

**WPB ENTERPRISES LLC – PUD STAGE 1 ZONING CHANGE REQUEST**

**8.39 +/- ACRES**

**CLEARCREEK FRANKLIN ROAD (WOOD ROAD)**

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AUG 26 2024

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The below information is being provided for inclusion within the above PUD Stage 1 Zoning Change Request Application pursuant to Chapter 13, Section 13.05 the Zoning Resolution. Additional information will be presented during the Application process addressing this request in further detail.

As a preliminary statement, the purpose of this Application is to allow for the storage of a limited number of commercial vehicles at the property directly associated with the Applicant's affiliated limousine service business operations. While there are no business or direct commercial activities taking place at the property, meaning there is no business office, no point of sale, no staffed on-site personnel, etc., Planning Staff advised the Applicant the parking of vehicles inside the existing structure and immediately adjacent thereto was not a Permitted Use under current SR-1 zoning. The purpose of this Application in the form of a PUD is to allow such a use, as described in the preceding sentences, while also providing safeguards to the Township and surrounding properties which would otherwise not be available under a straight rezoning to a B-1 or B-2 classification.

The property consists of 8.39 +/- acres as identified in the attached drawings. The current zoning of the property is SR-1 and the Applicant intends to retain certain permitted and conditional uses under the SR-1 zoning which are further supplemented by limited permitted uses as further described within this Application. Certain Permitted and Conditional Uses under the current SR-1 zoning are being eliminated and thus excluded from the PUD. The property consists of one existing structure and a drive for that structure, both of which will remain in their existing form and location. The Applicant requests the ability to expand the existing barn structure on the property by an additional fifty percent (50%) from its existing footprint. A maximum square footage of 10,000 sq. ft. is being requested for non-residential uses.

The proposed permitted uses for this PUD are attached as Exhibit 1 to this narrative. In working with Staff, the use of "Warehouse" was determined to classify the intended use of the property. "Limousine Service" has also been requested in the event a determination was made that use was more appropriate for the activities on the property. That said, there is no current intention to expand or change the use of the property from the desired storage of commercial vehicles associated with a limousine service business.

The Applicant is not seeking any variances or other relief from the minimum requirements of the Zoning Resolution with this Application. Accordingly, all setbacks, open space, amenities, would be compliant with the minimum standards of the Zoning Resolution. The concept plan identifies a singular building with associated parking area and drive isle all of which has existed on the subject property for many years. As noted above, the Applicant is requesting the ability to expand the footprint of the existing building by an additional fifty percent (50%) although there is no immediate plan to expand said building. Ancillary to such expansion would be a potential modification of the existing parking area in proportionate relation to such building expansion, should the same ever occur.

The concept plan shows residential use being permitted over the entirety of the parcel (8.39 +/-) with the non-residential use being limited to the designated areas (5.37 +/- acres). The non-residential use is further limited by the maximum square footage designation of 10,000 sq. ft., which is located on 5.37 +/- acres of the total site.

Regarding specific Application requirements, the Applicant offers the following per Section 13.05(A)(1)(b)(3)(e):

1. *General description of availability of other community facilities such as schools, fire protection services, cultural facilities, if any, and how these facilities are affected by this proposal.*

This current proposal as indicated above has the primary intent to allow for nothing more than the parking of limousine service related vehicles inside an enclosed structure and ancillary parking related thereto immediately adjacent to such structure. The intensity of this use is significantly less than single-family residential or most any other Permitted Use under current SR-1 zoning and certainly the current Conditional Uses associated therewith. There are no business operations other than the storage of limousine service vehicles at the property and an occasional driver coming to the property to pick-up a limousine vehicle and temporarily park their personal vehicle while servicing the customer. Any impact on community facilities, such as fire, police, and EMS and other EMS services is negligible. There would be no impact on schools as there are no residences planned to be built at this time, however, a residential development and certain commercial development of the property are already permitted pursuant SR-1 current zoning.

2. *Evidence how the developer's proposed land use meets existing and projected community requirements.*

The proposed use of this property as the primary intended use is for the interior storage of commercial vehicles associated with a limousine business. The intensity of this use is negligible as traffic in and out of the site is specifically limited to the driver of the limousine service vehicles. Customers do not come to the site, and there are no employees maintaining an office at the property. The property itself, was previously subject to a B-2 zoning request in 2022 and has remained undeveloped for residential development for many years. The property abuts I-75 to the east. To the north, the adjacent property recently received PUD approval for a store-and-lock facility (commercial use), and the property to the south is operated as a church. Given the location of the property, and the approval of commercial activities immediately adjacent to the property, a single residence being placed upon this property is very unlikely. Accordingly, this proposal with a mixed-use PUD eliminates certain existing permitted and condition uses under the SR-1 zoning while also including a very limited expansion of commercial uses, all of which the intent is to provide the minimum amount of impact to the residences to the west and the church to the south of the subject property.

For all SR-1 permitted uses identified herein, the development standards under SR-1 zoning district effective as of the date of this Application, would remain in place and be incorporated into the PUD.

3. *How the common open space shall be owned and permanently maintained.*

At this time the property is, and is intended to remain, under singular ownership. Accordingly, any open space will be maintained by the owner. Should the property ever develop in a fashion or for use other than as proposed with this Application, the Township shall have the ability to retain some control over common areas and/or common elements of any future development as part of the approval process.

4. *If the development is to be phased, a general indication as to how the phasing is to proceed. Whether or not the development is to be phased, the PUD concept plan shall show the intended total project.*

As indicated, there is no intention to otherwise modify the existing site plan for the property with this PUD Application other than the possible expansion of the existing building. With the intended use of the subject property in both the short and mid-term, there is no need for phasing of the development, any modification of the current proposed use of the property (other than vehicular storage related to a limousine service) would require separate site plan approvals and it would be impractical to show the location of such potential uses for future development at this time. The Concept Plan designates those areas of the property for which residential use and non-residential use would be permitted.

In regard to Section 11.05(A)(3) Stage 1: Conditions for approval, the Applicant offers the following:

- (a) *The Zoning Change Amendment Request PUD Concept Plan is consistent with the Clearcreek Township Master Land Use Plan:*

Yes. The vast majority of the Permitted Uses identified within this Application are the exact uses within the current SR-1 zoning, while other more intensive permitted and conditional uses under current zoning have been excluded from the PUD. All other uses have been specifically selected for their compatibility with adjacent properties. The property directly to the north has already been converted to a commercial use. It should also be noted, that under the existing SR-1 zoning, Current Conditional Uses such as hospitals, universities and school campuses are being eliminated with this PUD. Any of the proposed uses under this PUD are either identical to the SR-1 Permitted and Conditional Uses, or are less intensive in their impact on surrounding properties and governmental services than certain uses already contemplated by the SR-1 current zoning and the Master Land Use Plan.

- (b) *The intensity proposed for the PUD does not exceed the maximum density or lot coverage allowed for the PUD as a whole:*

The Applicant has not proposed any intensity or maximum density that would exceed the maximum standards allowed for the PUD. The non-residential portions of the PUD are located on 5.37 +/- acres, with a maximum square footage of 10,000 sq. ft.

- (c) *The use(s) proposed will not be detrimental to the existing and potential future surrounding uses and will harmoniously relate to the surrounding area:*

Yes. As noted above, the vast majority of the proposed uses for this PUD are identical to the Permitted and Conditional Uses under the current SR-1 zoning, while certain current permitted and conditional uses are excluded from the PUD. The additional proposed uses for the PUD have been specifically selected for their ability to harmonize with adjacent property owners. Commercial activity is directly north of the subject property and I-75 is directly east of the subject property. As this is a Stage 1 Application, and as noted throughout this Application, the short and mid-term use of the property is intended to be nothing more than the storage of a limited number of commercial vehicles for a limousine service and ancillary parking associated with the usage of such vehicles. There are no other business or commercial activities currently planned for the property and the intensity of this use is equal to or less than that of a single-

family residential structure being located on this acreage, and certainly less than the property developing with multiple residential lots. As to potential future surrounding uses, the Applicant anticipates in the surrounding area of the subject property, those properties which directly abut I-75 will likely develop as some form of commercial use or something other than a single-family home (small single-family subdivision.

- (d) *The minimum common open spaced areas have been designated and designed in accordance with the provisions of this Resolution and shall be conveyed to a legally established homeowners or property owners' association, commercial management group, or other agency as herein provided:*

For the proposed use, and the fact that the property is remaining under singular ownership, there is no need to establish a home owners' association, commercial management group or other such agency to manage any open space. In the event the property would develop at a future time such that any of the foregoing would be warranted, the Township will have the ability to condition the same as part of any site plan approval or text amendment to the PUD.

- (e) *Approval of the Stage 1-Zoning Change Amendment Request/PUD Concept Plan may be conditional upon provisions that are necessary for the protection of the 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 concept plan if it is determined that modifications are required to comply with this Resolution:*

The Applicant acknowledges this possible condition for approval.

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## Amended Proposed Permitted Uses for Mixed Use PUD

Clearcreek - Franklin Road (Woods Road) – WPB Enterprises LLC

Suburban Residence "SR-1" Uses (current zoning) – Certain SR-1 Permitted and Conditional Uses: Single Family dwellings; Home Occupation, Community Fire house; Sale of household goods, furnishings, clothing, toys, tools and books and other items not held oftener than every six (6) months, for a period of not more than three (3) days; Publicly owned and operated properties, including parks, playgrounds and community centers; Model homes; Ancillary buildings and structures, either temporary or permanent incidental to the permitted use; Religious institutions; and Telecommunication Towers.

### Additional Non-Residential Uses:

Private Storage Garage; Limousine service; Warehouse (only for cars, limousines, passenger vehicles, vans, boats and RVs); and ancillary buildings and structures, either temporary or permanent incidental to the permitted use.

Any other residential or non-residential use which is of a general character of the classes of residence and non-residence permitted above, but not otherwise defined by the Zoning Resolution, as determined by the Clearcreek Township Zoning Inspector.

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Additional Residential Uses:

~~Two Family Dwellings.~~

Additional Non-Residential Uses:

~~Clubs and Lodges, Private, including country clubs, swimming and tennis (racquet sport) clubs; Administrative business and professional offices, such as engineers, architects, attorneys, accountants, corporate office; Medical and Dental offices and clinics (to the extent not covered by professional offices, or Hospital); Day Care; Bed and Breakfast; Private Storage Garage; Limousine service; Warehouse (only for cars, limousines, passenger vehicles, vans, boats and RVs); Animal hospital, Vet clinic, commercial; and Vet clinic kennels provided all animals are kept inside building with outside walls and roof equivalent in sound reduction to an eight (8") inch concrete block wall; and parking lot for passenger vehicles, including limousines, vans and buses (as ancillary use) and ancillary buildings and structures, either temporary or permanent incidental to the permitted use.~~

Any other residential or non-residential use which is of a general character of the classes of residence and non-residence permitted above, but not otherwise defined by the Zoning Resolution, as determined by the Clearcreek Township Zoning Inspector.

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Hydrologic Soil Group—Warren County, Ohio



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














Map Scale: 1:2,340 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

0 30 60 120 180 Meters

0 100 200 400 600 Feet

## MAP LEGEND

<b>Area of Interest (AOI)</b>	 C
Area of Interest (AOI)	 C/D
<b>Soils</b>	 D
<b>Soil Rating Polygons</b>	 Not rated or not available
A	 Streams and Canals
A/D	 Transportation
B	Rails
B/D	Interstate Highways
C	US Routes
C/D	Major Roads
D	Local Roads
Not rated or not available	 Background
<b>Soil Rating Lines</b>	Aerial Photography
A	 A
A/D	 A/D
B	 B
B/D	 B/D
C	 C
C/D	 C/D
D	 D
Not rated or not available	 Not rated or not available
<b>Soil Rating Points</b>	 A
A	 A/D
A/D	 B
B	 B/D
B/D	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Warren County, Ohio  
Survey Area Data: Version 22, Sep 11, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 28, 2019—Dec 5, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
MmC3	Miamian clay loam, 6 to 12 percent slopes, severely eroded	C	3.2	31.0%
RvB	Russell-Miamian silt loams, 2 to 6 percent slopes	C	5.4	52.3%
Ud	Udorthents		1.0	9.3%
XeB	Xenia silt loam, Southern Ohio Till Plain, 2 to 6 percent slopes	C	0.8	7.4%
<b>Totals for Area of Interest</b>			<b>10.3</b>	<b>100.0%</b>

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## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

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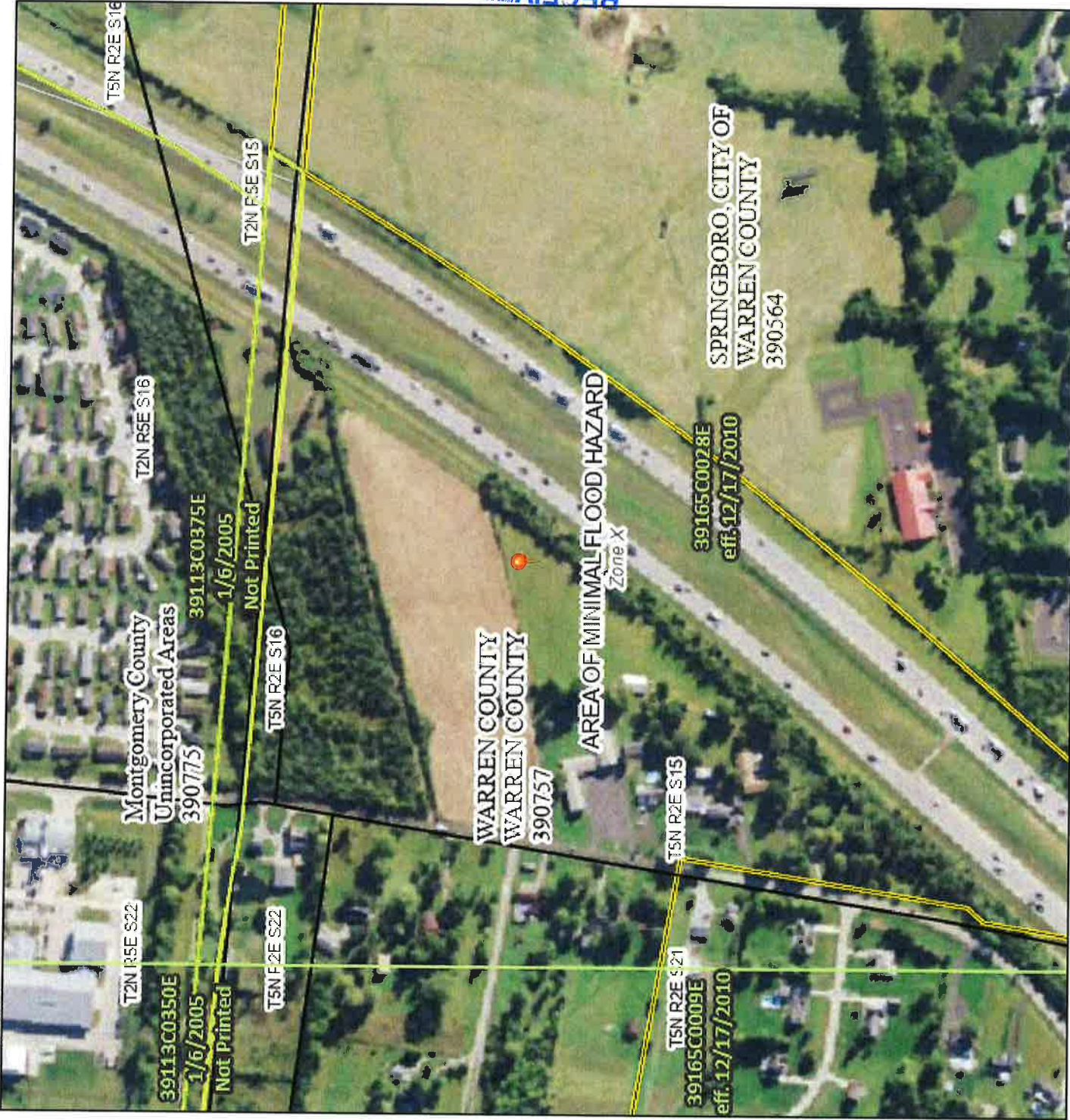
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# National Flood Hazard Layer FIRMette

84°15'5"W 39°35'19"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

	<b>SPECIAL FLOOD HAZARD AREAS</b>
	Without Base Flood Elevation (BFE) Zone A, V, AE9
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway
	0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes, Zone X
	Area with Flood Risk due to Levee Zone X
	Area of Minimal Flood Hazard Zone X
	Effective LOMRs
	Area of Undetermined Flood Hazard Zone X
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transsect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transsect Baseline
	Profile Baseline
	Hydrographic Feature
	Digital Data Available
	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/15/2024 at 4:21 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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OTHER FEATURES