

## **RESOLUTION NO. 08-2022**

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### **Resolution approving a Zoning Map Amendment from SP-PUD (Special Purpose Planned Unit Development District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan for Case #ZMA02-22 – West Chester Activity Center**

**WHEREAS**, on December 21, 2010, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residence District) to SP-PUD (Special Purpose Planned Unit Development) and a Preliminary Development Plan (29-2010) for a 3,015 square foot activity center and a commercial tenant space on approximately 3.6 acres; and,

**WHEREAS**, on January 24, 2011, The West Chester Township Zoning Commission approved a Final Development Plan (11-01) for a 3,015 square foot activity center, including a commercial tenant space, and miscellaneous improvements; and,

**WHEREAS**, on January 18, 2022, Larry D. Burks, on behalf of the Board of Township Trustees, submitted an application requesting a Zoning Map Amendment from SP-PUD (Special Purpose Planned Unit Development District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan in order to align the zoning with the recommended land use classification and market the existing public use of the property for private commercial use; and,

**WHEREAS**, on February 8, 2022, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

**WHEREAS**, on February 28, 2022, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

**WHEREAS**, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on March 22, 2022 as applied for by Larry Burks; 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 West Chester Township Zoning Commission and does hereby approve the Zoning Map Amendment from SP-PUD (Special Purpose Planned Unit Development District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan with the following conditions:

**SECTION 1.** The permitted uses shall include the following principally permitted uses of the West Chester Township Zoning Resolution's (WCTZR) O-1, O-2, and B-1 Districts, Articles 18.021, 18.022, 18.023, 18.025, 19.022, 19.024, 19.026, 19.027, 19.028 (excluding hospitals), 21.022, 21.023, 21.024, 21.028, 21.029

- *Office buildings, Banks, Daycare centers, Research facilities, Places of Worship, Funeral Homes, Art galleries/studios, Veterinarian offices, Medical offices, Convenience business, Personal service business, Restaurants, Fast-casual restaurants, and Private clubs, and Public buildings.*

**SECTION 2.** The Conditional Use of the WCTZR, Article 21.032 and 21.033 shall only be permitted at the discretion of the Zoning Commission on a case-by-case basis at the FDP stage.

- *Outdoor dining areas and Institutional Care facilities.*

**SECTION 3.** All requirements of a Traffic Impact Study or traffic analysis shall be met, including any public right-of-way dedications as required by the Butler County Engineer's Office (BCEO) and (West Chester Township) WCT, which shall be illustrated on the Final Development Plan (FDP).

**SECTION 4.** The applicant shall coordinate with the West Chester Township Fire Department (WCTFD) prior to submission of the FDP in regard to access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes.

**SECTION 5.** 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 6.** All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) and meet all requirements prior to the issuance of a zoning certificate.

**SECTION 7.** All pedestrian facilities, existing and proposed, and public-use easements shall be illustrated on the FDP and shall be approved at the FDP stage.

**SECTION 8.** Building setbacks shall be approved at the FDP stage.

**SECTION 9.** Detailed building elevations shall be provided at the FDP stage, which shall reflect quality exterior building materials. As required by the West Chester Community Development Department (WCTCDD) staff, colored elevations for all sides of the buildings shall be provided and the specific exterior building materials shall clearly be labeled on the plan.

**SECTION 10.** Detailed floor plans shall be provided at the FDP stage, which shall include size (measured in square feet) and floor plans.

**SECTION 11.** Street light locations and light fixture details shall be provided at the FDP stage.

**SECTION 12.** A detailed landscaping plan shall be provided at the FDP stage, which meets all WCT requirements, to include details of the building perimeters; trash collection areas; ground signage; and adequate landscape screening of any building rear or sidewall that is highly visible from the public right-of-way, in addition to street trees along the public frontage.

**SECTION 13.** The trash collection and/or compaction building details shall be provided at the FDP stage. The building shall be consistent with the high quality, masonry building materials of the principle building.

**SECTION 14.** Any development identification sign shall be illustrated on the FDP with setback dimensions. All signage details concerning height, area, illumination, colors, and materials shall be provided at the FDP stage.

**SECTION 15.** The property owner 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.

**SECTION 16.** 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 12<sup>th</sup> day of April, 2022.

  
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Mark S. Welch, Chair

Yes  
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Yes/No

  
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Ann Becker, Vice Chair

Yes  
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Yes/No


  
\_\_\_\_\_  
Lee Wong, Trustee

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

**ATTEST:**

  
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Bruce Jones, Fiscal Officer

**APPROVED AS TO FORM:**

  
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Donald L. Crain, Law Director