

RESOLUTION NO. 35 - 2003

**RESOLUTION APPROVING A ZONE DISTRICT CHANGE AND
PRELIMINARY DEVELOPMENT PLAN**

WHEREAS, an application was submitted to the West Chester Township Zoning Commission by Great Traditions Development Group for a Zoning Map Amendment from "A-1" to "R-PUD" for 26.564 acres of land situated in Section 18, Town 3, Range 2 and also requested Preliminary Development Plan approval for the development of 84 higher density single family homes with the existing residence to remain on an additional lot and private roads; and,

WHEREAS, on April 8, 2003, the Butler County Planning Commission recommended approval of the proposed request with conditions; and,

WHEREAS, on April 21, 2003, the West Chester Township Zoning Commission recommended approval of the proposed request with conditions.

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 the Zoning Commission and does hereby approve the Zoning Map Amendment from "A-1" to "R-PUD" and the Preliminary Development Plan for the aforesaid application consistent with the submitted site plan with the following conditions:

SECTION 1. At the Final Development Stage the applicant shall submit a detailed drainage plan per the requirements of the BCEO.

SECTION 2. The Final Development Plan shall incorporate any improvements that are recommended by the traffic impact study as approved by the BCEO on 6/2/03, and the installation of these improvements must be guaranteed to the satisfaction of the BCEO. The applicant shall investigate and advise staff in writing of what mechanism, including bonding, will be undertaken to insure construction. The applicant shall provide details of these mechanisms at the Final Development Plan stage.

SECTION 3. All roadways shall be approved at the Final Development Plan stage, which shall be constructed to Butler County standards and shall satisfy any concerns of the BCEO, West Chester Planning & Zoning Department and West Chester Fire Department. All roads illustrated in an approved Final Development Plan shall be constructed prior to the issuance of any Final Zoning Certificate with the exception of the final surface, which shall be completed within a reasonable time as development occurs.

SECTION 4. The FDP shall illustrate the appropriate right-of-way dedication on Hamilton-Mason Road as required by Butler County, and the appropriate easements for all private roads within the development.

SECTION 5. A draft copy of the easement text shall be submitted with the FDP allowing cross access over the roadway system and shall be recorded prior to the issuance of any Zoning Certificate.

SECTION 6. As it is labeled on the approved Preliminary Development Plan, Street "A" shall be 28 feet wide from the existing Harbour Town Drive to the main entrance on Hamilton-Mason Road, unless otherwise approved by the BCEO.

SECTION 7. Issues regarding the location, design and operation of the proposed entrance gates shall be coordinated with the BCEO, West Chester Planning & Zoning and West Chester Fire Department prior to the submittal of the FDP.

SECTION 8. The location and number of fire hydrants shall be determined at the Final Development Plan stage for any phase and shall be approved by the West Chester Planning & Zoning and Fire Departments.

SECTION 9. At the Final Development Plan stage the applicant shall provide detailed information regarding the status of the sewage disposal systems for the previous mobile home park and the existing house to remain. The sewage systems shall be properly abandoned and the existing house shall be connected to public sewer and water.

SECTION 10. The Final Development Plan shall reflect an individual lot with a number for the existing house that will remain.

SECTION 11. Specific details regarding building design and materials shall be provided at the Final Development Plan stage to ensure that the development will complement the adjoining Wetherington PUD.

SECTION 12. All phases at the Final Development Plan stage shall include a detailed landscaping plan that shall provide adequate buffering to adjoining properties and shall be approved by the West Chester Township Planning and Zoning Department.

SECTION 13. The location of all sidewalks and walking paths shall be approved at the Final Development Plan stage, and shall be properly bonded as approved by the BCEO and West Chester Planning & Zoning Department prior to the issuance of a Zoning Certificate for any structure.

SECTION 14. A Home Owner's Association shall be responsible for the maintenance of all private roads, sidewalks, open areas, landscaping, retention/detention basins and drainage ways. A draft copy of the HOA declaration shall be provided with the FDP submittal, and the approved version shall be recorded prior to the issuance of any Zoning Certificate.

SECTION 15. All open space and greenspace areas shall be permanently dedicated and recorded as such. A draft document recording such restrictions shall be submitted to the West Chester Planning and Zoning Department at the FDP stage for approval. Open space areas shall be maintained free from trash and litter; all drainage ways and retention/detention basins shall be maintained to perform their function; and all landscaping shall be maintained as designated on the approved FDP.

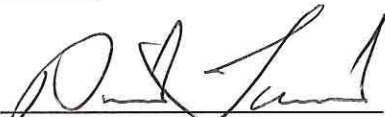
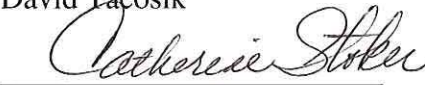
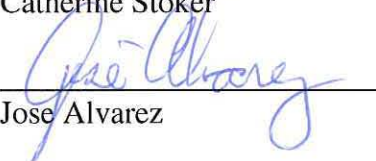
SECTION 16. The gate located on the south property line shall be designed to allow pedestrian access between the Harbour Town Village and Wetherington developments. Specific gate design and elevations shall be provided at the Final Development Plan stage, which shall reflect appropriate pedestrian access.

SECTION 17. The approved gates shall be operated as specified in the "Amendment to Agreement" document dated July 15, 2003 and shall include a method of access (card access) at all times in the event that the gate is closed. The gates shall also be designed to allow emergency access, which shall meet the approval of the West Chester Fire Department.


SECTION 18. The temporary signs, which include two directional signs and one marketing sign, that are specified in the "Amendment to Agreement" document dated July 15, 2003 shall be approved as illustrated on Exhibit D of the same agreement. The signs shall be permitted for 48 months after the gates are installed. Any extension of this time period shall require a revised plan to be approved by the Zoning Commission. Specific colored elevations of all signs shall be submitted to and approved by the Department of Planning & Zoning.

SECTION 19. All construction traffic shall enter and exit from Hamilton-Mason Road only.


Adopted this 26th day of August, 2003.

 David Tacosik	<u>yes</u> Yes / No
 Catherine Stoker	<u>YES</u> Yes / No
 Jose Alvarez	<u>yes</u> Yes / No

ATTEST:


Patricia Williams, Township Clerk

APPROVED AS TO FORM:


Donald L. Crain, Law Director

