

CITY OF CLAYTON, OHIO

ORDINANCE NO. O - 06 - 22 - 17

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE, WITH CONDITION, THE APPLICATION OF OAKES TREE DEVELOPMENT FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE-UNIT DISTRICT (RSD) (FORMERLY R-1 OPEN SPACE RESIDENTIAL) TO PLANNED DEVELOPMENT DISTRICT (PDD) (FORMERLY PD-3 PLANNED DEVELOPMENT- BUSINESS) AND TO FURTHER APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF NATIONAL ROAD AND HABER ROAD (TO BE CALLED "NORTHWOOD ESTATES") CONSISTING OF PARCEL I.D. NUMBER M60 03012 0022 AND PARCEL I.D. NUMBER M60 03102 0105 AND CONTAINING 33.69 ACRES WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on or about May 5, 2022, an application was filed by Oakes Tree Development, with consent of the property owner, for the property located at the Northwest Corner of National Road and Haber Road consisting of Parcel I.D. Number M60 03012 0022 and Parcel I.D. Number M60 03102 0105, and containing 33.69 acres within the City of Clayton, Ohio ("Subject Property")(to be called "Northwood Estates") and requesting a zoning change for same from Residential Single-Unit District (RSD) (formerly R-1 Open Space Residential) to Planned Development District (PDD) (formerly PD-3 Planned Development – Business) and further requesting approval of the proposed Preliminary Development Plan for said subject property; and

WHEREAS, the Clayton Planning Commission held a public hearing on May 23, 2022 on said re-zoning and Preliminary Development Plan request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said May 23, 2022 meeting, *voted to approve as submitted the re-zoning and Preliminary Development Plan request with the following condition: "The Applicant shall address the comments from the Staff Review emailed to the Applicant on May 20, 2022. These comments shall be addressed and/or provided as part of the Final Development Plan submittal."*; and

WHEREAS, the Clayton City Council held a public hearing on June 16, 2022, on the aforesaid re-zoning and Preliminary Development Plan request at which time any and all persons were given an opportunity to be heard thereon.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the Council hereby ADOPTS the Planning Commission's *recommendation of approval of the re-zoning and Preliminary Development Plan request for the Subject Property with the following condition: "The Applicant shall address the comments from the Staff Review emailed to the Applicant on May 20, 2022. These comments shall be addressed and/or provided as part of the Final*

Development Plan submittal.” A copy of the Staff Review comments email dated May 20, 2022 is appended hereto as Exhibit A.

- 2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
- 3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on June 16, 2022 and July 21, 2022.
- 4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON JULY 21, 2022.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Brookville Star July 27, 2022



Clerk