

**RESOLUTION NO. 09-2019**

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**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM R-1A TO R-PUD AND  
PRELIMINARY DEVELOPMENT PLAN FOR CASE #ZMA 03-19 – WESTFALL PRESERVE**

**WHEREAS**, on January 22, 2019, Grand Communities, LLC. submitted an application requesting a Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and a Preliminary Development Plan for one-hundred and two (102) single-family residential lots and two (2) open space lots on approximately 75.1 acres (1.36 units/ acre); and,

**WHEREAS**, on February 7, 2019, the West Chester Township Land Use Planning Committee conducted a public hearing for the aforesaid application and recommended an amendment to the Comprehensive Land Use Plan's previous recommendation of an Estate Single Family land use classification to an Open Space land use classification for the proposed Lot 103 and Planned Community for the remaining proposed lots within the subject site; and,

**WHEREAS**, on February 25, 2019, the West Chester Township Zoning Commission conducted a public hearing and passed a motion for continuance; and,

**WHEREAS**, on March 12, 2019, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

**WHEREAS**, on March 18, 2019, the West Chester Township Zoning Commission conducted a 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 April 9, 2019 as applied for by Ranjit Sharma; 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 approve the Zoning Map Amendment from R-1A (Suburban Residence District) to R-PUD (Residential Planned Unit Development District) and Preliminary Development Plan with the following conditions:

**SECTION 1.** All internal, public roadways shall be coordinated and constructed as required by the Butler County Engineer's Office (BCEO) and West Chester Township (WCT) standards for public roads. Additionally, parking shall be prohibited on all public roadways during snow events.

**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 Fire Department (WCTFD) and the West Chester Township Community Development Department (WCTCDD) and shall be incorporated into the Final Development Plan (FDP) to ensure the site accommodates emergency services.

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

**SECTION 4.** All postal, cluster box locations and details shall be provided at the FDP stage.

**SECTION 5.** The FDP shall comply with the Butler County Flood Damage Prevention Regulations and all requirements of the Butler County Floodplain Administrator.

**SECTION 6.** Detailed grading plans and stormwater drainage plans and calculations shall be provided at the FDP stage and shall meet all OEPA, BCEO, and WCT requirements prior to the issuance of a zoning certificate.

**SECTION 7.** Stormwater volume compensation calculations shall be provided at the FDP stage and shall meet all OEPA, BCEO, and WCT requirements prior to the issuance of a zoning certificate. All floodplain compensation shall occur within or contiguous with the existing floodplain.

**SECTION 8.** A concrete apron shall be constructed to intersect R.E. Smith Drive in order to define the limits of the access easement along the east property line.

**SECTION 9.** All sanitary sewer and water main locations and installation of those mains shall be coordinated with the Butler County Water and Sewer Department and all requirements shall be adequately addressed prior to the issuance of a zoning certificate.

**SECTION 10.** The portion of the multi-purpose path that intersects the access-easement along the east property line shall be constructed to accommodate the load of the farm equipment.

**SECTION 11.** The multi-purpose path shall be stubbed to the east property line, as illustrated on the PDP, prior to a final zoning inspection within Phase 5.

**SECTION 12.** Building setbacks shall be approved as labeled in the site data table on the Preliminary Development Plan (PDP), Sheet 3.

**SECTION 13.** Detailed floor plans and building elevations shall be provided at the FDP stage. Front building walls shall contain a minimum of 50% masonry building materials (brick, stone, cultured stone, hardi-panel, etc.). Side building walls that are highly visible from the

public right-of-way or pedestrian pathways shall contain a minimum of a 2.33 foot high portion of masonry building materials (brick, stone, cultured stone, etc.).

**SECTION 14.** Street light locations and light fixture details shall be provided at the FDP stage.

**SECTION 15.** A detailed landscaping plan shall be provided at the FDP stage, which consists of adequate street trees that are located behind the sidewalk; adequate evergreen tree screening along the easternmost lot lines in order to screen the adjacent access easement; adequate landscape screening of any building side wall that is highly visible from the public right-of-way or pedestrian pathways; and adequate landscaping within open space lot 104.

**SECTION 16.** All open space areas shall be designated as such on the record, subdivision plat.

**SECTION 17.** Any subdivision identification, monument sign locations shall be illustrated on the FDP. All signage details shall be provided at the FDP stage.

**SECTION 18.** A draft Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements (DCCRRE), which also establishes the home owners' association (HOA), for the Westfall Preserve residential subdivision shall be provided to the BCEO and WCTCDD for approval prior to the issuance of any zoning certificate. The DCCRRE shall include the Westview record, subdivision plat as a supplemental exhibit to the DCCRRE. A copy of the recorded DCCRRE shall then be provided to the WCTCDD for the case file records.

**SECTION 19.** 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 retention 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 20.** 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 23<sup>rd</sup> day of April, 2019.

Absent

Mark S. Welch, President Yes/No

Ann Becker, Vice President Yes/No

Lee Wong, Trustee Yes/No

ATTEST:

Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:

Donald L. Crain, Law Director