



Planned Unit Development (PUD) Stage 1 Zone Change Request

Application to the Zoning Commission
Clearcreek Township, Warren County

RECEIVED

JUN 01 2022

CLEARCREEK TOWNSHIP
ZONING DEPT.

Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Zoning Commission. The following information must be filled out in its entirety and accompanied by a fee of \$750.00 to validate the Stage 1 application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Application consents to a temporary sign being erected on the property to identify a pending zone change request. This sign shall be erected at least ten (10) days prior to the Zoning Commission's public hearing and removed after the Board of Trustees' public hearing. Attach additional computer generated or typewritten sheets as needed. Applicant is notified that the Rules and Regulations for the Zoning Commission, which outline the procedures by which the Zoning Commission shall operate, are found on the website www.clearcreektownship.com or can be requested from staff.

Name of Applicant:

Staffco Construction, Inc. - Jon Stafford

Mailing address of Applicant:

P.O. Box 832, Spangler Rd, Fairborn, OH 45324

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

Tract I: 04-15-101-0090, 5-2-15 9.64 Acres; Tract II: K45-026-01-0008, 5-2-15/16 3.92 Acres

Property fronts on the following road(s):

Wood Rd

The legal title to said property recorded in the name(s) of:

DONT W8, LLC

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

DONT W8, LLC - 674 Grand Wood Ct, Springboro, OH 45066

The property is presently zoned:

SR-1 "Suburban Residence Zone"

Requested zoning classification:

Non-Residential PUD (NR-1 PUD)

The current use of the property:

Open field with one non-residential building and associated driveway

Reason(s) for the application:

Please see attached Staffco, Inc. Rezoning & PUD Narrative

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To aid the Zoning Commission processing of the request, please submit the following documentation outlined in Clearcreek Township Zoning Resolution Chapter 13, Section 13.05:

SEC. 13.05 PUD Approval Process: Any owner(s), their agent(s), or developer(s) who seeks approval for a PUD shall file an application the Clearcreek Township Zoning Commission. All applications shall be subject to a comprehensive review process consisting of three stages: Stage 1: The Zone Change Amendment Request/PUD Concept Plan Application, Stage 2: The PUD Preliminary Site Plan Application, and Stage 3: The PUD Final Site Plan submittal.

SEC. 13.05(A) Stage 1: The Zone Change Amendment Request/PUD Concept Plan Application The first stage of the PUD process consists of satisfactory completion of two main requirements: a Pre-Application Conference with the Clearcreek Township Zoning Inspector and a Zone Change Amendment Request accompanied with a PUD Concept Plan. Upon completion, successful applicants shall receive a change of zoning classification, an approved PUD Concept Plan designating land use(s) and density, and the Stage 1 approval required to begin Stage 2. The Stage 1 process steps, PUD objectives, and conditions for approval outlined below are required to be completed and satisfied in order for Stage 1 approval consideration.

SEC. 13.05(A)(1)(b) Zone Change Amendment Request/PUD Concept Plan Application

- (1) Applications for a Zone Change Amendment/PUD Concept 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).
- (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).

- (3) The Zone Change Amendment Request/PUD Concept Plan Application shall include the following items:
- a) An area map showing adjacent property owners and existing uses within 200 feet of the parcel(s). **See Area and Zoning Map.**
 - b) A legal description of the metes and bounds of the parcel(s).
 - c) A PUD Concept Plan to scale, though it need not be to the precision of a finished engineering drawing, which shall clearly show the following:
 - 1) The existing type of topographical features of the site. **See Sheet 1 of 3.**
 - 2) The general location of building lots and their areas in acres. **N/A.**
 - 3) The general outlines of the interior roadway system and all existing right-of-way(s) and easement(s), whether public or private with acreage specified. **See Sheet 2 of 3.**
 - 4) Delineation of the various land use areas with an indication for each such area of its general extent, size, and composition in terms of use and bulk of structures. **See Sheet 2 of 3.**
 - 5) A calculation of residential net density and/or net floor area ratio. **See Sheet 2 of 3.**
 - 6) The interior common open space system with acreage specified. **See Sheet 3 of 3.**
 - 7) Identification of all areas declared to be an amenity for the PUD with acreage specified. Square footage of structures and percentage of impervious surfaces to be specified. **N/A.**
 - 8) A drawing showing all soil types and their classifications. Additionally, a map indicating floodway and/or floodplain boundaries as determined by the federal emergency management agency shall be included for sites that have been subject to flooding and/or erosion at any time. **See FEMA Flood Insurance Rate Map 39165C0028E, Effective 12/17/2010, and NRCS Hydrologic Soil Group Map.**
 - 9) Where areas lie in any aircraft approach and holding patterns, these areas shall be indicated.
 - 10) Principal ties to the community at large with respect to transportation, water supply, and sewage disposal shall be indicated. **See Sheet 2 of 3.**
 - d) A net density plan illustrating the net density able to be obtained if developed under a straight zoning classification, to scale, though it need not be to the precision of a finished engineering drawing, which shall clearly show the following: **See components in c).**
 - 1) The existing type of topographical features of the site.
 - 2) The general location of building lots and their areas in acres.
 - 3) The general outlines of the interior roadway system and all existing right-of-way(s) and easement(s), whether public or private with acreage specified.
 - 4) A calculation of residential net density and/or net floor area ratio.
 - 5) The interior common open space system with acreage specified.

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- 6) Identification of all areas declared to be an amenity for the PUD with acreage specified. Square footage of structures and percentage of impervious surfaces to be specified.
 - 7) A drawing showing all soil types and their classifications. Additionally, a map indicating floodway and/or floodplain boundaries as determined by federal emergency management agency shall be included for sites that have been subject to flooding and/or erosion at any time.
 - 8) Where areas lie in any aircraft approach and holding patterns, these areas shall be indicated.
 - 9) Principal ties to the community at large with respect to transportation, water supply, and sewage disposal shall be indicated.
- e) A written report containing the following:
- 1) General description of availability of other community facilities, such as schools, fire protection services, and cultural facilities if any, and how these facilities are affected by this proposal.
 - 2) Evidence how the developer's proposed land use(s) meet existing and projected community requirements.
 - 3) A general statement how the common open space shall be owned and permanently maintained.
 - 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.

SEC. 13.05(A)(2) Stage 1: PUD Objectives

- (a) The Stage 1: Zone Change Amendment Request/PUD Concept Plan shall be acceptable, if:
- (1) The proposed use(s) are appropriate for the parcel(s) being reviewed; **and**
 - (2) The following information is specified/clarified in the narrative and on the drawing(s) at the time of approval:
 - a) The list of uses permitted within the PUD are specified.
 - b) The general location of such uses is specified.
 - c) Any use-specific standards that may apply to the permitted uses are included.
 - d) The maximum density or intensity is permitted within the PUD.
 - e) The amount and general location of open space are identified.
- (b) The Clearcreek Township Zoning Commission and/or Clearcreek Township Board of Trustees shall have the authority to impose 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.

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SEC. 13.05(A)(3) Stage 1: Conditions for Approval

The following criteria shall be used in the recommendations and decisions made regarding the Stage 1: Zone Change Amendment Request/PUD Concept Plan. Failure to comply with any of these criteria requires that explicit rationale or alternative requirements be set forth.

- (a) The Zone Change Amendment Request/PUD Concept Plan is consistent with the Clearcreek Township 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;
- (c) The use(s) proposed will not be detrimental to existing and potential future surrounding uses and will harmoniously relate to the surrounding area;
- (d) 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;
- (e) Approval of the Stage 1: Zone Change Amendment Request/PUD Concept 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 Concept Plan if it is determined that modifications are required to comply with this Resolution.

Submitted drawing:

Two (2) sets of drawings shall be submitted on paper measuring 24" by 36" for staff review and for display during the public hearing.

One (1) set of architectural/construction drawings shall be submitted on paper measuring 11" by 17" for Warren County Regional Planning Commission, the staff file, Zoning Commission and Board of Trustee packets.

1. Tax Mailing Address Information shall be filled out below:

It is the responsibility of the applicant to also supply the tax mailing addresses of all owners of property located contiguous to, directly across the street from and within two hundred (200) feet of any part of the subject property being considered for a zone change request. This information is found at the Warren County Auditor's Office, Warren County Engineer's Map Room and at https://www.wcauditor.org/Property_Search/. This information can also be provided in a Microsoft Excel electronic spreadsheet.

1. Parcel#: K45 02605 0011 Acres/Lot#: 49.732
 Tax Name: SUN Communities Operating LP
 Address, City, State, Zip: 27777 Franklin Rd Suite 200 Southfield MI 48034-8205
2. Parcel#: K45 02608 0014 Acres/Lot#: 5.9158
 Tax Name: Eric Dean Napier
 Address, City, State, Zip: 10997 Wood Rd, Miamisburg, OH, 45342-4879
3. Parcel#: K45 02608 0092 Acres/Lot#: 8.7266
 Tax Name: Board of Township Trustees of Miami Township
 Address, City, State, Zip: 2700 Lyons Rd Miamisburg OH 45342
4. Parcel#: 04224000040 Acres/Lot#: 5.711
 Tax Name: Eric D & Amy Louise Napier
 Address, City, State, Zip: 10997 Wood Rd Miamisburg OH 45342
5. Parcel#: 04224000050 Acres/Lot#: 7.302
 Tax Name: Kayla M Sowers
 Address, City, State, Zip: 9959 Wood Rd Miamisburg OH 45342
6. Parcel#: 04224000030 Acres/Lot#: 1
 Tax Name: Kayla M Sowers
 Address, City, State, Zip: 9959 Wood Rd Miamisburg OH 45342
7. Parcel#: 04212260040 Acres/Lot#: 1.934
 Tax Name: Jessie R & Lan Spencer
 Address, City, State, Zip: 9927 Clearcreek-Franklin Rd Miamisburg OH 45342
8. Parcel#: 04212260320 Acres/Lot#: 4.1863
 Tax Name: Earl J Wilson
 Address, City, State, Zip: 9897 Clearcreek-Franklin Rd Miamisburg OH 45342
9. Parcel#: 04163000010 Acres/Lot#: 0.525
 Tax Name: DONT WB LLC
 Address, City, State, Zip: 674 Grand Wood Ct Springboro OH 45066
10. Parcel#: 04151010080 Acres/Lot#: 8.39
 Tax Name: Scot & Susan Dorrough Family Trust
 Address, City, State, Zip: 4619 Paradise Isle Destin FL 32541
11. Parcel#: 04212260330 Acres/Lot#: 4.5905
 Tax Name: STEVEN M & AMI B VOGEL
 Address, City, State, Zip: 9871 CLEARCREEK FRANKLIN RD MIAMISBURG OH 45342
12. Parcel#: 04212260280 Acres/Lot#: 2.1564
 Tax Name: ADAM & ERIKA STEVENS
 Address, City, State, Zip: 9875 CLEARCREEK FRANKLIN RD MIAMISBURG OH 45342
13. Parcel#: 04212260250 Acres/Lot#: 8.8024
 Tax Name: JAMES L & KRIS K BAILEY
 Address, City, State, Zip: 9873 CLEARCREEK FRANKLIN RD MIAMISBURG OH 45342

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- 14. Parcel#: 04212260260 Acres/Lot#: 2.636
 Tax Name: JOHN K & BRANDI L SPENCE
 Address, City, State, Zip: 9853 CLEARCREEK FRANKLIN RD MIAMISBURG OH 45342
- 15. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____
- 16. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____
- 17. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____
- 18. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____
- 19. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____
- 20. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

2. If the applicant is not the property owner, an agent letter from the property owner outlining the length and terms of the agent status must be submitted with this application.

The undersigned acknowledges reading the former application. The undersigned certifies that information herein along with all submitted documents are factual and correct.

 6/1/22
 Applicant Signature Date

May 25, 2022

Mr. Jeff Palmer
Director of Planning and Zoning
7593 Bunnell Hill Road
Springsboro, OH 45066

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Mr. Palmer,

I wanted to notify you that I am granting Mr. Jon Stafford and Staffco, Inc. the authority to be the agent representing my property, 9850 Woods Road, Miamisburg, OH 45342, throughout the rezoning and PUD approval process in front of the Warren County Regional Planning Commission and Clearcreek Township. I grant them this authority from today's date, May 25, 2022 until February 16, 2023

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dont W8', written in a cursive style.

Dont W8, LLC

Staffco, Inc. Rezoning & PUD Narrative

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Staffco, Inc. is submitting a Non-Residential PUD (NR-1 PUD) application in order to add recreation vehicle and boat self-storage to an existing SR-1 zoned parcel within Clearcreek Township (Suburban Residence Zone). The proposed site is located at 9850 Wood Road, Miamisburg, OH 45342 on 13.60 acres with parcel IDs of 04151010090 (9.53 acres in Clearcreek Township, Warren County) and K45026010008 (4.07 acres in Miami Township, Montgomery County). The proposed project consists of 24 proposed storage buildings, 1 existing building, and associated paving and stormwater management improvements. Plans and visuals have been provided for a recent Staffco, Inc. self-storage project in Springfield, Ohio similar to the proposed development. Development of this project is to begin upon necessary approvals from Clearcreek Township, Warren County, and Miami Township, Montgomery County. The project will be phased with four units being built at a time. All open space will be maintained by Staffco, Inc.

Given the existing zoning of Suburban Residence Zone, we estimate that a maximum of 17 half acre single family home lots would fit on the 9.5 acre site if sanitary service is provided. If sanitary service is not provided, we estimate that a maximum of 8 one acre single family home lots would fit on the site.

The proposed development is bordered by a mobile home subdivision to the north with a natural wooded buffer, Interstate 75 to the east, an open field to the south, and single family homes to the west. The Miami Valley Fire Department is approximately 500 feet to the north and a church is approximately 400 feet to the south along Wood Road. The Jane Chance Elementary School and Maddux-Lang Primary school are approximately 1,500 feet and 2,000 feet to north along Wood Road, respectively. The Great Miami River is approximately 2 miles to the west of the site.

Wherever possible, the existing tree lines will be preserved along the property lines to maintain natural screening. This will help screen the proposed self-storage buildings from the different land uses. Screening will be provided to meet the requirements of Clearcreek Township Zoning Resolution Chapter 17 where natural screening is insufficient.

This project will positively contribute to the Clearcreek Township in the following ways:

1. The mobile home subdivision to the north suggests a need for boat and RV storage, especially with the close proximity to waterways. The site is well suited for storage with its easy access from Wood Road, from Interstate 75, and its close proximity to recreational activities.
2. The Land Use plan indicates that commercial development in the township is to serve local residents and to avoid large scale development. The proposed boat and RV storage will help screen Interstate 75 in terms of noise and sight while maintaining a small footprint. Nearby residents will be able to utilize the storage rather than keeping their boats and RVs on the street or within their driveways.
3. Self-storage is characterized by minimal noise/light pollution and low traffic. There will be minimal effect on the operation of schools, churches, and other community facilities. Fire and police services will continue with minimal to no impact on their duties. Compared to alternate uses, boat and RV storage is a low impact use.

TRANSFERRED

Mar 04, 2022

SEC 319.902 COMPLIED WITH
MATT NOLAN, Auditor
WARREN COUNTY, OH by TR
Consideration: 411965.00
Conveyance Fee: \$1,235.90
Transfer Fee: \$1.00
Conveyance#:

LINDA ODA
WARREN COUNTY RECORDER
2022-007779

DEED
03/04/2022 11:33:47 AM
REC FEE: 50.00 PGS: 4
PIN:

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by EO 4pgs

Limited Warranty Deed

Lynne Leigh Properties, LLC, an Ohio limited liability company, for valuable consideration paid, grant(s) with limited warranty covenants, to DONT W8, LLC, an Ohio limited liability company, whose tax-mailing address is 674 Grand Wood Court, Springboro, OH 45060, the following **REAL PROPERTY**:

See Legal Exhibit "A" attached hereto and made a part hereof.

Warren County Sidwell Numbers 04-15-101-009 & 04-16-300-001
Montgomery County Parcel Number K45-026-01-0008

SUBJECT TO ALL RESTRICTIONS, EASEMENTS, CONDITIONS, AND COVENANTS OF RECORD; AND ALL LEGAL HIGHWAYS AND REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE; AND ALL COAL, OIL, GAS, AND OTHER MINERAL RIGHTS AND INTERESTS PREVIOUSLY TRANSFERRED OR RESERVED OF RECORD

Prior Instrument Reference: Montgomery County, Ohio Recorder's Instrument number 17-016689 and Warren County, Ohio Recorder's Instrument numbers 17-008186 and 2018-000257

The undersigned has hereunto set his and its hand(s) this 2 day of March, 2022.

Lynne Leigh Properties, LLC, an Ohio limited liability company

BY: 

Jack F. Fritzsche, its Sole Member

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State of Ohio

County of Montgomery ss:

The foregoing instrument was acknowledged before me on this 2 day of March, 2022, by Jack F. Fritzsche, Sole Member on behalf of Lynne Leigh Properties, LLC, an Ohio limited liability company.


NOTARY PUBLIC



ANNE E ROSS TAYLOR, Attorney at Law
Notary Public, State of Ohio
My Comm. has No Expiration Date
Section 147.03 O.R.C.

This instrument was prepared by: Anne E. Ross Taylor, Attorney at Law, 300 W. Monument Ave., Dayton, OH 45402.

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LEGAL EXHIBIT "A"

Tract I: (Warren County)

Situate in the Township of Clearcreek, Warren County, in the State of Ohio, and in Section 15, Town 2, Range 5 MRS, and in Section 16, Town 2, Range 5 MRS, and being part of land conveyed to Allison Roark and Anna Roark by Deed recorded in Deed Book 1943, Page 273 of the Deed Records of Montgomery County, Ohio and in Deed Book 290, Page 389 of the Deed Records of Warren County, Ohio and more particularly bounded and described as follows: beginning at an iron pin at an angle in the Woods Road and Northwest corner of Section 15 and Southwest Corner of Section 16; Thence N. 5 deg. 38' 39" East with centerline of said road for a distance of 166.98 feet to an iron pin at the Northwest corner of Allison and Anna Roark premises; Thence N. 75 deg. 33' 39" E with the North line of said Roark premises a distance of 375 feet to an iron pipe in the line between Warren and Montgomery Counties; Thence S. 83 deg. 58' 21" E with said County line a distance of 846.50 feet to an iron pin in the West line of State of Ohio right-of-way being located 238.53 feet left of and radially from Station 207 + 08.49 (Warren County) in centerline of survey made by Department of Highways of State of Ohio, and as recorded in Plat Book XX, Page 47 of the Plat Records of Montgomery County, Ohio. Thence S. 33 deg. 52' 39" W. with the West line of State of Ohio right-of-way for a distance of 275.56 feet to an iron pine in the North line of a 8.39 acre tract conveyed to the Miamisburg Free Will Baptist Church; Thence N. 25 deg. 54' 08" West along the North line of said Church Tract for a distance of 47.55 feet to a corner of D.P.& L Pole #H99; Thence S. 77 deg. 32' 00" West along the North line of said Church Tract for a distance of 183.35 feet to a corner at D.P.& L. pole #385338; Thence S. 75 deg. 16' 00" West along the north line of said Church Tract for a distance of 958.25 feet to a spike found in the centerline of Clearcreek-Franklin Road; Thence N. 10 deg. 48' 39" East along the centerline of Clearcreek-Franklin Road for a distance of 313.23 feet to the place of beginning, containing 9.64 acres more or less.

Sidwell Number: 04-15-101-009 WCEO Tax Map Dep. **DWB**

Tract II: (Warren County)

Situated in the Township of Clearcreek, County of Warren and State of Ohio in Section 16, Town 2, Range 5 M.R.S., and being part of the 72.67-acre tract as described in Book 2395, page 184 of the Deed Records of Montgomery County, Ohio more particularly described as follows:

Beginning in the west line of said Section 16 and in the centerline of Clearcreek-Franklin Road and on the Warren County line; thence South 89°37'23" East with the Warren-Montgomery County Line for a distance of 349.51 feet to the south line of the said 72.67 acre tract; thence South 69°45'10" West with the south line of the said tract for a distance of 371.48 feet to the centerline of Clearcreek-Franklin Road; thence North 0°25'37" West with the west line of said Section 16 and with the centerline of Clearcreek-Franklin Road for a distance of 130.86 feet to the place of beginning, containing 0.525 acres, more or less.

Sidwell Number: 04-16-300-001 WCEO Tax Map Dep. **DWB**

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Tract III: (Montgomery County)

Situate in the Township of Miami, Montgomery County, Ohio, and in Section 15, Town 2, Range 5 MRS., Section 16, Town 2, Range 5 MRS., and being part of land conveyed to Allison Roark and Anna Roark by Deed recorded in Deed Book 1943, Page 273 of the deed records of Montgomery County, Ohio, and in Deed Book 290, Page 389 of the deed records of Warren County, Ohio, and being more particularly described as follows: Beginning at an iron pin at the angle in the Woods Road and Northwest corner of Section 15 and Southwest corner of Section 16; thence N. 5°38'39" East with centerline of said road for a distance of 166.98 feet to an iron pin at the northwest corner of Allison and Anna Roark premises; thence N. 75°33'39" E. with the North line of said Roark premises a distance of 375 feet to an iron pipe in the line between Warren and Montgomery Counties to the real place of beginning; thence N. 75°33'39" E. with the North line of said Roark premises, a distance of 1130.20 feet to the iron pin; thence S. 33°52'33" W. a distance of 453.90 feet to an iron pin; thence N. 83° 58' 21" W** a distance of 846.50 feet to the real place of beginning, containing 3.916 acres, more or less.
Parcel Number: K45-026-01-0008

**This bearing is being corrected to reflect the technical inaccuracy of the original survey as recorded in Deed MF 79-374 C12. As it originally appears as S. 83 deg. 58' 21" E.