



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON DECEMBER 17, 2024

BATAVIA TOWNSHIP – ZONING MAP AMENDMENT

CASE NO. B-08-24ZPD

REPORT DATE: 2024-12-13

APPLICANT:

Spire Development, Inc.
330 W Spring St. Ste. 430
Columbus, OH 43215

PROPERTY OWNER:

Wedge Development, Inc.
934 SR 28
Milford, OH 45150

PARCEL ID:

PINs 012011B094, and a portion of 012011B095

ADDRESS OF REQUEST:

In the vicinity of 3003 Hospital Drive, Batavia, OH 45103. Near the northwestern quadrant of the intersection of Hospital Drive and Herold Road.

REQUEST:

Requesting to amend the zoning designation of parcels (PINs 012011B094, and a portion of 012011B095) consisting of +/- 5 acres from the “B-2” General Business Zoning District to “PD”, Planned Development District for the purposes of developing 106 multi-family dwelling units in four buildings including +/- 17.5% open space at a density of 21.24 dwelling units per acre.

ZONING:

The existing zoning for the subject property is “B-2” General Business Zoning Districts. The surrounding properties consist of other “B-2” General Business District. *See attached zoning map.*

Note: The County zoning map may show inaccuracies to what the Batavia Township Official Zoning Map has the property listed as.

LAND USE:

The subject property is currently open agricultural land.

HISTORY:

There is no relevant history for the subject property.

CONTENTS OF REPORT:

Exhibit A: Township Application and Project Narrative

Exhibit B: Parcel Map

Exhibit C: Zoning Map

Exhibit D: Proposal Map

Exhibit E: Portion of the Batavia

Township Zoning Resolution Planned Development

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Batavia Township Zoning Resolution Article 36 “Planned Development” goes over the requirements for an application of a Planned Development (PD). This PD is residential and is located adjacent to existing Business and Residential zoned land. The land uses surrounding the parcel are residential, agricultural and general business, including a hospital. The proposed land use is multi-family residential which includes stormwater ponds and community amenities. While the adjacent land is business or institutional, multi-family residential could be considered a compatible use as it is at the most intense residential use.

The Batavia Township Growth Policy Plan identifies this area “Business Development Area”. The “Business Development Area” recommends considering mixed use developments that include a combination of non-residential and residential uses within a unified, coordinated development, and specifically how this may be accomplished through the use of planned development regulations. This development is not mixed-use, however, the planned development language that this application is proposing, could include some non-residential land uses, which the Zoning Resolution language encourages in the Planned Development Chapter.

A future development policy of the Batavia Growth Policy Plan is to encourage the use of planned development zoning regulations which this application is. Language from this section of the Growth Policy Plan is below:

Business Development Area

The Business Development Areas are locations where the Township should encourage development of retail, service, or office type uses to serve the population of Batavia Township, as well as the surrounding region. Business development is important to the Township for several reasons, including the need to provide goods and services to the Township’s residents, providing a balanced tax base between residential and nonresidential, and providing jobs. The locations designated for Business Development Areas are adjacent to major traffic corridors (SR 32) and at or near “interchanges”. These areas also reflect a combination of existing business uses and existing zoning designations.

Future Development Policies

- *Confer with the County Engineer’s Office relative to requiring traffic impact studies for proposed office, commercial, or institutional developments.*
- *Encourage new business development in the Business Development Areas as commercial planned developments.*

- *The Township should work closely with the County Engineer to monitor/pursue construction of the Armstrong Boulevard extension to Amelia Olive Branch Road to increase access to existing and future Business and Commerce Development Areas.*
- *Encourage construction of an interior, parallel access road system on the north and south side of SR 32 in the Bauer Road/Herold Road Development Area.*
- *Encourage access management practices to control traffic and driveway locations. This will require coordination and collaboration with the County Engineer's Office and the Ohio Department of Transportation.*
- *Consider allowing mixed use developments that include a combination of non-residential and residential uses within a unified, coordinated development. This provision may require zoning resolution text amendments, or may be able to be accomplished through use of planned development regulations.*

The proposed PD is somewhat in alignment with the Batavia Township Growth Policy Plan. The multi-family residential proposal is compatible with surrounding land uses and could include non-residential land uses if the Township so desires.

A SEGMENT OF THE BATAVIA TOWNSHIP ZONING RESOLUTION:

Batavia Township Zoning Resolution

Article 36: Planned Development

36.01 PLANNED DEVELOPMENT OBJECTIVES

The Planned Development (PD) District and the associated planning and development regulations as set forth and referred to herein are designed to achieve the following objectives:

- Provide flexibility in the regulation of residential, commercial and office land development;*
- Encourage a variety of housing and building types, a compatible mix of commercial and residential development, and creative site design;*
- Encourage provision of useful open space, and preservation of valuable and unique natural resources;*
- (Not in resolution)*
- Provide a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and contributes to the ecological well being of the community;*
- Promote efficiency through a more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets and other public services;*
- Provide a residential and/or commercial development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the Batavia Township Growth Policy Plan; and*
- Provide opportunities for alternate energy and utility uses, such as wind and solar energy generation uses as principal uses, to be sited, designed and operated consistent with the community character and growth policies of Batavia Township.*

36.02 USES PERMITTED

- Any use that is permitted in any zoning district may be approved within a Planned Development provided that the project shall be planned, developed, and operated in accordance with an approved development plan. Specific uses, structures, and developments shall be properly integrated with the surrounding area in such a way as to promote the health, safety, morals, general welfare, and wholesome environment of the general public and of the occupants of nearby*

property, and to avoid nuisances to the general public or to the occupants of nearby property. All uses shall be approved by the Township as part of the development plan review process.

- B. Solar Energy Systems and Wind Energy Systems as a principal use of a property may be approved as a Planned Development provided that the project shall be planned, developed, and operated in accordance with an approved development plan. The Township shall review such principal use Energy Systems using the development standards in Section 36.12 Energy System Design Standards.*

The entirety of Article 36 will be available in Attachment F of this Staff Report.

The Planned Development should include more information regarding permitted uses in the PD as well as the current multi-family residential uses.

SITE ACCESS:

Access is proposed off of Hospital Drive and proposes to connect to a private drive straight through the parcel where an existing roadway is located. The existing roadway is not right-of-way. The development proposes that two buildings and their parking lots will be located on each side of the roadway.

DEVELOPMENT CHARACTER:

The proposed development for a multi-family development of 106 dwelling units. The dwelling units are divided into four buildings with various dwelling units and includes a community area connected to one of the buildings. This proposal is in alignment with the Batavia Township Growth Policy Plan and Zoning Resolution. The surrounding area is residential and commercial and includes lots of varying sizes.

AGENCY REVIEW AND NOTIFICATION:

AGENCY	REFERRAL SENT	COMMENTS RECEIVED
Township (Fire/EMS/Service)		
Community and Economic Development (CED)	X	X
Engineer's Office (CCEO)	X	X
Water Resources Department (WRD)	X	X
Water Management & Sediment Control (WMSC)	X	
Soil and Water Conservation District (SWCD)		
Ohio Department of Transportation (ODOT)		
School District		

REFERRAL AGENCIES' COMMENTS:

Community and Economic Development Comments:

- Any future development of the site must comply with any and all regulations from Clermont County, Batavia Township, the State of Ohio, or any other applicable agency.
- A Concept Plan and Design Plan application will need to be submitted in order for any right-of-way dedication on the property or subdivision.

Engineer's Office Comments:

- Peak hour trip generation information should be submitted to the Clermont County Engineer's Office to determine if a Traffic Impact Study would be required.

Water Resources Department Comments:

- The Meadows has frontage to water & sewer but is currently in communication with Chris Rowland about capacity on those utilities.

Water Management & Sediment Control Comments:

- I have not heard from WMSC regarding the application. If I receive comments, I will include them at the Planning Commission Meeting.

ODOT Comments:

- The proposed map amendment is not located on a State Route.

STAFF ANALYSIS:

Following a comprehensive analysis, staff has evaluated Batavia Township Zoning Map Amendment Case B-08-24ZPD and its to amend the zoning designation of parcels (PINs 012011B, and a portion of 012011B095) consisting of +/- 5 acres from the "B-2" General Business Zoning District to "PD", Planned Development District for the purposes of developing 106 multi-family dwelling units in four buildings including +/- 17.5% open space at a density of 21.24 dwelling units per acre. The application is in alignment with the surrounding land uses and Batavia Township Growth Policy Plan. The PD application meets the objectives for planned developments as stated in Article 36 of the Batavia Township Zoning Resolution.

STAFF RECOMMENDATION:

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMEND APPROVAL WITH CONDITIONS** of Batavia Township Zoning Map Amendment Case B-08-24ZPD and its request to amend the zoning designation of parcels (PINs 012011B, and a portion of 012011B095) consisting of +/- 5 acres from the "B-2" General Business Zoning District to "PD", Planned Development District for the purposes of developing 106 multi-family dwelling units in four buildings including +/- 17.5% open space at a density of 21.24 dwelling units per acre.

1. Any future development of the site must comply with any and all regulations from Clermont County, Batavia Township, the State of Ohio, or any other applicable agency.
2. A Concept Plan and Design Plan application will need to be submitted in order for any right-of-way dedication on the property or subdivision.

Exhibit A



BATAVIA TOWNSHIP PLANNING & ZONING DEPARTMENT

1535 Clough Pike Batavia, Ohio 45103
(513)-732-3888 x2 TCorbett@BataviaTownship.org

SUBMITTAL DATE _____
RESOLUTION NO. _____
FEE \$ _____

CASE REVIEW NO. _____
RECEIVED BY _____

APPLICATION FOR PLANNED DEVELOPMENT ZONING MAP AMENDMENT

APPLICANT INFORMATION

Applicant's Name/Firm Spire Development, Inc. Phone 614-350-0391

Applicant's Mailing Address 330 W Spring Street, Suite 430, Columbus, Ohio 43215

Primary Contact's Name Scott Harrold Phone 614-350-0391 x2

Email Address scott@livespired.com

* The applicant will be responsible for any review fees that exceed the initial application filing fee.
** If the applicant is not the property owner, the owner must provide a notarized "Consent to Rezone" Statement.

PROPERTY INFORMATION

Property Address/Location PID: 01-20-11B-094 and portion of 01-20-11B-095
Vicinity of 3003 Hospital Drive, Batavia, Ohio 45103

Owner's Name Wedge Development, Inc. Phone 513-646-6001

Owner's Tax Mailing Address 934 State Route 28, Milford, Ohio 45150

Property Address PID: 01-20-11B-094 and portion of 01-20-11B-095
Vicinity of 3003 Hospital Drive, Batavia, Ohio 45103

Parcel No. (s) 01-20-11B-094; 3.3-acres, Portion of 01-20-11B-095; 1.7-acres,
_____, _____

Total Acreage 5.0 Zoning Designation B-2 SPO District N/A



SUPPORTING INFORMATION

Has this proposed Planned Development been discussed with Township Staff? YES NO

Date of Township Staff Meeting(s): 10/3/24 & 12/21/24

The current owner acquired the property on _____ (if lessee, please attach lease terms).

Is this property being considered for a zone change in its entirety? YES NO

If "NO" what is the proposed acreage requesting to be rezoned? 1.70-acres of parcel 01-20-11B-095, all of parcel 01-20-11B-094

Is the property located within an adjoining Township or Village? YES NO

Is this application a request to modify an existing PD? YES NO

If "Yes" Previous Case # _____

Minor Modification: Major Modification:

Existing Zoning District(s) B-2

Proposed Zoning District PD

Existing Land Use Vacant

Proposed Land Use Multi-family apartments

Explain how the proposed zoning of the property is appropriate, considering the surrounding zoning designations and existing land uses.

See attached.

Describe the specific reasons or objectives behind the proposed zoning map amendment. What are the desired outcomes or benefits that you expect from this change?

See attached.

How does the proposed zoning map amendment align with the overall 2018 Batavia Township Growth Policy Plan? Consider the compatibility with the goals of the plan.

See attached.

How does the proposed zoning map amendment fit within the existing infrastructure capacity of the township? Consider factors such as transportation, utilities, and public services.

See attached.



Have you conducted any studies or assessments to evaluate the potential impacts of the proposed zoning change? This could include traffic studies, environmental impact assessments, or economic feasibility studies.

See attached.

Has there been any community engagement or outreach conducted to gather feedback and input from the residents or stakeholders in the affected area? If so, please provide details on the nature and outcome of these engagements.

See attached.

Are there any potential conflicts or concerns from neighboring property owners or other stakeholders that you are aware of? If so, please explain and provide any relevant documentation or correspondence.

See attached.

What measures or strategies are being proposed to mitigate any potential negative impacts or conflicts resulting from the zoning map amendment? This could include buffer zones, landscaping, or other design elements.

See attached.

Are there any legal or regulatory considerations that need to be taken into account when evaluating the proposed zoning map amendment? This could include compliance with state or local zoning laws, environmental regulations, or any other relevant legal requirements.

See attached.

Exhibit A continued

Addendum A to PD Application

RE: Application for Planned Development Zoning Map Amendment
The Meadows (the “Project”)
Vicinity of 3003 Hospital Drive, Batavia, Ohio 45103 (the “Site”)

See below the responses to the questions under the Supporting Information section of the Application for Planned Development Zoning Map Amendment.

1) Explain how the proposed zoning of the property is appropriate, considering the surrounding zoning designations and existing land uses.

The Site is adjacent to B-2 (general business) zones on all sides, followed by R-3 (residential multi-family) zones to the east and west. Multi-family housing is a suitable transitional buffer between the B-2 zones and the surrounding commercial land uses. Furthermore, the Site’s location along SR 32 and its proximity to Mercy Health Clermont Hospital, the businesses along Hospital Drive, and the nearby Park-And-Ride make it an ideal location for workforce multifamily housing. The Site is not immediately adjacent to existing single-family subdivisions. The B-2 district is much denser than other districts within the Township, particularly in and around the hospital and nursing home parcels. The Site is next door to a three-story, 165-bed hospital and 129-bed Batavia Nursing Care Center. There are hundreds of employees in both establishments. The Project’s three-story design will fit nicely adjacent to the hospital. The Project will also extend the sidewalk system to provide connectivity within the hospital district.

Article 36 of the Batavia Township Zoning Resolution outlines several objectives of the Planned Development (“PD”) District, including (1) providing flexibility in the regulation of residential, commercial, and office land development; (2) encouraging a variety of housing and building types, a compatible mix of commercial and residential development, and creative site design; (3) promote efficiency through more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets, and other public services; etc. The Site was selected partly because all utilities are already stubbed to the site, providing efficient use of the land through denser housing compatible with its surrounding uses and ready for development.

2) Describe the specific reasons or objectives behind the proposed zoning map amendment. What are the desired outcomes or benefits that you expect from this change?

The specific objective behind this zoning amendment is to facilitate the development of a workforce multifamily housing community in an immediate area with hundreds of essential workers. The expected outcomes and benefits of the Project include creating a multifamily housing community that supports the township’s 2018 Growth Policy Plan and contributes to the area’s economic development. This includes identifying locations where mixed uses and alternatives to

low-density housing are appropriate. The site is proximate to major regional anchor institutions, including Mercy Health Clermont Hospital, Batavia Nursing Care Center, Milacron, Huhtamaki, and Purina Pet Food Plant, to name a few. Many individuals living in workforce housing communities hold jobs that are important to their communities. Residents include emergency responders, educators, grocery clerks, assembly line workers, nurses, and hospital support staff, to name a few. Workforce housing is generally built for people earning between 60% and 80% of the area median income. It fills an essential societal need by creating safe homes and enabling communities to attract and keep essential employees. This will remain crucial as single-family home costs continue to outpace income growth.

The University of Cincinnati Economics Center, an unbiased, non-partisan economic research center, recently published a workforce housing study for Southwest Ohio. Among many significant findings, the study highlighted that the growth in home prices in Southwest Ohio between 2015 and 2021 outpaced the growth in median household income. After adjusting for inflation, the median sale price of residential property transactions in Southwest Ohio increased by \$13,450 between 2015 and 2021. During that same period, median household income increased by \$3,677 after adjusting for inflation. The growth in median sale price was even more significant for residential property transactions affordable to households with incomes between 60.0 and 120.0 percent of the area's median income. On average, the median sale price of residential property transactions affordable to households with income between 60.0 and 120.0 percent of the area median income increased by \$35,183 between 2015 and 2021. Data such as this supports the need for workforce rental housing communities that cap residents' rent and utilities to 30 percent of their respective income, allowing residents to save for eventual home ownership, educational opportunities, and goods and services in their communities.

3) How does the proposed zoning map amendment align with the overall 2018 Batavia Township Growth Policy Plan? Consider the compatibility with the goals of the plan.

The proposed zoning map amendment to develop workforce multifamily housing aligns with the following goals of the 2018 Batavia Township Growth Policy Plan.

- Identify and pursue economic development opportunities to encourage a balanced tax base, job growth, and quality community services.
 - The proposed Project will provide workforce housing stock that attracts and retains a diverse workforce. This will attract businesses and encourage job growth by providing an affordable location for prospective employees to reside and prosper. As the Site is currently a vacant, underutilized property, the proposed Project will increase tax revenue realized by the Township. The proposed PD zoning will ensure high standards of development. Furthermore, The Project will create an economic ripple effect during and after construction, as workers and residents consume and spend in the Township.
- Preserve the character of Batavia Township
 - The Site is in a Business Development Area of the Land Use Plan and adjacent to existing commercial development. The density and height are appropriate, next door to a three-story, 165-bed hospital and 129-bed Batavia Nursing Care Center.

Planned development regulations will allow site and building design oversight that maintains the Township's character while providing necessary housing options.

- Establish high standards for future development.
 - The planned development zoning will require an administrative review process, ensuring that the Project meets the community's expectations for quality and sustainability.
- Plan and coordinate with other public and governmental agencies regarding the provision of services and infrastructure related to development in Batavia Township
 - The Project would facilitate the planning and coordination with other public and governmental agencies by potentially aligning with existing infrastructure plans, including connecting to and extending the sidewalk along Hospital Drive to the hospital campus. Collaboration with agencies responsible for public services and utilities will help ensure that the Project is adequately supported by necessary infrastructure, such as water and sewer services. For example, the Project will extend the water and sewer lines eastward throughout its development and improve stormwater management conditions in the immediate area.

4) How does the proposed zoning map amendment fit within the existing infrastructure capacity of the township? Consider factors such as transportation, utilities, and public services.

The Project is well-positioned within the township's transportation network, with proximity to major roads like SR 32 and local arterials, offering convenient access to transportation routes for future residents. The Growth Policy Plan highlights the importance of developments near major traffic corridors, and this Site benefits from the connectivity of both Herold Road and Bauer Road. The Project is also a one-quarter mile from the Herold Road Park-And-Ride.

Public utilities, including water and sewer services, do not require extensions and are available at the Project. The Clermont County Water Resources Department manages the area's water and sanitary sewer systems, ensuring that the site can be adequately serviced. The Growth Policy Plan emphasizes the need for development in areas where public utilities are already available, making this location suitable for multifamily housing.

The Site is adjacent to existing commercial development, where public services are already provided. Furthermore, the development of a vacant parcel will increase tax revenue for the Township, contributing resources for public services to the Project and the Township at large. Finally, the Project will be designed to appropriately and efficiently detain and release water, whereas currently, no stormwater measures are in place on the vacant, undeveloped parcels.

5) Have you conducted any studies or assessments to evaluate the potential impacts of the proposed zoning change? This could include traffic studies, environmental impact assessments, or economic feasibility studies.

Batavia Township is experiencing significant accelerating population growth, necessitating additional housing options. As identified in the 2018 Growth Policy Plan, Batavia Township's population increased 31.3% from 2000 (population 15,039) to 2010 (population 19,753).

According to US Census Bureau data, the current population of Batavia Township is 27,660, indicating a 40% increase from 2010. The proposed Project will provide new construction housing units to support the continued growth of the township when housing affordability has decreased locally and nationally, primarily due to limited supply. At 106 units, the proposed Project does not have a material impact on traffic within the region. A third-party traffic engineer conducted a trip generation study, and a copy of it is included with this application. The study concluded that the Project will generate fewer than 100 peak-hour trips, so no further analysis is required per Clermont County Engineer's Office criteria. A Phase I Environmental Assessment and market study will be completed for the Site. While not anticipated, any environmental conditions identified will be appropriately mitigated.

- 6) **Has there been any community engagement or outreach conducted to gather feedback and input from the residents or stakeholders in the affected area? If so, please provide details on the nature and outcome of these engagements.**

Multiple meetings have been held with Township staff regarding the proposed Project. The proposed Site was selected as a result. Further, the applicant has notified Batavia Nursing Care Center, Mercy Health, and Clermont Community Services, Inc. Conversations and meetings with these organizations will be ongoing.

- 7) **Are there any potential conflicts or concerns from neighboring property owners or other stakeholders that you are aware of? If so, please explain and provide any relevant documentation or correspondence.**

No.

- 8) **What measures or strategies are being proposed to mitigate any potential negative impacts or conflicts resulting from the zoning map amendment? This could include buffer zones, landscaping, or other design elements.**

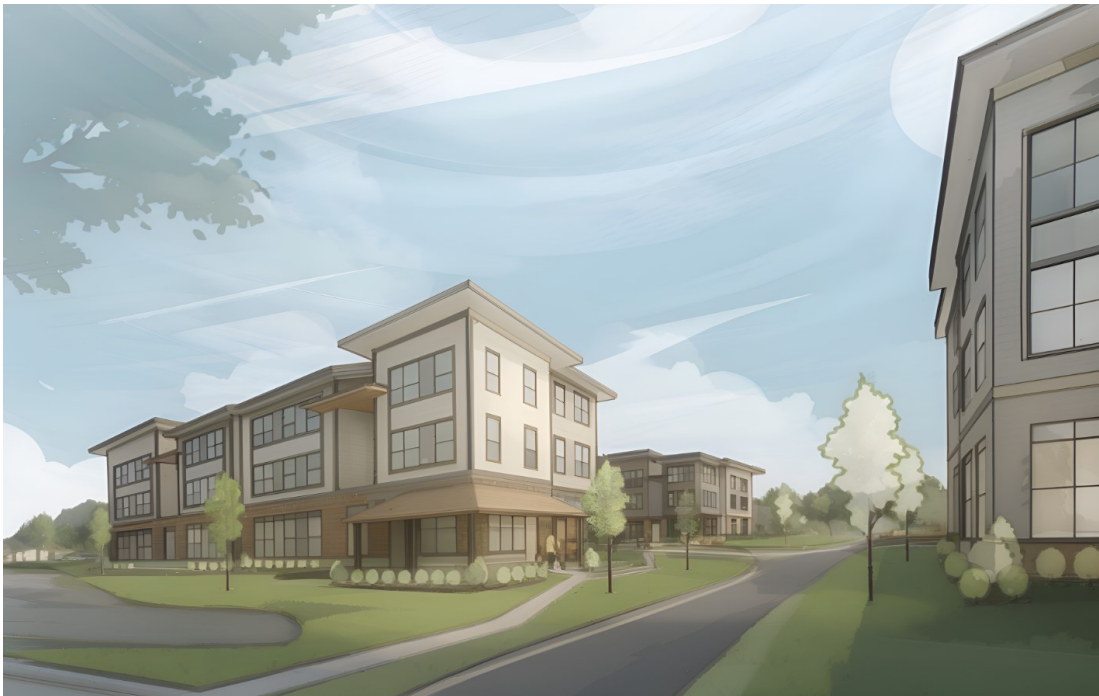
Planned development zoning allows buffer zones between the multifamily housing and adjacent agricultural or business-zoned properties. This could include landscaped green spaces or natural vegetation that separates the residential units from neighboring land uses, reducing visual and noise impacts. Thoughtful landscaping will be used around the site's perimeter and throughout the development to enhance aesthetics, create privacy, and contribute to environmental sustainability. Access points will be carefully designed in coordination with the county engineer's office. The site plan will carefully consider building orientation, setbacks, and height to ensure the development fits within the surrounding landscape and does not overwhelm neighboring properties. The design will aim to minimize potential conflicts

- 9) **Are there any legal or regulatory considerations that need to be taken into account when evaluating the proposed zoning map amendment? This could include compliance with state or local zoning laws, environmental regulations, or any other relevant legal requirements.**

The Meadows

PID: 01-20-11B-094 (3.3-acres) and 01-20-11B-095 (1.7-acres)
Vicinity of 3003 Hospital Drive, Batavia, Ohio 45103

APPLICATION FOR PLANNED DEVELOPMENT ZONING MAP AMENDMENT



Respectfully Submitted by:
Spire Development, Inc.
330 W Spring Street, Suite 430
Columbus, Ohio 43215
P: 614-350-0391 x2
E: scott@livespired.com

December 2, 2024

Project Summary:

The Meadows would be a 70- to 106-unit new construction workforce housing community consisting of primarily one-bedroom and two-bedroom units, with a maximum of 11 three-bedroom units. Each unit will feature Energy Star appliances, washer/dryers, large walk-in closets, and vinyl plank flooring. The Meadow's common area will include a community room, exterior leisure porch, covered picnic area, playground, fitness center, and on-site property management and maintenance. The Meadow's exterior will consist of durable brick, stone, and cementitious siding (i.e., Hardie Plank Siding). There will be no vinyl siding. The Meadows will be Leadership in Energy and Environmental Design (LEED) certified, the most widely used green building rating system when complete. The Meadows will have dedicated on-site management and maintenance staff.

This is not a project-based Section 8 project, homeless shelter, "halfway house," or permanent housing project. It is an apartment community for moderate-income essential workers and seniors, as described below.

The Project is funded, in part, through housing tax credits. Awarded annually by the Ohio Housing Finance Agency ("OHFA"), housing tax credits are highly competitive. Per OHFA guidelines, Clermont County can only receive one 9% housing tax credit award during the upcoming 2025 funding round. Applications are due to OHFA in February 2025 and awards are announced in May 2025.

The housing tax credit program was signed into law by President Reagan in 1986, made permanent under President Clinton, preserved and strengthened under President Bush and President Obama, and expanded by President Trump and President Biden.

The program's premise is to encourage private developers to develop rental housing for moderate-income essential workers and seniors on fixed incomes so they are not rent-burdened. These folks teach your children, care for you at the hospital, provide emergency services in your community, and other essential services.

The tax credit program is one of the most successful federal programs of all time (as evidenced by 38 years of bipartisan support) because it attracts private capital to yield a public benefit instead of being a direct governmental subsidy program, which usually does not garner bipartisan support.

The tax credit program helps create rental housing with reasonable rents by offering tax incentives to property investors. The property investor(s) are large, local banks that do business within the community (e.g., Fifth Third Bank, PNC Bank, etc.). In exchange, the Project's rents are legally restricted for 30 years via a deed restriction. Households below 80% of the Area Median Income ("AMI") can rent housing credit units. It is an income, not asset, qualification test; therefore, it is also an excellent option for seniors on a fixed income because they can qualify to live at the Project without eroding their retirement savings.

Rents are set annually, so households spend only 30% of their income on rent and utilities, allowing them to save for eventual home ownership, educational expenses, healthcare, spending within the

community, etc. The tax credit program also does not disincentivize households from career advancement. Specifically, so long as the household does not change units, they can earn above the income restrictions.

Depending on unit type and household size, Clermont County's current 80% AMI income restrictions range from \$58,720 to \$97,280. 80% AMI maximum rents are currently \$1,573 to \$2,180, depending on unit type. A third-party market study will ultimately help determine the achievable rents for the area.

Prospective residents undergo (1) credit check, (2) criminal background check, (3) previous landlord screening, and (4) employer/income verification.



PROPERTY INFORMATION:

Parcel Number(s): 012011B094, and a portion of 012011B095

Total Site Area: +/- 5 ac.





PROPERTY INFORMATION:

Parcel Number(s): 012011B094, and a portion of 012011B095
Total Site Area: +/- 5 ac.



SHEET NO. SHEET TITLE
 GENERAL
 DP0.00 COVER SHEET
ARCHITECTURAL SITE
 DP1.01 DEVELOPMENT PLAN
 DP1.02 SITE RENDERINGS
 DP1.03 CONCEPTUAL RENDERING

PROJECT NAME:
 THE MEADOWS

NAME OF APPLICANT:
 SPIRE DEVELOPMENT, INC.
 330 W. SPRING STREET, SUITE 430,
 COLUMBUS, OHIO 43215

NAME OF PROPERTY OWNER:
 WESCE DEVELOPMENT, INC.
 934 1288 STATE ROUTE 28
 MILFORD OH 45150

NAME OF PREPARER:
 RED ARCHITECTURE, LLC
 589 W. NATIONWIDE BLVD, SUITE B
 COLUMBUS, OHIO 43215

SITE PARCEL ID: 012011B094 & PART OF 012011B095

SCHOOL DISTRICT:
 BATAVIA LOCAL SCHOOL DISTRICT

CURRENT ZONING DISTRICT:
 (B-2) - GENERAL BUSINESS

Exhibit D

THE MEADOWS HOSPITAL DRIVE PARCEL ID: 012011B094 & PART OF 012011B095 DECEMBER 2, 2024

SITE LOCATION MAP



Red/Architecture

589 W. NATIONWIDE BLVD, SUITE B
 COLUMBUS, OHIO 43215
 REDARCHITECTURE.COM
 614.467.2770

DP0.00

SD1004

GENERAL NOTES

THIS SITE PLAN WAS PREPARED FOR THE PRELIMINARY DEVELOPMENT PLAN SUBMISSION FOR BATAVIA TOWNSHIP IN BATAVIA, OHIO FOR THE PROPOSED MULTI-FAMILY PLANNED DEVELOPMENT. THE MULTI-FAMILY BUILDINGS ARE ALL THREE STORY "WALK-UP" STYLE BUILDINGS. AREA MEASUREMENTS HAVE BEEN TAKEN FROM PLAY SURVEY, AND GIS DATA HAS BEEN USED TO VERIFY THE BOUNDARIES OF THE PARCELS. THE RESULTING CAD BASE IS USED TO UPDATE THE PARCEL BOUNDARIES.

- THE EXISTING PARCELS ARE ZONED 2-B GENERAL BUSINESS AND IS CURRENTLY DEVELOPED FARM LAND THAT IS BEING PROPOSED TO BE DEVELOPED INTO A MULTI-FAMILY PLANNED DEVELOPMENT. THE PROPOSED DEVELOPMENT IS TO BE DEVELOPED ON THE 6.07 OF GRADE CHANGE ALONG THE EAST WEST ACCESS OF THE SITE. EXISTING CONTOURS ARE PROVIDED AT 2'-0" INCREMENTS.
- THE PROPOSED 4.99 ACRE SITE IS COMPRISED OF TWO SEPARATE PARCELS INCLUDING A120111B094 & PART OF 012011B095. THE EASTERN PROPERTY LINE SHALL BE RECORDED AT A LATER DATE.

CODED NOTES

- THE PROPOSED 40'-0" BUILDING SETBACK IS FOR BUILDING "D" ONLY. ALL OTHER BUILDING FRONT YARD, SIDE YARDS, AND REAR YARDS ARE SET TO 50'-0" PER THE MULTI-FAMILY DWELLING SECTION OF THE DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENTS SECTION 36.01. THIS 40'-0" SETBACK WILL ALLOW A MORE PLEASING LANDSCAPED AREA BETWEEN BUILDING "B" AND "D".
- FOUNDATION PLANTINGS WILL BE A VARIETY OF SHRUBS INCLUDING "BURNING BUSH" (EUONYMUS ALATUS), "GOLDEN CORN" (XIPHOXYLIA COMMUNIS), "HORSE CHESNUT" (AESCULUS HIPPOCASTANUM), "LINDEN" (TILIA), "NORWAY SPRUCE" (PICEA MARMILOSA), AND "RED TWIG DOGWOOD" (SWIDOWIA DOGWOOD). PLANTINGS SHALL BE PROVIDED FOR SCREENING HVAC EQUIPMENT, ELECTRIC UTILITIES, AND TRASH ENCLOSURES.
- PARKING LOT ISLANDS AND PENINSULAS SHALL BE PLANTED WITH AT LEAST ONE TREE PER 100 SQUARE FEET OF PARKING SPACE. TREE SPECIES SHALL BE: RIVER BIRCH (BETULA NIGRA), ARMASTRONG MAPLE (Acer REBURNUM), AND THE (CERIS CANADENSIS). TREES SHALL BE PLANTED WITH A MINIMUM 1 1/2" CALIPER. THE BUILDING'S BREEZEWAYS ARE DESIGNED TO BE OPEN EXTERIOR STARWAYS BUT WILL HAVE SECURED GROUND LEVEL ENTRY DOORS THAT WILL ADD A LEVEL OF SECURITY AND PROVIDE A COMMON ENTRANCE WITH A NICE APPEARANCE.
- UNPAVED MOVED PATHWAY WITH MAX 5% SLOPE PROVIDED AND MAINTAINED FOR OPEN SPACE.

BUILDING SUMMARY (SF)

UNIT AREA	COMMON AREA	TOTAL
BUILDING A	5,694	28,776
BUILDING B	36,248	41,504
BUILDING C	23,367	26,871
BUILDING D	24,449	27,953
TOTAL	17,958	125,104

RESIDENT AMENITIES INCLUDE CLOTHES WASHER/DRYER PROVIDED IN UNITS, PICNIC SHELTER AND PLAYGROUND, GROUND LEVEL COMMUNITY SPACE WITH AN EXERCISE ROOM, AND A COMMUNITY ROOM. COMMON OPEN SPACES, TRASH ENCLOSURES WILL BE LOCATED IN AN EFFICIENT AND INCONSPICUOUS LOCATION. COMMON AREA IN TABLE ABOVE INCLUDES COMMON BREEZEWAYS AND COMMUNITY SPACE.

DWELLING UNIT SUMMARY

106 TOTAL UNITS

- ONE BEDROOMS
695 SF - 800 SF
35 DU (33%)
- TWO BEDROOMS
795 SF - 900 SF
60 DU (57%)
- THREE BEDROOMS
995 SF - 1,115 SF
11 DU (10%)

DWELLING UNITS STACK THREE STORIES HIGH. REFER TO THE SITE PLAN DIAGRAM. BUILDINGS REPRESENT THE GROUND LEVEL IN THIS SCHEME TWO THREE BEDROOM UNITS AND ONE TWO BEDROOM UNITS ARE STACKED OVER TOP OF THE GROUND LEVEL COMMUNITY, AMENITY, & OFFICE SPACE.

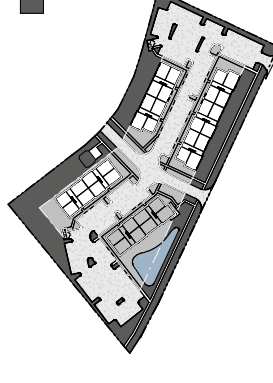
PARKING SUMMARY

- BATAVIA TOWNSHIP MULTI-FAMILY DEVELOPMENT PLAN RECOMMENDS 2 PARKING SPACES PER UNIT. THIS SITE DEVELOPMENT IS PROPOSING A 1.58 PARKING SPACE PER DWELLING UNIT RATIO. TYPICALLY PARKING REQUIREMENTS FOR WORKFORCE HOUSING IS LOWER.

CAR PARKING SPACES 163
HANDICAPPED PARKING SPACES 5
TOTAL PARKING SPACES 168

LOT COVERAGE & OPEN SPACE

- IMPERVIOUS AREA (SF)
94,226.5 = (43.3% OF SITE)
- OPEN SPACE (SF)
36,228 = (17.5% OF SITE)

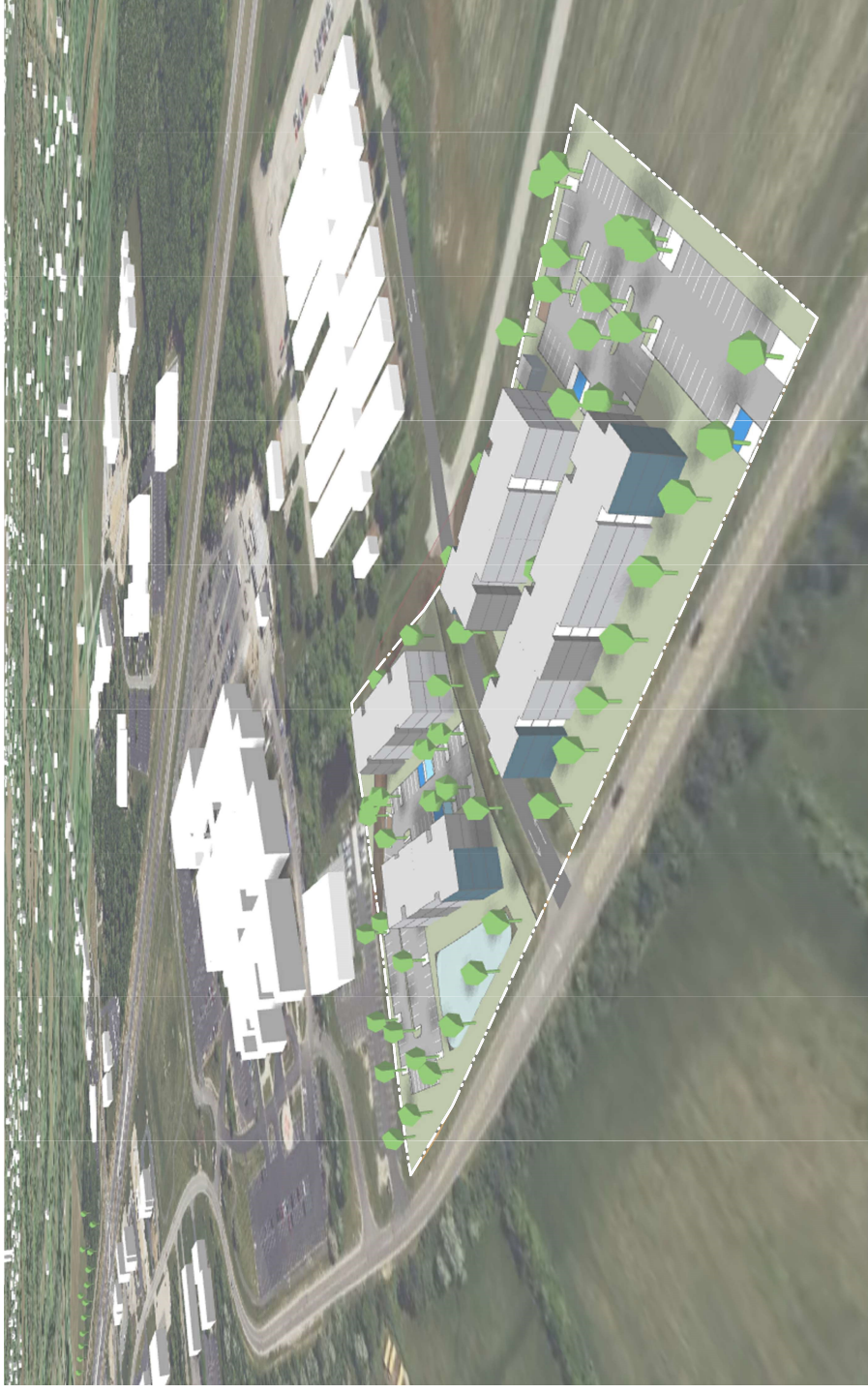


IMPERVIOUS SURFACE INCLUDED ALL BUILDING AREA AND PAVED PARKING AND SIDEWALKS. OPEN SPACE INCLUDES PLAYGROUND, EXERCISE COURSE, AND CREATIONAL AREAS IN BUILDING SETBACKS CONSIDERED TO BE REQUIRED PRIVATE YARDS.



VIEW FROM THE SOUTH EAST

This 3D representation depicts the massing of the buildings. The architectural qualities such as roof style, siding materials, and other features are not shown to allow the proposed development to be viewed in its natural site and its relationship to the surrounding context.



VIEW FROM THE SOUTH WEST



GENERAL NOTES

ACREAGE	DU/AC	PARKING PROVIDED	PARKING / DU
4.99	21.24	168	1.58

THIS SITE PLAN WAS PREPARED FOR THE BATAVIA TOWNSHIP PRELIMINARY DEVELOPMENT PLAN. THE BUILDINGS ARE NOT TO BE CONSIDERED AS A FINAL DEVELOPMENT. THE MULTI-FAMILY BUILDINGS ARE AT THREE STORIES WITH A MAXIMUM HEIGHT OF 35 FEET. THE REPRESENTATION DEPICTS THE MASSING OF THE BUILDINGS, THE ARCHITECTURAL QUALITIES SUCH AS ROOF STYLE, SIDING MATERIALS, AND OTHER FEATURES ARE NOT REPRESENTED. AREAS ARE TAKEN FROM PLAT SURVEY, AND GIS INFORMATION.

THE SITE DESIGN ADHERES TO THE 50'-0" BUILDING SETBACK OUTLINED IN THE BATAVIA DEVELOPMENT PLAN REQUIREMENTS FOR MULTIFAMILY DEVELOPMENTS WITH EXCEPTION OF BUILDING "D". SEE CODED NOTES FOR MORE INFORMATION. THE ORIENTATION OF THE BUILDINGS WEST OF GOLDENAGE DRIVE ATTEMPT TO SOFTEN THE CURVE OF THE ROAD. SUBSEQUENTLY, THE HOSPITAL, THE BUILDINGS ON THE EAST SIDE OF GOLDEN AGE DRIVE THEN ALIGN PARALLEL TO HOSPITAL DRIVE TO REINFORCE THE FRONT OF THE SITE. THE BUILDINGS ON BOTH SIDES OF GOLDEN AGE DRIVE ARE SET BACK THIRTY (30'-0") FEET TO MATCH THE SETBACK OF THE NEIGHBORING NURSING CARE CENTER TO THE NORTH OF THE PROPERTY.

THERE ARE THREE PROPOSED ENTRIES TO THE SITE. ONE OF THEM IS DIRECTLY OFF HOSPITAL DRIVE ON THE EAST SIDE OF THE SITE TO AVOID THE MEDIAN THAT LEADS TO THE EXISTING DECEL LANE LEADING FROM HOSPITAL DRIVE TO GOLDEN AGE DRIVE. THE OTHER TWO ENTRIES ARE OFF GOLDEN AGE DRIVE. THE ENTRIES OFF GOLDEN AGE DRIVE ARE DESIGNED TO HAVE A CONTINUOUS CIRCUIT WITHOUT DEAD ENDS. BOTH THE BUILDINGS AND PARKING LOT AVOID THE UTILITY EASEMENT ON THE NORTH WEST SIDE OF THE SITE.

THE INTENTION FOR THE SITE IS TO CREATE A PEDESTRIAN FRIENDLY NETWORK OF SIDEWALKS AND PATHS TO THE BUILDINGS AND TO PROVIDE A NETWORK OF BIWAYS AND AMENITIES AS WELL AS CREATE PATHS FOR EXERCISE AND/OR LEISURE.



Red/Architecture

568 W. NATIONWIDE BLVD., SUITE B
REDArchITECTURE.COM

COLUMBUS, OHIO 43215
614.467.8770

THE MEADOWS

HOSPITAL DRIVE
PARCEL ID: 012011B094 & PART OF 012011B095

DP1.02

SD1004
DECEMBER 2, 2024

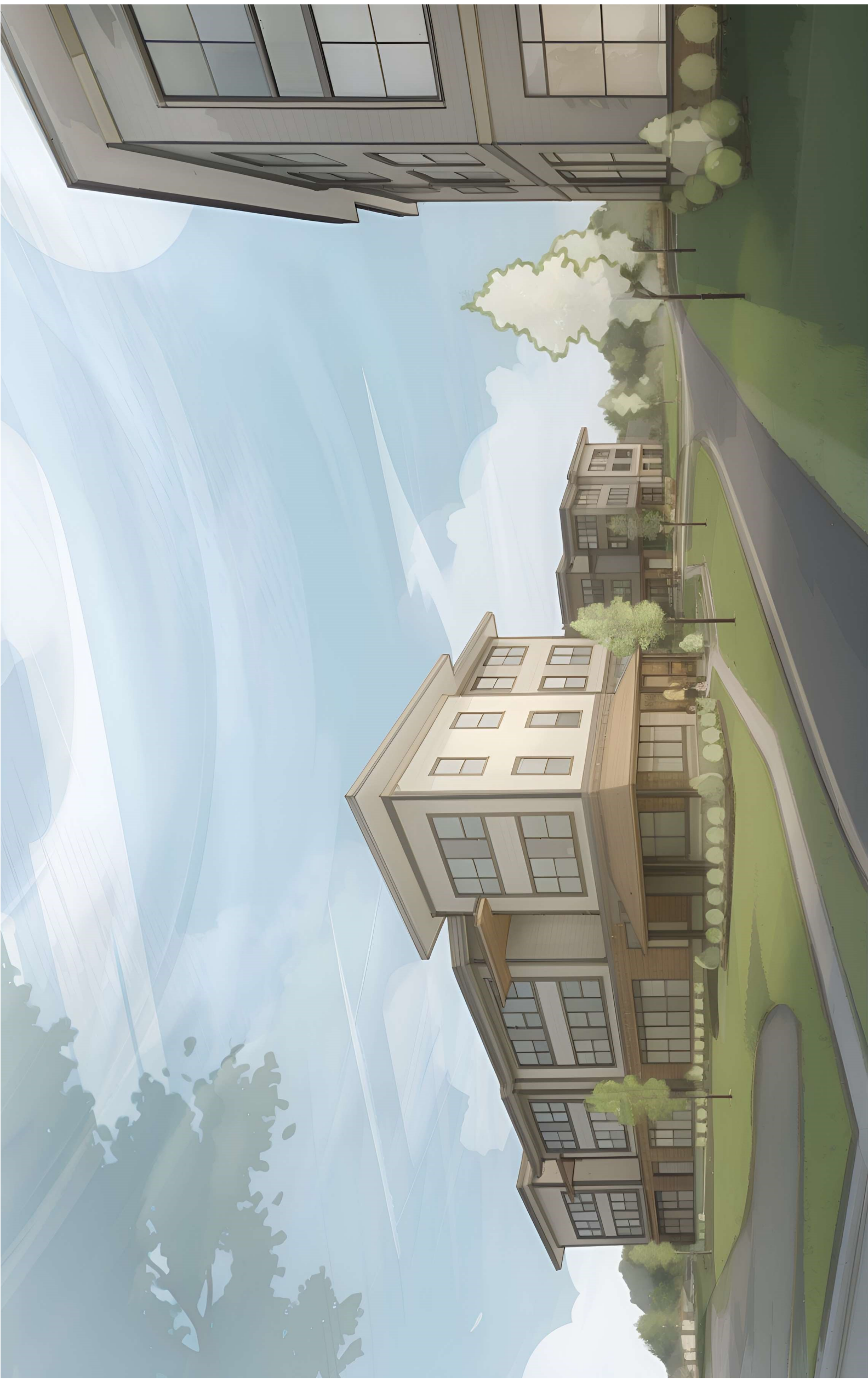
DESIGN NARRATIVE

THE DESIGN CONCEPT FOR THE MEADOWS IS FOCUSED ON THE CONNECTION TO THE LAND AND THE SURROUNDING CONTEXT. THE MAIN GROUNDING ELEMENT IS THE FIRST LEVEL HAVING A SINGLE MATERIAL, CLERMONT, FINISHING THROUGHOUT THE ENTIRE FACADE. THIS GIVES THE APPEARANCE OF LIFTING UP THE SECOND AND THIRD LEVELS CREATING A NEW VISUAL GRADE PLANE. THIS IS A COMMON ARCHITECTURAL THEME FOUND IN THE AREA SHOWING UP AT BOTH THE MERCY HEALTH - CLERMONT HOSPITAL AND NEIGHBORING PEDIATRIC CENTER BUILDING.

THE SECOND AND THIRD FLOOR WINDOWS ARE GROUPED IN A PANELED ASSEMBLY TO FURTHER INDIVIDUALIZE THE UNITS AND PAY HOMAGE TO THE SEGMENTED FACADE OF THE MERCY HEALTH CLERMONT HOSPITAL. THIS IS A COMMON FEATURE REPEATED ON THEIR FACADE.

THE ROOF DESIGN PRESENTS A SUBTLE SLOPED ROOF WITH OPPOSING ANGLES DIVIDED BY THE GABLED BREEZEWAY ROOFS. THE LOW SLOPING ROOFS GESTURE TO THE NEIGHBORING FARM LAND AND THE EXISTING BUILDINGS NEARBY. THE SLOPED ROOF OVERHANGS MORE THAN THE CENTRAL ROOF TO EMPHASIZE THE POINT OF ENTRY TO THE SITE AND ONCE AGAIN PAY HOMAGE TO THE CAR PORT ENTRY OF THE HOSPITAL.

THIS RENDERING IS MEANT TO PROVIDE AN IDEA OF THE POTENTIAL ARCHITECTURAL QUALITIES OF THE PROPOSED PRELIMINARY DEVELOPMENT PLAN. FURTHER ITERATIONS WILL BE PROVIDED BASED ON COMMENTS FROM THE BATAVIA TOWNSHIP ADMINISTRATOR, STAFF, AND TRUSTEES.



Red/Architecture

THE MEADOWS

DP1.03

558 W. NATIONWIDE BLVD., SUITE B
REDArchITECTURE.COM

HOSPITAL DRIVE
PARCEL ID: 012011B094 & PART OF 012011B095

SD1004
DECEMBER 2, 2024

Exhibit E

ARTICLE 36 PLANNED DEVELOPMENT

36.01 PLANNED DEVELOPMENT OBJECTIVES

The Planned Development (PD) District and the associated planning and development regulations as set forth and referred to herein are designed to achieve the following objectives:

- A. Provide flexibility in the regulation of residential, commercial and office land development;
- B. Encourage a variety of housing and building types, a compatible mix of commercial and residential development, and creative site design;
- C. Encourage provision of useful open space, and preservation of valuable and unique natural resources;
- E. Provide a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and contributes to the ecological well being of the community;
- F. Promote efficiency through a more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets and other public services;
- G. Provide a residential and/or commercial development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the Batavia Township Growth Policy Plan; and
- H. Provide opportunities for alternate energy and utility uses, such as wind and solar energy generation uses as principal uses, to be sited, designed and operated consistent with the community character and growth policies of Batavia Township.

36.02 PROVISIONS GOVERNING PLANNED DEVELOPMENTS

- A. General

Because of the special characteristics of Planned Developments, special provisions governing the developments of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this Article and those of the other Articles of this Resolution, the provisions of this Article

shall prevail for the development of land for Planned Developments. Subjects not covered by this Article shall be governed by the respective provisions found elsewhere in this Resolution.

B. Construction

No construction, grading, tree removal, soil stripping, or other site improvements or changes shall commence, and no permits shall be issued until approval of the PD Final Development Plan by the Township Zoning Administrator in conformance with the requirements of this Article 36 PD Planned Development provisions have been met.

36.03 USES PERMITTED

- A. Any use that is permitted in any zoning district may be approved within a Planned Development provided that the project shall be planned, developed, and operated in accordance with an approved development plan. Specific uses, structures, and developments shall be properly integrated with the surrounding area in such a way as to promote the health, safety, morals, general welfare, and wholesome environment of the general public and of the occupants of nearby property, and to avoid nuisances to the general public or to the occupants of nearby property. All uses shall be approved by the Township as part of the development plan review process.
- B. Solar Energy Systems and Wind Energy Systems as a principal use of a property may be approved as a Planned Development provided that the project shall be planned, developed, and operated in accordance with an approved development plan. The Township shall review such principal use Energy Systems using the development standards in Section 36.12 Energy System Design Standards.

36.04 RECOMMENDED MINIMUM PROJECT AREA

It is recommended that the gross area of the tract to be developed under the Planned Development approach shall be a minimum of five (5) acres.

36.05 DEFINITIONS

The following words and phrases shall have the following meanings applicable to Planned Developments.

- A. “Common Open Space” is a parcel of land or any area of water, or a combination of land and water within the site designed and intended for the use or enjoyment of occupants of the Planned Development, or consistent with use as described in Section 36.01 H. Common Open Space may contain such complimentary structures and improvements as are necessary and appropriate for the benefit and

enjoyment of occupants but shall not include rights-of-way and required private yards;

- B. “Landowner” shall mean the legal or beneficial owner or owners of all of the land proposed to be included in a Planned Development. The holder of an option or contract to purchase, a lessee or other person having an enforceable proprietary interest in such land, shall be deemed to be a landowner for the purposes of this Article;
- C. “Plan” shall mean the written and graphic submission for a Planned Development, including a Preliminary Development Plan (denoting a prospectus for development), Final Development Plan, a plat of subdivision, all covenants relating to use, location, and bulk of buildings and other structures, density of development, private streets, ways and parking facilities, common open space and public facilities;
- D. “Planned Development” (PD) is an area of land, controlled by a Landowner, to be developed as a single entity for a variety of dwelling units and/or other uses, the Plan for which may not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one zoning district created, from time to time, under the provisions of the Batavia Township Zoning Resolution; and
- E. “Professional Consultant” shall mean a person who possesses the knowledge and skills, by reason of education, training, and experience to comprehend the full nature and extent of the project in question regarding its social, economic, physical, environmental and design characteristics and implications in order to foster a unified plan for development. The professional consultant may be a registered architect, landscape architect, engineer, planner, or equivalent.

36.06 PROJECT OWNERSHIP

The project land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

36.07 OPEN SPACE IN PLANNED DEVELOPMENTS

A. Common Open Space

No less than twenty (20%) percent of the gross acreage in any Planned Development shall be reserved for common open space and recreational facilities for the residents or users of the area being developed. The open space shall be disposed of as required in Section 36.07 B. Required open space shall be readily accessible and usable by occupants of the approved development.

B. Disposition of Common Open Space

The required amount of common open space land reserved under a Planned Development shall be held in corporate ownership by owners or the Homeowners Association of the project area for the use of each owner who buys property within the development or under exceptional circumstances be dedicated to the Township, following consent and approval by the Township, and retained as common open space for public parks, recreation, and related uses. All land dedicated to the Township must meet the Batavia Township Board of Trustees requirements as to size, shape, and location. Public utility and similar easements and rights-of-way for water courses and other similar channels are not acceptable for common open space dedication to the Township, unless such land or right-of-way is usable as a trail or other similar purposes and approved by the Batavia Township Board of Trustees. A Homeowners Association (HOA), or other appropriate management entity for non-residential use projects, shall be established and in place prior to the development of any land within a PD with the open space(s) under their control being denoted on the record plat and identified as “non-buildable” other than for HOA approved uses.

C. Maintenance of Open Space

1. A Homeowners Association, or other appropriate management entity for non-residential use projects, shall be responsible for maintenance of open space and other required amenities within the proposed PD. A Homeowners Association shall be established, and the Bylaws and Articles of Incorporation shall be recorded at the time of approval of the Final Development Plan, prior to issuance of a Zoning Certificate or approval of a record plat.
2. The Batavia Township Board of Trustees may require a maintenance bond be provided or an escrow account established by the developer for maintenance and upkeep of all common areas until such time as 75% of the lots have been sold.

D. Lots to Have Access to Common Open Space

1. Every residential property developed under the Planned Development approach should be designed to easily access common open space or similar areas. Open space areas shall be accessible to all residents and dwelling units and shall be conveniently located in relation to dwelling units. This does not limit the creation or protection of buffer areas not intended for active use. Open space areas shall have minimum dimensions which are usable for the functions intended and which will permit proper maintenance. The Batavia Township Board of Trustees may require that natural amenities, such as but not limited to, ravines, rock, outcrops, wooded area, tree or shrub specimens,

unique wildlife habitat, ponds, streams, and marshes be preserved as part of the open space system.

2. Common open space within non-residential use areas shall be designed to provide maximum benefit to the users of the development and should not be provided in unusable fragments. The design of the open space should create open space areas that are accessible and oriented to pedestrian activity.

36.08 UTILITY REQUIREMENTS

Underground utilities, including telephone and electrical systems, are required within the limits of all Planned Developments. Appurtenances to these systems which can be effectively screened may be exempt from this requirement.

36.09 DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENTS

Planned Developments may be developed following the provisions of this Section.

- A. Minimum Recommended Lot Sizes, Setbacks, Building Line Widths, Dwelling Square Footages and Maximum Recommended Density Levels.
 1. Minimum requirements with respect to lot sizes, setbacks, building line widths, and dwelling square footages shall be duly noted on the record plat. Recommended development standards are specified for different land use types. The Township may approve variable development standards based on the specific conditions and development patterns for a Planned Development. The Township may consider the impact that proposed property maintenance may have on approval of variable development standards – i.e. yard, landscaping, building, snow removal by a homeowners association.
 2. The total residential density of the PD shall be established on the NET acreage of the residential portion of the PD, excluding any areas of commercial, office, or non-residential use including open space lots. Slopes greater than 20%, existing public right of ways, and existing utility easements shall be subtracted from the total acreage to calculate net density. The Township may allow increased density in a PD if the Township determines that the proposed density will be appropriate for the property and the area, and that the proposed design justifies the increase in density.

EXAMPLE TO BE USED FOR CALCULATING NET DENSITY

100 gross acres (including min. of 20% open space or 20 acres)
- 15 acres of > 20% slope
- 5 acres of existing public r-o-w and/or utility easements
80 net acres

Proposed # of dwellings per dwelling type / net acres = proposed net residential density.

3. The Township shall evaluate the proposed off-street parking to determine if adequate parking is provided and may require additional improvements if deemed necessary.

4. Single-family Detached Dwellings. Each lot intended for a single-family detached dwelling is recommended to have the following minimum standards. Variable standards may be granted by the Township if considered appropriate. If not, minimum standards shall be:
 - a. Lot size 10,000 square feet
 - b. Lot width at building line 75 feet
 - c. Front yard 35 feet from right-of-way
 - d. Side yards 20 feet total; 5 feet minimum on one side
 - e. Rear yard 30 feet from rear lot line
 - f. Net density 3 dwelling units per acre

5. Attached Two-family Dwellings and Attached Patio Home-style Dwellings. Each lot intended for an attached two-family or attached patio home-style dwelling is recommended to have the following minimum standards. Variable standards may be granted by the Township if considered appropriate. If not, minimum standards shall be:
 - a. Lot size 6,500 square feet
 - b. Lot width at building line 50 feet
 - c. Front yard 35 feet from right-of-way
 - d. Side yards 25 feet total; 10 feet minimum on one side
 - e. Rear yard 35 feet from rear lot line
 - f. Net density 6 dwelling units per acre

6. Multi-family Dwellings and Attached Single-family Dwellings. Multi-family dwellings and attached single-family dwelling units, including apartments, attached townhouse, clustered patio homes and condominium units, may be incorporated into a proposed Planned Development, if the Township finds that such use will be consistent with the character of the area, compatible with surrounding uses, and in compliance with the standards of this Article. Variable standards may be granted by the Township if considered appropriate. If not, minimum standards from the perimeter property line shall be:

- a. Front yard 50 feet from the public right-of-way; or 30 feet from a private right-of-way easement
 - b. Side yards 50 feet on each side
 - c. Rear yard 50 feet from rear lot line
 - d. Between buildings 25 feet between buildings
 - e. Net density 10 dwelling units per acre
 - f. In areas where townhouses or attached condominiums are developed, a maximum of eight (8) townhouse units in any contiguous group is recommended.
 - g. The multi-family structures and pavement shall not utilize more than 60% of the net acreage allocated to the complex.
7. The square footage of all dwelling units, attached and detached units, within a PD shall follow the guidelines established by the Zoning Resolution in effect at the time of issuance of Zoning Certificates unless modifications are agreed upon at the time of PD approval.
8. Non-residential Uses. Each lot in a PD intended for a non-residential use is recommended to have the following minimum standards. Variable standards may be granted by the Township if considered appropriate. If not, minimum standards from the perimeter property line shall be:
- a. Lot size 15,000 square feet
 - b. Lot width at building line 100 feet
 - c. Front yard 40 feet
 - d. Side yards 20 feet on each side
 - e. Rear yard 40 feet from rear lot line
 - f. Parking setback from right-of-way 10 feet
 - g. Parking setback from other lot lines 5 feet.
9. Other Development Controls for Non-residential Uses. The following development controls shall be applied to non-residential uses within a PD:
- a. Parking and loading requirements shall be in accordance with the provisions set forth in Article 8 of this Resolution or as approved on the Preliminary or Final Plan.
 - b. No outdoor sales or display of any materials shall be permitted in the PD unless approved as a part of the Preliminary or Final Plan.
 - c. No lighting shall be permitted which will have unreasonable glare from any use located in the PD onto any street or into an adjacent property. A lighting plan illustrating the proposed location, height,

pole and fixture type, design, lamp, and photometric plan shall be approved on the Preliminary or Final Plan or shall comply with the regulations of Section 8.02 H. Outdoor Lighting as minimum standards.

- d. All business activities permitted within the PD shall be conducted within a completely enclosed building, except for the following:
 - i. Off-street parking and loading and/or unloading areas.
 - ii. Outside play areas as part of child day care centers, churches, and schools.
 - iii. Accessory seating area for eating establishments.
 - iv. Open air display areas located on the same lot as the primary permitted uses. Such area shall be clearly identified on the PD plan as “outside display area”.
 - v. Fuel Dispensing.
 - vi. Other activities as approved on the Preliminary or Final Plan.
 - vii. Mechanical equipment, whether ground or roof mounted, shall be screened from view from public rights-of-way.
 - viii. Circulation systems (vehicular and pedestrian) shall be coordinated with those of adjacent areas.
 - ix. No use producing unreasonable objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
 - x. All waste receptacles shall be contained in an area screened on three sides by a six (6) foot tall solid wood or masonry enclosure. The fourth side is to contain steel enforced wood gates. The standards in Section 7.27 Dumpsters and Trash Handling Areas for Non-Single-Family Districts shall be used to establish minimum design standards.
 - xi. Signage is to be consistent with Article 40 of this Resolution or as approved on the Preliminary or Final Plan.
 - xii. Landscaping/Screening shall be as approved on the Preliminary or Final Plan. The standards in Section 7.07 Bufferyard and Landscaping and Section 8.02 I. Interior Parking Area Landscaping shall be used to guide landscape requirements.

36.10 HEIGHT REQUIREMENTS

It is recommended that heights of principle use structures in the PD shall not exceed forty (40) feet and that heights of accessory structures shall not exceed 15 feet.

36.11 STREET DESIGN

The design of streets is significant in determining the character of Planned Developments. The following conditions are recommended standards within Planned Developments.

- A. Streets should have a minimum pavement width of 28 feet for collector streets and 24 feet for local/cul-de-sac streets.
- B. Width of private streets are to be reviewed by the Township based on input from the Township fire and maintenance departments, and the County.
- C. Parking should be limited to one side of the street, recommended to be located opposite the fire hydrants.
- D. Sidewalks should be provided on both sides of public streets.
- E. The Township shall evaluate the proposed off-street parking to determine if adequate parking is provided and may require additional improvements if deemed necessary.
- F. Landscape islands and/or irrigation systems proposed in public rights-of-way shall be reviewed and approved by the Township, including the Township Service Director and Fire Department.
- G. Planting of trees within public rights-of-way shall not be permitted unless approved by the Township. Planting of trees on proposed private lots are encouraged at the rate of one (1) tree per lot in the front yard, and two (2) trees for corner lots.

36.12 PRINCIPAL USE ENERGY SYSTEM DEVELOPMENT CONTROLS

The following development controls shall be applied to principal use energy system uses within a PD:

- A. An applicant for a proposed principal use energy system shall provide the Township with the following items and/or information when applying for a Planned Development:

1. An engineering report that shows:
 - a. The total size and height of the proposed solar or wind energy system.
 - b. Data specifying the megawatt size and generating capacity in megawatts of the solar or wind energy system.
 - c. Hazardous materials containment and disposal plan.
2. A site drawing showing the location of the solar or wind energy system including all equipment and components thereof in relation to (and measurements of distances from) all existing structures on the property, roads and other public rights-of-way, and neighboring property lines.
3. Evidence of compliance with applicable setback and all other applicable development standards.
4. Maintenance. Solar or wind facilities must be maintained in good working order at all times. The owner of the property and owner of the solar or wind facilities shall, within thirty (30) days of permanently ceasing operation of a solar or wind facility, provide written notice of abandonment to the Township. An unused solar or wind facility may stand no longer than three (3) months following abandonment. All costs associated with the dismantling/demolition of the solar or wind facility and associated equipment shall be borne by the property owner. A solar or wind facility is considered abandoned when it ceases transmission of electricity for sixty (60) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing solar or wind facility and, in the case of ground mounted solar energy systems installed returning the property to a graded, seeded and/or landscaped state similar to its condition prior to the construction/installation.
5. Any other information or materials reasonably requested by the Township.

B. Small Solar Facilities.

A PD intended for a Small Solar Facility is recommended to have the following minimum standards. Variable standards may be granted by the Township if considered appropriate, If not, the minimum shall be:

1. Height. The maximum height of any structure at any point shall not exceed fifteen (15) feet.
2. Visual Buffer. Small Solar Facilities shall have a visual buffer of natural vegetation, plantings, and/or fencing that provides reasonable visual screening to reduce view of and noise from the Small Solar Facilities on adjacent lots and from any public right-of-way shall be provided.
3. Lighting. The Small Solar Facility must narrowly focus light inward toward the solar equipment, be downlit and shielded, and result in a maximum horizontal illuminance level not to exceed one foot-candle. Small Solar Facilities shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways. Any lighting shall meet the lighting restrictions of this Resolution.
4. Noise. Any Small Solar Facility shall comply with the noise standards of Section 7.09 of this Resolution.
5. Setbacks. A Small Solar Facility shall have a perimeter setback of a minimum of 50 feet.
6. Building Permits. All Small Solar Facilities and parts thereof shall obtain all applicable required building permits from the County.
7. Advertising. Small Solar Facilities and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.

8. Road Use Maintenance Agreement. The property owner shall provide for the adequate maintenance and protection of Township maintained, protected, or managed infrastructure (including, but not limited to roadways, rights-of-way, and easements) to be used in connection with the Small Solar Facility as detailed further in a road use and maintenance agreement (“RUMA”) with the Township. Any damaged public roads, culverts, and bridges shall be repaired promptly to their previous or better condition by the property owner or their designee under the guidance of the appropriate regulatory authority.
9. Safety Services. The property owner shall provide sufficient evidence that the property can be adequately served by the appropriate safety services, for example, a letter from the applicable fire department verifying that emergency response personnel and vehicles can safely reach and service the property, including the area where the Small Solar Facility is located.
10. Glare. Solar panels shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.
11. Any fencing and/or screening installed in connection with the Small Solar Facility shall be harmonious and compatible with the surrounding properties and uses. Fencing shall be maintained in good repair and in an aesthetic manner at all times.
12. Other Restrictions. A Small Solar Facility shall comply with all applicable federal, state, and local laws, rules, and regulations.

36.13 PLANNED DEVELOPMENT REVIEW PRODEDURES

Because of the distinctive nature of Planned Developments, the review process may consist of a simultaneous zoning review and Clermont County subdivision review. Applications for PD’s shall be processed in two (2) steps as follows:

A. Step #1 Application for Planned Development

The required number of copies of the application material for Planned Development consistent with the submission requirements shall be filed with the

Township Zoning Administrator and processed in the same manner as any change of zone application. The Zoning Administrator upon receipt of the Application Material for Planned Development, shall transmit copies of said plans to the Township Zoning Commission, the Batavia Township Board of Trustees, and retain one (1) file copy, and may transmit copies of said plans to the County Planning Commission for review.

1. If the Township transmits the Planned Development application to the County Planning Commission for review, the Township Zoning Commission and Township Board of Trustees may consider the recommendation of the County Planning Commission.
2. The Township may transmit the Planned Development application to the Clermont County Engineers Office, Clermont County Water Resources Department or other county or state agency or department to request review and comment on the proposed Planned Development.
3. The Township recommends that the applicant for a residential PD complete the design review for a subdivision with the County prior to, or simultaneous with, application for the PD Preliminary Plan/Zone Change approval by the Township.

Any comments and recommendations of the County Planning Commission, the comments of associated County agencies, and the recommendation by the Township Zoning Commission shall be transmitted to the Batavia Township Board of Trustees for the final decision on the application for the Planned Development. The Batavia Township Board of Trustees shall notify the County Planning Commission immediately of their action on the zone map amendment.

B. Step #2 Final Development Plan

A Final Development Plan for the entire development or the first phase of the development if acceptable, must be approved within eighteen (18) months of the Batavia Township Board of Trustees Preliminary Development Plan approval unless an eighteen (18) month extension of time is granted by such Board. If a Final Development Plan is not filed within this time period, the Township shall follow the procedures established in Section 36.15 Phasing And Delay in Construction. The Township recommends that the applicant complete formal subdivision review by the County prior to obtaining final approval by the Township for the Final Development Plan.

The required number of copies of a Final Development Plan shall be submitted to the Township Zoning Administrator for each phase of the project proposed to be developed. The Final Development Plan shall provide details regarding the construction of improvements within the PD and shall be in accordance with the

submission requirements for Final Development Plans. The Zoning Administrator, upon receipt of a Final Development Plan, may transmit copies of said plans to the Township Service Director and other Township departments or County agencies and may request review and comment on the plans. If the Clermont County Planning Commission has not completed their formal subdivision review of the development, copies of the Final Development Plan may also be transmitted to their office for review.

Any comments of the Township departments, County Planning Commission, and County agencies shall be considered by the Zoning Administrator for the decision on the application for Final Development Plan. The Zoning Administrator shall notify the County Planning Commission immediately of their action.

C. Application for Planned Development/Preliminary Development Plan Requirements – Step #1

1. Petition Procedures

- a. A petition for PD district may be made by the owner(s) of record or by a person(s) acting on behalf of the owner(s) of record of the subject parcel, with the owner’s written consent. The owner of each parcel of land within the proposed PD shall be required to sign a Statement of Acknowledgment and consent as provided by Batavia Township within the application packet.
- b. The petition and related information shall be filed with the Township Zoning Administrator who shall transmit copies of the petition to the Zoning Commission secretary and may be transmitted to the County Planning Commission.
- c. In addition to the standard requirement fixed by this Resolution and the rules of the Zoning Commission for applications for a change of zone, additional information as required in the submission requirements and instructions per map amendments to Planned Developments shall also be submitted.

2. Consideration of PD Petition by Zoning Commission

- a. The Township Zoning Commission shall hold a public hearing on the petition.
- b. At the public hearing the petitioner shall present evidence regarding the following characteristics of the proposed development:

- i. The general character and substance;
 - ii. Objectives and purposes to be served;
 - iii. Compliance with all applicable Township ordinances, regulations, and standards;
 - iv. Scale and scope of development proposed;
 - v. Development schedules including a prospectus detailing the phasing of the project;
 - vi. Compliance with the adopted Batavia Township Growth Policy Plan;
 - vii. The proposed development shall have a continuous boundary with all proposed development contained within a contiguous area;
 - viii. Evidence that the proposed Preliminary Development Plan complies with the Subdivision Regulations of Clermont County; and
 - ix. Mitigation techniques for anticipated traffic impacts.
- c. The Zoning Commission may also require that the petitioner provide information at the public hearing concerning economic feasibility of the proposed uses, school districts and boundaries, recreation facilities and costs/revenues for the Township, and environmental impact.
 - d. Evidence and expert opinion shall be submitted by the petitioner in the form of maps, charts, reports, models, or other materials; and in the form of testimony by experts, as will clearly state the full nature and extent of the proposal. Materials shall be submitted in sufficient quantity for public display and for review by the Zoning Commission and other Township officials.
 - e. The Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, Preliminary Development Plan and related required information pertaining thereto and any

recommendation of the County Planning Commission thereon to the Batavia Township Board of Trustees.

3. Consideration of PD Petition by Batavia Township Board of Trustees
 - a. The Batavia Township Board of Trustees shall, upon receipt of such recommendation set a time for a public hearing on such proposed amendment, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Township Zoning Commission. Notice of such public hearing shall be given by the Board by publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.
 - b. The Batavia Township Board of Trustees shall, within forty-five (45) days after the public hearing, approve, approve with modifications, or deny the petition for PD Preliminary Development Plan.
4. At the request of the applicant, the Zoning Commission or Batavia Township Board of Trustees may grant an extension in time limits required herein.
5. If land subdivision is involved, the development plans must satisfy the requirements of the Clermont County Subdivision Regulations. Formal subdivision approval must be granted by the County Planning Commission prior to the commencement of development of the PD.

D. Standards for Petition Review of PD Preliminary Development Plan

Using the information submitted by the petitioner and any findings of the County Planning Commission, the Zoning Commission shall review the application and report to the Batavia Township Board of Trustees their findings as to whether the petition meets the following standards.

1. The proposed development shall conform to the adopted Batavia Township Growth Policy Plan, or represent a land use policy, which, in the Zoning Commissions' opinion, is a logical and acceptable change in the adopted Growth Policy Plan;
2. The proposed development shall conform to the intent and all regulations, requirements and standards of a PD District;
3. The proposed development shall be adequately served by public facilities and services such as but not limited to streets, police and fire protection, drainage course, water and sanitary facilities, refuse disposal, and

sidewalks; or that the persons or agencies responsible for the proposed development shall be able to properly provide such facilities and services;

4. Common open space, other common properties and facilities, individual properties, and all other elements of a PD are so planned that they will achieve a unified open space and recreation area system with open space and all other elements in appropriate locations, suitably related to each other, the site and surrounding lands;
5. The petitioner shall have made provision to assure that public and common areas will be or have been irrevocably committed for that purpose with notations of such commitment being denoted on the record plat. Provisions shall be made for financing of improvements shown on the plan for open space and other common areas, and that proper maintenance of such improvements is assured;
6. Traffic to, from, and within the site will not be hazardous or inconvenient to the project or to the neighborhood. In applying this standard, the Township shall consider, among other things: convenient routes for pedestrian traffic; relationship of the proposed project to main thoroughfares and street intersections; the construction of any roadway improvements necessary to mitigate the impact of the development, and the general character and intensity of the existing and potential development of the neighborhood;
7. The mix of housing unit types and densities, or in the case of non-residential development, the mix of uses and intensities, shall be acceptable in terms of compatibility, issues of privacy, and similar measures;
8. Where applicable, the convenience type retail or office development within the project shall be appropriately located within the PD such that the vehicular traffic generated by those uses does not affect adjacent neighborhoods or the residential portions of the development.
9. The Township shall determine, where applicable, that noise, odor, light, or other external effects which are connected with the proposed uses, will not adversely affect adjacent and neighboring lands and uses;
10. The proposed development shall create a minimum disturbance to natural features and land forms;
11. The property shall have adequate access to public streets. The plan shall provide for logical extensions of public streets and shall provide suitable street connections to adjacent parcels, where applicable; and

12. Pedestrian circulation shall be provided within the site, and shall interconnect all use areas, where applicable. The pedestrian system shall provide for a logical extension of pedestrian ways outside the site and to the edges of the site, where applicable.

E. Application for Final Development Plan Requirements – Step #2

1. Petition Requirements

- a. A Final Development Plan shall be submitted for approval for each phase of a PD as delineated on the approved Preliminary Development Plan. Each Final Development Plan shall meet all applicable provisions of the Township Zoning Resolution, the submission requirements, and shall conform to the approved Preliminary Development Plan and to all conditions attached thereto.
- b. The Final Development Plan, in addition to customary engineering depiction of the area, monuments, etc., shall also include all of the information required by the submission requirements and instructions for Final Development Plans;
- c. The plans and drawings required by the submission requirements and instructions may be combined in any suitable and convenient manner so long as the data required is clearly indicated on one or more of said plats. A separate plat for each element is not necessary, but may be provided at the option of the applicant; and
- d. Sketches of the exteriors of several representative buildings in the project shall be provided as requested by the Township. It is intended that neither uniformity of architectural style nor unnecessary diversity thereof be a prerequisite to approval, but the developer is encouraged to exercise ingenuity in achieving a harmonious entity without undue attention to consistency. The purpose of this Section is to permit development flexibility greater than that permitted by other sections of this ordinance.

2. Consideration of Final Development Plan

- a. The Final Development Plan shall be submitted to the Township Zoning Administrator for review. The Zoning Administrator shall approve, modify or deny the Plan with any conditions that may be appropriate within sixty (60) days of the filing date, unless the applicant has agreed to an extension to the deadline.

- b. The Township may request review by the County Planning Commission and other agencies along with information regarding the project's submittals for subdivision review.

36.14 FINANCING RESPONSIBILITY

No building permits shall be issued for construction within a PD District until required improvements are installed or performance bond posted in accordance with the same procedures as provided for by the Board of County Commissioners. Other requirements may also be established from time to time by the Board of County Commissioners.

36.15 PHASING AND DELAY IN CONSTRUCTION

Development may be phased as delineated on the approved development plan, subject to the following requirements:

- A. A phase shall not be dependent upon subsequent phases for safe and convenient vehicular and pedestrian access, adequate utility services and open spaces and recreation facilities;
- B. The Township may require, as part of a Final Development Plan review of a phase of a PD, that land shown as open space on the approved area plan be held in reserve as part of the phase to be developed, in order to guarantee that density limits for the entire approved PD will not be exceeded when the subject phase is completed. Such reserved land may be included in the development of subsequent phases if the density limits will not be exceeded upon completion of that phase or if other land is similarly held in reserve; and
- C. Development shall be started and shall be diligently pursued in the manner and sequence shown on the approved plan with the timing of each subsequent phase following the submitted prospectus.
- D. As a condition for approval, the developer shall produce a prospectus for construction of said development. If the construction for said development has not started by the designated time, or if progress is not in conformity to the prospectus, the developer shall so state the cause in writing and request from the Township an extension of time. For the purpose of this chapter, "beginning of construction" means possession of a valid building permit for construction in the development.
- E. Failure of the developer to follow the plans approved by the Township for the Planned Development Project will be cause for permit approvals to be suspended until the development conforms to such plans, or revoked if such conformity is not established within six (6) months of a suspension for nonconformity. Upon

revocation of a permit, the landowner and lessees shall be subject to the penalties provided by law and by this Resolution for land use not permitted.

F. Expiration and Extension of Approval Period:

1. In the event that a Final Development Plan has not been approved within eighteen (18) months of the Batavia Township Board of Trustees approval of the Preliminary Development Plan, the Preliminary Plan shall no longer be valid and shall expire, unless an extension is granted by the Township. A Zoning Certificate shall not be issued until a valid Preliminary Plan is approved in the same manner as the previous Preliminary Plan. Under this scenario the PD zoning designation of the property shall remain in effect awaiting a new Preliminary Development Plan, or until appropriate action is taken to amend the zoning of the property in accordance with Article 4.
2. In the event that construction of the development is not started within two (2) years from the effective date of approval of the Final Development Plan by Batavia Township, the Final Plan shall no longer be valid and shall expire, unless an extension is granted by the Township. A Zoning Certificate shall not be issued until a valid Final Plan is approved in the manner required by this Article.
3. In the event that a Final Plan is not approved within eighteen (18) months of the expiration of the Final Plan, the Preliminary Plan shall expire. A Zoning Certificate shall not be issued until a valid Preliminary Plan is approved in the manner required by this Article. Under this scenario the PD zoning designation of the property shall remain in effect awaiting a new Preliminary Development Plan, or until appropriate action is taken to amend the zoning of the property in accordance with Article 4.
4. To request an extension of a Preliminary Plan or Final Plan, the developer or property owner shall notify the Township in writing stating the cause of delay of construction and request from the Township an extension in time and a change in the prospectus. The Zoning Administrator, after reviewing the PD time extension request shall recommend to the Batavia Township Board of Trustees that either an extension of time be granted, that the plan be allowed to expire, or that the area of the PD be considered for zone map amendment to a district considered appropriate based upon the recommendations of the Batavia Township Growth Policy Plan and the development patterns generally occurring in the vicinity of the property. The Board of Trustees shall consider the recommendation of the Zoning Administrator, and either grant an extension of the PD, allow the plan to expire, or initiate the necessary process to amend the zoning of the property.

36.16 PERFORMANCE GUARANTEES

Guarantees to assure completion of site improvements shall be provided in accordance with the requirements of the Batavia Township Zoning Resolution, or as otherwise required by the Township.

36.17 ADJUSTMENTS TO PLANNED DEVELOPMENTS

A. Major Changes. Major changes to an existing Planned Development, modifications from the Preliminary Development Plan, or revisions to a Final Development Plan for a tract of land in which development has not already begun or is not completed, in light of technical or engineering considerations, shall include the following. If the Zoning Administrator determines a proposed modification to be a major change, then the modification shall be reviewed in accordance with the procedures specified in Section 36.13 A. Step #1 Application for Planned Development.

1. A significant change in density or intensity.
2. Changes in the outside boundaries of the Planned Development.
3. Significant modification of the type, design, location, or amount of land designated for a specific land use or open space.
4. Modifications in the internal street and thoroughfare locations or alignments which significantly impact traffic patterns or safety considerations.
5. A modification to the minimum setbacks or building sizes of the approved Preliminary Development Plan.

All changes not deemed to be major changes shall be considered minor changes.

B. Minor Changes to an approved Preliminary Development Plan or Minor Changes to an approved Final Development Plan. All modifications from an approved Preliminary Development Plan or minor changes to an approved Final Development Plan not determined to be major changes as described above shall be subject to the approval procedures set forth in Section 36.13 B. Step #2 Final Development Plan.

36.18 REQUIRED CHARGES

A. The applicant shall be responsible for the expenses incurred by the Township in reviewing the PD Application, development plans or any modifications to the development plans. Such expenses may include items such as the cost of

professional and review services, including expenses and legal fees in connection with reviewing the plan and preparing reports, the publication and mailing of public notice in connection therewith and any other reasonable expenses directly attributable thereon.

- B. At the time of submitting each PD application, Preliminary and Final, to the Zoning Administrator, the Zoning Administrator may require the applicant to make a deposit with the Township Clerk in the amount equal to the estimated cost of the Township's expense, or as specified on the application forms. When this deposit has been depleted to thirty-three (33 %), another deposit will be requested.
- C. Failure to pay the above costs and fees within thirty days of invoice will stop all processing of the PD District application.
- D. The Zoning Administrator shall not approve a Final Development Plan by signing the required record plat until all fees, bonds or other obligations have been paid by the applicant.