

**CITY OF ENGLEWOOD
IN
MONTGOMERY COUNTY, OHIO**

ORDINANCE: 15 – 06

PASSED: APRIL 14, 2015

AN ORDINANCE: APPROVING ZONING FOR AN S-PUD MAJOR MODIFICATION AT 9200 NORTH MAIN STREET WITH CONDITIONS

WHEREAS, a concept plan has been tendered for redevelopment of a site at 9200 N. Main Street, currently zoned S-PUD; and

WHEREAS, the subject site is zoned for commercial enterprise, but revised planning entails major modifications to development parameters including the development of an outlot parcel; and

WHEREAS, a site development plan has been submitted in support of S-PUD zoning; has been judged conditionally adequate by reference to Section 1264.03(e), “Required Contents ...”, of the Zoning Code; and both City Council and the Administrative Board for Planning and Zoning Appeals have made required findings of fact called for by Section 1264.03(h) of said Zoning Code; and

WHEREAS, notifications of public hearings on matters outlined herein were advertised in a newspaper of general circulation and were mailed to property owners within 200 feet of the subject property; and

WHEREAS, this proposal has received a recommendation for conditional approval from the planning commission;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF MONTGOMERY, STATE OF OHIO, AS FOLLOWS:

SECTION I That the “S-PUD” application and site development plan of Anchor Retail Solutions, for the development of a Restaurant with drive up window service and retail business pertaining to 9196 and 9194 North Main Street, be herewith conditionally approved.

SECTION II That any redevelopment of the subject site, pursuant to such approvals, occurs only if:


- a) Final landscaping, screening and building elevation plans shall be approved by staff prior to the issuance of building permits. Parking shall meet the standards for individual land uses, as is presently codified by Section 1266.05 (c) of the Zoning Code.
- b) Site development plans are reviewed and approved by the City’s consulting civil and traffic engineers.
- c) All review and permit fees normally collected, all sureties normally posted, and all other actions and/or arrangements called for by applicable sections of the Codified Ordinances of the City of Englewood, be accomplished by the developer(s).

- SECTION III** Approval of all uses principally permitted by C-1 or C-3 zoning regulations is herewith conferred, as are sit-down/carry-out restaurant uses with drive up window service that meet applicable parking standards.
- SECTION IV** Approval to reduce the number of required parking spaces for the Meijer site from the required 962 to 774, a total reduction of one hundred eighty eight (188).
- SECTION V** It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were taken in open meetings of this council, and that all deliberations of this council, and of any committees, that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements.
- SECTION VI** That this ordinance shall be in full force and effect at the earliest date allowed by law.

PASSED this 14th day of April 2015.

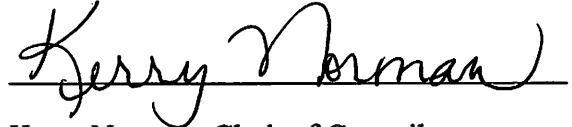
ATTEST:


Patricia Burnside, Mayor


Kerry Norman, Clerk of Council

C E R T I F I C A T E

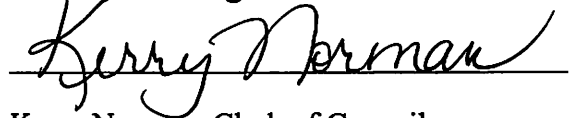
I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 14th day of April, 2015.

A handwritten signature in cursive script, reading "Kerry Norman", written over a horizontal line.

Kerry Norman, Clerk of Council

C E R T I F I C A T E O F P O S T I N G

I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

A handwritten signature in cursive script, reading "Kerry Norman", written over a horizontal line.

Kerry Norman, Clerk of Council