

ORDINANCE NO. O – 07 – 25 – 09

AN ORDINANCE ADOPTING AND MODIFYING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE FINAL DEVELOPMENT PLAN OF DDC MANAGEMENT, LLC WITH SPECIFIED CONDITIONS, SUBMITTED FOR PROPERTY LOCATED NEAR THE INTERSECTION OF WESTBROOK ROAD AND UNION ROAD AND BEARING PARCEL I.D. NUMBER M60 03207 0023 COMPRISED OF 37.098 ACRES WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on June 10, 2025, an application was filed by DDC Management, LLC for the property located near the intersection of Westbrook Road and Union Road and bearing Parcel I.D. Number M60 03207 0023, containing 37.098 acres within the City of Clayton, Ohio ("Subject Property") requesting approval of its submitted 17.09 acre Final Development Plan; and

WHEREAS, the Clayton Planning Commission held a public hearing on June 23, 2025, on said Final Development Plan approval request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said June 23, 2025 meeting, *voted to recommend approval of the Final Subdivision Plan with specified conditions appended hereto as Exhibit A;* and

WHEREAS, the Clayton City Council held a public hearing on July 17, 2025, on the aforesaid Final 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:

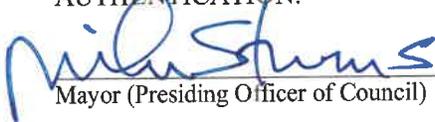
1. That the Council hereby adopts **the Planning Commission's recommendation for approval of the Final Development Plan, with specified condition(s), of the Subject Property and modifies said recommendation to include the following additional condition:**

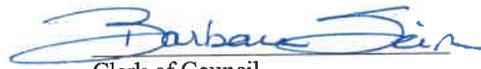
***Thirty Foot Tree Line Preservation Area Condition: Property Owner and DDC Management, LLC, shall create via Final Record Plat, which will be executed and recorded with the Office of the Montgomery County Recorder, a thirty (30) foot Preservation Easement to perpetually preserve an existing tree line located at the northeast corner of the subject property as identified on the attached Exhibit A. Prior to recording, copies of the aforesaid Final Record Plat shall be provided to the City of Clayton for review. Language shall be included to define this Preservation Easement's purpose; to include no mass clearing, modification, or change in use within the thirty (30) foot Preservation Easement without the prior written consent of the City of Clayton. Notwithstanding the foregoing, trees and vegetation located within the thirty (30) foot Preservation Easement which constitute a bona fide hazard may be trimmed or removed as necessary to address the hazard.***

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 October 2, 2025 and October 16, 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.

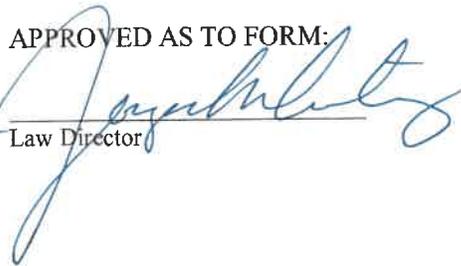
ADOPTED BY COUNCIL ON OCTOBER 16, 2025.

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

October 22, 2025

  
Clerk

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

**RECOMMENDATION TO CLAYTON CITY COUNCIL**

**RESOLUTION FOR CASE PC25-03**

**DDC MANAGEMENT LLC, APPLICANT**

WHEREAS, on June 5, 2025, Clayton City Staff received an application from Ross Behnfeltd (DDC Management LLC), requesting approval of a **Final Development Plan**. The proposed Final Development Plan indicates 40 Single Family Homes, open space including a basin and a multi-use path; and

WHEREAS, on June 23, 2025, 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 that the request be

- APPROVED
- APPROVED WITH  
CONDITIONS
- DISAPPROVED

**CONDITIONS:**

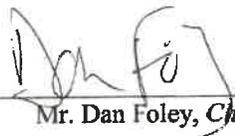
- (1) Applicant shall follow CCO Section 1111.22(C)(5) Anti-Monotony Requirements.*
- (2) Any future plans for active open space amenities (e.g., playgrounds or trails) shall be submitted for review and approval.*
- (3) All outstanding engineering consultant comments shall be fully addressed prior to construction.*
- (4) All infrastructure shall be installed per approved plans and in coordination with Montgomery County Environmental Services and other utility providers.*

Voting to recommend

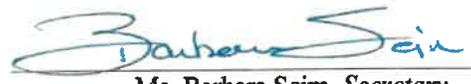
- APPROVAL
- APPROVAL WITH  
CONDITIONS
- DISAPPROVAL

of Planning Commission Case #PC25-03, Final Development Plan, DDC Management:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mr. Bills
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mr. Foley
<input checked="" type="checkbox"/>	<input 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. Dan Foley, *Chair*



Ms. Barbara Seim, *Secretary*

8-15-25

Date

Aug. 15, 2025

Date