

RESOLUTION NO. 28-2015

**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM R-1A & B-2
TO C-PUD AND PRELIMINARY DEVELOPMENT PLAN FOR
CASE #ZMA-06-15 – TEKULVE OFFICE/WAREHOUSE AND STORAGE**

WHEREAS, on August 11, 2015, an application was submitted by West Chester Office Park, LLC, requesting a Zoning Map Amendment from R-1A (Suburban Residential District) and B-2 (General Business District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan in order to retain the existing businesses and develop the rear of the property with two self-storage buildings, totaling 41 units at 30,750 Sq. Ft.; and,

WHEREAS, on September 8, 2015, the Butler County Planning Commission conducted a public hearing for said Zoning Map Amendment and recommended approval with conditions of the proposed zone change from R-1A and B-2 to C-PUD for the Tekulve Office/Warehouse and Storage commercial development, on the basis that the proposed land use conforms to the Butler County Land Use Plan; and,

WHEREAS, on September 21, 2015, the West Chester Township Zoning Commission conducted a public meeting for said Zoning Map Amendment and Preliminary Development Plan and recommended approval of the aforesaid application with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid Zoning Map Amendment and Preliminary Development Plan was conducted before the West Chester Township Board of Trustees on October 13, 2015 as applied for by West Chester Office Park, LLC; and,

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

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 proposed Zoning Map Amendment and Preliminary Development Plan for the aforesaid application with the following conditions:

SECTION 1. The main access drives on Cincinnati-Columbus Road shall meet the Butler County Engineer's Office (BCEO) and the Ohio Department of Transportation's (ODOT) requirements upon submission of the Final Development Plan and issuance of a Zoning Certificate.

SECTION 2. A 5' concrete sidewalk shall be provided along the Cincinnati-Columbus Road (US 42) frontage upon submission of the Final Development Plan and shall meet all BCEO and ODOT requirements.

SECTION 3. A detailed drainage plan shall be provided at the Final Development Plan stage, which shall illustrate that the proposed Storm Water Detention Area is adequate to serve the entire site.

SECTION 4. Separate parcels shall be consolidated as one parcel in conformance with the BCEO requirements at the Final Development Plan stage and before issuance of a Zoning Certificate.

SECTION 5. As shown on the Preliminary Development Plan for the rear, northwest landscape buffer, the Final Development Plan shall provide setback dimensions for the approximately 55 foot, rear, northeast landscape buffer and setback dimensions to the nearest existing buildings along the northeast and southwest property lines.

SECTION 6. As shown on the Preliminary Development Plan, the proposed warehouse buildings, containing the self-storage units shall be limited to one-story and the proposed square footage on the Final Development Plan. The proposed use of the proposed units is intended for self-storage only. Any change in the proposed use shall require a Major Change to the Final Development Plan.

SECTION 7. Detailed (color) building elevations shall be provided at the Final Development Plan stage, which shall demonstrate that a quality exterior design is being utilized throughout.

SECTION 8. In general, the permitted land uses for the subject property shall be consistent with the types of land uses as it is designated on the submitted Preliminary Development Plan and defined as "General Retail" in the West Chester Land Use Plan and all permitted land uses pursuant to Article 21 and 22 of the Zoning Resolution, to exclude Section 21.025.

SECTION 9. As shown on the Preliminary Development Plan, the proposed and required parking plan for each land use and the percentage of open space for the entire site shall be shown on the Final Development Plan.

SECTION 10. The proposed off-street parking shall be surfaced with asphalt or concrete pursuant to Article 10.176 of the Zoning Resolution before issuance of a Zoning Certificate.

SECTION 11. The right-of-way along Cincinnati-Columbus Road (US 42) on the Preliminary Development Plan shall be revised on the Final Development Plan to depict the proper right-of-way, as shown on ODOT's US 42 Right-of Way Topo Sheet, which does not conflict with the 19 proposed parking spaces along the right-of-way.

SECTION 12. A detailed landscaping plan shall be provided at the Final Development Plan stage, which shall provide tree plantings internal to the site to soften the expanse of paving and illustrate a substantial landscape buffer in the highly visible areas that are adjacent to the existing residential districts. All major landscaping areas shall be irrigated with a permanent system prior to issuance of a Zoning Certificate.

SECTION 13. The common open space shall be held in private ownership and maintained by the property owner.

SECTION 14. The property owner shall obtain a written agreement letter from Duke Energy, the utility easement holder, for the proposed storm water detention and landscaping buffer and maintenance of the landscaping for submission at the Final Development Plan stage.

SECTION 15. All outside storage shall conform to Article 23.04 and 23.041 of the West Chester Zoning Resolution. Any existing violations of the Zoning Resolution shall be abated before issuance of a Zoning Certificate.


SECTION 16. Any violations of the 2000 International Property Maintenance Code shall be abated before issuance of a Zoning Certificate.

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

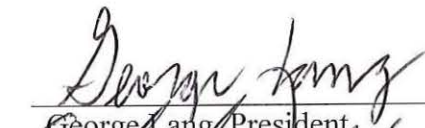
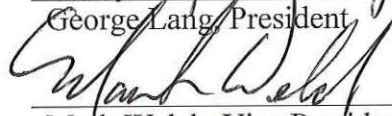

Adopted this 27th day of October, 2015.

ATTEST:


Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:


Donald L. Crain, Law Director

 _____ George Lang, President	<u>YES</u> Yes/No
 _____ Mark Welch, Vice President	<u>YES</u> Yes/No
 _____ Lee Wong, Trustee	<u>Yes</u> Yes/No