

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning

Report Date: Original Date December 9, 2025, Updated Date June 29, 2026

Zoning Commission Meeting Date: January 5, 2026

Applicant: David Montgomery (Pickrel Schaeffer and Ebeling) agent for WPB Enterprises LLC, (Orville Wright)

Property Identification: Clearcreek Franklin Rd (Wood Road), parcel number 04-15-101-008

Zoning: Mixed-Use Planned Unit Development “MU-PUD”

Acreage: 8.39 acres per Stage 1 Approval

Requested Action: Stage 2 PUD Review of Phase 1, a Sub-Area of Commercial and Residential Section

Attached: Location Map, Application, Narrative, Agent Letter, Preliminary PUD Site Plan, Trustee Resolution 5540, Stage 1 Concept Plan, Stage 1 Photos, Warren County Auditor’s Website Property Photos, Updated Preliminary PUD Site Plan (received 6-18-26) and Updated Documents (received 6-18-26).

On October 14, 2024, the Clearcreek Township Trustees via Trustee Resolution 5540 approved the zone change from Suburban Residence Zone “SR-1” to Mixed-Use Planned Unit Development “MU-PUD” with eleven (11) conditions.

*On January 5, 2026 the Zoning Commission held their public meeting to consider the MU-PUD Stage 2 request. The Zoning Commission moved to APPROVE the MU-PUD Stage 2 Preliminary Site Plan with fourteen (14) conditions based upon comments from the public and the applicant. To address missing information regarding the location of the utility easement on the parcel, the Zoning Commission required updated site plans be submitted to staff for review prior to requesting a Trustee public meeting. **This updated information was submitted on June 18, 2026.***

Review of Application:

13.05(B)(1) Stage 2: Process Steps:

(a) Step S2.1 – 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).

Staff Comments: The information has been submitted.

- (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).

Staff Comments: The information has been submitted

- (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.

Staff Comments: The information has been submitted

- (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.

Staff Comments: The information has been submitted. See Updated Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- b) A topographic map showing final elevations with intervals of not more than 2 feet of elevation.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheet 1 (received 11-20-25).

- c) A professionally prepared PUD Preliminary Site Plan including the following information:

- 1) Title of drawing including name and address of applicant.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- 2) North point, scale, and date.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- 3) Boundaries of the property plotted to scale.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- 4) Existing water courses.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- 5) A PUD Preliminary Site Plan showing:

- i. Location of all proposed use(s), including building types, heights, materials, and architectural designs.

Staff Comments: The information has been submitted. See Updated Documents (received 6-18-26), Narrative (received 11-20-25), Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26), Stage 1 Concept Plan and Stage 1 Existing Structure Photos.

Additional Staff Comments:

- *The PUD is comprised of two (2) sections:*
 - *Preliminary PUD Site Plan Sheet 2 (received 6-18-26) provides data in a table for the entire site area.*
 - *The total acreage for the parcel is 8.39 gross acres.*
 - *The current and future road right-of-way (ROW) is depicted as .29 acres.*
 - *After subtracting the gross acreage from the ROW, this yields the net acreage. The applicant has depicted this acreage to be 8.15 net acres. Staff calculated this area to be 8.10 acres.*

- *Residential Use only area:*
 - *2.88 gross acres, per Stage 1 Concept Plan and Trustee Resolution 5540.*
 - *The Stage 2 Preliminary PUD Site Plan Sheet 5 (received 6-18-26) identifies the area as 2.858 gross acres.*
 - *Staff calculated this area to be approximately 3.05 gross acres.*
 - *Staff calculated this area to be approximately 2.70 net acres.*
 - *It is unclear why this area has grown in acreage since the Stage 1 PUD approval.*
 - *Per the Preliminary PUD Site Plan Sheet 5 (received 6-18-26):*
 - *Depicts the open space for this area to be .71 acres.*
 - *This meets the minimum required open space for Phase 2 of the PUD.*
- *Commercial and Residential Use area:*
 - *5.37 gross acres, per Stage 1 Concept Plan and Trustee Resolution 5540.*
 - *The Stage 2 Preliminary PUD Site Plan Sheet 5 (received 6-18-26) identifies the area as 5.54 gross acres.*
 - *Staff calculated these areas to be approximately 5.43 gross acres.*
 - *Staff calculated these areas to be approximately 5.31 net acres.*
 - *It is unclear why this area has grown in acreage since the Stage 1 PUD approval.*
 - *Depicts the open space for Phase 1:*
 - *To be .53 acres required (the Phase 1 acreage was refined between the November 20, 2025 submittal and the June 18, 2026 submittal. The acreage of Phase 1 decreased.*
 - *This meets the minimum required open space for Phase 1.*
 - *To be 1.27 acres provided.*
 - *Staff was only able to calculate approximately 1.08 acres of open space.*
 - *Depicts the open space for Phase 3:*
 - *To be .86 acres required.*

- ***This meets the minimum required for open space for Phase 3.***
 - ***Staff was only able to calculate approximately .712 acres of open space.***
- *This application only deals with Phase 1, a subarea of the Commercial and Residential Use area plus the area for a sign in Phase 3:*
 - *Continued use of Limousine Service, Private Storage Garage, Expansion of Existing Structure (50%) as approved in Trustee Resolution 5540.*
 - *The Stage 2 Preliminary PUD Site Plan Sheet 2 (received 6-18-26) depicts the Phase 1 request to be 2.09 gross acres.*
 - ***Staff calculated this area to be approximately 2.153 gross acres.***
 - *In this request:*
 - *The Stage 2 Preliminary PUD Site Plan Sheets 2 & 3 (received 6-18-26) identifies the acreage of access, parking, existing structure and future addition to be included in the total imperious area.*
 - *This area is identified as .89 acres in size.*
 - *The Access Drives (existing gravel access, parking and future building area) are identified to be .79 acres.*
 - *The Building Floor Area (existing building) is identified to be .10 acres.*
 - ***Staff calculated the imperious area to be approximately .95 net acres, or approximately 1.07 gross acres.***
 - *Access drive calculated to approximately 33,541.20 sq. ft. or .77 net acres.*
 - *The access drive in the ROW calculated to approximately 5,227.20 sq. ft. or .12 acres in size.*
 - *The proposed parking area calculated to 1,476 sq. ft. or .03 acres in size.*
 - *The existing building is identified as 4,368 sq. ft. or .10 acres in size.*
 - *The proposed future building expansion is identified as 2,184 sq. ft. or .05 acres in size.*
 - *The Stage 2 Preliminary PUD Site Plan Sheet 5 (received 6-18-26) identifies the open space for Phase 1 to total 1.27 net acres.*

- *Based upon the starting size of 2.09 gross acres, 1.27 acres calculates to 61% of the acreage of Phase 1.*
- ii. Location of all impervious surfaces for non-residential building areas, parking and truck loading areas, as well as all ingress and egress drives.

Staff Comments: The information has been submitted. See Narrative, Updated Documents (received 6-18-26), Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26). See Section 13.05(B)(1)(4)(c)(5)(i) above.

- *The existing building exceeds the minimum front, side and rear yard setbacks for the MU-PUD. The proposed building expansion will also exceed the side yard and rear yard setbacks.*
- *The parking space size is proposed to be 9'x18' or 162 sq. ft. in size.*
 - *Section 3.58 of Clearcreek Township Zoning Resolution establishes the minimum size of parking lot space to be 180 sq. ft.*
 - *Clearcreek Township Zoning Resolution Section 16.02 doesn't identify parking required for a private storage garage or limousine service.*
 - *The applicant has stated that this property will only be accessed by the owner and employees, and no member of the public will access the site. Based upon the former, the reduction of space size seems appropriate.*
 - *As long as the nine (9) parking spaces meet the needs of the owner, staff is good with the quantity. Gravel is an acceptable parking lot material per Clearcreek Township Zoning Resolution 16.05 (B) for this quantity of parking spaces.*

- iii. Location and proposed development of all open spaces/recreation areas.

Staff Comments: The information has been submitted. See Narrative, Updated Documents (6-18-26), Warren County Auditor's Website Property Photos, Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26) and Section 13.05(B)(1)(4)(c)(5)(i) above.

- *Properties with a straight zoning classification are required to provide a perimeter buffer along the common boundary with a less intense zoning classification. In PUDs, the perimeter buffer is required to screen the PUD use from the adjoining use.*
 - *Clearcreek Township Zoning Resolution Section 17.06(D) Option 4 is a guideline to determine what vegetation requirements/credit would exist in a perimeter buffer that is 15' in width. Seven (7) trees and 33 shrubs would be required per every 100' of parcel length.*
 - *Southern property line length for Phase 1 is approximately 741' total (701.56' not in ROW).*
 - *During the Zoning Commission Meeting, the location of utility easement was discussed, but the location was not clarified on a*

site plan. The Zoning Commission, in their recommendation, did not require a southern buffer because of the represented conflict of location with the utility. The Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26) depicts the location of the utility easement.

- *Placing vegetation in the utility easement places it, subject to removal by the utility company. The applicant has placed some vegetation in this area at his own risk.*
 - *Streetscape buffers are required for straight zoning classification parcels when the speed limit of the road is 35 MPH or greater. The streetscape buffer is located parallel to the frontage of the parcel.*
 - *Preliminary PUD Site Plan Sheet 4 depicts the need to comply with Section 17.06(1)(B) of the Clearcreek Township Zoning Resolution for the required Streetscape Buffer.*
 - *Applicant has provided four (4) trees south of the access drive and out of the utility easement.*
 - *The lot frontage for Phase 1 is along Clearcreek Franklin (Wood) road and has a width of 148.04’.*
 - *The existing structure is setback 343’ from the ROW.*
- iv. Location and proposed development of all amenities, maximum square footage of impervious surfaces identified.

Staff Comments: The information has been submitted. See Narrative, Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- *Open space and a streetscape buffer are the only amenities proposed for Phase 1.*

- v. Location of non-residential outdoor storage.

Staff Comments: This is not applicable to this MU-PUD.

- vi. A grading plan.

Staff Comments: The information has been submitted. See Narrative, Stage 2 Preliminary PUD Site Plan Sheet 1 (received 11-20-25).

- *The topography is not proposed to change for Phase 1. The range for this area runs from 948’ to 958’.*
- *At the time of the report, Warren County Engineer’s Office and Warren County Soil and Water Conservation have not commented on the plan.*

- vii. Location of existing or proposed site improvements including: drains, culverts, retaining walls, and fences.

Staff Comments: The information has been submitted. Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- *No proposed drains, culverts, retaining walls or fences are proposed in Phase 1.*

- viii. Location of existing trees or landscape buffers.

Staff Comments: The information has not been submitted.

- *Preliminary PUD Site Plan Sheet 4 depicts existing vegetation along the northern boundary of the PUD. Credit was given to the northern property during their “NR-PUD” Stage 2 approval.*

ix. Location of proposed trees or landscape buffers.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheet 4 (received 6-18-26).

- *Four (4) evergreen trees that are six (6) feet in height at the time of installation are proposed.*

x. Description of sewage disposal and location of such facilities.

Staff Comments: See Narrative (received 11-20-25) and Stage 2 Preliminary PUD Site Plan Sheet 3 (received 6-18-26).

xi. Location and size of all signs.

Staff Comments: The information has been submitted. See Narrative, Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- *Two signs are proposed as part of Phase 1:*
 - *One (1) freestanding sign is proposed along Clearcreek Franklin (Wood) Road north of the entrance to Phase 1.*
 - *This is identified as having a sign face of 48 sq. ft. and a minimum setback of 10’.*
 - *One (1) freestanding sign is proposed along I-75, east of the boundary of Phase 1 in the Phase 3 area of the Commercial and Residential Section of the MU-PUD.*
 - *The maximum sign face for a non-residential sign is 48 sq. ft.*
 - ***A schematic of the signs have not been provided.***

xii. Location and design of street and parking lighting.

Staff Comments: See Updated Documents (received 6-18-26), Preliminary PUD Site Plan Sheets 3 (received 6-18-26): “The lighting will be located on both the east and west ends of the building. Lighting fixtures Type III with a 30x40 throw line. Light fixtures to match submittal package.”

- *The cutoff angles have not been declared but the light is contained to the parcel.*

d) A drawing showing all soil types and their classifications.

Staff Comments: The information has been submitted. See Stage 2 Preliminary PUD Site Plan Sheet 1 (received 6-18-26).

- *XeUB, RvB, MmC3 are present on the site.*
- *At the time of the report, Warren County Engineer’s Office and Warren County Soil and Water Conservation have not commented on the plan.*

- e) A drawing showing aircraft patterns and seasonal wind directions. Areas of possible noise and odor pollution on or off site shall be indicated.

Staff Comments: The information has not been submitted.

- *The existing aircraft pattern of KMGY/Dayton/Wright Brothers Airport is located east of this parcel. This Airport is located at the southeastern corner of State Route 741 and Austin BLVD.*

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.

Staff Comments:

- *The continued use of Limousine Service, Private Storage Garage, Expansion of Existing Structure (50%) as approved in Trustee Resolution 5540 comply with the Stage 1 Approval.*
 - *The Stage 2 Preliminary PUD Site Plan Sheets 3 & 4 (received 6-18-26) depicts the expansion of the structure to increase in width from 39' to 40'.*
 - *Per Sheet 3: "Additional one foot expansion for architectural reasons to better match standard building materials and conform to existing building façade."*
 - *This increases the size of the structure an additional 56 sq. ft., which increases the expansion to 51% of the existing structure.*
- *Trustee Resolution 5540 identifies the list of permitted uses for the Mixed-Use PUD shall be: All Suburban Residence Zone "SR-1" Permitted Uses. Religious Institutions and Telecommunication Towers. Private Storage Garage. Limousine Service. Warehouse (only for cars, limousines, passenger vehicles, vans, boats and RVs). Ancillary buildings and structures, either temporary or permanent incidental to the permitted use. Any other residential and non-residence permitted above, but not otherwise defined by the Zoning Resolution, as determined by the Clearcreek Township Zoning Inspector.*

- (2) The exact locations, types, heights, materials, and designs of such uses are identified.

Staff Comments: The building plans for the expansion of the structure have not been submitted. See Sections 13.05(B)(2)(2) above.

- (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.

Staff Comments: This is not applicable to Phase 1.

- (4) The maximum density or intensity permitted within the PUD is identified.

Staff Comments: The intensity meets the Stage 1 approval. See Narrative, Updated Documents (received 6-18-26), Stage 2 Preliminary PUD Site Plan Sheets 1-5 (received 6-18-26).

- (5) The amount and exact location of open space/recreation areas are defined.

Staff Comments: See Sections 13.05(B)(1)(4)(c)(5)(iii), 13.05(B)(1)(4)(c)(5)(iv), 13.05(B)(1)(4)(c)(5)(vii), 13.05(B)(1)(4)(c)(5)(viii), 13.05(B)(1)(4)(c)(5)(ix) above.

- (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.

Staff Comments: This is not applicable to Phase 1; no new roads or access drives are proposed with this section.

- (7) All impervious surfaces for non-residential building areas, parking, and truck loading areas with ingress and egress drives are identified.

Staff Comments: See Sections 13.05(B)(1)(4)(c)(5)(ii), 13.05(B)(1)(4)(c)(5)(iv), 13.05(B)(1)(4)(c)(5)(vii), 13.05(B)(1)(4)(c)(5)(viii), 13.05(B)(1)(4)(c)(5)(ix) above.

- (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.*

Staff Comments: The timing of the installation of the streetscape buffer hasn't been specified. See Sections 13.05(B)(1)(4)(c)(5)(iii), 13.05(B)(1)(4)(c)(5)(iv), 13.05(B)(1)(4)(c)(5)(vii), 13.05(B)(1)(4)(c)(5)(viii), 13.05(B)(1)(4)(c)(5)(ix) above.

- (9) The exact location and size of all signage are identified.

Staff Comments: Two (2) freestanding signs have been proposed for the development. See 13.05(B)(1)(4)(c)(5)(xi) above.

- (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.

13.05(B)(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.

The applicant states in the Narrative (received 11-20-25): "The spirit and intent of the approved MU-PUD resolution is met with the submitted Preliminary Site Plan."

Staff Comments:

- *After the Board of Trustees discussion of the request, any items that do not meet the standards outlined in the Clearcreek Township Zoning Resolution should be identified and be part of the approval motion.*

- (b) The PUD Preliminary Site Plan is consistent with the Clearcreek Township Master Land Use Plan.

The applicant states in the Narrative (received 11-20-25): “Such determination was made at the time the property was rezoned to MU–PUD and the associated Concept Plan. Consistent with that zoning the Applicant self-imposed multiple conditions on the PUD to ensure limited impact on surrounding properties. The property is located as a transition between the adjacent commercial storage facility and the conditional use – church / religious institution. The Phase 1 of the overall development for which this Application relates to, is all pre-existing and as such the site plan only enhances the overall site to be in conformance with the Zoning Resolution for the pre-existing use.”

Staff Comments:

- *The 2005 Master Land Use Plan predominately focused on guiding residential growth in the Township.*
- *The Zoning Commission rationale for the recommendation to approve the Stage 1 MU-PUD request was: Although the Master Land Use Plan doesn’t support the use to change out of a residential use, the property to the north is commercially zoned and the property to the south is being used as a church. Since the request is located between these two non-residential uses, the Zoning Commission doesn’t consider the request spot zoning. The community has come out to support the request.*

- (c) The intensity proposed for the PUD Preliminary Site plan does not exceed the maximum density allowed for the PUD as a whole.

The applicant states in the Narrative (received 11-20-25): “The proposed density on the PUD Preliminary Site Plan relates specifically to Phase 1 of the overall development. As discussed during the rezoning Stage 1, the use and intensity and density in relation to this application all tie to the current existing facilities and structures at the property. There is a proposed addition onto the rear east side of the building which is consistent with the Concept Plan. The addition of a small area for signage adjacent to I-75 at the eastern edge of the property does not impact the overall density as permitted by the PUD.”

Staff Comments: This is in compliance, see Section 13.05(B)(1)(4)(c)(5)(i) above.

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

The applicant states in the Narrative (received 11-20-25): “As discussed during the Stage 1 rezoning application process, this PUD was created so as to allow the existing use of the property being that of warehousing in relation to a limousine service to remain intact. The Township will recall there was strong community support for the approval of the rezoning and by virtue of the rezoning it was determined that the permitted uses approved therewith would not be detrimental to the Township and surrounding area. Phase 1 of the development, as described throughout this Application, relates specifically to the current as-built phase and the existing structures on the property at the time of rezoning and the addition of a small area adjacent to I-75 for signage. The Preliminary Site Plan provides additional landscaping and other enhancements to the overall site which would further mitigate any impact on surrounding property owners.”

Staff Comments: This streetscape and perimeter buffers have been impacted by the utility easement. See Sections 13.05(B)(1)(4)(c)(5)(iii), 13.05(B)(1)(4)(c)(5)(vii) and 13.05(B)(1)(4)(c)(5)(ix).

- (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.

The applicant states in the Narrative (received 11-20-25): "As noted, the proposed drive within Phase 1 of the development to which this Application relates, is an existing drive for the existing use within Phase 1. Accordingly, it has been established there is compliance and connectivity compliance in relation to regulations tied to the project development and the adjacent public thoroughfare. There are no internal roads other than the existing drive aisle being proposed for this phase of the development."

Staff Comments: This is not applicable for Phase 1, since no new roads are proposed.

- (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.

The applicant states in the Narrative (received 11-20-25): "Phase 1 relates to the existing use of the property in the as-built portion thereof. There is no increased intensity of use and there is no need for integrated roadways to adjacent parcels or within the master parcel tied to future phases. As shown on the attached Preliminary Site Plan, there is vehicular access around all four sides of the existing structure and use of the existing driveway will remain intact in its current form."

Staff Comments: See Section 13.05(B)(3)(e) above.

- (g) The arrangement, location, appearance, and sufficiency of off-street loading are adequately designed.

The applicant states in the Narrative (received 11-20-25): "Yes, adequately designed and all activities will take place adjacent to or in immediate vicinity of the existing structure on the property. As discussed above, the intensity of use is very limited as to Phase 1 as the same will consist of vehicles stored at the property and drivers of those vehicles coming to and from the property for purposes of conducting the limousine business. There are no employees that remain on site other than to pick up a commercial vehicle and leave the property upon the use of that vehicle no longer being needed. In relation to the limousine service, the parking area around the building in addition to the drive aisle are proposed to remain with our current materials and in their current form as there have not been any issues with the same or complaints from the surrounding community, as such use has existed on the property for a period of time prior to this Application. Parking stalls as shown are 9' x 18'."

Staff Comments: See Section 13.05(B)(1)(4)(c)(5)(ii) above.

- (h) The management of storm water, erosion control, and sanitary disposal facilities are adequately designed and avoid flood hazard areas.

The applicant states in the Narrative (received 11-20-25): “All of these issues that are applicable to the property, have been addressed with either site grading or on site controls. As shown on the site plan there is a significant amount of pervious area and open space within not only Phase 1, but within the overall area of the development. As this Application deals specifically with the as built portion of the site, even with the proposed expansion of the building as shown in the attached drawings, the same does not detrimentally impact open space, previous surface calculations or similar aspects of the overall project. As there is no restroom, office or other type of business operations included within the interior of the building, the building currently does not have sanitary need or facilities.”

Staff Comments: Preliminary PUD Site Plan Sheet 3 identifies the potential location of a future septic system and leach field. At the time of this report, the Warren County Engineer and Warren County Soil and Water Conservation have not reviewed and commented on the plan.

- (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.

The applicant stated in the Narrative (received 11-20-25): As noted on the attached drawings, the open space calculations for Phase 1 and as included within the rezoning approval are being maintained. As this is a single user of Phase 1, the transfer of management responsibility for those open spaces to a homeowners’ association or similar entity is not warranted or applicable.

Staff Comments: Phase 1 has provided more open space than proportionately required. See Section 13.05(B)(1)(4)(c)(5)(iii) above.

- (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.

The applicant states in the Narrative (received 11-20-25): “The Applicant confirms that upon receipt of any agency review including those of Warren County, the state, or federal agencies, the Applicant will work with Township staff to adequately address the same.”

Staff Comments:

- ***Condition 9 of Trustee Resolution 5540 requires that a letter from the Warren County Engineer be submitted as part of the Stage 2 request addressing the need for a traffic impact analysis. The applicant’s engineer was in discussion with the Warren County Engineer prior to the submittal. I accepted the application but requested the letter be provided for the file as soon as it was received. As of the date of this report, that letter has not been submitted.***

- (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.

The applicant states in the Narrative (received 11-20-25): The Applicant is aware of the provisions and the same will be addressed, if necessary, at the appropriate time.”

Staff Comments: Chapter 1 summarizes the former:

SEC. 1.01 *To provide for the citizens of Clearcreek Township adequate light, pure air and safety from fire and other dangers, to conserve the value of land and buildings, to lessen or avoid congestion of traffic in the public streets and to promote the public health, safety, morals, comforts, conveniences and general welfare, all in accordance with the provision of **Section 519 of the Ohio Revised Code.***

SEC. 1.02 *To protect the character and the stability of the residential, business and industrial areas within Clearcreek Township and to promote the orderly and beneficial development of such areas.*