

RESOLUTION NO. 2000-04

**A Resolution Approving a Zone District Change for
Union Township Map Amendment Case # 13-99
and Dispensing with the Second Reading
and Declaring an Emergency**

WHEREAS, by advertisement, a public hearing to amend the Union Township Zoning Resolution was held on December 20, 1999 as applied for by J. R. Anderson Development Company (13-99) to redistrict from B-2 (General Business District) and M-2 (General Industrial District) to C-PUD (Commercial Planned Unit Development District) for the following described property:

Situate in the State of Ohio, County of Butler, Township of Union, in Section 4, Town 2, Range 2, and being more particularly described as follows:

Commencing at the northwest corner of said Section 4, said point also being an Iron Pin (found); thence south along the west line of Section 4, S 0° 25' 00" W, 2760.67 feet to a point; thence departing said section line, S 89° 28' 42" E, 221.11 feet to an Iron Pin (set), said pin being the True point of beginning for the herein described tract of land; thence along the future Right-of-way of State Route 747, N 0° 11' 16" W, 810.14 feet to an Iron Pin (set); thence along a curve to the right an arc length of 78.04 feet as defined by a radius 50.00 feet, having a chord bearing N 44° 31' 29" E, 70.36 feet to an Iron Pin (set) in the future right-of-way of Union Centre Boulevard; thence along the future right-of-way of Union Centre Boulevard, N 89° 14' 15" E, 467.90 feet to an Iron Pin (set); thence continuing along said future Right-of Way line, along a curve to the right an arc length of 572.22 feet as defined by a radius 6200.42 feet, having a chord bearing S 88° 07' 07" E, 572.01 feet to an Iron Pin (set); thence continuing along said future right-of-way line, S 85° 28' 30" E, 161.44 feet to and Iron Pin (set); then departing said future right-of-way line, along new lines, S 0° 11' 16" E, 846.39 feet to an Iron Pin (set); thence N 89° 28' 42" W, 1250.00 feet to the True Point of Beginning, containing 24.816 total acres of land, subject to all legal easements and restrictions of record, also being subject to the drainage and utility easements as shown in Exhibit "A".

Subject to easements, conditions, and restrictions of record, if any.

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

WHEREAS, the Union Township Zoning Commission recommended approval (Resolution 99-33) of this district change from B-2 and M-2 to C-PUD; and

WHEREAS, said application was reviewed by the Board of Township Trustees and determined to be consistent with the Union Township Land Use Plan.


THEREFORE BE IT RESOLVED, that by a failure to achieve the unanimous vote necessary to overturn the decision of the Union Township Zoning Commission, the Board of Trustees does hereby approve the district change from B-2 and M-2 to C-PUD with the following conditions, for the aforesaid application:

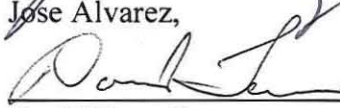
- 1) Preliminary Development Plan (PDP) approval shall be granted for development of a 211,000 square feet retail shopping center and four (4) outlots. Permitted uses include principal permitted and conditional uses of the B-1 District, excluding 21.023, and principal permitted uses only of the B-2 District, excluding 22.023, 22.024, 22.0241, 22.027, 22.029, 22.0211, 22.02111 and 22.02112.
- 2) Approved access points, as illustrated on the PDP, shall be limited to a right-in/right-out only along SR 747; a traffic signalized, full movement along Union Centre Boulevard, no closer than 580' to the centerline of improved SR 747; and a full movement straddling the east property line and the adjoining property to the east. Exact location and design of each access point shall be illustrated on any FDP and shall be approved by the ODOT, the BCEO, and the Union Township Zoning Commission.
- 3) Prior to any FDP approval, a detailed traffic impact study shall be submitted.

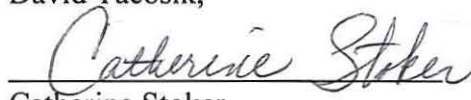
- 4) All necessary road improvements and needed right-of-way (ROW) shall be determined prior to any FDP approval and shall be illustrated on any FDP application. Necessary ROW shall be dedicated by the applicant and/or developer and all necessary road improvements shall be completed and paid for by the applicant and/or developer.
- 5) All internal access aisles shall be constructed to 24 feet and meet the Union Township Fire Department standards for accommodating fire safety apparatus.
- 6) All lots for any Phase shall comply with the Union Township Fire Hydrant Resolution. Location and number of fire hydrants shall be determined at FDP stage for any Phase.
- 7) Final Development Plan (FDP) approval shall be required for each outlot and any phase of the retail shopping center.
- 8) No FDP for any outlot or phase of the retail shopping center shall be approved until a detailed drainage plan and calculations are submitted, reviewed and approved by the Union Township Planning & Zoning Department and the Butler County Engineer's Office.
- 9) No Final Development Plan shall be approved until the proposed open space areas have been recorded as such and dedicated to an established Property Owner's Association. Detailed plans for use of those areas shall be submitted prior to FDP approval.
- 10) Any FDP shall indicate a 6 ft. concrete sidewalk along the northern property line fronting Union Centre Boulevard.
- 11) No FDP shall be approved until a detailed landscaping plan is submitted, reviewed and approved by the Union Township Planning & Zoning Department and the Butler County Engineer's Office.
- 12) Shopping center and outlot identification signage, ground signage, and building signage shall be approved at FDP stage.
- 13) No Final Development Plan shall be approved until the looped water main and fire hydrant system are reviewed and approved by the Union Township Fire Department and Butler County Department of Environmental Services.
- 14) The PDP shall be revised to remove the ten (10) parking spaces along the access aisle adjacent to the west building elevation.

This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community.

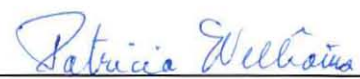
Adopted the 8th day of FEBRUARY, 2000

 Yes
 Jose Alvarez,

 Yes
 David Tacosik,

 Yes
 Catherine Stoker,

Township Trustees

Attest: 
 Patricia Williams
 Township Clerk

Approved as to form: 
 Don Crain, Law Director

Date	February 8, 2000	First Reading
Date	Waived	Emergency Reading
Date and Newspaper	<i>Feb 17, 2000 West Chester Press</i>	Second Reading
Date and Newspaper	<i>Feb 16, 2000 Pulse Journal</i>	First Publication (After Approval)
Date and Newspaper	<i>March 2, 2000 West Chester Press</i>	Second Publication (After Approval)
Date and Newspaper	<i>Feb 23, 2000 Pulse Journal</i>	
Clerk Signature & Date	<i>Patricia Williams 2/16/00</i>	Certificate of Publication