

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

ORDINANCE: 20 – 07

PASSED: JULY 28, 2020

AN ORDINANCE: APPROVING THE ZONING FOR AN S-PUD MAJOR MODIFICATION AT 95 WEST WENGER ROAD

WHEREAS, a concept plan has been submitted by Brookdale Senior Living for development of the property at 95 West Wenger Road, currently zoned S-PUD; and **WHEREAS**, said property currently lies within a “S-PUD” zoning district, and a proper application has been filed for modification to that “S-PUD;” 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 all 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 for Brookdale Senior Living at 95 West Wenger Road, for the construction of a 32 bed memory care facility, 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. An effort will be made by the developer and staff to keep existing trees. 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 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 IV That this ordinance shall be in full force and effect at the earliest date allowed by law.

PASSED this 28th day of July 2020.



Thomas Franz, Mayor


ATTEST:



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 28th day of July, 2020.



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.



Kerry Norman, Clerk of Council