

RESOLUTION NO. 08-2018

RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM R-PUD TO R-PUD (re-established boundary) AND PRELIMINARY DEVELOPMENT T PLAN FOR CASE #ZMA 02-18 –TYLERS RESERVE ADDITION; TYLERS VISTA

WHEREAS, on January 24, 2006, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan (01-2006), which included twenty-six (26) single-family residential lots and an open space lot containing a retention pond and a landscape buffer on approximately 21.1 acres (1.23 units/ acre); and,

WHEREAS, on March 20, 2006, the West Chester Township Zoning Commission approved a Final Development Plan (06-10) for twenty-six (26) single-family residential lots, an open space lot containing a retention pond and landscape buffer, and two (2) subdivision identification, monument signs on approximately 21.1 acres (1.23 units/ acre); and,

WHEREAS, on January 23, 2018, Brad Austing, on behalf of M/I Homes submitted an application requesting a Zoning Map Amendment from R-PUD (Residential Planned Unit Development District) to R-PUD (Residential Planned Unit Development District) to re-establish a new boundary under single-ownership within the existing R-PUD District and a Preliminary Development Plan for thirty-three (33) single-family residential lots, an open space lot containing a retention pond and landscape buffer, and one (1) subdivision identification, monument sign on approximately 19.9 acres (1.66 units/ acre); and,

WHEREAS, on February 13, 2018, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, on February 26, 2018 the West Chester Township Zoning Commission conducted public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on March 27, 2018 as applied for by Brad Austing, on behalf of M/I Homes; and,

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and,

NOW THEREFORE, BE IT RESOLVED that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendation of approval of the West Chester Township Zoning Commission and does hereby approve the Zoning Map Amendment from R-PUD (Residential Planned Unit Development District) to R-PUD (Residential Planned Unit Development District) and Preliminary Development Plan with the following conditions:

SECTION 1. All internal roadways shall be public and coordinated and constructed as required by the Butler County Engineer's Office (BCEO) and West Chester Township (WCT).

SECTION 2. All access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the West Chester Township Community Development Department (WCTCDD) and the West Chester Township Fire Department (WCTFD) and shall be incorporated into the FDP to ensure the site accommodates emergency services.

SECTION 3. Street names shall be approved by the WCTFD.

SECTION 4. Detailed grading plans and stormwater drainage plans and calculations shall be provided at the FDP stage and shall meet all WCT and BCEO requirements prior to the issuance of a zoning certificate in regard to the following:

- a.) A stormwater drainage swale, which shall be illustrated across the rear of proposed Lots 21 and 22 to direct surface drainage towards the retention pond;
- b.) The steep slopes along the west and east portions of the site that are subject to slippage when the proposed fill areas are saturated with surface water;
- c.) A geotechnical survey of the soils within the proposed fill areas and retention pond basin and embankments;
- d.) The existing storm catch basins the BCEO has indicated are located between proposed Lots 40/ 41 and Lots 44/ 45 on previous plans; and,
- e.) An underground, stormwater drainage collector pipe, which shall be illustrated along the west portion of the site, collecting from the downspouts of Lots 22-27 and directing the piped drainage to the retention pond.

SECTION 5. A sanitary sewer easement shall be provided to Parcel #M5610010000010, located at 4494 Tylersville Road. The easement shall be illustrated on the FDP and the record subdivision plat.

SECTION 6. A pedestrian connection shall be illustrated on the FDP extending from the proposed sidewalks along the internal, public roads to following locations:

- a.) To the north, connecting to the existing sidewalks along Tylers Valley Drive;
- b.) To the south, through Lots 8 and/or 9 and Lot 34 (the open space lot), extending along the Tylersville Road frontage within the subject site's open space lot;
- c.) To the west, within the public right-of-way along Parcel #M5610010000010 to the existing sidewalk within the Tylers Reserve R-PUD; and,
- d.) To the east, within the public right-of-way along Parcels # M5610010000039 and M5610010000008 to the existing sidewalk within the Foxborough R-PUD.

SECTION 7. All on-site and off-site pedestrian facilities plans shall be coordinated with the BCEO and WCT and approved at the FDP stage.

SECTION 8. A corresponding public use easement for any portion of the pedestrian facilities, which are located within the subject site on private property shall be illustrated on the FDP and record, subdivision plat, which shall be recorded prior to a final zoning inspection.

SECTION 9. Building setbacks shall be approved as labeled in the site data table on the Preliminary Development Plan (PDP), Sheet 4.

SECTION 10. Detailed floor plans and building elevations shall be provided at the FDP stage. Any building elevations that are highly visible from Tylersville Road or the internal, public roads shall contain a minimum of 50% high-quality, building materials (brick, stone, masonry, etc.), unless another means of screening and/or elevation upgrade is determined to be acceptable by staff at the time of permitting as long as the intent to the overall design is being met.

SECTION 11. Street light locations and light fixture details shall be provided at the FDP stage to ensure a consistent design throughout the Tylers Reserve R-PUD.

SECTION 12. A detailed landscaping plan shall be provided and approved at the FDP stage, which is consistent with the PDP and shall include the following additional items:

- a.) A continuous evergreen tree-line illustrated along the south property line, which is consistent with approved variety of tree types approved in the plant schedule;
- b.) The "Canadian Hemlock" species illustrated along the water main line in the open space lot, instead of the "Dawn Redwood" species; and,
- c.) The "Autumn Gold Maidenhair Tree" species, which are illustrated as street trees along the internal, public roads shall all also be designated as a male, non-flowering type in the plant schedule to ensure they are installed as such.

SECTION 13. A thirty (30) foot conservation easement shall be illustrated on the FDP and record, subdivision plat along the west property line to illustrate the clearing and grading limits. A note shall be included on the FDP and record, subdivision plat, which defines the clearing limits within the conservation easement.

SECTION 14. A tree preservation plan, which illustrates the removal of any existing trees, which are greater than three (3) inches in diameter, shall be provided at the FDP stage to ensure the proposed landscaping plan is adequately buffering and screening the site.

SECTION 15. All open space areas shall be designated as such on the record, subdivision plat.

SECTION 16. One (1) subdivision identification, monument sign shall be permitted at the location illustrated on the PDP. All other signage details shall be pursuant to the West Chester Township Zoning Resolution, Articles 10 and 11.


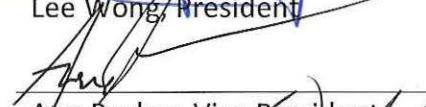
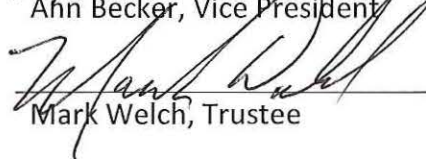
SECTION 17. A draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which also establishes the home owners' association (HOA), for the Tylers Vista residential subdivision or an amendment to the existing Tylers Reserve DCCRRE to incorporate the Tylers Vista subdivision shall be provided to the WCTCDD for approval at the FDP stage. Either DCCRRE shall include the Tylers Vista subdivision plat as a supplemental exhibit to the DCCRRE. A copy of the recorded DCCRRE shall then be provided to the WCTCDD for the case file records.

SECTION 18. The property owner or a recorded DCCRRE/ HOA shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and the landscaping beds surrounding the subdivision identification, monument sign shall be irrigated with a permanent system prior to the issuance of a final zoning inspection.

SECTION 19. All construction traffic shall access the site from Tylers Valley Drive. Therefore, a temporary construction road and vehicle staging area shall be illustrated on the FDP, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

BE IT FURTHER RESOLVED that all plats, plans, applications, and other data submitted are hereby incorporated into this approval.

Adopted this 10th day of April 2018.

	<u>Yes</u>
Lee Wong, President	Yes/No
	<u>Yes</u>
Ann Becker, Vice President	Yes/No
	<u>YES</u>
Mark Welch, Trustee	Yes/No

ATTEST:


Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:


Donald L. Crain, Law Director