

# CITY OF CLAYTON, OHIO

## ORDINANCE NO. O - 05 - 23 - 08

**AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE, WITH SPECIFIED CONDITIONS, THE APPLICATION OF CLAYTON PROPERTIES GROUP, INC. DBA ARBOR HOMES, FOR A CHANGE IN ZONING FROM RURAL CONSERVATION DISTRICT- 2 (RCD-2) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO FURTHER APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR 42.99 ACRES OF PROPERTY LOCATED ALONG PHILLIPSBURG-UNION ROAD AND HABER ROAD AND BEARING PARCEL I.D. NO. M60 03006 0009 (TO BE CALLED "SALEM SPRINGS") WITHIN THE CITY OF CLAYTON, OHIO**

WHEREAS, on or about March 6, 2023, an application was filed by Clayton Properties Group, Inc. dba Arbor Homes, with consent of the property owner, for property located along Phillipsburg-Union Road and Haber Road consisting of Parcel I.D. Number M60 03006 0009 and containing 42.99 acres within the City of Clayton, Ohio ("Subject Property")(to be called "Salem Springs") and requesting a zoning change for same from Rural Conservation District-2 (RCD-2) to Planned Development District (PDD) 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 March 27, 2023 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 meeting, *voted to approve as submitted the re-zoning and Preliminary Development Plan request with the following conditions: "(1) That the proposed development has a minimum lot width of 60'; and (2) That the applicant addresses the comments provided in the plan review letter from Planning Staff sent to the applicant on Mach 24, 2023";* and

WHEREAS, the Clayton City Council held a public hearing on May 4, 2023, 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 conditions: "(1) That the proposed development has a minimum lot width of 60'; and (2) That the applicant addresses the comments provided in the plan review letter from Planning Staff sent to the applicant on Mach 24, 2023."* A copy of the Staff Review comments dated March 24, 2023, 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.

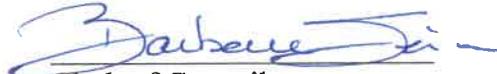
3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on June 15, 2023 and July 20, 2023.

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 20, 2023.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Law Director

CERTIFICATION OF PUBLICATION

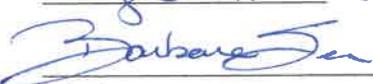
This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Register Herald

Date of publication

July 26, 2023

  
\_\_\_\_\_  
Clerk

PLAN REVIEW COMMENTS  
SALEM SPRINGS – REZONING & PRELIMINARY DEVELOPMENT PLAN  
CLAYTON, OH

Exhibit A



Review prepared by: Seth Dorman, Planner

March 24, 2023

The Development Department has reviewed the Salem Springs Preliminary Development Plan and has the following comments.

**Final Development Plan Requirements (this is for the next step in the Entitlement process):**

1. *As an informational item, note that the following reports will be required for the next phase of the approval process:*
  - a. *Hydrology Report providing the Stormwater calculations for the proposed project*
  - b. *Traffic Impact Study complying with the City Engineer's review comments (please meet with City Engineer to discuss methodology for study)*
2. *Submit the location of the streetlights and detail of the City's standard street light fixture*
3. *Submit a plan for the required neighborhood park, including details for the required playground equipment, and City Standard bench, trash can and dog litter pickup station that will be required in the park.*
  - a. *A 4-5' wide path will also be required from the public sidewalk on Haines Drive to the park so that parents with strollers or wagons do not have to push or pull through grass to get to the neighborhood park*
4. *Submit construction specifications/details for the public roads, sidewalks and the multi-use path that match the City of Clayton standards*
  - a. *5' wide sidewalk will be required along the Phillipsburg-Union Road frontage and tie into the existing sidewalk in front of the Irongate Estates subdivision with a minimum separation of 3' from the edge of roadway pavement to the closest edge of sidewalk*
  - b. *10' multi-use path will be required along the entire Haber Road frontage; path should not be straight but undulate along the landscape mound that is proposed along Haber Road, and there should be a minimum separation of 3' from the edge of roadway pavement to closest edge of the multi-use path*
  - c. *5' wide sidewalk will be required on both sides of the proposed public streets within the proposed development with a minimum width of 3' for the street lawn between the curb and the sidewalk*
  - d. *All sidewalks and multi-use paths are required to be within the proposed street right of ways for Phillipsburg-Union Road, Haber Road, and the internal streets.*
5. *Submit a Landscape Plan for any proposed landscaping and hardscaping at the entry points, signage at National & Haber and open space areas*
6. *Provide DRAFT copy of the Covenants, Conditions, Restrictions & Easements document proposed for Salem Springs*