

RESOLUTION NO. 32 - 2006

**RESOLUTION APPROVING A ZONING MAP AMENDMENT
FROM "R-PUD" TO "C-PUD"
FOR CASE #07-06 WETHERINGTON CENTRE TO CAREPOINTE DEVELOPMENT**

WHEREAS, on June 19, 2006, an application was submitted to the West Chester Township Zoning Commission by Carepointe Development (ZC Case #07-06) for a Zoning Map Amendment for 3.923 acres of land from "Residential Planned Unit Development" to "Commercial Planned Unit Development" and simultaneous Preliminary Development Plan approval that contains two single-story office buildings totaling 24,000 s.f.; and,

WHEREAS, on July 11, 2006, the Butler County Planning Commission held a public hearing for said Zoning Map Amendment and Preliminary Development Plan and recommended approval of the proposed request with conditions; and,

WHEREAS, on July 17, 2006, the West Chester Township Zoning Commission held a public hearing for said Zoning Map Amendment and Preliminary Development Plan and recommended approval of the proposed request with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid Zoning Map Amendment and Preliminary Development Plan was held before the West Chester Township Board of Trustees on August 8, 2006 as applied for by Carepointe Development; 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 and conditions of approval of the West Chester Township Zoning Commission and does hereby approve the application for a Zoning Map Amendment from "R-PUD" to "C-PUD" and Preliminary Development Plan for the aforesaid application with the following conditions:

SECTION 1. Permitted Uses shall include the Principal Permitted Uses of the O-1 and O-2 Districts, excluding 18.023, 18.024, 18.025 and 19.023, 19.024 and 19.026.

SECTION 2. Prior to Final Development Plan submittal, a Traffic Impact Study (TIS) shall be prepared by the applicant. The parameters of the TIS shall be determined by the BCEO, and the TIS shall be subject to approval by the BCEO. At the Final Development Plan stage, a copy of the TIS shall be submitted with responsive comments, or a letter of approval, from the BCEO. Any improvement that is recommended by the TIS shall be incorporated into the Final Development Plan at the developer's expense.

SECTION 3. At the Final Development Plan stage, a letter from ODOT (or other appropriate agency such as TID or BCEO) shall be provided, which confirms that adequate space is being provided on the plan to accommodate the future I-75 interchange at Hamilton-Mason Road.

SECTION 4. At the Final Development Plan stage, a detailed drainage plan with calculations, which are prepared and stamped by a professional engineer, shall be provided and shall be subject to approval by the BCEO.

SECTION 5. At the Final Development Plan stage, detailed building elevations shall be provided, which shall be similar in nature to the elevations submitted with this application, which illustrates high quality exterior building materials such as stone and brick with pitched roofs. Dumpster enclosures shall also be provided, which shall use materials similar to the principle buildings.

SECTION 6. At the Final Development Plan stage, a photometric plan shall be provided, which shall demonstrate that the foot-candle levels along the entire Tyler's Place Boulevard frontage, which is adjacent to an existing residential development, shall be reduced to 0.0.

SECTION 7. At the Final Development Plan stage, a detailed landscape plan shall be provided that provides extensive landscaping throughout the site. All landscaping shall be irrigated.

SECTION 8. At the Final Development Plan stage, a pocket park area shall be incorporated into the Final Development Plan, which shall be easily accessible from both office buildings. Specific details shall be provided with the Final Development Plan application.

SECTION 9. At the Final Development Plan stage, a sidewalk shall be extended along the access drive to Tyler's Place Boulevard on the south side of the site.

SECTION 10. If separate lots are desired for each building, a Property Owner's Association shall be created and shall be responsible for the maintenance of the following items: 1)All open space areas, which shall be maintained in good condition and free from trash and litter; 2)All private roadways and parking areas; 3)All sidewalks and any other approved pedestrian pathways; 4)All drainage ways and retention/detention basins, which shall be maintained to perform its designated function; and 5)All landscaping as illustrated on the approved FDP. At the Final Development Plan stage, if separate lots are desired for each building any proposed lot lines shall be illustrated on the Final Development Plan and a draft copy of the Property Owner's Association documents shall be provided.

SECTION 11. Building and Monument signage shall be pursuant to Article 17 of the West Chester Township Zoning Resolution. Any signage illustrated on the plan shall only be approved if it is consistent with the aforementioned requirements. In addition, if determined appropriate by the Zoning Commission at the Final Development Plan stage, a Pylon Monument Sign shall be permitted, which shall incorporate the oval West Chester logo into the design in a prominent location to specifications approved by staff. The location, size, design and building materials of the Pylon Monument Sign shall be approved with the Final Development Plan, but generally, the Pylon Monument Sign shall be decorative and shall not be a typical highway pole sign. The representation of a "Pylon Monument Sign" on the Preliminary Development Plan is not binding on the Final Development Plan.

SECTION 12. The parking lot configuration, roadways and fire hydrant locations for all Final Development Plans shall be coordinated with the West Chester Fire Department.

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

Adopted this 22nd day of August, 2006.



George Lang, President

YES

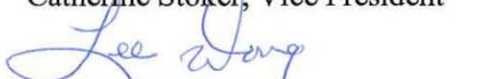
Yes / No



Catherine Stoker, Vice President

YES

Yes / No



Lee Wong, Trustee

Yes

Yes / No

ATTEST:




Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director

CERTIFICATE OF PUBLICATION

<u>August 8, 2006</u> Date	First Reading
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