

Warren County Regional Planning Commission

WARREN COUNTY ADMINISTRATION BUILDING
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STANLEY C. WILLIAMS, EXECUTIVE DIRECTOR

June 25, 2024

Mr. Jeff Palmer, Director of Planning and Zoning
Clearcreek Township Zoning Commission
7593 Bunnell Hill Road
Springboro, OH 45066

Dear Mr. Palmer:

This letter is regarding the proposed rezoning request for WPB Enterprises, LLC PUD Stage 1 in Clearcreek Township.

At its meeting on June 25, 2024, the Warren County Regional Planning Commission (RPC) Executive Committee recommended denial of the rezoning request to MU-PUD to the Clearcreek Township Zoning Commission with a vote of 9 aye, 1 nay, 1 abstain.

The rezoning is inconsistent with the Clearcreek Township Master Plan (FLUM). The applicant did not provide sufficient or any information about:

1. the location of the proposed uses (residential & commercial),
2. the maximum density that is proposed within the PUD, and
3. the amount and location of the common open space.

Also, a Concept Plan was not submitted, and the application lacks the required information of SEC. 13.05 (A)(1)(b) Zone Change Amendment Request/PUD Concept Plan Application & SEC. 13.05 (A)(2) Stage 1: PUD Objectives. Information necessary to determine if the application meets the Review Criteria of SEC. 13.05, 3.

However, the Committee supports a SR1 Planned Unit Development (PUD) that allows an additional non-residential use with PUD Standards and a Concept Plan.

The staff report is attached. Please contact this office if you have any questions regarding this recommendation.

Sincerely,

Stan Williams, AICP
Executive Director



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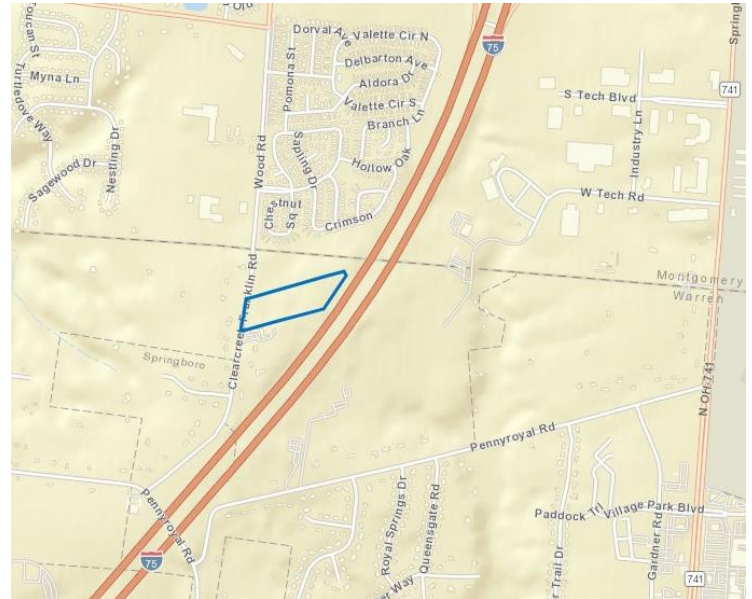


WARREN COUNTY REGIONAL PLANNING COMMISSION

MEETING DATE: July 25th, 2024
TO: WCRPC Executive Committee
FROM: Hadil Lababidi, Planner II
SUBJECT: **WPB Enterprises LLC PUD Stage 1, Rezoning Request “SR-1” to “MU-PUD”**

GENERAL INFORMATION

Property Owner: WPB Enterprises LLC
Site Address: 0 Clearcreek-Franklin Road
Township: Clearcreek
Parcel ID: 04-15-101-008
Total Site Area: 8.39 acres
Current Zoning: SR-1 Suburban Residence Zone
Proposed Zoning: MU-PUD Mixed-Use PUD Zone
School District: Springboro
Wastewater: On-site



PROPOSAL

The property consists of 8.39 acres and contains an existing barn structure, parking area, driveway, and an open space area. The applicant is proposing a zone change from Suburban Residence zone “SR-1” to Mixed-Use Planned Unit Development zone “MU-PUD” to allow for the storage of a limited number of commercial vehicles at the property (within the existing structure) for limousine service business operations. The proposed use is not permitted under the current “SR-1” zone. However, the proposed mixed-use PUD retains the permitted and conditional uses under the “SR-1” zone while also including a very limited expansion of commercial uses (See Exhibit A). The applicant also proposes to expand the existing barn by an additional fifty percent (50%). The applicant states that the following are the purposes for the rezoning:

- The intensity of the proposed use is significantly less than single-family residential.
- Business operations are limited to the storage of limousine service vehicles.
- Impact on community facilities (fire, police, and EMS) is negligible.
- No impact to schools.
- No office use on site.
- The property abuts I-75 and has remained undeveloped for residential developments for many years.
- The adjoining properties are not used for residential purposes. There is a church that abuts the site to the south.
- To the north, the adjacent property recently received PUD approval for a commercial use (store-and-lock facility).

History: In 2022, a zone change request for this property from Suburban Residence Zone “SR-1” to General Business Zone “B-2” was denied by the Township Trustees (The RPC Executive Committee also recommended denial of the rezoning request).

RECOMMENDATION

Recommend **denial** of the WPB Enterprises LLC Rezoning from SR-1 to MU-PUD to the Clearcreek Township Zoning Commission.

The rezoning is inconsistent with the Clearcreek Township Master Land Use Plan (FLUM). The applicant did not provide sufficient or any information, about:

1. the location of the proposed uses (residential & commercial),
2. the maximum density that is proposed within the PUD, and
3. the amount and location of the common open space.

Also, a concept plan was not submitted, and the application lacks the required information of SEC. 13.05(A)(1)(b) Zone Change Amendment Request/PUD Concept Plan Application & SEC. 13.05(A)(2) Stage 1: PUD Objectives. Information necessary to determine if the application meets the Review Criteria of SEC. 13.05, 3.

Recommendations:

1. Prior to the Clearcreek Township Zoning Commission review, the applicant should submit an update application that includes all the application requirements within SEC. 13.05(A)(1)(b) Zone Change Amendment Request/PUD Concept Plan Application.
2. Prior to the Clearcreek Township Zoning Commission review, the applicant should submit an update application with sufficient information to determine if the application complies with the following review criteria:
 - The intensity proposed for the PUD does not exceed the maximum density or lot coverage allowed for the PUD as a whole.
 - 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 another agency as herein provided.

STAFF ANALYSIS

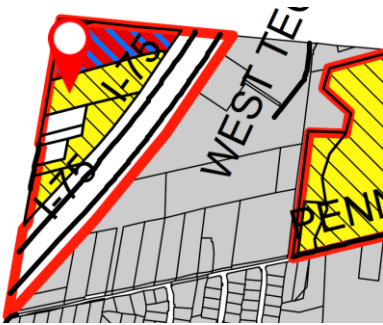
Zoning:



Clearcreek Township, the City of Springboro, and Warren County zone the surrounding parcels for residential uses. However, the adjacent property, to the north, received approval for a rezoning request to Non-Residential PUD (NR-PUD), on August 8, 2022 (Resolution # 5380). The primary use of the majority of the neighboring properties is residential. There is also an existing church directly south of the property. The proposed rezoning would allow a wide range of business uses, listed in the permitted uses table below. The intensity of the uses may not be compatible with the residential character of the area and conflicts with to surrounding uses. Moreover, the applicant does not specify the location of the proposed uses (residential & commercial), the maximum density that is proposed within the PUD, and the amount and location of the common open space. Also, no concept plan was submitted with the application.

Zoning	SR-1 (Current)	MU-PUD (Proposed)
Front Yard Setback	50 Feet	Not provided
Side Yard Setback	10 Feet	Not provided
Rear Yard Setback	40 Feet	Not provided
Lot Frontage	100 Feet	Not provided
Minimum Lot Size	1 Acre	Not provided

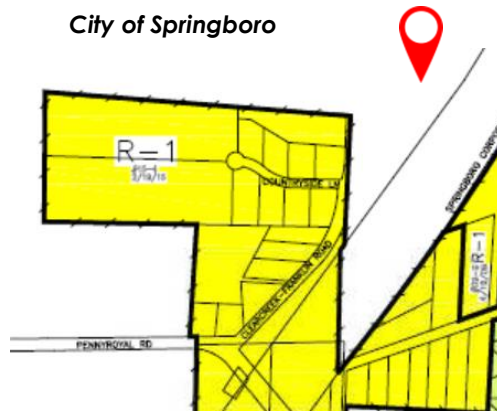
Current Zoning

Clearcreek Township



-  (SR-1) Suburban Residence
-  (NR-PUD) Non-Residential PUD



City of Springboro






-  (R-1) Estate-Type Residential

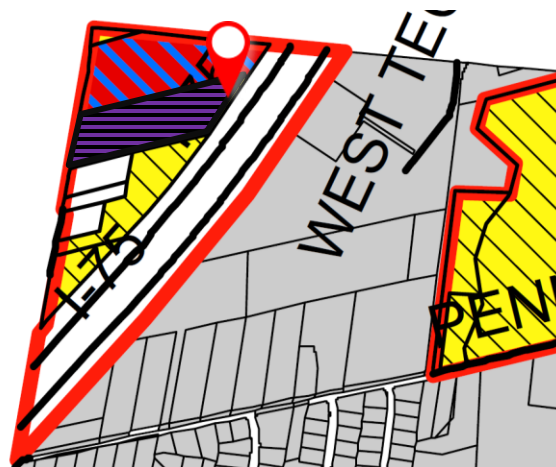
Warren County



-  (R1B) SF Residential (1-acre) with Interstate PUD Overlay
-  (B2) Community Commercial

Proposed Zoning

-  (SR-1) Suburban Residence
-  (NR-PUD) Non-Residential PUD
-  (MU-PUD) Mixed-Use PUD



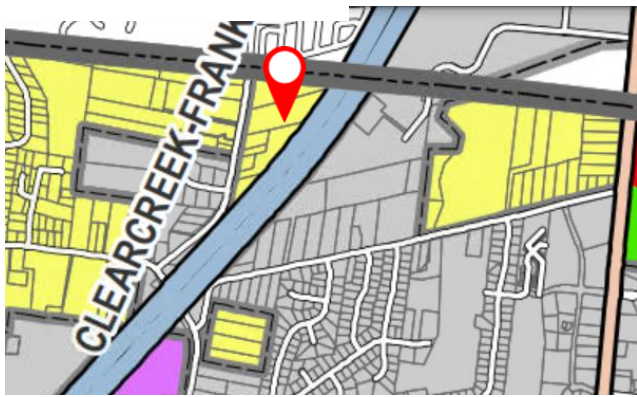
Uses Comparison:

Suburban Residence Zone (SR-1) - Current	Mixed-Use PUD Zone (MU-PUD) - Proposed
Single Family Dwellings	Clubs & Lodges
Home Occupation	Administrative Business & Professional Offices
Fire House	Medical & Dental Offices and Clinics
Publicly Owned & Operated Facilities	Daycare, Bed and Breakfast
Temporary or Permanent Building for Weather Protection	Private Storage Garage, Limousine Service, Warehouse
Schools (Public & Private)	Animal Hospital, Vet Clinic, Kennels
Hospitals & Institutions of an Educational & Religious Nature	Parking Lot for Passenger Vehicles (Limousines, Vans & Buses)

Consistency with the Comprehensive Plan:

The Clearcreek Township Future Land Use Map designates the subject site and surrounding properties as Suburban Residential. Furthermore, the Warren County Comprehensive Plan illustrates the area as Single Family Residential. The proposed rezoning to commercial is inconsistent with both Clearcreek Township and Warren County's future land use plan (Comprehensive Plan).

Warren County FLUM



Clearcreek Township FLUM



Thoroughfare Plan

The subject site has 355 feet of road frontage along Clearcreek-Franklin Road. Clearcreek-Franklin Road is a two-lane undivided roadway. Each travel lane is approximately 10 feet wide; 60 feet of right-of-way; and the roadway lacks shoulders. The Thoroughfare Plan designated Clearcreek-Franklin as a Local Road.

“Local roads and streets are predominately intended to provide access for land uses that are located along them, such that through-traffic movement is often discouraged. Therefore, they are not usually considered as thoroughfares in a network unless location and travel warrants upgrading and connection with other thoroughfares.”



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; Schools, public and private, from nursery schools (pre-school) through colleges having curriculum equivalent to public school curricula; Religious institutions; Hospital and Institutions of an educational, religious, charitable or philanthropic nature; Rest Homes; Nursing Homes or Convalescent Homes; and Telecommunication Towers.

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, limousine, passenger vehicles, boats and RV); 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).

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.