

RESOLUTION NO. 20-2017

**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM R-1 TO C-PUD AND
PRELIMINARY DEVELOPMENT PLAN FOR CASE #ZMA 01-17 – NEW LIFE CHAPEL**

WHEREAS, on March 14, 2017, New Life Chapel / Ascent submitted an application requesting a Zoning Map Amendment from R-1 (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan for a church campus, consisting of three buildings totaling 96,345 square feet on approximately 18.1 acres; and,

WHEREAS, on April 17, 2017, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, on April 17, 2017, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

WHEREAS, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on May 23, 2017 as applied for by New Life Chapel /Ascent; and,

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

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 Zoning Map Amendment from R-1 (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan with the following conditions:

SECTION 1. The permitted uses shall only include the principle use of a church and those accessory uses as approved on the Preliminary Development Plan (PDP), which include the following:

- a) A principle church facility, including auditorium, education, community, and support; excluding public/private elementary schools, high schools, and universities; and,
- b) An accessory office facility for church staff and related accessory uses; and,
- c) An accessory market place ministry café and patio, restaurant use; excluding a drive-thru.

All public rights-of-way dedications shall be shown on the Phase I, FDP and shall be dedicated as required by the Butler County Thoroughfare Plan prior to the issuance of a zoning certificate.

SECTION 2. All recommendations of the preliminary traffic analysis, which includes turn lane warrants and sight distance/sight triangle studies of the access, and requirements of the Butler County Engineer's Office (BCEO) and West Chester Township (WCT) shall be incorporated into the Phase I, FDP.

Access to the site from the public right-of-way shall be illustrated on the FDP as the following:

- a) A full-movement access located a minimum of five-hundred (500) feet north of the Cresthaven Avenue and Cincinnati-Dayton Road intersection; and,
- b) A right-in/right-out access located a minimum of three-hundred (300) feet from the full-movement access way.

SECTION 3. It shall be the responsibility of the property owner to coordinated with West Chester Township Community Development Department (WCTCDD) and the West Chester Township Police Department in order to make the appropriate accommodations for high traffic volume times and during major events, to include the following:

- a) Provide additional personnel and resources to facilitate movement of on-site traffic movement and parking during Sundays; and,
- b) Provide off-duty law enforcement to facilitate traffic movement and access to the site from the Cincinnati-Dayton Road public right-of-way during major events; and,
- c) Provide off-duty law enforcement to facilitate traffic movement and access to the site from the Cincinnati-Dayton Road public right-of-way during Sundays, at which time deemed necessary by WCT agencies; and,
- d) All parking in connection with the site shall be contained within the site.

SECTION 4. An internal roadway shall be provided along the perimeter of the church facility and office buildings, which shall be coordinated with the WCTCDD and the West Chester Township Fire Department (WCTFD) and shall be incorporated into the Phase I, FDP to ensure the site accommodates emergency services.

SECTION 5. All access ways and internal roadways; connections and locations of fire hydrants; fire lane signage; and all other applicable building and fire codes shall be coordinated with the WCTCDD and the WCTFD and shall be incorporated into each FDP phase to ensure the site accommodates emergency services. Fire hydrants shall not be physically or visually obstructed.

SECTION 6. Preliminary grading plans, stormwater drainage plans and calculations, and utility plans shall meet all requirements of WCT and all other applicable reviewing agencies and shall be incorporated into each FDP.

SECTION 7. Detailed grading plans, stormwater drainage plans and calculations, and utility plans addressing all preliminary review requirements shall be provided at each FDP stage and shall meet all requirements of WCT and all other applicable reviewing agencies.

SECTION 8. A twenty (20) foot wide water main and temporary construction easement shall be illustrated on each FDP for the future installation of a water main line connection to cross under Interstate 75. The location of the easement and an accompanying draft easement agreement, with the construction and maintenance responsibilities clearly defined, shall be coordinated with the WCTCDD and the Butler County Water and Sewer Department (BCWSD) at the Phase I, FDP stage. The easement agreement shall be provided to the WCTCDD for approval at each FDP stage and shall be recorded prior to the issuance of a zoning certificate for the Phase I, FDP.

SECTION 9. All water and sanitary services not used for the development shall be properly abandoned under the discretion of the BCWSD and WCT at such time deemed necessary by the BCWSD.

SECTION 10. A vehicular cross-access easement shall be illustrated on the Phase I, FDP extending from the easternmost drive aisle in the parking area, which is located along the Cincinnati-Dayton Road frontage, from the full-movement access way to the south property line. An accompanying draft easement agreement, providing legal access to the adjacent property to the south, with the construction and maintenance responsibilities clearly defined, shall be provided to the WCTCDD for approval at the Phase I, FDP stage and shall be recorded prior to the issuance of a zoning certificate.

SECTION 11. Site grading shall not encroach into the Ohio Department of Transportation's (ODOT) limited access right-of-way (LA ROW).

SECTION 12. Retaining wall details shall be provided at each FDP stage. The retaining walls shall meet the required distance from the ODOT LA ROW to achieve the proposed grade and all BCEO construction requirements.

SECTION 13. A five (5) foot wide concrete sidewalk shall be illustrated on the Phase I, FDP along the Cincinnati-Dayton Road frontage on private property. The sidewalk shall be coordinated with the 2018 BCEO/ WCT road widening project. An accompanying draft public use easement agreement, with the property owner's construction and maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the Phase I, FDP stage and shall be recorded prior to the issuance of a zoning certificate.

SECTION 14. An additional five (5) foot wide concrete sidewalk sections shall be illustrated on the Phase I, FDP as extending from the proposed sidewalk along the Cincinnati-Dayton Road frontage in the following locations:

- a) Along the north sides of both access ways, extending to the proposed sidewalks along the proposed church facility and marketplace ministry café buildings.

SECTION 15. Detailed floor plans and building elevations shall be provided at each FDP stage. The exterior building elevations shall demonstrate high-quality building materials (textured concrete, brick, stone, etc.) are being utilized throughout the site.

SECTION 16. Dumpster and donation enclosure locations and details shall be provided at each FDP stage. The enclosures shall comply with the provisions of the West Chester Township Zoning Resolution (WCTZR), Articles 10.031 and 20.043 and shall be consistent with the high-quality building materials of the principle building. Dumpster enclosures shall be located in a manner to reduce detrimental impacts to the adjacent residential subdivision.

SECTION 17. Trash pick-up shall occur between the hours of 7:00 a.m. and 7:00 p.m. to reduce detrimental impacts to adjoining or close proximity residential subdivisions.

SECTION 18. A photometric analysis that demonstrates .02 foot candle levels along the south property line shall be provided at each FDP stage.

SECTION 19. Light locations and light fixture details shall be provided at each FDP stage to ensure a design that minimizes glare and light spillover onto the adjacent residential subdivision.

SECTION 20. A detailed landscaping plan shall be provided at the Phase I, FDP stage, which shall illustrate adequate screening elements along the south property line, to include an adequate quantity, size, and spacing of evergreen tree plantings.

SECTION 21. A detailed landscaping plan shall be provided at each FDP stage, which shall illustrate adequate landscape islands with tree plantings within the parking areas.

SECTION 22. The property owner or a recorded property owners' association shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition and all major landscaping shall be irrigated with a permanent system prior to the issuance of a zoning certificate.

SECTION 23. A detailed sign plan shall be provided at each FDP stage. All signage shall be approved at each FDP stage.

SECTION 24. All signs shall be pursuant to the WCTZR Article 20, excluding ground sign locations and internally-illuminated building signs. Internally-illuminated building signs shall be prohibited on the south building wall elevation. All sign structures shall be consistent with the exterior building materials of the principle building.

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

Adopted this 13th day of June, 2017.

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

ATTEST:

Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:

Donald L. Crain, Law Director