

CITY OF CLAYTON, OHIO

ORDINANCE NO. O - 07 - 25 – 12

AN ORDINANCE REPEALING ORDINANCE NO. O-01-25-02 WHICH ADOPTED THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE, WITH SPECIFIED CONDITIONS, THE APPLICATION OF SDG WARNER VILLAGE LLC FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE UNIT DISTRICT (RSD) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO FURTHER APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR 183.1044 ACRES OF PROPERTY LOCATED NEAR THE INTERSECTION OF SWEET POTATO RIDGE ROAD AND MAIN STREET BEARING PARCEL I.D. NO. M60 03010 00001 WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on or about November 6, 2024, an application was filed by the property owner, SDG Warner Village LLC, for property located near the intersection of Sweet Potato Ridge Road and Main Street consisting of Parcel I.D. Number M60 03010 0001 and containing 183.1044 acres within the City of Clayton, Ohio (“Subject Property”) and requesting a zoning change for same from Residential Single Unit District (RSD) 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 December 16, 2024, 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, with specified conditions, the re-zoning and Preliminary Development Plan request*; and

WHEREAS, the Clayton City Council held a public hearing on January 16, 2025, 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; and

WHEREAS, on March 6, 2025, Council adopted Ordinance No. O-01-25-02 (*Exhibit A*) adopting the Planning Commission’s *recommendation of approval of the re-zoning and Preliminary Development Plan request for the Subject Property with specified conditions*.

WHEREAS, a Petitioner’s Committee was formed per Clayton Charter Section 10.02 seeking the referendum of Ordinance No. O-01-25-02 and on April 10, 2025, the Montgomery County Board of Elections provided the attached Certification Form (*Exhibit B*) certifying the referendum petition contained a sufficient number of valid signatures to be placed on the ballot; and

WHEREAS, Clayton Charter Section 10.04(A)(2) provides, “Council, at any time, may consider the proposed initiative ordinance *or may reconsider the referred ordinance by voting its repeal*. If Council passes the proposed ordinance without any changes in

substance unless agreed to by a majority of the Petitioner's Committee, or repeals the referred ordinance within twenty one days after the City's receipt of the notice from the Board of Elections as provided in Section 10.02, the City Law Director and the Petitioner's Committee shall file an agreed Notice of Withdrawal with the Board of Elections."

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

1. That, in accordance with Charter Section 10.04(A)(2), the City Council hereby REPEALS Ordinance No. 01-25-02 adopted on March 6, 2025.

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 July 17, 2025 and August 21, 2025.

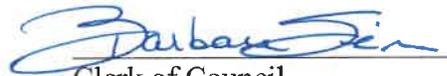
4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON AUGUST 21, 2025.

AUTHENTICATION:

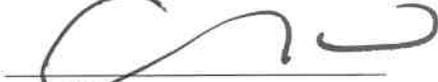


Mayor (Presiding Officer of Council)



Clerk of Council

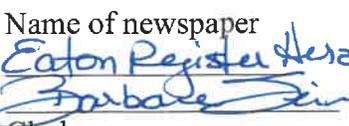
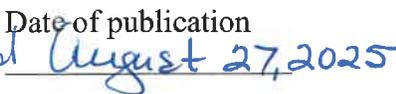
APPROVED AS TO FORM:



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
 

Clerk

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 01 - 25 - 02

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE, WITH SPECIFIED CONDITIONS, THE APPLICATION OF SDG WARNER VILLAGE LLC FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE UNIT DISTRICT (RSD) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO FURTHER APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR 183.1044 ACRES OF PROPERTY LOCATED NEAR THE INTERSECTION OF SWEET POTATO RIDGE ROAD AND MAIN STREET BEARING PARCEL I.D. NO. M60 03010 00001 WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on or about November 6, 2024, an application was filed by the property owner, SDG Warner Village LLC, for property located near the intersection of Sweet Potato Ridge Road and Main Street consisting of Parcel I.D. Number M60 03010 0001 and containing 183.1044 acres within the City of Clayton, Ohio ("Subject Property") and requesting a zoning change for same from Residential Single Unit District (RSD) 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 December 16, 2024, 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, with specified conditions (Exhibit A), the re-zoning and Preliminary Development Plan request;* and

WHEREAS, the Clayton City Council held a public hearing on January 16, 2025, 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, with specified conditions (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 February 6, 2025 and March 6, 2025.

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 MARCH 6, 2025.

AUTHENTICATION:


Mayor (Presiding Officer of Council)

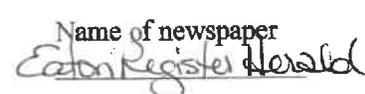
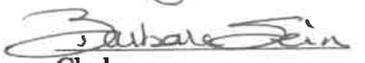

Clerk of Council

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
 Eaton Register Herald	March 12, 2025
 Clerk	

**CITY OF CLAYTON PLANNING COMMISSION
P.O. BOX 280
CLAYTON, OHIO 45315-0280**

RECOMMENDATION TO CLAYTON CITY COUNCIL

RESOLUTION FOR CASE PC24-04

SDG WARNER VILLAGE LLC, PROPERTY OWNER

WHEREAS, on November 6, 2024, staff received an application from SDG Warner Village LLC, requesting a **Zoning District Change** and **Preliminary Subdivision Plan**. The proposed Zoning District Change is from RSD (Residential Single Unit District) to PDD (Planned Development District). The Preliminary Subdivision Plan shows 530 single family homes, open space including ponds, and a neighborhood park/amenity area in a central area of the subdivision; and

WHEREAS, on December 16, 2024, the Clayton Planning Commission did hold a public meeting on said request at which time any and all persons were given an opportunity to be heard thereon.

NOW BE IT RESOLVED THAT, the Clayton Planning Commission hereby recommends to Clayton City Council that the request be

- APPROVED
- APPROVED WITH CONDITIONS
- DISAPPROVED

CONDITIONS:

- (1) *Adopt Recommendations by Staff*
 - a. *Rename proposed "Willow Circle" for Final Development Plans.*
 - b. *Submit "Copies of correspondence of the submission of the preliminary plan to all applicable utilities and other governing agencies with their comments" for Final Development Plans.*
 - c. *Adequately address and comply with comments made by new City Planning Service for Final Development Plans.*
 - d. *Adequately address and comply with comments made by previous City Planning Service for Final Development Plans.*
 - e. *Adequately address and comply with comments made by City Engineering Service for Final Development Plans.*
 - f. *Adequately address and comply with comments made by City Fire Chief and City Police Chief for Final Development Plans.*
- (2) *All proposed lots shall have a minimum lot width of sixty feet (60').*
 - a. *Adjustment of preliminary plans to include 529 single family homes.*

Voting to recommend
 APPROVAL

APPROVAL WITH CONDITIONS

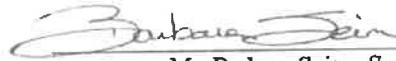
DISAPPROVAL

of Planning Commission Case #PC24-04, Sweet Potato Ridge Road, SDG Warner Village LLC:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mr. Bills, <i>Chair</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mr. Foley, <i>Vice-Chair</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ms. Williams
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ms. Pritchett
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mr. Muncy



Mr. Dave Bills, *Chair*



Ms. Barbara Seim, *Secretary*

1-8-25

Date

1-8-2025

Date