

RECORD OF RESOLUTIONS

Resolution No. 5241 Passed August 10, 2020

CLEARCREEK TOWNSHIP WARREN COUNTY, OHIO

A RESOLUTION TO APPROVE/MODIFY/DENY THE STAGE 1 PUD APPLICATION TO AMEND THE ZONING RESOLUTION AND MAP OF 5.00 ACRES, IDENTIFIED AS 9175 STATE ROUTE 48, PARCEL NUMBER 05-27-300-014, ACCOUNT NUMBER 0105651, LOCATED IN SECTION 27, TOWN 3, AND RANGE 5, IN CLEARCREEK TOWNSHIP, FROM NEIGHBORHOOD BUSINESS PLANNED UNIT DEVELOPMENT "B-1PUD" TO NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT "NR-PUD," AND DISPENSE WITH THE SECOND READING

WHEREAS, all public hearings, public notices to adjoining property owners, and the recommendation of the Warren County Regional Planning Commission for the Zoning Map amendment have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 of the Ohio Revised Code; and

WHEREAS, on May 13, 2004 via Trustee Resolution 2745, the zoning for the property was changed from Rural Residence "R-1" to Neighborhood Business Planned Unit Development "B-1PUD" with the following permitted uses: embroidery, landscape lighting, home automation, clothing & apparel design and sale office.

WHEREAS, on July 7, 2005 via Trustee Resolution 2912, the Stage 2 Preliminary Plan was approved with 17 conditions. Since that time, the property owner has removed all structures from the property but hasn't applied for Stage 3 PUD review.

WHEREAS, the agent is asking for the approved use list (Trustee Resolution 2745) to be expanded to include self-storage. This is a major modification to the PUD and Chapter 13 of the Zoning Resolution requires the PUD restart at Stage 1. All commercial PUDS are now classified as Non-Residential Planned Unit Development "NR-PUD".

WHEREAS, on July 6, 2020, the Zoning Commission moved to APPROVE the Neighborhood Business Planned Unit Development "B-1PUD" to Non-Residential Planned Unit Development "NR-PUD" zone change and Stage 1 PUD request with eight (8) of the nine (9) conditions recommended by the Warren County Regional Planning Commission. The condition for hours of operation restrictions were removed from the Stage 1 PUD recommendation and will be a Stage 2 PUD matter.

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek Township Trustees that the said application for Non-Residential Planned Unit Development "NR-PUD" for a total of 5.00 acres be APPROVED/MODIFIED/DENIED with the following conditions:

1. Mr. John Kopilchack shall be designated as the spokesperson for the planned unit development in all dealings with Clearcreek Township regardless of the number of property owners within the project. Mr. Kopilchack may delegate his role as spokesperson to another individual and shall notify the Clearcreek Township Zoning Inspector of such event. In any event, only one (1) spokesperson will be recognized by Clearcreek Township in representing the planned unit development.
2. Final detailed site plan approval shall be in accordance with the Neighborhood Business Zone "B-1" regulations.
3. Compliance with all Clearcreek Township Trustees conditions and requirements that may be set forth by Resolution granting the PUD overlay and compliance with Chapter 13 Planned Unit Development of the Clearcreek Township Zoning Resolution.
4. Prior to the approval of the final site plan, the developer shall expand and/or upgrade the water system, water treatment and storage facilities, as well as wastewater disposal facilities necessary to serve the development, as determined by the Warren County Sanitary Engineer and/or the Ohio Environmental Protection Agency, as applicable.

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- 5. Public right-of-way shall be dedicated in compliance with the Warren County Thoroughfare Plan. The applicant shall receive a driveway permit and determination of necessary road improvements, as determined by the Ohio Department of Transportation. Areas dedicated as public right-of-way may not be used for septic leach or reserve fields.
- 6. In addition to Self-Storage, the following Neighborhood Business "B-1" uses are also permitted: Embroidery, Landscape Lighting, Home Automation, Clothing & Apparel Design, Sales Office.
- 7. The site shall be developed with buildings of a similar design and materials as is illustrated in Exhibit B (of the Stage 1 PUD application).
- 8. Outdoor storage is prohibited.
- 9. HOURS OF OPERATION LIMITED FROM 6AM TO 8PM.

BE IT FURTHER RESOLVED, by the Board of Clearcreek Township Trustees upon majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading at the earliest date allowable by law.

Mr. MUTERSPAW moved to adopt the foregoing Resolution. Mr. GABBARD seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade	-	YEA
Mr. Gabbard	-	YEA
Mr. Muterspaw	-	YEA

Resolution adopted at a regular public meeting conducted August 10, 2020.

**THE BOARD OF
CLEARCREEK TOWNSHIP TRUSTEES**

**Law Director Bryan Pacheco
Approved as to form**

Ed Wade

Bryan Pacheco

SA Muterspaw

[Signature]