

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning
Report Date: Original Date August 2, 2023, Updated September 18, 2023
Zoning Commission Meeting Date: October 2, 2023
Applicant: Amanda & Nathan Ramsey
Property Identification: 4023 SR 48 (08-04-476-004)
Zoning: Mixed Use Planned Unit Development “MU-PUD”
Acreage: 23.119 acres

Requested Action: Stage 2 PUD Review

Attached: Trustee Resolution 5412, Application & Narrative, Soil Map, Letter from Warren County Health District, Information from Clear Creek Environmental regarding the waste water proposal, Letter from the Ohio Department of Transportation, Architectural Drawings for Barndominium/Single-Family Dwelling, Rendered Building Elevations for the single-family dwelling, Architectural Drawings for the Barn/Warehouse, Preliminary Site Plan (Stage 2 PUD), Drone photos of the site, December 14, 2022 updated narrative submittal, November 30, 2022 Concept Plan, March 7, 2023 Staff Updated Concept Plan, Updated Preliminary Site Plan (Stage 2 PUD) 8-28-2023.

On March 13, 2023, the Clearcreek Township Trustees via Trustee Resolution 5412 approved the zone change from Open Space Rural Residence Zone “OSR-1” and Residence Zone “R-1” to Mixed-Use Planned Unit Development “MU-PUD” for the Clearcreek Township property with 18 conditions. This zone change allows the property to be used for a one (1) single-family dwelling, one (1) swimming pool, two (2) residential accessory structures and one (1) warehouse/production building (limited to monument material storage, equipment storage and “light work” (etching and engraving). Laser etcher and an indoor sandblast engraving booth are the maximum intensities of production.

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: Upon initial review, this information appeared to be submitted. Staff has found that the Stage 2 submittal lacked a complete lighting plan, signage plan, landscape and buffer plan, screening plan, construction material list for the barndominium, construction material list for the barn/warehouse/production

building, construction drawings for the swimming pool, pool house and residential barn.

(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 Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- 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 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- 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 PUD sheet 1 of 2 Updated Preliminary Site Plan (Stage 2 PUD sheet 1 of 2) 8-28-2023.

- 2)** North point, scale, and date.

Staff Comments: The information has been submitted. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- 3)** Boundaries of the property plotted to scale.

Staff Comments: The information has been submitted. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- 4)** Existing water courses.

Staff Comments: The information has been submitted. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- 5)** A PUD Preliminary Site Plan showing:

- i.** Location of all proposed use(s), including building types, heights, materials, and architectural designs. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023, Barndominium Design for Ramsey's Family 7 pages, Rendered Building Elevations for single-family dwelling, Architectural Drawings for the Barn/Warehouse.*

Staff Comments:

- *The Stage 2 PUD preliminary plan sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts five (5) structures for the property:*
 - *One (1) Non-Residential Structure:*
 - *Barn/warehouse/production building:*
 - *Trustee Resolution 5412, Condition 2, Stage 1 approval:*
 - *Maximum size for warehouse/production building as identified on November 30, 2022 concept plan was 5,000 sq. ft. building area.*

- *Building area is typically calculated to be the square footage of the ground floor of the structure for space contained between exterior walls.*
 - *Structure was identified to be 50'x100' (5,000 sq. ft).*
 - *No porches were identified to extend the footprint of the structure.*
 - *Ramsey's Barn Drawing:*
 - *The cover page identifies the total covered area to be 5,789 sq. ft.*
 - *The cover page identifies the Main floor to be 955 sq. ft.*
 - *The cover page identifies the Garage to be 3,879 sq. ft.*
 - *The cover page identifies the Covered Porch to be 2,310 sq. ft.*
 - *From the cover page, staff calculated the building area to be 4,834 sq. ft. (main floor and garage).*
 - *From the drawings, staff calculated the building area to be 5,000 sq. ft. (main floor and garage).*
 - *From the cover page, staff calculated the footprint of the structure to be 7,144 sq. ft. (main floor, garage, covered porches and overhang).*
 - *From the drawings, staff calculated the footprint of the structure to be 7,310 sq. ft. (main floor, garage, covered porches and overhang).*
 - *The proposed non-residential structure exceeds the minimum one hundred (100) foot setback from all property lines/road right-of-way as required by Trustee Resolution 5412, Condition Number 13.*
- *Four (4) residential structures:*
 - *Single Family Dwelling:*
 - *Trustee Resolution 5412, Condition 2, Stage 1 approval:*
 - *Maximum size for single family dwelling and two (2) residential accessory buildings as identified on November 30, 2022 concept plan was 9,700 sq. ft.*
 - *Building area is typically calculated to be the square footage of the ground floor of the structure for space contained between exterior walls.*
 - *Structure was identified to be 40'x80', 40'x100' (7,200 sq. ft.).*

the structure for space contained between exterior walls.

- *Pool area was identified to be 40'x80' (3,200 sq. ft.).*

- *Trustee Resolution 5412, Condition 17, Stage 1 approval:*
 - *The residential structures for the property will be required to have Clearcreek Township Zoning Staff review and approval. Residential Structures are not required to procure Stage 3 PUD approval from the Zoning Commission.*

- ***No drawings were submitted for the pool.***

- *Pool House:*

- *Trustee Resolution 5412, Condition 2, Stage 1 approval:*
 - *Maximum size for single family dwelling and two (2) residential accessory buildings as identified on November 30, 2022 concept plan was 9,700 sq. ft.*
 - *Building area is typically calculated to be the square footage of the ground floor of the structure for space contained between exterior walls.*
 - *Pool house was identified to be 25'x40' (1,000 sq. ft.).*
- *Trustee Resolution 5412, Condition 17, Stage 1 approval:*
 - *The residential structures for the property will be required to have Clearcreek Township Zoning Staff review and approval. Residential Structures are not required to procure Stage 3 PUD approval from the Zoning Commission.*

- ***No drawings were submitted for the pool house.***

- *Residential Barn*

- *Trustee Resolution 5412, Condition 2, Stage 1 approval:*
 - *Maximum size for single family dwelling and two (2) residential accessory buildings as identified on November 30, 2022 concept plan was 9,700 sq. ft.*
 - *Building area is typically calculated to be the square footage of the ground floor of the structure for space contained between exterior walls.*
 - *Residential barn was identified to be 30'x50' (1,500 sq. ft.).*
- *Trustee Resolution 5412, Condition 17, Stage 1 approval:*

- *The residential structures for the property will be required to have Clearcreek Township Zoning Staff review and approval. Residential Structures are not required to procure Stage 3 PUD approval from the Zoning Commission.*
 - **No drawings were submitted for the residential barn.**
 - *All proposed residential structures exceed the minimum setbacks for the Open Space Rural Residence Zone “OSR-1” as required by Trustee Resolution 5412, Condition Number 12.*
- ii. Location of all impervious surfaces for non-residential building areas, parking and truck loading areas, as well as all ingress and egress drives. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

Staff Comments:

- *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023, depicts the existing gravel driveway that currently leads to the future barn/warehouse/production building.*
 - *Staff calculated the existing entrance to be 30’ wide by 40’ in length (1,400 sq. ft.).*
 - *Staff calculated the existing driveway to be 10’ wide by 900’ in length (9,000 sq. ft.).*
 - ***Staff was unable to determine if the existing driveway will be increased in width.***
 - ***Staff was unable to determine if the existing driveway materials are planned to be upgraded from gravel.***
- *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts the proposed driveway/loading area for the barn/warehouse/production building.*
 - *Staff calculated the proposed driveway/loading area to be 30’ wide by 140’ in length (4,200 sq. ft.).*
 - ***Construction materials have not been specified.***
 - *Per Section 16.06 (B) or (C) one (1) loading space is required for a structure that is less than 20,000 sq. ft.*
 - *Per Section 16.06 (D) the loading space is required to be at least 10’ in width and twenty-five (25) feet in length.*
- *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts the proposed parking lots for the barn/warehouse/production building.*
 - *Staff calculated the proposed parking lot area to be 20’ wide by 50’ in length (1,000 sq. ft.).*
 - *The Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 specifies four (4) parking spaces.*

- **Construction materials have not been specified.**
 - *Per Section 16.02 of the Clearcreek Township Zoning Resolution, a minimum number of parking spaces have not been specified for the use of a barn/warehouse/production building.*
 - *If the use was viewed as similar to a printing or plumbing shop or similar service establishment there: One (1) parking space per each three (3) persons employed would be required.*
 - *If the use was viewed as similar to Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse or similar establishment: One (1) parking space per each two (2) employees on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith would be required.*
 - *The minimum size for a parking space is 180 sq. ft.*
 - *Based upon the proposed parking area, staff calculated that five (5) parking spaces could be established.*
 - *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts the proposed barn/warehouse/production building to be 50'x100' (5,000 sq. ft)*
 - *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts the proposed fenced storage area to be 50'x50' (2,500 sq. ft).*
 - *The potential impervious surface for the non-residential area including the driveway to SR 48 staff calculated to be 23,100 sq. ft. or .5303 acres.*
- iii. *Location and proposed development of all open spaces/recreation areas. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023, Drone photos of the site.*

Staff Comments:

- *The submitted Stage 2 PUD sheet 2 of 2 preliminary plan, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 depicts the total open space to be 6.30 acres or 274,428 sq. ft.*
- *Per Section 13.09 of the Clearcreek Township Zoning Resolution, the minimum open space is required to be 25% of the gross land area.*
 - *The site is 23.119 gross acres.*
 - *The minimum required open space is 5.78 acres (23.119x.25).*
 - *The plan depicts 6.30 acres of open space. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*
 - *The proposed open space is 27.25% of the gross acreage (6.30/23.119).*
 - *The proposed open space is 27.78% of the net acreage (excluding right-of-way only) (6.30/22.68)*

- **Staff calculates the open space to be 6.36 acres: a 4.09 acre area along the western rear property line, and a 2.27 acre 20’ strip along the northern, eastern and southern property boundaries. See Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.**
 - *Trustee Resolution 5412, Condition 16, Stage 1 approval:*
 - *Open space shall be added along the eastern property line of the property coincident with the road right-of-way. Vegetation screening shall be required around the boundary of the proposed non-residential use area (outdoor storage area and barn/warehouse). At a minimum the screens shall comply with Sections 17.06 C & E of the Clearcreek Township Zoning Resolution.*
 - *The proposed open space areas are identified as “Ex Woods” on Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023. Drone aerial photos have been provided to show the intensity of the vegetation.*
 - *A tree survey or minimum vegetation counts have not been provided to show compliance with Section 17.06 C.*
 - *A minimum of 19 trees are required on the eastern boundary of the non-residential area.*
 - *A minimum of 9 trees are required on the northern boundary of the non-residential area.*
 - *A minimum of 23 trees are required on the western boundary of the non-residential area.*
 - *A minimum of 9 trees are required on the southern boundary of the non-residential area.*
 - *Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) updated 8-28-2023 shows compliance with the parking lot buffer requirements of Section 17.06 E.*
 - *The minimum requirement of 27 shrubs has been shown.*

- iv. Location and proposed development of all amenities, maximum square footage of impervious surfaces identified. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

Staff Comments: No amenities are proposed for the PUD.

- v. Location of non-residential outdoor storage. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

Staff Comments: The only outdoor storage area that is proposed is adjacent to the western boundary of the barn/warehouse/production building. This area is specified to be fenced.

- *Trustee Resolution 5412, Condition 16, Stage 1 approval:*
 - *Open space shall be added along the eastern property line of the property coincident with the road right-of-way. Vegetation*

screening shall be required around the boundary of the proposed non-residential use area (outdoor storage area and barn/warehouse). At a minimum the screens shall comply with Sections 17.06 C & E of the Clearcreek Township Zoning Resolution.

- *Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 specifies that the fence will be 6' high and be solid wood.*
 - ***The applicant has specified that “Existing vegetation will serve as the required buffer for the lot perimeter and streetscape”.***
 - ***See text above: 13.05(B)(1)(5)(iii).***
 - *The proposed open space areas are identified as “Ex Woods” on Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023. Drone aerial photos have been provided to show the intensity of the vegetation.*
- vi. A grading plan. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

Staff Comments:

- *The existing topography for the site runs from 957' to 972'.*
 - *The existing topography for State Roue 48 runs from 957' to 960'.*
 - *The proposed topography for the barn/warehouse/production building is 965'.*
 - *The proposed topography for the Barndominium is 972'.*
 - ***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. *See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

Staff Comments:

- *The proposed pond has a 12'x22' overflow pipe that is located at the 959' contour.*
- *The spillway for the pond is proposed to be 20' in width and located at the 960' contour.*
- *The pond is proposed to be nine (9) foot deep (951 contour for base, 960' for spillway).*

- viii. Location of existing trees or landscape buffers.

Staff Comments: See Number iii above.

- ix. Location of proposed trees or landscape buffers.

Staff Comments: See Number iii above.

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

Staff Comments:

- *Per the July 13, 2023, Warren County Health District letter, the 5 bedroom house has been approved, but there is no mention of the barn/warehouse/production building in the approval. See Letter from Warren County Health District, Information from Clear Creek Environmental regarding the wastewater proposal.*
- *On July 26, 2023, staff spoke with Risa Stumbo. Ms. Stumbo confirmed that the system will accommodate the effluent from office restroom located in the barn/warehouse/production building.*

xi. Location and size of all signs.

Staff Comments:

- *Trustee Resolution 5412, Condition 14, Stage 1 approval:*
 - *Signage is allowed in conformance with Chapter 28 of the Clearcreek Township Zoning Resolution. The OSR-1 zoning classification will be used to determine the maximum size, type and location of signage.*
- *A 4'x6' (24 sq. ft.) sign is proposed to be located outside of the existing easement of road right-of-way but is in the Thoroughfare road right-of-way. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*
- *Signage is required to be located on private property, outside of the road right-of-way.*
- *The type of sign has not been identified.*
- *A sign schematic has not been provided.*

xii. Location and design of street and parking lighting.

Staff Comments:

- *No parking lot lights have been proposed.*
- *A wall light has been identified along the southern boundary of the barn/warehouse/production building. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*
- *Wall lights have been identified along the southern boundary and eastern boundary of the Barndominium and the eastern boundary of the residential barn. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*
- *No fixture information or mounted height have been provided.*
- *A lighting plan that shows photometrics has not been provided.*

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

Staff Comments: Applicant has provided a soil drawing. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- *Br Type "B/D" (Brookston Silt Clay Loam) and FhA Type "B/D" (Fincastle Silt Loam) 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: Applicant has indicated on Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 that no aircraft patterns exist for the parcel.

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.

Applicant states: “We are requesting the stage 2 approval so that we may construct a residence as well as a storage building for our Maggard Memorials business. The storage building will used during normal business hours, for storage of equipment and granite as well as, light production (i.e. etching, engraving) related to the memorial business. The retail business will remain in Lebanon at 19 N Sycamore St. There will be deliveries of granite possibly 2-3 times a month at the most, and some months no deliveries at all. With consideration and forethought, we would only schedule deliveries for after 9:00 am and before 5:00 pm.”

Clearcreek Township Trustee Resolution 5412 was approved on March 13, 2023 with 18 conditions:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one or the following conditions.

Staff Comments: No additional comment.

2. The site is limited to one (1) single family-dwelling, one (1) swimming pool, two (2) residential accessory structures, one (1) warehouse/production building (limited to monument material storage, equipment storage and “light work” (etching and engraving). Laser etcher and an indoor sandblast engraving booth are the maximum intensities of production), one (1) outdoor roofed and fenced storage area. The maximum sizes of structures for the former uses are identified on the November 30, 2022 concept plan.

Staff Comments: Stage 2 submittal complies with this condition in quantity. Please see text above: 13.05(B)(1)(5)(i) regarding the size comparisons.

3. Compliance with the Clearcreek Township Zoning Resolution and the PUD Stage 1 approval conditions SEC 13.05(A) (3).

Staff Comments: Stage 2 submittal complies with this condition.

4. Compliance with the Warren County Subdivision Regulations.

Staff Comments: Stage 2 has not yet been reviewed by the Warren County Regional Planning Commission.

5. The applicant shall submit all required documents outlined in SEC 13.05 (B)(1)(A)(4) at the time of the PUD Stage 2 application. The Zoning Commission brings the applicant’s attention to the need to provide plans for: An access, parking and loading plan, a lighting plan, a signage plan, a landscape and buffer plan, a screening plan for outdoor storage, a fencing plan, a drainage plan,

construction drawings for the residential structures and construction drawings for the warehouse structure.

Staff Comments: Stage 2 submittal lacked a complete lighting plan, signage plan, landscape and buffer plan, screening plan, construction material list for the barndominium, construction material list for the barn/warehouse/production building, construction drawings for the swimming pool, pool house and residential barn.

6. The applicant shall submit a stormwater management plan approved by the Warren County Engineer's Office prior to the PUD Stage 3 application.

Staff Comments: No additional comment.

7. The applicant shall submit a roadway access and improvement plan approved by the Ohio Department of Transportation prior to the PUD Stage 3 application. Prior to the submittal of the PUD Stage 2 application, a notification letter from the Ohio Department of Transportation determining if a traffic impact analysis is necessary is required. If a traffic impact analysis is required, it shall be done prior to PUD Stage 3 application. Internal circulation is reviewed by the Warren County Engineer's Office prior to the PUD Stage 3 application. Any additional road right-of-way required shall be dedicated at the time of a Final Plat.

Staff Comments: Stage 2 submittal complies with this condition.

8. The applicant shall submit the septic system plan(s) (single systems or a combined system) approved by the Warren County Health Department and/or the Ohio Environmental Protection Agency prior to the PUD Stage 2 application.

Staff Comments: Stage 2 submittal complies with this condition.

9. The building design, materials, and orientation shall be similar to the buildings illustrated in the December 14, 2022 submittal.

Staff Comments: The renderings of the structures are similar to the proposed photos found on page 1 and 2 of the December 14, 2022 updated narrative submittal. The list of construction materials have not been provided.

10. The following conditions are imposed to help the warehouse/production building and storage function like a "Home Occupation":
 - a. The use is compatible with other uses, maintains and preserves the character of the neighborhood and does not create a nuisance or detract from the residential function and tranquility.
 - b. No commercial display of materials, merchandise, or goods shall be allowed to be stored outside of the enclosed fenced storage area.
 - c. Once parking and loading has been approved for the PUD, no expansion of off-street parking shall be permitted.
 - d. The use does not produce offensive noise, vibration, smoke, dust, odors, lighting, electrical interference, radioactive emission, environmental pollution, or other nuisances.
 - e. Traffic generated by the warehouse shall not exceed the average daily volume normally expected for a residence in a residentially zoned neighborhood, which for the purpose of this section, equals up to ten (10) round trips per day.

Staff Comments: No additional comments.

11. Parking spaces and loading areas shall be screened. At a minimum the screens shall comply with Sections 17.06 C & E of the Clearcreek Township Zoning Resolution.

Staff Comments: See text above: 13.05(B)(1)(5)(iii).

12. The OSR-1 zoning classification shall be used as the reference zoning classification to determine the required setbacks for residential structures.

Staff Comments: Stage 2 submittal complies with this condition.

13. Non-residential structures shall have a minimum of a one hundred (100) foot setback from all property lines/road right-of-way.

Staff Comments: Stage 2 submittal complies with this condition.

14. Signage is allowed in conformance with Chapter 28 of the Clearcreek Township Zoning Resolution. The OSR-1 zoning classification will be used to determine the maximum size, type and location of signage.

Staff Comments: Stage 2 submittal complies with the size of signage allowed. Staff was unable to verify the type of signage. The sign is located in the Thoroughfare road right-of-way.

15. Operating hours for the non-residential use shall be limited to 9AM to 5 PM.

Staff Comments: Stage 2 submittal complies with this condition.

16. Open space shall be added along the eastern property line of the property coincident with the road right-of-way. Vegetative screening shall be required around the boundary of the proposed non-residential use area (outdoor storage area and barn/warehouse). At a minimum the screens shall comply with Sections 17.06 C & E of the Clearcreek Township Zoning Resolution.

Staff Comments: Details for the vegetation screening of the non-residential use has not been provided. See text above: 13.05(B)(1)(5)(iii).

17. The residential structures for the property will be required to have Clearcreek Township Zoning Staff review and approval. Residential structures are not required to procure Stage 3 PUD approval from the Zoning Commission.

Staff Comments: No additional comment.

18. The concept plan submitted by the applicant on March 7, 2023 was updated by staff to show a non-residential area of 1.99 acres. That updated plan (attached as Exhibit A to this Resolution) shall serve as the approved concept plan.

Staff Comments: No additional comment.

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

Staff Comments: The applicant has provided drawings for the barndominium, and barn/warehouse/production building, however the submitted drawings fail to identify the materials used for construction. It appears that metal siding, metal roofing, stone wrap and wood will be used. See Architectural Drawings for Barndominium/Single-Family Dwelling, Rendered Building Elevations for the single-family dwelling, Architectural Drawings for the Barn/Warehouse and December 14, 2022 updated narrative submittal.

- (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: A table has not been provided, however the Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 shows the uses for the site.

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

Staff Comments: The Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 shows the uses for the site. The intensity of the structures needs to be discussed by the Zoning Commission. See text above: 13.05(B)(1)(5)(i).

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

Staff Comments: Staff calculates the open space to be 6.36 acres, the Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023 represents the open space to be 6.30 acres.

- (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: The new driveway has been identified on the site plan. See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

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

Staff Comments: See text above: 13.05(B)(1)(5)(ii), Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- (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:

- *No amenities are proposed for the PUD.*
- *No phasing plan has been submitted for the PUD. See text above: 13.05(B)(1)(5)(iv), Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.*

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

Staff Comments: See text above: 13.05(B)(1)(5)(xi), Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) 8-28-2023.

- (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.

Staff Comments:

- *After the Zoning Commission 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.

Staff Comments:

- *The 2005 Master Land Use Plan predominately focused on guiding residential growth in the Township.*
- *The 2005 Master Land Use Plan states that commercial development should be nestled in the interior of a Planned Unit Development along a collector road or along an arterial road network that has design suitable for the intensity of use.*
- *The Zoning Commission rationale for the recommendation to approve the Stage 1 Mixed-Use request stated there was a small percentage of residential use, a small percentage of non-residential use and a large percentage of undeveloped land on the parcel. The one hundred (100) foot minimum setback for the non-residential structure pushed the structure west into the interior of the property. This request maintains the existing rural character.*
- *After the Clearcreek Township Trustees conducted their Public Hearing for the Stage 1 MU-PUD zone change request, they approved Trustee Resolution 5412. This action limited the site to one (1) single family-dwelling, one (1) swimming pool, two (2) residential accessory structures, one (1) warehouse/production building (limited to monument material storage, equipment storage and “light work” (etching and engraving). Laser etcher and an indoor sandblast engraving booth are the maximum intensities of production), one (1) outdoor roofed and fenced storage area. The maximum sizes of structures for the former uses are identified on the November 30, 2022 concept plan.*

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

Staff Comments: The Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2) shows the uses for the site. The intensity of the structures needs discussed by the Zoning Commission. See text above: 13.05(B)(2)(4).

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

Staff Comments: See text above, See Stage 2 PUD sheet 2 of 2, Updated Preliminary Site Plan (Stage 2 PUD sheet 2 of 2).

- ***The Zoning Commission needs to discuss the proposed phasing plan with regards to the impact of grading, construction and open space.***

- (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.

Staff Comments: A single point of access is proposed from SR 48 for the entire site. Per Dustin Williams' letter from ODOT, no traffic study will be required, a residential access permit will be required for the site.

- (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.

Staff Comments: See "e" above.

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

Staff Comments: Off-street loading will occur on private property, adjacent to the proposed barn/warehouse/production building.

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

Staff Comments: 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.

Staff Comments: See text above: 13.05(B)(1)(5)(iii)

- (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.

Staff Comments: The Warren County Regional Planning review will be forwarded after the September Executive Committee meeting.

- (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.

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.*