

RESOLUTION NO. 58-2004

**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM “B-2” TO “C-PUD”
FOR CASE #11-04, TYLER’S PLACE OFFICE CAMPUS, LLC**

WHEREAS, on August 17, 2004, Tyler’s Place Office Campus, LLC submitted an application requesting a Zoning Map Amendment for 6.96 acres of land from “B-2” to “C-PUD,” and simultaneous Preliminary Development Plan approval for an office campus consisting of 10 buildings totaling 106,000 s.f.; and,

WHEREAS, on September 14, 2004 the Butler County Planning Commission recommended approval of said application; and,

WHEREAS, on September 20, 2004, the West Chester Township Zoning Commission recommended approval of said application; and,

WHEREAS, by advertisement, a public hearing for the aforesaid application was held before the West Chester Township Board of Trustees on October 12, 2004 as applied for by Tyler’s Place Office Campus, 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 and conditions of approval by the West Chester Township Zoning Commission and does hereby approve the application for the aforesaid Zoning Map Amendment and Preliminary Development Plan consistent with the submitted site plan and 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. A parking plan for the entire site shall be submitted with the first phase Final Development Plan. The parking plan shall include enough parking to serve at least 80% professional office users and 20% medical office users. This may require a reduction in the number of buildings or total square footage as shown on the Preliminary Development Plan

SECTION 2. A Final Development Plan shall be required for all phases of development. In conjunction with the Final Development Plan, the design of the specific buildings shall be approved. However, all buildings shall be designed 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 use materials similar to the principle buildings.

SECTION 3. All proposed curb-cuts, access drives and roadways shall be constructed as approved by the Butler County Engineer’s Office and the West Chester Department of Planning & Zoning, using BCEO standards for commercial drives. No Zoning Certificate shall be issued until the BCEO and the West Chester Department of Planning & Zoning have approved the construction drawings for any proposed curb-cut, access drive and/or roadway.

SECTION 4. In conjunction with the first Final Development Plan the following shall be provided: 1)A draft copy of the document creating a Property Owner's Association, and any Restrictions and Covenants for the property, which shall be subject to Staff approval; Prior to the issuance of any Zoning Certificate, a recorded copy of the documents shall be provided to the West Chester Department of Planning & Zoning; 2)A draft copy of a cross access easement regarding the access roadway from the subject site to the adjoining property to the west, which shall be subject to Staff approval. Prior to the issuance of any Zoning Certificate, a recorded copy of the easement shall be provided to the West Chester Department of Planning & Zoning; 3)A detailed drainage plan with calculations that are prepared and stamped by a professional engineer, which shall be subject to approval by the BCEO.

SECTION 5. The Property Owner's Association shall be primarily responsible for the maintenance of the following items in good, first class condition: 1)All open space areas, which shall also be maintained free from trash and litter; 2)All private roadways and parking areas; 3)All sidewalks and any other approved pedestrian pathways; 4)All landscaping as illustrated on the approved FDP; and 5)Any storm water facilities located on-site. Within the POA document, the Property Owner's Association may delegate maintenance responsibilities to the individual property owners/tenants, so long as the Property Owner's Association enforces such responsibilities and coordinates the resolution of any violation matters. Prior to the issuance of a Zoning Certificate, the officers and responsible members and their addresses of the POA shall be reported to the West Chester Department of Planning & Zoning. In the event that the Property Owner's Association fails in its responsibilities, the individual property owners shall be jointly and severally responsible therefore, and the POA document shall so state.

SECTION 6. The Final Development Plans for all buildings shall provide a parking calculation to illustrate that sufficient parking is provided as it is regulated by the Zoning Resolution. The parking that is designated for a specific building shall be located within 300 feet of the building that it serves. The Zoning Commission may approve shared parking areas if it is determined that there are a sufficient number of parking spaces to be shared and it is conveniently located.

SECTION 7. A detailed landscaping plan shall be required for all Final Development Plans.

SECTION 8. Any Final Development Plans that contain items located in the open space areas shall provide specific details for those items, such as benches, water features, decorative walls, etc.

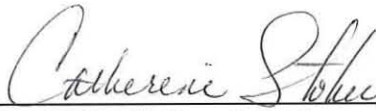
SECTION 9. Building and Monument signage shall be pursuant to Article 17 of the West Chester Township Zoning Resolution. Any signage illustrated on the plan shall only be approved if it is consistent with the aforementioned requirements. Highway billboard signage shall not be permitted.

SECTION 10. The parking lot configuration, roadways and fire hydrant locations for all Final Development Plans shall be coordinated with the West Chester Fire Department.

SECTION 11. The sidewalk shown on the approved Preliminary Development Plan along Tyler's Place Boulevard (Sheet 2 of 3 dated September 30, 2004) must be included in the Final Development Plan, and must be installed prior to the issuance of any Final Zoning Certificate and must be constructed to BCEO standards for sidewalks.

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

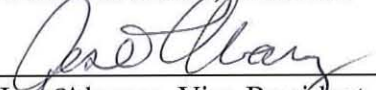
Adopted this 26th day of October, 2004.



Catherine Stoker, President

YES

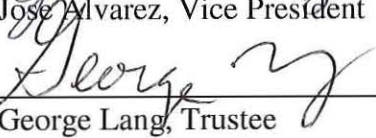
Yes / No



Jose Alvarez, Vice President

YES

Yes / No



George Lang, Trustee

YES

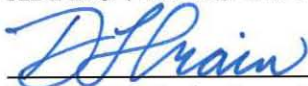
Yes / No

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

