

West Chester

— OHIO —

ZONING COMMISSION

June 15, 2026

MEMBERS PRESENT: Jose Alvarez, Brian Asbrock, Jim Hahn, Larry Whited,
Gerry Stoker, Tom Bretz (not-seated)

MEMBERS ABSENT: Hadil Lababidi (not-seated)

STAFF PRESENT: Jeff Uckotter, Director
Charles Gavin, FBT; Legal Representation
Beverly Worley; AP III

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

Mr. Stoker called the meeting to order. Mr. Uckotter called the roll. A quorum was established.

Mr. Whited made a motion to affirm the May 18, 2026 minutes, seconded by Mr. Hahn. Mr. Uckotter called the roll. Motion carried 5-0.

The applicant is requesting a Major Change approval to modify a Preliminary Development Plan in relation to the March 2016 Consent Decree which provides direction to the noted subject properties. A revised site arrangement of buildings is proposed. The property is located along Princeton Glendale Road and Crossings of Beckett Drive.

Mr. Uckotter 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 Major Change/Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

Questions from the Board:

Mr. Stoker asked for clarification on Condition 4, Phase 1 Buffer and Replanting.

Mr. Uckotter explained the Township's goal due to the Consent Decree. He explained the options.

Mr. Stoker also questioned the pitch roof.

Mr. Uckotter stated that would be hidden by the screening that staff had suggested.

Mr. Alvarez asked if drive-thru stacking could be an issue.

Mr. Uckotter was not concerned with a stacking issue in the drive-thru.

Mr. Whited asked who would be responsible if the vegetation would start to die. What is the enforcement action?

Mr. Uckotter stated that the Law Director would be consulted at that time.

Mr. Galvin stated that it would be consistent with the mechanisms under the zoning resolution and what is stated in the consent decree.

Applicant **Anne McBride**
 McBride Dale Clarion

Ms. McBride is representing Mason Waterpark. Ms. McBride stated that the lots before the commission right now are proposed as a restaurant, a bank, a coffee shop and a 16,000 sq. ft. retail building. The applicant is requesting three modifications to the consent decree. Ms.

McBride explained the three modifications to the consent decree that the new owner is proposing. The changes were submitted to the Butler County Engineers Office and were approved. The applicant was agreeable to the additional landscape that the Staff had requested.

Ms. McBride stated that the outlots have been undeveloped since 2016 and even before the consent decree was signed. The applicant asked for more flexibility in development of the property to be able to market them in today's environment.

Mr. Stoker asked if the applicant would be willing to work with staff on reducing any type of intrusive signage.

Ms. McBride stated that the applicant was limited on signage due to the tight restrictions in the consent decree.

Mr. Stoker asked if the applicant would be willing to adjust the construction times for the residents from 7a – 8p.

Ms. McBride nodded in agreement.

Proponents **None**

Opponents **None**

Neutral **Karen Cartwright**
 8329 Park Place

Ms. Cartwright shared her concerns and questions regarding buffers, traffic, sidewalks, retention ponds, and etc.

Mr. Uckotter stated that the drawings show additional sidewalks be added on the outer bend of 747 and along Crossings of Beckett Drive.

Mr. Asbrock stated that on the large print drawing the sidewalk was factored in. It could not be seen on the presentation.

Katie Mechlin
8333 Park Place

Ms. Mechlin shared her concern regarding the proposed road that will abut to her backyard.

Mr. Whited stated that it had to be there due to the consent decree.

Mr. Asbrock explained that there was nowhere else to move that drive.

Mr. Galvin stated that it was the same issue dealing with the maintenance of the buffer; it's a different piece of property than the one before the commission. It belongs to a different owner.

Deliberations

Mr. Whited stated the conditions were well laid out and reasonable. Everything meets the consent decree.

Mr. Asbrock asked if changes would be allowed at the FDP stage.

Mr. Uckotter explained if they come back with structural changes then the applicant would need to re-apply.

Mr. Hahn just asked the applicant to follow what the staff had provided and to make an effort to work along side the other property owner to have sidewalks align.

Proponents **None**

Opponents **None**

Neutral **None**

Mr. Stoker made a motion to approve Case # MC 02-26 Crossings of Beckett with changes to the resolution as discussed. Mr. Alvarez second the motion.

Aye: Mr. Asbrock, Mr. Stoker, Mr. Whited, Mr. Hahn, Mr. Alvarez

Nay:

Motion carried 5-0 to approve the case.

MC 04-26 Tylersville Square; Swadeshi

The applicant is requesting a Major Change / Preliminary Development Plan approval for a multi-tenant commercial building to include an 8,204 s.f. grocery store, an 8,973 s.f. restaurant, and a future 7,103 s.f. flex use located at 7900 Tylersville Square Drive.

Action

The West Chester Township Zoning Commission is to recommend approval, approve with modifications, or deny the submitted Major Change/Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

Mr. Alvarez asked for clarification on the parking.

Mr. Uckotter stated he would revisit the amount of parking spaces needed due to the banquet center.

Several Board Members shared their concerns regarding outdoor grease disposal.

Mr. Galvin stated it would require a more extensive review of the zoning code and he wasn't sure if that was something that the Township had authority to police.

**Applicant Srikanth Pilla
 Swadeshi**

Mr. Pilla gave a summary of the project. Discussed the roof structure and the waste grease disposal. His team was currently working toward a feasible solution.

Mr. Pilla asked for a continuance to the July meeting to fully address the issues.

Mr. Hahn asked his questions regarding grease disposal, the parapet, and outdoor seating.

Mr. Pilla addressed each of the concerns.

Proponents None

Opponents None

Neutral None

Mr. Stoker made a motion to continue Case # MC 04-26 Tylersville Square; Swadeshi to the July meeting. Mr. Hahn second the motion.

Aye: Mr. Asbrock, Mr. Stoker, Mr. Whited, Mr. Hahn, Mr. Alvarez

Nay:

Motion carried 5-0 to continue the case.

FDP 06-26-A Keefe Property; Lot 13

The applicant is requesting a Final Development Plan approval for an 8,600 s.f. multi-tenant building shell and associated parking, dumpster, and drive aisles located along Liberty Way & Oak Lane.

Action

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

Mr. Stoker commented that there were a lot of items still pending for a final development plan.

Mr. Uckotter stated on behalf of the applicant. The proposed FDP was submitted before he was hired and the applicant and he had not met prior to submittal.

Applicant **Mitch Fry**
 Steiner & Associates

Mr. Fry stated that they were surprised with the volume of comments that they received back on the submittal. He stated the building was just a sister building to a plan that was approved in January 2026 which was right next door. Mr. Fry touched on a few topics that were brought up at the meeting. He stated that they've already begun to make changes to plans to accommodate some of the comments.

Applicant **Ashley Wallis**
 Bayer Becker

She addressed the loading spaces, meeting with the fire department, and parking spaces.

Mr. Hahn addressed the all the conditions with the applicant.

Proponents **None**

Opponents **None**

Neutral **None**

Mr. Stoker made a motion to continue Case # FDP 06-26-A Keefe Property; Lot 13 to the July meeting. Mr. Alvarez second the motion.

Aye: Mr. Asbrock, Mr. Stoker, Mr. Whited, Mr. Hahn, Mr. Alvarez
Nay:

Motion carried 5-0 to continue the case.

Administrative Business:

Annual Board Appointments – 2026/2027

Mr. Whited nominated Mr. Stoker to continue as Chairman; Mr. Hahn seconded the nomination. Motion carried by unanimous vote.

Mr. Stoker nominated Mr. Whited to continue as Vice Chairman; Mr. Hahn seconded the motion. Motion carried by unanimous vote.

The next ZC meeting is scheduled for Monday, July 20, 2026 at 6:00 p.m. This serves as Public Notice for this meeting.

Mr. Stoker adjourned the meeting at 8:00 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:



Gerry Stoker

Secretary:



Jeff Lickotter
Community Development Director

**WEST CHESTER TOWNSHIP ZONING COMMISSION
BUTLER COUNTY, OHIO**

RESOLUTION NO. 26-06

CROSSINGS OF BECKETT; PRINCETON GLENDALE ROAD – MC 02-26

WHEREAS, the subject parcel of this case is: PARCEL # M5610-004-000-086.

WHEREAS, in December 2013, an application was filed for a Zoning Map Amendment from R-1A Suburban Residence District to C-PUD Commercial Planned Unit Development, with a Preliminary Development Plan for a retail development including a 130,773-square-foot Kroger Marketplace with fuel center, 56,000 square feet of retail space, 22,000 square feet of retail/office space, and six outlots; and,

WHEREAS, in March 2014, the West Chester Township Board of Trustees voted to deny the application, and the applicant filed an appeal to the Butler County Court of Common Pleas in April 2014; and,

WHEREAS, on March 9, 2016, a Consent Decree was entered by the Butler County Court of Common Pleas (Cases CV 2014-04-1006 and CV 2014-06-1623), rezoning the subject property from R-1A to C-PUD Commercial Planned Unit Development and approving a Preliminary Development Plan with negotiated conditions, including a Phase 1 Buffer along the north property line, a pitched roof requirement for Outlot 1, restrictions on drive-through restaurant locations, and other conditions negotiated to address concerns raised by adjacent residential neighbors; and,

WHEREAS, in 2018, consistent with Consent Decree Approval Paragraph 6 and Section 2.11(c), the Phase 1 Buffer landscape plan (Exhibit B of the Consent Decree) was constructed along the north property line, and the Kroger Marketplace, fuel center, and attached retail spaces were constructed; and,

WHEREAS, on March 15, 2026, Anne McBride of McBride Dale Clarion, acting as agent for Mason Waterpark 2 LLC, submitted an application requesting a Major Change to modify three specific conditions of the Consent Decree dated March 9, 2016, as follows: (1) Section 2.2(j) – expand the permitted locations for drive-through restaurants to include Outlot 2, increasing the maximum number of drive-through restaurants from one to three across the development; (2) Section 2.2(l) – remove the requirement that the building on Outlot 1 have a pitched roof, substituting a flat roof with parapet walls designed to screen rooftop mechanical equipment from view; and (3) Section 2.17 – confirm flexibility in the north-south location of outlot property lines dependent on end-user requirements, with final lot line locations to be determined at the Final Development Plan stage; and,

WHEREAS, on June 15, 2026, a public hearing was held on said application on June 15, 2026, notice of which was given to parties of interest in writing and also by digital publication on the Township website and social media posts at least ten (10) days prior to the date of the hearing in accordance with Section 519.15 of the Ohio Revised Code 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 to the Board of Trustees, with the following conditions as noted in Exhibit A:

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 the 15th day of June, 2026 in West Chester Township, Butler County, OH

Chairman:


Gerry Stoker

Secretary:


Jeff Uckotter
CD Director

MC 02-26_Crossings of Beckett_Princeton Glendale Road & Crossings of Beckett
Drive_MC & PDP
Resolution No. 26-06

Exhibit A

Conditions:

1. Consent Decree Continuity. All conditions of the Consent Decree dated March 9, 2016 (Butler County Court of Common Pleas Cases CV 2014-04-1006 and CV 2014-06-1623) not specifically modified by this Major Change approval remain in full force and effect. This approval does not modify, waive, or supersede any provision of the Consent Decree other than the three sections specifically identified in this application — Sections 2.2(j), 2.2(l), and 2.17 — and only to the extent expressly described herein. The development rights applicable to the Phase II parcels to the east, which are under separate ownership, are not altered, restricted, or affected by any modification approved herein.
2. Drive-Through Stacking — Outlot 2. Any future drive-through use on Outlot 2 shall demonstrate compliance with applicable stacking space requirements of Table 5.18-1 of the West Chester Township Zoning Resolution as part of the Final Development Plan submission for that outlot. The drive-through geometry, stacking lane length, and circulation pattern shall be designed to prevent stacking conflicts with internal drive aisles, parking areas, and pedestrian circulation, consistent with the Traffic Impact Study approved by the Butler County Engineer's Office on March 6, 2026.
3. Enhanced Landscaping, Outlot 1 Perimeter. In recognition of the removal of the pitched roof requirement from Outlot 1, and in order to maintain the residential compatibility objective of the original Consent Decree, the Final Development Plan for Outlot 1 shall include enhanced perimeter landscaping along the north, east, and west building elevations — the elevations facing Tylersville Road, the residential properties to the north and east, and SR 747. The enhanced landscaping shall exceed the minimum requirements of Article 6 of the West Chester Township Zoning Resolution and shall be designed to provide meaningful visual screening and buffering between the Outlot 1 building and the adjacent residential neighborhood and public rights-of-way. The specific enhanced landscaping plan shall be subject to review and approval by Township staff as part of the Outlot 1 FDP submission.
4. Outlot 1 Architectural Standards. The building on Outlot 1 shall be constructed with a flat roof and parapet walls designed to screen all rooftop mechanical equipment, HVAC units, and other rooftop appurtenances from view from Tylersville Road, SR 747, and the adjacent residential properties to the north and east, consistent with Section 4.02.C.5.b of the West Chester Township Zoning Resolution. The parapet design shall include three-dimensional cornice treatment or equivalent architectural detailing on all four elevations. All exterior

building elevations shall be constructed with a minimum of 50 percent stone, brick, or other masonry material consistent with Section 2.2(l) of the Consent Decree as proposed to be amended. Building elevations and material specifications shall be provided at the FDP stage consistent with the requirements of the Consent Decree and the Zoning Resolution.

5. Phase 1 Buffer — Inventory and Replanting Plan. The applicant shall use commercially reasonable efforts, in coordination with the property owner, to cause a field inventory of all plantings within the Phase 1 Buffer along the north property line to be commissioned and completed. The buffer was established under Exhibit B of the Consent Decree and constructed in 2018, and is currently held by Tylersville Green LLC, a separate entity associated with Silverman and Company, Inc. The inventory shall identify all dead, dying, or materially distressed plantings by species, size, and location. Based on the inventory findings, the applicant shall submit, or shall cause to be submitted, a replanting plan to Township staff for review and approval, which shall include removal of invasive species such as Callery Pear growing within the Phase 1 Buffer. The replanting plan shall restore the Phase 1 Buffer to a screening density and character consistent with the intent of Exhibit B, using currently available and regionally appropriate species. The original Exhibit B plant list shall serve as a reference for screening intent, density, and layering — not as a binding species list — given changes in nursery availability and regional horticultural best practices since 2016. Colorado Blue Spruce (*Picea pungens*) shall not be used in the replanting plan due to documented susceptibility to *Rhizosphaera* needle cast and related fungal diseases. The applicant shall document its commercially reasonable efforts to Township staff if the buffer owner declines to participate. The inventory, replanting plan, and implementation schedule shall be submitted to Township staff within 90 days of Board of Trustees approval of this Major Change, and replanting shall be completed within the next available autumn planting season following plan approval.
6. Outlot Property Lines — FDP Compliance. The reconfiguration of outlot property lines permitted by the modification to Section 2.17 shall be finalized as part of each respective Final Development Plan submission. All buildings proposed on reconfigured outlots shall demonstrate compliance with applicable setback and height requirements of the West Chester Township Zoning Resolution and the Consent Decree at the FDP stage. No lot line reconfiguration shall reduce the width or depth of the Phase 1 Buffer area established under Section 2.11(c) of the Consent Decree, encroach upon any landscape easement or open space area established by the Consent Decree, or otherwise diminish the buffering function between the commercial development and the adjacent residential properties to the north and east. No modification to the number of

outlots or the prohibition on outlots along Tylersville Road (other than the portion of Outlot 1 already permitted) is authorized by this Major Change.

7. The property owner or a recorded property owners' association shall be responsible for keeping all common features and elements well-maintained and free from trash and litter; maintaining all drainage ways to ensure any detention areas perform the designated function; and all landscaping shall be well maintained in good condition.
8. Any outdoor demolition and/or construction for the entire subject site shall only occur between the hours of 6:00 AM and 9:00 PM.
9. All comments from West Chester Township and Butler County reviewing departments and agencies, as set forth in Attachment B of the staff report, shall be adequately addressed to the satisfaction of the respective agencies and Township staff prior to or as part of any Final Development Plan submission for the subject outlots.