W STRUGGLES TR
33 JONATHAN W HARDING
34 WILLIAM C & SUSAN E CARROLL
35 JOAN R DELUSE TR
36 JAMES D & JUNE V BELL
37 HARBOUR TOWN VILLAGE COMMUNITY
38 HARBOUR TOWN VILLAGE COMMUNITY
39 ADAM & HEATHER ROSS TR
40 JUDITH A KUHLMAN TR
41 HARBOUR TOWN VILLAGE COMMUNITY
42 DONNA J RUSSELL
43 HARBOUR TOWN VILLAGE COMMUNITY
44 KEPPLER GEORGE &
45 ROSS RENTAL PROPERTIES LLC
46 TRAILSIDE LIBERTY WAY LLC
47 LIBERTY COMMERCIAL LLC
48 WETHERINGTON POINTE OWNERS
49 ELIZABETH WETHERINGTON LLC
50 BASS PRO OUTDOOR WORLD LLC
51 PURPOSE OH1 LLC
52 LOFTS AT WETHERINGTON CONDO ASSOCIATION

REVISED PRELIMINARY DEVELOPMENT PLAN

KEEFE PROPERTY SP-PUD TRACT 2: LOTS 1 & 13
LIBERTY WAY & TYLERS PLACE BLVD
SECTION 18, TOWN 3, RANGE 2
WEST CHESTER TOWNSHIP
BUTLER COUNTY, OHIO



Drawing: 26-0129 PDP TRACT 2

Drawn by: MM

Checked by: AJW

Issue Date: 08-17-26

Sheet: 1/4

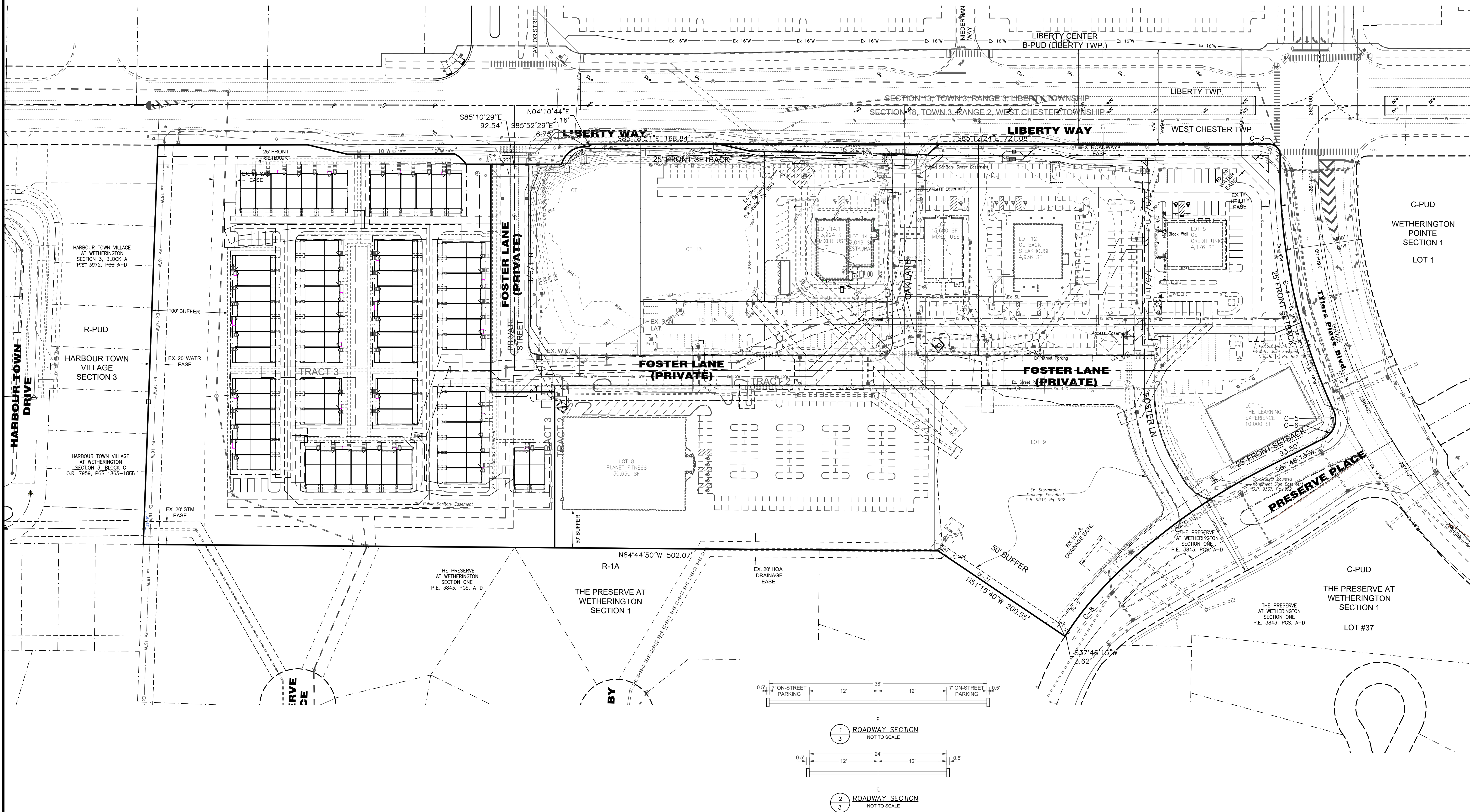
|   |  |  |  |  |
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| 1 |  |  |  |  |
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LIBERTY WAY & TYLERS PLACE BLVD  
SECTION 18, TOWN 3, RANGE 2  
WEST CHESTER TOWNSHIP  
BUTLER COUNTY, OHIO

**bayer  
becker**

[www.bayerbecker.com](http://www.bayerbecker.com)  
6900 Tylersville Road, Suite A  
Mason, OH 45040 • 513.336.6600

|              |                  |
|--------------|------------------|
| Issued By:   | 26-0129 PDP TRAC |
| Reviewed By: | M                |
| Checked By:  | A                |
| Issue Date:  | 08-17-           |



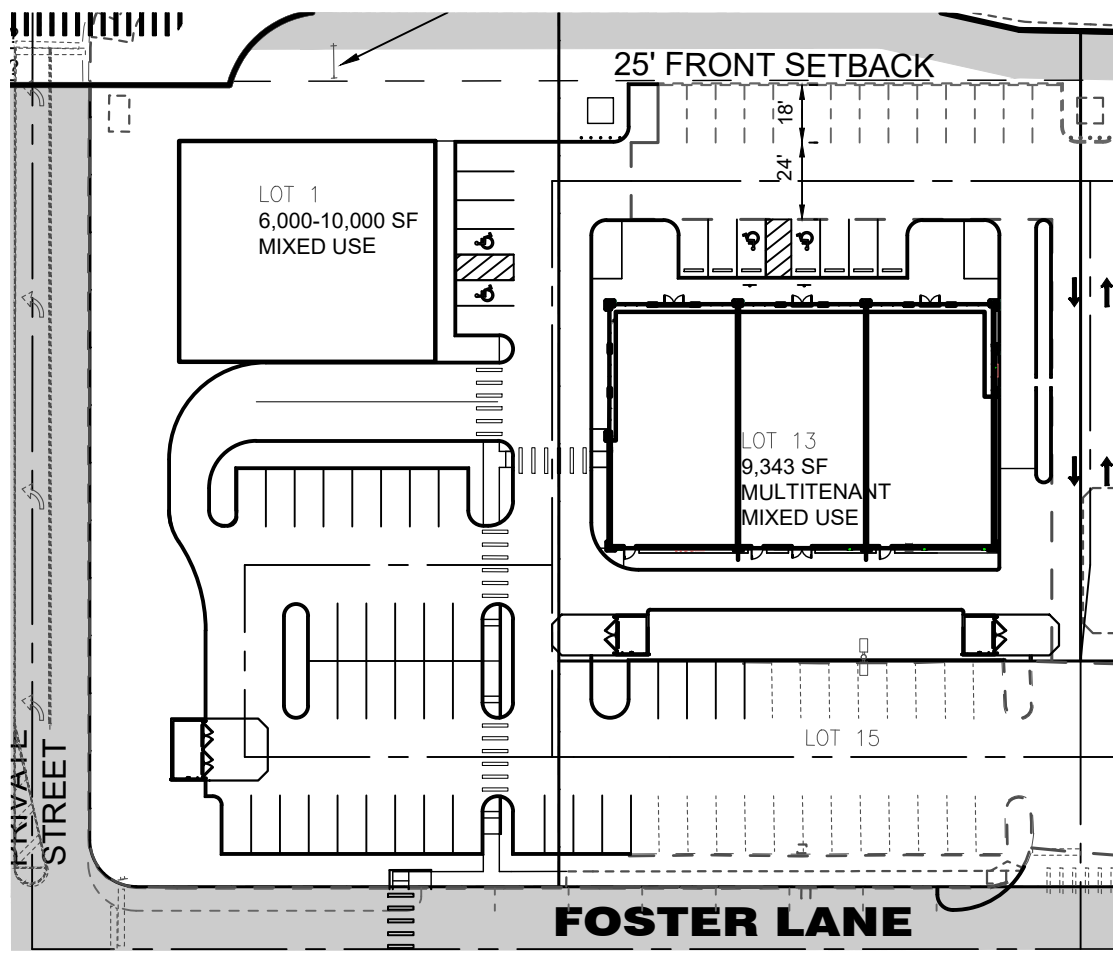
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Drawing name: J:\2026\26-0129\CD\WG\REV PDP 26081926-0129 PDP Tract 2.dwg - Layout Tab: Layout

### PARKING ANALYSIS

| THE OAKS AT WETHERINGTON PARKING                                                                                                           |                                     |                                     |                       |                 |                 |                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-----------------------|-----------------|-----------------|-------------------------------------------------------------|
| PARCEL                                                                                                                                     | USE                                 | RATIO                               | INTENSITY             | SPACES REQUIRED | SPACES PROVIDED | NOTES                                                       |
| LOT 1                                                                                                                                      | MIXED USE                           | 1 PER 300 SF                        | 10,000 SF             | 34              | 37              | **/**                                                       |
| LOT 5                                                                                                                                      | BANK                                | 1 PER 200 SF                        | 4,176 SF              | 21              | 37              |                                                             |
| LOT 9                                                                                                                                      | ON-STREET PARKING ALONG FOSTER LANE | -                                   | -                     | -               | 42              |                                                             |
| LOT 10                                                                                                                                     | DAYCARE                             | 1 PER STAFF PERSON 1 PER 5 STUDENTS | STAFF=19 STUDENTS=190 | 57              | 32              |                                                             |
| LOT 11                                                                                                                                     | MIXED USE                           | 1 PER 300 SF                        | 3,680 SF              | 13              | 21              |                                                             |
| LOT 12                                                                                                                                     | RESTAURANT                          | 1PER 150 SF                         | 4,936 SF              | 33              | 108             |                                                             |
| LOT 13                                                                                                                                     | MIXED USE                           | 1 PER 300 SF                        | 9,343 SF              | 32              | 22              | ***                                                         |
| LOT 14                                                                                                                                     | RESTAURANT                          | 1 PER 150 SF                        | 5,242 SF              | 35              | 28              | **                                                          |
| LOT 15                                                                                                                                     | PARKING                             | -                                   | -                     | -               | 58              |                                                             |
|                                                                                                                                            |                                     |                                     | TOTALS=               | 225             | 385             | LOTS 1,5,9-15 ARE INCLUDED IN THE SHARED PARKING AGREEMENT. |
| **LOTS 7 & 8 ARE NOT INCLUDED IN THE PARKING AGREEMENT OR THE ANALYSIS ABOVE. THE PARKING REQUIREMENT IS SATISFIED INTERNALLY ON EACH LOT. |                                     |                                     |                       |                 |                 |                                                             |
| LOT 7                                                                                                                                      | RESIDENTIAL                         | 2 PER DWELLING UNIT                 | 70 UNITS              | 140             | 153             |                                                             |
| LOT 8                                                                                                                                      | FITNESS CENTER                      | 1 PER 300 SF                        | 30,650 SF             | 102             | 132             |                                                             |

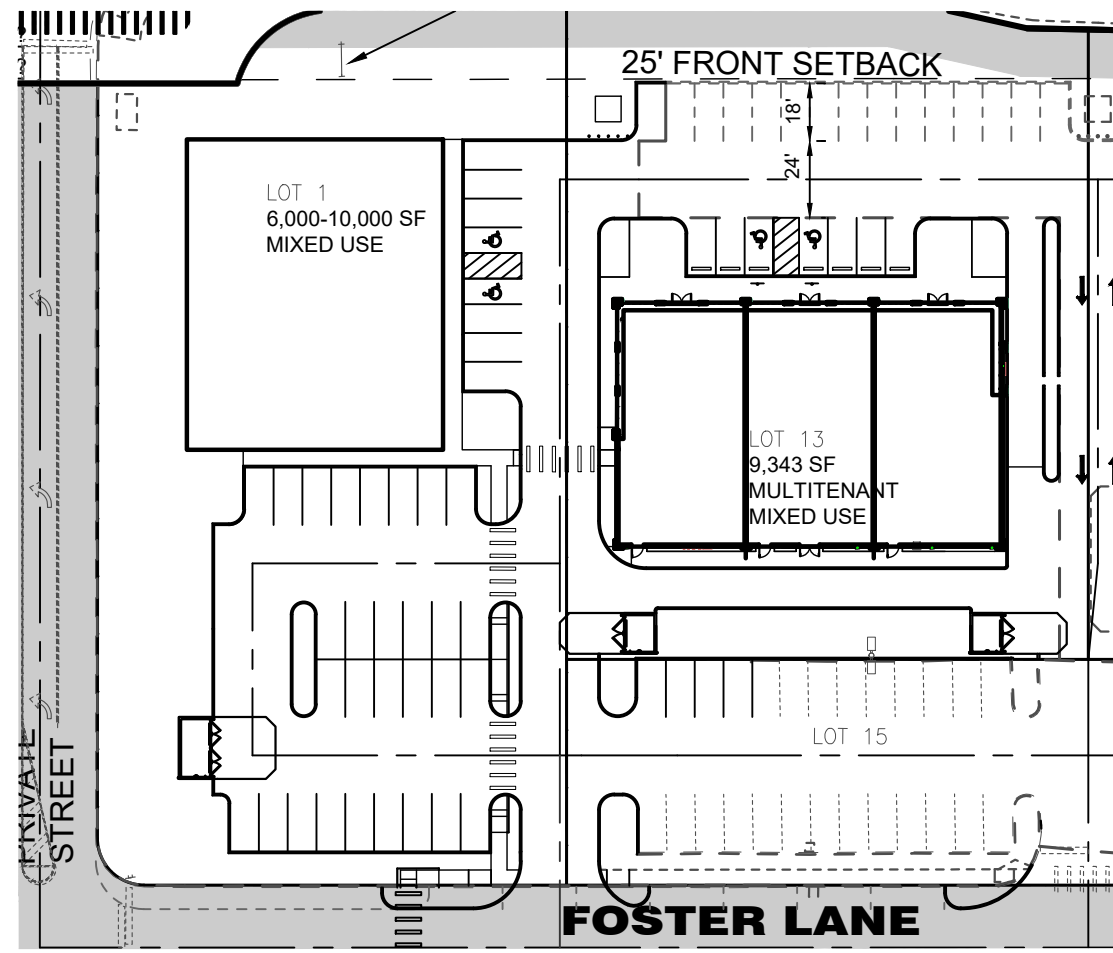
NOTES:  
\*\*DRIVE THRU: 6 STACKING SPACES PER LANE REQUIRED PER TABLE 5.18-1  
\*\*\*PICK UP WINDOW: 2 STACKING SPACES PER LANE REQUIRED PER TABLE 5.18-1

ON-STREET PARKING SPACES: 7'X23'  
STANDARD SPACE: 9'X18'



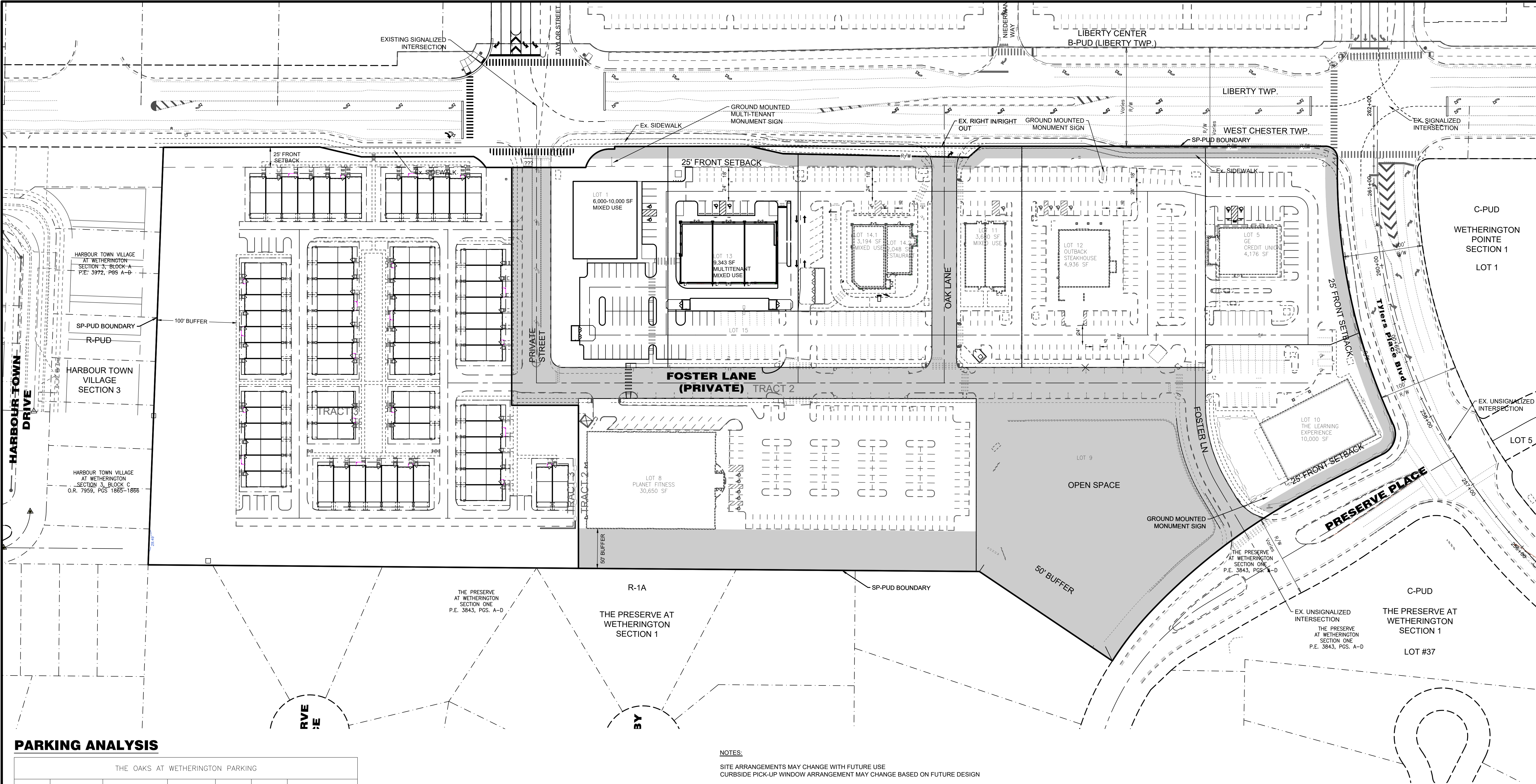
### ALTERNATE TO LOT 1

PARKING SPACES SHOWN MAY DIFFER THAN SUMMARY  
FOOD OR BEVERAGE DRIVE THrus ARE PROHIBITED ON LOT 1.



### POTENTIAL ACCESS TO FOSTER

ACCESS REDUCES PARKING SPACES BY 6 SPACES

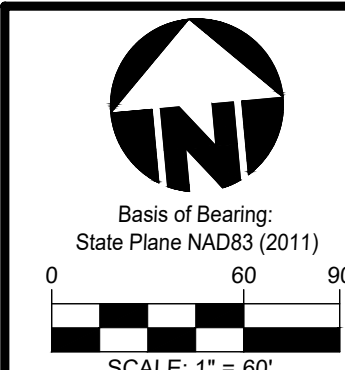


### NOTES:

SITE ARRANGEMENTS MAY CHANGE WITH FUTURE USE  
CURBSIDE PICK-UP WINDOW ARRANGEMENT MAY CHANGE BASED ON FUTURE DESIGN

### LEGEND

OPEN SPACE  
4.20 AC



### REVISED PRELIMINARY DEVELOPMENT PLAN

KEEFE PROPERTY SP-PUD TRACT 2: LOTS 1 & 13  
LIBERTY WAY & TYLERS PLACE BLVD  
SECTION 18, TOWN 3, RANGE 2  
WEST CHESTER TOWNSHIP  
BUTLER COUNTY, OHIO

### LAYOUT PLAN

| Item | Revision Description      | Date     | Drawn | Chk |
|------|---------------------------|----------|-------|-----|
| 1    | REVISED PER STAFF COMMENT | 08-25-26 | AJW   |     |
| 2    | REVISED PER STAFF COMMENT | 08-17-26 | AJW   |     |
| 3    | REVISED PER STAFF COMMENT | 08-22-26 | MM    | AJW |
| 4    | REVISED PER STAFF COMMENT | 08-22-26 | MM    | AJW |
| 5    |                           |          |       |     |
| 6    |                           |          |       |     |
| 7    |                           |          |       |     |
| 8    |                           |          |       |     |
| 9    |                           |          |       |     |

Drawing: 26-0129 PDP TRACT 2  
Drawn by: MM  
Checked by: AJW  
Issue Date: 08-17-26

Sheet: 3/4

