

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 20045

Resolution No. 4378

Passed

May 22, 2013

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CLEARCREEK TOWNSHIP WARREN COUNTY, OHIO

A RESOLUTION Approve THE REQUEST OF ALAN HARSHMAN, AGENT FOR SORAYA FARMS LLC FOR MODIFICATIONS TO THE STAGE 2 APPROVAL FOR THE "SORAYA FARMS" R-1PUD AND B-1PUD. THIS REQUEST IS TO MODIFY TRUSTEE RESOLUTION 3909 CONDITIONS 33, 34, 35 AND 38. THE REQUEST IS TO MODIFY MATERIALS USED FOR THE WALKING PATHS, MODIFY PATH LIGHTING, MODIFY MILEAGE MARKERS AND ELIMINATE TRASH RECEPTACLES FROM THE PATHS, ELIMINATE SIDEWALKS WHERE THE PATH ACTS AS A DUPLICATION, AND MODIFY THE TREE REQUIREMENTS FOR DWELLING LOTS ON PUBLIC ROADS.

WHEREAS the request is comprised of 155.1219 acres of the 172.277 acre R-1PUD. The open space and undeveloped properties have road frontage on State Route 48, Lemans Boulevard, Chaumont Ave and Avingnon Way. The open space, undeveloped properties and properties giving Soraya Farms LLC agent status are further identified by parcel id numbers: 05-27-335-0090, 05-27-177-0330, 05-27-177-0830, 05-27-176-0190 and 05-27-173-0030, 05-27-177-0390, 05-27-177-0370, 05-27-177-0350, 05-27-177-0440, 05-27-177-0920, 05-27-177-0910, 05-27-177-0900, 05-27-177-0890, 05-27-177-0880, 05-27-177-0870, 05-27-177-0850, 05-27-177-840, 05-27-335-0030, 05-27-335-0020, 05-27-171-0060, 05-27-171-0050, 05-27-171-0030, 05-27-171-0010, 05-27-171-0020, 05-27-310-0090, 05-27-310-0080, 05-27-310-0070, 05-27-310-0060, 05-27-310-0050, 05-27-310-0030, 05-27-310-0010, 05-27-335-0110, 05-27-335-0100, 05-27-335-0070, 05-27-335-0060, 05-27-335-0130, 05-27-335-0120 and 05-27-335-0050. The properties are located in Section 27, Town 3, and Range 5 in Clearcreek Township.

WHEREAS on May 6, 2013 the Zoning Commission held a public meeting to review the request and after discussion approved the modification request with the following list of clarifications:

1. Community Area Walking Path Sidewalk Layout
 - a. Remove sidewalk that was required per Warren County Subdivision Regulations that circled the north, west and south of the clubhouse/open space area that was identified on the Preliminary Plat C1.04, received February 7, 2007.
 - b. Change walking path/trail material from concrete to asphalt. Update Exhibit C Openspace Plan received February 7, 2007. Update Preliminary Plat C1.04 received February 7, 2007.
 - c. Minimum width of walking path/trail in clubhouse/open space area is 6'. Update Sidewalk Modification Plan received March 18, 2013. Update Exhibit C Openspace Plan received February 7, 2007. Update Preliminary Plat C1.04 received February 7, 2007.
 - d. Depict all required sidewalks on Sidewalk Modification Plan received March 18, 2013.
 - e. Revised location of walking path/trail on the March 18, 2013 plan is acceptable. Update Exhibit C Openspace Plan received February 7, 2007. Update Preliminary Plat C1.04 received February 7, 2007.

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- f. The sections of the walking path/trail that is oriented east to west don't need to be illuminated if the public street lights provide light to the walking path/trail. If not, walking path/ trail will need to be illuminated. Depict location of street light posts and area of illumination on Sidewalk Modification Plan received March 18, 2013.
 - g. The sections of the walking path/trail that are oriented north to south as well as the connector section between the clubhouse and the walking path/trail east of the pond shall be illuminated per the February 26, 2007 lighting specifications. Update Sidewalk Modification Plan received March 18, 2013.
 - h. Walking path/trails shall be named. Update Exhibit C Openspace Plan received February 7, 2007. Update Sidewalk Modification Plan received March 18, 2013.
 - i. Depict location of walking path/trail light posts on the updated plan. Update Sidewalk Modification Plan received March 18, 2013.
 - j. Depict the location of the benches on the updated plan. Update Sidewalk Modification Plan received March 18, 2013.
 - k. Depict the materials, size and style of proposed bench.
 - l. No trail markers are required for this area.
 - m. No trash cans are required for this area.
2. Community Area & Open Space Walking Path Lighting/Amenities
- a. Per Exhibit C Openspace Plan received February 7, 2007 the 5' asphalt path, 10' asphalt path and 4' mulch path are not required to have illuminated paths.
 - b. A sign stating "Daylight Hours Only" shall be established at all points of intersection between the walking path/trail and a street (private or public). Update Exhibit C Openspace Plan received February 7, 2007.
 - c. Walking path/trail shall be named. Update Exhibit C Openspace Plan received February 7, 2007.
 - d. Depict location of the signs on the updated plan. Update Exhibit C Openspace Plan received February 7, 2007.
 - e. Depict the specifications for the signs.
 - f. Trail makers shall be required as outlined in Trustee Resolution 3209 Condition 34. Update Exhibit C Openspace Plan received February 7, 2007.
 - g. Depict the specifications for the markers.
 - h. No trash cans are required for these walking paths/trails.
3. Community Area Landscaping
- a. Proposed location, size and species identified on March 18, 2013 Landscape Plan found to be acceptable to complete street tree requirement for clubhouse/open space area.
 - b. Identify size and species of existing trees. Update Landscape Plan received March 18, 2013.

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- c. Exhibit B Tree Plan dated February 7, 2007 shall contain the list of the acceptable tree species to be located on properties that are coincident to a public street. This list shall be expanded to also include the following species: Birch, Pine and Spruce. The drawing that limits a street to a single species is updated by this action to allow any tree species that are identified in the updated tree legend to be acceptable.
 - d. Drawing and Tree Legend of Exhibit B Tree Plan dated February 7, 2007 shall be updated to reflect changes.
4. Individual Lot Landscaping.
- a. Dwelling lots that are coincident to a public street are not required to have a Streetscape buffer.
 - b. Dwelling lots that are coincident to a public street are required to have "Lot trees" planted at a rate of one (1) tree per every 50' of lot width. Lot trees are to be located between the minimum front yard setback and the road right-of-way outside of all recorded utility easements.
 - c. Minimum tree size at the time of planting is 1 1/2" caliper.
 - d. Exhibit B Tree Plan dated February 7, 2007 shall contain the list of the acceptable tree species to be located on properties that are coincident to a public street. This list shall be expanded to also include the following species: Birch, Pine and Spruce. The drawing that limits a street to a single species is updated by this action to allow any tree species that are identified in the updated tree legend to be acceptable.
 - e. The Lot Width section of Exhibit B Tree Plan dated February 7, 2007 shall be updated to reflect changes.
 - f. Any custom planting/landscaping beyond the lot trees shall be coordinated with Architecture Review Committee.
5. No changes are requested to the approved State Route 48 Streetscape buffer, Perimeter Buffers, Medians or Leahy Berming Landscape Plans.
6. Provide updated drawing(s) to zoning staff no later than two weeks before a scheduled Trustee Meeting. Meetings occur the second and fourth Wednesday of the month. The time deadline is 12:00 PM. Staff will review drawing(s) for completeness. If complete, staff will ask Trustees to schedule public meeting to review document, advertise in newspaper and send out adjoining property notices. If not complete, staff will notify agent of deficiencies; and,

WHEREAS on May 8, 2013 the applicant provided the updated documents to the zoning department; and,

NOW THEREFORE, BE IT RESOLVED by the Board of Clearcreek Township Trustees that the requested modifications to Trustee Resolution 3909 Conditions 33, 34, 35 and 38 be Approved subject to the following clarifications:

- a. Clubhouse Community Area
 - i. Eliminate sidewalk that was required per Warren County Subdivision Regulations that circled the north, west and south of the clubhouse/open space area that was identified on the Preliminary Plat C1.04, received February 7, 2007.
 - ii. Approve 6' wide asphalt walking path, Preliminary Plat C1.04, Sidewalk Modification Plan S1.0 received May 8, 2013.

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- iii. Approve lighting from the street lights to illuminate walking paths in areas not illuminated by bollard lights, Sidewalk Modification Plan S1.0 received May 8, 2013.
 - iv. Approve locations of bollard lights along walking path, Sidewalk Modification Plan S1.0, Revised Openspace text received May 8, 2013.
 - v. Approve name "Porf" for walking path, Revised Openspace text received May 8, 2013.
 - vi. Approve walking path signage, Preliminary Plat C1.04, Sidewalk Modification Plan S1.0, Revised Openspace text received May 8, 2013.
 - vii. Approve benches, Preliminary Plat C1.04, Sidewalk Modification Plan S1.0, Revised Openspace text received May 8, 2013.
 - viii. Remove trail markers, that were required for this area per Trustee Resolution 3209 Condition 34.
 - ix. Remove trash cans, that were required for this area per Trustee Resolution 3209 Condition 35.
- b. Open Space Walking Paths
- i. Approve names "Vino" and "Napa" for walking paths, Revised Openspace text received May 8, 2013.
 - ii. Remove lighting poles, that were required for this area per Trustee Resolution 3209 Condition 38.
 - iii. Approve "Daylight Hours Only" signage, Preliminary Plat C1.03, C1.04, C1.05 Revised Openspace text received May 8, 2013.
 - iv. Approve expansion of walking path from five (5) feet to six (6) feet, Preliminary Plat C1.04 received February 7, 2009, Preliminary Plat C1.04 received May 8, 2013.
 - v. Approve walking path signage, Preliminary Plat C1.03, C1.04, C1.05 Revised Openspace text received May 8, 2013.
 - vi. Approve walking path 1/8 mile marker signage, Preliminary Plat C1.04, Revised Openspace text received May 8, 2013.
 - vii. Remove trash cans, that were required for this area per Trustee Resolution 3209 Condition 35.
- c. Clubhouse Community Area
- i. Approve trees, Sidewalk Modification Plan S1.0, Revised Exhibit B Tree Plan received May 8, 2013.
 - ii. Approve updated Tree Legend, Revised Exhibit B Tree Plan received May 8, 2013.
- d. Individual Lot Trees
- i. Approve the elimination of the streetscape buffer per Trustee Resolution 3209 Condition 33, Exhibit B Tree Plan received February 7, 2007.
 - ii. Approve Lot Trees, Revised Exhibit B Tree Plan received May 8, 2013.
 - iii. Approve updated Tree Legend, Revised Exhibit B Tree Plan received May 8, 2013.
 - iv. Approve Architectural Review Committee as coordinator of custom plantings.

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Dayton Legal Blank, Inc., Form No. 30945

Resolution No.

4308

Passed

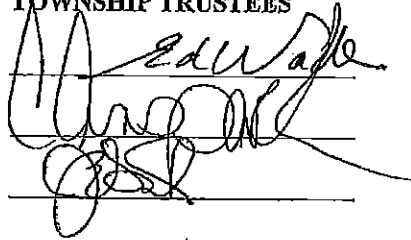
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M. S. ANSPACH moved to adopt the foregoing Resolution.
M. R. GABBARD seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade- YEA
Ms. Anspach- YEA
Mr. Gabbard- YEA

Resolution adopted at a regular public meeting conducted May 22, 2013.

THE BOARD OF CLEARCREEK
TOWNSHIP TRUSTEES



Ed Wade
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