



Planned Unit Development (PUD) Stage 2 Preliminary Site Plan Review Request

Application to the Zoning Commission
Clearcreek Township, Warren County

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Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Zoning Commission. The following information must be filled out in its entirety and accompanied by a fee of \$700.00 to validate the Stage 2 application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Attach additional computer generated or typewritten sheets as needed. Applicant is notified that the Rules and Regulations for the Zoning Commission, which outline the procedures by which the Zoning Commission shall operate, are found on the website www.clearcreektownship.com or can be requested from staff.

Name of Applicant:

Rick L. Dart

Mailing address of Applicant:

1664 East State Route 73, Waynesville, OH 45068

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

1.724 acres

Property fronts on the following road(s):

State Route 73

The legal title to said property recorded in the name(s) of:

Chateau RLD Group

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

1664 East State Route 73, Waynesville, OH 45068

The property is presently zoned:

B-1

Reason(s) for the application:

Background:
- In 2008 the owner and occupying business, The RCE Group, with oversight of the Warren County Building Department and Clearcreek Township, constructed a living space in the unfinished lower level of the building. This was added as an extension of the RCE Group business operations, which supported a global customer with 24 hour per day support requirements.

- Business circumstances have changed for The RCE Group and there is an opportunity to the lower level as a residential occupancy. This residential use would be in one of two forms:
 1. As a primary residence for the owner of the building.
 2. As a leased apartment.
 - The property is currently zoned B-1 and sits adjacent to an R-1 property and a business.
- ** The Stage 1 PUD application was approved by the Warren County Planning Commission March 7, 2017 and the Clearcreek Township Trustees on May 8, 2017.

To aid the Zoning Commission processing of the request, please submit the following documentation outlined in Clearcreek Township Zoning Resolution Chapter 13, Section 13.05:

SEC. 13.05 PUD Approval Process: Any owner(s), their agent(s), or developer(s) who seeks approval for a PUD shall file an application with the Clearcreek Township Zoning Commission. All applications shall be subject to a comprehensive review process consisting of three stages: Stage 1: The Zone Change Amendment Request/PUD Concept Plan Application, Stage 2: The PUD Preliminary Site Plan Application, and Stage 3: The PUD Final Site Plan submittal.

SEC. 13.05(B) Stage 2: The PUD Preliminary Site Plan Application

The second stage of the PUD process shall not commence until Stage 1 approval has been obtained. Upon completion, successful applicants shall receive approval of a PUD Preliminary Site Plan (identifying: the road network, minimum building lot sizes, setbacks, open space, parking, lighting, buffers, and signage), approved site impact conditions involving adjoining properties and road right-of-way(s), and the Stage 2 approval required to begin Stage 3. The Stage 2 process steps, PUD objectives, and conditions for approval outlined below are required to be completed and satisfied in order for Stage 2 approval consideration.

SEC. 13.05(B)(1) Stage 2: Process Steps: The PUD Preliminary Site Plan Submittal

- (1) Applications for the Stage 2: PUD Preliminary Site Plan shall be submitted, signed by the owner(s) of the PUD or the designated agent, to the Clearcreek Township Zoning Inspector, attesting to the truth and correctness of all facts and information presented with the application on or before the scheduled monthly Zoning Commission meeting deadline, as identified on the Zoning Commission schedule found on the Clearcreek Township website (www.clearcreektownship.com).
- (2) All applications shall be submitted with the required fees as established in the Clearcreek Township fee schedule found on the Clearcreek Township website (www.clearcreektownship.com).
- (3) The application shall be accompanied with all amended forms, maps, drawings, and additional information included or as required by the Clearcreek Township Board of Trustees Resolution for Stage 1.

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- (4) The Stage 2: PUD Preliminary Site Plan shall include the following items:
- a) An area map showing applicant's entire holding, the portion of applicant's property under consideration and all properties, subdivisions, streets, and easements within 200 feet of applicant's property.
 - b) A topographic map showing final elevations with intervals of not more than 2 feet of elevation.
 - c) A professionally prepared PUD Preliminary Site Plan including the following information:
 - 1) Title of drawing including name and address of applicant.
 - 2) North point, scale, and date.
 - 3) Boundaries of the property plotted to scale.
 - 4) Existing water courses.
 - 5) A PUD Preliminary Site Plan showing:
 - i. Location of all proposed use(s), including building types, heights, materials, and architectural designs.
 - ii. Location of all impervious surfaces for non-residential building areas, parking and truck loading areas, as well as all ingress and egress drives.
 - iii. Location and proposed development of all open spaces/recreation areas.
 - iv. Location and proposed development of all amenities, maximum square footage of impervious surfaces identified.
 - v. Location of non-residential outdoor storage.
 - vi. A grading plan.
 - vii. Location of existing or proposed site improvements including: drains, culverts, retaining walls, and fences.
 - viii. Location of existing trees or landscape buffers.
 - ix. Location of proposed trees or landscape buffers.
 - x. Description of sewage disposal and location of such facilities.
 - xi. Location and size of all signs.
 - xii. Location and design of street and parking lighting.
 - d) A drawing showing all soil types and their classifications.
 - e) A drawing showing aircraft patterns and seasonal wind directions. Areas of possible noise and odor pollution on or off site shall be indicated.

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SEC. 13.05(B)(2) Stage 2: PUD Objectives

- (a) The Stage 2: PUD Preliminary Site Plan objective is to refine the Stage 1: Concept Plan into a detailed Site Plan. Therefore, the following information shall be specified/clarified in the narrative and on the drawing(s) at the time of approval:

- (1) The list of uses permitted within the PUD are defined.
 - (2) The exact locations, types, heights, materials, and designs of such uses are identified.
 - (3) All use-specific standards that apply to the permitted uses are specified and identified in a table which includes: the average, highest, and lowest quantities and a count of each occurrence.
 - (4) The maximum density or intensity permitted within the PUD is identified.
 - (5) The amount and exact location of open space/recreation areas are defined.
 - (6) The layout of all new street(s), major access drive(s), sidewalks, trails, and any other methods of circulation required or necessary throughout the PUD are identified.
 - (7) All impervious surfaces for non-residential building areas, parking, and truck loading areas with ingress and egress drives are identified.
 - (8) The location(s) and a submitted timeline of all of the proposed development's amenities are included. **Note: Amenities part of a phase shall be constructed concurrently with that phase. If the PUD consists of multiple phases to be developed over time, no more than 25% of the total number of lots approved for the PUD as a whole shall be built on before planned amenities and buffers are constructed. This requirement may be modified as stated in SECTION 13.05 (B)2(b), below, depending on the distribution, number, and location of amenities in the PUD as a whole.*
 - (9) The exact location and size of all signage are identified.
- (b) The Clearcreek Township Zoning Commission and/or the Board of Trustees shall have the authority to impose modified and/or special conditions related to the PUD and to approve development standards unique to the PUD as deemed necessary in order to promote the public health, safety, morals, and general welfare of Clearcreek Township.

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SEC. 13.05(A)(3) Stage 2: Conditions for Approval

The following criteria shall be used in the recommendations and decisions made regarding the Stage 2: PUD Preliminary Site Plan. Failure to comply with any of these criteria shall require a PUD modification and shall therefore be subject to the criteria set forth in **SECTION 13.07, PUD Modifications.**

- (a) The PUD Preliminary Site Plan is in accordance with the Zoning Resolution as adopted by the Clearcreek Township Board of Trustees.
- (b) The PUD Preliminary Site Plan is consistent with the Clearcreek Township Master Land Use Plan.
- (c) The intensity proposed for the PUD Preliminary Site plan does not exceed the maximum density allowed for the PUD as a whole.
- (d) The use(s) proposed will not be detrimental to existing and potential future surrounding uses and will harmoniously relate to the surrounding area.

- (e) The internal streets and primary and secondary roads that are proposed shall properly interconnect with the surrounding existing primary and secondary road network as designated on the Warren County Official Thoroughfare Plan. A traffic impact study may be required by the Warren County Engineer's Office, at the applicant's expense. Also, the Clearcreek Township Zoning Commission and Board of Trustees shall coordinate cross access easements or stubbed streets to all adjacent parcels as needed to facilitate traffic flow between existing parcels and planned PUDs with the Warren County Engineer's Office.
- (f) The arrangement of vehicular access and circulation, including intersections, road widths, channelization structures, and traffic controls are adequately designed for the proposed uses and existing surrounding parcels.
- (g) The arrangement, location, appearance, and sufficiency of off-street loading are adequately designed.
- (h) The management of storm water, erosion control, and sanitary disposal facilities are adequately designed and avoid flood hazard areas.
- (i) The minimum common open space areas have been designated and designed in accordance with the provisions of this Resolution and shall be conveyed to a legally established homeowner's or property owner's association, commercial management group, or other agency as herein provided.
- (j) The comments and recommendations received from the Warren County departments, as well as representatives of federal and state agencies, shall be reviewed and adequately addressed.
- (k) Approval of the PUD Preliminary Site Plan may be conditional upon provisions that are necessary for the protection of public health, safety, morals, and general welfare. Thus, the Clearcreek Township Zoning Commission or Board of Trustees may require the submittal of a revised PUD Preliminary Site Plan if it is determined that modifications are required to comply with this Resolution.

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Submitted drawing:

Two (2) sets of drawings shall be submitted on paper measuring 24" by 36" for staff review and for display during the public hearing.

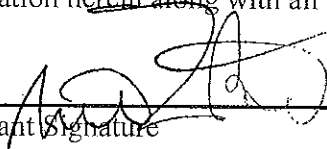
One (1) set of architectural/construction drawings shall be submitted on paper measuring 11" by 17" for Warren County Regional Planning Commission, the staff file, Zoning Commission and Board of Trustee packets.

In the event that changes to the plans and/or drawings are requested by the Zoning Commission and/or the Board of Trustees during the public meetings, or if the applicant desires to modify the application submitted with this Stage 2 application, the applicant shall:

1. *Provide all updated materials to staff no less than fourteen (14) days prior to the scheduled meeting date. Materials will be date stamped received by the Clearcreek Township Zoning Department. Materials received that don't meet the former timeline will be held for review and consideration until the next scheduled meeting.*

2. *Provide a text narrative with a detailed list outlining what was modified and why each modification is necessary and/or desired.*
3. *Provide plans and/or drawings only of the sections or areas that are impacted by the modification(s). For example: If sheet 5 of 13 was modified and there were no additional sheets impacted by the modification, only re-submit sheet 5 in conformance with the size and quantities outlined for the initial Stage 2 application submittal.*
4. *Provide color coded overlay drawing(s) depicting the initial Stage 2 application submittal (corresponds to date below) and the modified Stage 2 submittal. The former should illustrate the modifications graphically.*

The undersigned acknowledges reading the former application. The undersigned certifies that information herein along with all submitted documents are factual and correct.

Applicant Signature  Date 7/27/18

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SEC. 13.05(B) Stage 2 - Application

SEC. 13.05(B)(1) Stage 2 : The PUD Preliminary Site Plan Submittal

(1) Application - Attached

(2) Application Fees -Paid

(3) Application shall include: No additional data required by Clearcreek Township Board of Trustees Resolution for Stage 1.

(4) The Stage 2: PUD Preliminary Site Plan shall include the following:

a) Area map showing applicant's entire holding, the portion under consideration and all properties within 200 feet: Attached.

b) A topographical map showing final elevations: Attached.

c) A professionally prepared site plan - Included herein; this is an existing property with existing structures, boundaries, utilities, etc.; there are NO proposed changes to the existing site as part of this PUD.

** the 'Site' is existing and all structures in place. The proposed plan calls for a shared utilization of EXISTING land and structures for both B-1 and R-1 occupancies. No additional construction is planned or included in this PUD. R-1 occupancy shall be limited to the lower level of the main building.

d) A drawing showing soil types and their classifications. N/A – existing site / structures, no construction planned.

e) A drawing showing aircraft pattern and seasonal wind directions. Areas of possible noise and odor pollution on or off site. N/A

7) Identification of all areas declared to be an amenity for PUD - included in drawing.

8) Drawing showing soil types map indicating flood way, etc. - included in the drawing as relevant; flood plane & floodway are NA

9) Aircraft approach ... - NA

10) Principal ties to the community at large with respect to transportation, water supply, and sewage: included in drawing - private EPA approved sewerage, county water connection, ODOT approved shared access to State Route 73.

d) A net density plan illustrating the net density able to be obtained if developed under a straight zoning classification, to scale, showing:

1) existing topographical features - EXISTING - included in drawing.

2) general location of building lots and their areas - EXISTING - included.

3) general outlines of the interior roadway system, etc. - EXISTING - included.

4) a calculation of residential net density and/or net floor area ratio - the existing building is approximately 3,500 sq ft on the main floor and the lower level. The residential component (R-1) of this PUD shall be limited to a single family occupancy, in compliance with the R-1

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guidelines. No new structures are planned as part of this PUD. The area within the existing structures that will be used in residential (R-1) related uses is limited to the lower level of the main building. The B-1 utilization may expand at a point in time to include the entire building. The PUD does not include additional building space beyond the existing structures and does NOT provide for anything other than a single family occupancy.

5) the interior common open space system with acreage specified - see item 6 above.

6) identification of all areas declared to be an amenity for the PUD with acreage specified – included in this drawing.

7) a drawing showing soil types – N/A, existing.

8) aircraft approach - NA

9) principal ties to community ... see item 10. above.

e) A written report containing the following:

1) general description of availability of other community facilities, such as schools, fire protection services, and cultural facilities if any...

*Schools - the property exists within the Springboro School District - since the time that the remodel was completed in 2006 there have been occupants in the R-1 space on a temporary basis; during these periods, children attended Springboro primary and elementary schools; school bus operators picked up and dropped off the children at the property driveway on St Rt 73, as they do for adjacent properties, without incident.

* Fire Protection Services - the property lies within the Clearcreek Fire Department jurisdiction – the construction project and remodel projects were completed with their oversight; annual inspections are conducted and the property is FULLY protected (B-1 and R-1) areas; the protection systems are properly / professionally maintained.

2) Evidence how the developers proposed land use meet existing and projected community requirements -

* the property is situated between a residential (R-1) and business (B) zoned properties, this PUD proposes allowing both of these occupancies to exist as a 'bridge' or transition between the adjacent properties.

** the proposed PUD mixed use occupancy (B-1 and R-1) has in fact been unofficially exercised and tested in recent years, and it worked well. Since the time that the remodel in the lower level was completed in 2006, there have been occupants in the R-1 space on a temporary basis. The family of the building owner has utilized the lower level space as an apartment for family members during transitional periods on a temporary basis.

3) general statement how common space will be owned and permanently maintained - the entire property will be owned by a single entity and the maintenance of the entire property will remain the responsibility of the property owner.

4) If development is phased, explain phasing - no development is planned - existing structures and amenities to remain as is.

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(a) The Stage 2: PUD Preliminary Site Plan objective is to refine the Stage 1: Concept Plan into a detailed Site Plan. Therefore, the following information shall be specified/clarified in the narrative and on the drawing(s) at the time of approval:

1) The list of uses permitted within the PUD are defined. All documentation to date has stated that the B-1 portion will comply with any/all B-1 occupancies and the R-1 portion will be limited to single family, one dwelling unit.

(2) The exact locations, types, heights, materials, and designs of such uses are identified. Site plan shows the location of all existing structures. No new buildings and/or materials are being introduced.

(3) All use-specific standards that apply to the permitted uses are specified and identified in a table which includes: the average, highest, and lowest quantities and a count of each occurrence. All uses to comply with the Clearcreek Township B-1 occupancy standards.

(4) The maximum density or intensity permitted within the PUD is identified. B-1 occupancy to comply with clearcreek township zoning and Ohio Building Code for permitted occupancy types.

(5) The amount and exact location of open space/recreation areas are defined. On the second drawing.

(6) The layout of all new street(s), major access drive(s), sidewalks, trails, and any other methods of circulation required or necessary throughout the PUD are identified. N/A. All existing, no new planned.

(7) All impervious surfaces for non-residential building areas, parking, and truck loading areas with ingress and egress drives are identified. All existing impervious surfaces identified on drawing; no new impervious surfaces planned.

(8) NO New Development ... all N/A The location(s) and a submitted timeline of all of the proposed development's amenities are included. *Note: Amenities part of a phase shall be constructed concurrently with that phase. If the PUD consists of multiple phases to be developed over time, no more than 25% of the total number of lots approved for the PUD as a whole shall be built on before planned amenities and buffers are constructed. This requirement may be modified as stated in SECTION 13.05 (B)2(b), below, depending on the distribution, number, and location of amenities in the PUD as a whole.

(9) The exact location and size of all signage are identified. No new signage planned as part of this PUD.

(b) The Clearcreek Township Zoning Commission and/or the Board of Trustees shall have the authority to impose modified and/or special conditions related to the PUD and to approve development standards unique to the PUD as deemed necessary in order to promote the public health, safety, morals, and general welfare of Clearcreek Township.

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