



**SUGARCREEK TOWNSHIP  
RESOLUTION NO. 2021.04.05.01**

IN RE: ZC Case 01-2021: Request for a Map Amendment from A-1 (Agricultural) District to PUD-R (Residential Planned Unit Development) District and Preliminary Development Plan Approval for a Residential Subdivision Containing 78 lots.

WHEREAS, a public hearing was held by the Sugarcreek Township Zoning Commission on Tuesday, March 16, 2021 at 7:00 p.m. (opened on March 2, 2021 and tabled on March 9, 2021) on the following application:

WHEREAS, Applicant, Phillip M. Herres, is requesting a Map Amendment from A-1 (Agricultural) District to PUD-R (Residential Planned Unit Development) District and Preliminary Development Plan Approval for a residential subdivision containing 78 lots;

WHEREAS, the subject parcels are 4267 and 4271 Clys Road, parcels; and

WHEREAS, the subject parcels can be further identified by parcel numbers L32000100020006700 and L32000100020000800, and contain 54.882 acres; and

WHEREAS, after the hearing the Zoning Commission deliberated on the above application and passed a motion to recommend **approval** of the Map Amendment and Preliminary Development Plan as requested by the applicant subject to the following conditions:

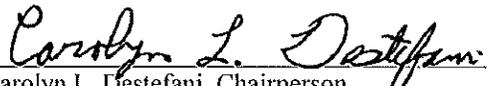
1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. A Geotech report shall be completed and submitted to the Greene County Engineer's Office. Pavement design shall be based on the Geotech report. The Geotech report may also be required for design of storm water and infrastructure.
3. The applicant's designer shall meet with the Greene County Engineer regarding traffic impacts to determine if any traffic studies will be required and/or if any additional turn lanes will be required.
4. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
5. A comprehensive drainage plan and an environmental study shall be required.
6. The applicant shall meet all federal, state, and local requirements and comply with recommendations from the SWCD and GCEO with respect to the drainage plan developed based on the sensitive nature of the watershed.
7. Final design shall be subject to approval of Sugarcreek Township Fire Department.
8. The use of vinyl and/or aluminum siding shall be prohibited.
9. Sheds, privacy fences and above ground pools shall not be permitted to be constructed within the patio home section of the development. Privacy fences and above ground

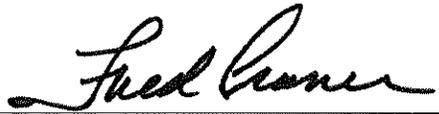
pools shall not be permitted to be constructed within the estate home section of the development.

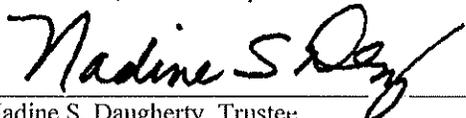
10. The applicant shall revise the plan to extend Open Space Area "G" to follow the 75' setback line on lots 49 and 50. Screening and buffering will be required in the revised Open Space "G" area.
11. The applicant shall revise the plan to extend Open Space Area "F" to the natural break in topography on the east side of the creek providing access to this area by all lot owners.
12. The multi-use path should be extended through Open Space "E" providing access to the creek area and on to the multi-use path proposed along Little Sugarcreek Road utilizing the existing pedestrian bridge.
13. Screening and buffering shall be required in the rear of the patio home lots facing Road "A" and adjacent to the Waterford development.
14. Home sizes, as proposed, will be required to be included within the HOA Documents submitted for approval at the Final Development Plan stage. Final Development Plan approval will be conditioned upon these square footages, as proposed by the applicant, being met.
15. The same elevation of the same home plan will not be permitted to be constructed side by side.
16. Lots 1 and 25 shall not be accessed from the entry road.
17. The final development plan shall reflect construction of the 10' multi-use paths outside of the public right-of-way adjacent to Little Sugarcreek and Clio Roads with maintenance to be provided by the HOA.
18. The private street proposed to serve lots 6-8 (internally accessible Estate Lots) shall be moved to be located between lots 6-8 and lots 9-10.
19. The plan shall be revised to remove the sidewalk on the south side of the road connecting to Kensington from where the private street connects to the connection at Kensington. The applicant shall move this road as far away from the property line as possible, while maintaining the integrity of the pond. Screening and buffering in this area shall be required to the extent feasible with details discussed at the Final Development Plan stage.
20. A sidewalk connection from Road B to the roadway connection to Kensington shall be provided.
21. The applicant shall strive to establish a 25' no cut zone in the rear of lots 49-31 and lots 6-8 (internally accessible Estate Lots). The developer/engineer shall work with staff to preserve as much of the existing tree line as possible with details to be provided at the Final Development Plan stage.
22. All private streets shall meet the requirements of Section 7.07 of the Sugarcreek Township Zoning Resolution.
23. A tree survey running the extent of the shared property line between the lot identified on the plan as 10 in the City of Bellbrook and the development site to the north into the development site shall be completed.

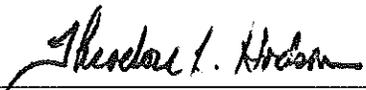
WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on Monday, April 5<sup>th</sup>, 2021, and deliberated.; and

NOW THEREFORE, BE IT RESOLVED, after the hearing the Board of Trustees deliberated on the above application and passed a motion to approve the Map Amendment and Preliminary Development Plan as requested by the applicant subject to the conditions recommended by the Zoning Commission.

  
Carolyn L. Destefani, Chairperson

  
Fred Cramer, Vice-Chairperson

  
Nadine S. Daugherty, Trustee

  
Theodore L. Hodson, Fiscal Officer