

RESOLUTION NO: 26-2016

**RESOLUTION APPROVING A ZONING MAP AMENDMENT FROM M-1 AND
A-1 TO C-PUD AND PRELIMINARY DEVELOPMENT PLAN FOR CASE
#ZMA 03-16 – THE FIELDS AT LIBERTY WAY**

WHEREAS, on May 17, 2016, HiFive Design Group, Inc. submitted an application requesting a Zoning Map Amendment from M-1 (Industrial District) and A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District), in conjunction with a Preliminary Development Plan for four-story, extended-stay hotel on Lot 1, a five-story hotel on Lot 2, and future development on approximately 13.35 acres; and,

WHEREAS, on June 14, 2016, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, on June 20, 2016, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application and recommended approval with conditions; and,

WHEREAS, by advertisement, a public hearing for the aforesaid application was conducted before the West Chester Township Board of Trustees on August 23, 2016 as applied for by HiFive Design Group, Inc; 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 of approval of the West Chester Township Zoning Commission and does hereby approve the application for a Zoning Map Amendment and Preliminary Development Plan with the following conditions:

SECTION 1. The permitted uses shall only include the Principal Permitted Uses of the West Chester Zoning Resolution's O-1, O-2, B-1, B-2 Districts, Articles 18.021, 18.022, 18.023, 18.028, 19.022, 19.023, 19.026, 19.028, 21.022, 21.023, 21.024, 21.026, 21.028, 21.029, 22.022- excluding "mechanical and auto body repair", 22.027, 22.028, 22.0210 - excluding "Night clubs", and 22.0212 - excluding recreational uses that are determined by staff to be detrimental to the surrounding uses. The permitted uses shall also include the Conditional Use of the B-1 District, Article 21.032.

SECTION 2. All recommendations of the Traffic Impact Study (TIS) and requirements of the Butler County Engineer's Office (BCEO) shall be incorporated into the Final Development Plan (FDP). A copy of the approved TIS and letters of approval from the appropriate agencies shall be provided to the West Chester Community Development Department (WCCDD) at the FDP stage.

SECTION 3. All rights-of-way shall be dedicated, as required by the BCEO Thoroughfare Plan, prior to the issuance of a zoning permit.

SECTION 4. A detailed storm water drainage plan shall be provided at the FDP stage, which demonstrates that the proposed storm water detention areas are adequate to serve the entire site.

SECTION 5. The FDP shall meet all other agencies' requirements at the FDP stage.

SECTION 6. Cross-access easements shall be provided for granting legal access throughout the site at no cost to the future development to the south, in order to access the future, full-movement access way. The easement shall be illustrated on the FDP and final plat. The easement documentation, with the maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a final zoning certificate.

SECTION 7. A public use easement shall be provided for the 5 foot wide concrete sidewalk located along the public frontage, which is located on private property. The easement shall be illustrated on the FDP and final plat. The easement documentation, with the maintenance responsibilities clearly defined, shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a final zoning certificate.

SECTION 8. A Property Owner's Association (POA) shall be created, which 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 common access drives and parking areas; 3.) All sidewalks; 4.) All drainage ways and storm water facilities, which shall be maintained to perform their designated function; and 5.) All common landscaping as it is illustrated on the approved FDP. A draft copy of the POA document shall be provided to the WCCDD for approval at the FDP stage and shall then be recorded prior to the issuance of a zoning permit and a copy of which shall be provided to the WCCDD.

SECTION 9. Detailed floor plans and detailed building elevations shall be provided with all FDPs. The building elevations shall demonstrate that high quality exterior building materials (brick, stone, etc.) are being utilized throughout.

SECTION 10. A detailed landscaping plan shall be provided with all FDPs, which depicts extensive landscaping throughout the site, including internal parking areas, adequate screening of the parking areas, along the rights-of-way, and consistently coordinated street trees along, both, the private and public road frontages. All major landscaping areas shall be irrigated with a permanent system prior to the issuance of a final zoning certificate.

SECTION 11. Signs shall only be permitted at the FDP stages. All ground-mounted signs shall be consistent with the exterior building materials for the principle building. All signage shall meet the West Chester Zoning Resolution, Articles 10 and 20.

Adopted this 13th day of September, 2016.



Mark Welch, President

YES

Yes/No

Departed early
~~EXCUSED ABSENCE~~

George Lang, Vice President

Yes/No



Lee Wong, Trustee

Yes

Yes/No

ATTEST:



Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director