

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

ORDINANCE: 21-04

PASSED: MAY 25, 2021

AN ORDINANCE: APPROVING ZONING FOR AN S-PUD MAJOR MODIFICATION AT 849 S. MAIN STREET

WHEREAS, a concept plan has been submitted by Dunkin Coffee and More for development of the property at 849 S. Main Street, 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 Dunkin Coffee and More for the development of a restaurant with drive up window service at 849 S. 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 and site plan shall be approved by staff before the issuance of building permits.
- b) Site development plans are reviewed and approved by the City’s consulting civil and traffic engineers.
- c) All building elevations are constructed of brick, or similar masonry material, as proposed by the applicant and are judged by staff to be complementary to adjacent land uses and in compliance with city requirements.
- d) 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 The applicant is further approved to make minor site design modifications to provide for improved traffic movements if determined necessary by the City's consulting traffic or civil engineer.

SECTION IV The total number of required parking spaces shall be reduced by 3 spaces, from the required 23 parking spaces to 20 in total.

SECTION V Approval of three signs in total, one freestanding sign, which may include an electronic message board, one wall sign and a second logo wall sign, not exceeding 12 square feet, as proposed by the applicant. All signs must conform to the setback and size limits as required by the Englewood Codified Ordinances.

SECTION VI 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 VII That this ordinance shall be in full force and effect at the earliest date allowed by law.

PASSED this 25th day of May 2021.

ATTEST:

Kerry Norman
Kerry Norman, Clerk of Council

Thomas Franz

Thomas Franz, Mayor

C E R T I F I C A T E

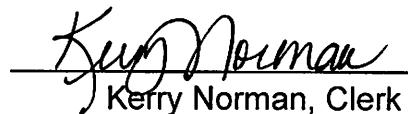
I, **Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 25th day of May, 2021.



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