

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

ORDINANCE: 16-09

PASSED: June 14, 2016

AN ORDINANCE: APPROVING REZONE 16-08, REMOVING 3.8 ACRES ON THE SOUTH SIDE OF W. NATIONAL ROAD, APPROXIMATELY 550 FEET WEST OF UNION BOULEVARD FROM C-3 ZONING DISTRICT AND PLACING SAME IN A S-PUD ZONING DISTRICT

WHEREAS, a concept plan has been submitted by Trilogy Health Services for redevelopment of the 3.8 acre property on the south side of W. National Road, approximately 550 feet west of Union Boulevard; and

WHEREAS, the applicant is desirous of constructing twenty-four (24) senior independent living villas and a 2,200 square foot community center; and

WHEREAS, said property is currently zoned C-3 Community Commercial; and

WHEREAS, a proper application has been filed for rezoning of the property to S-PUD, Special Planned Unit Development; 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 City Council has made required findings of fact called for by Section 1264.03(h) of said Zoning Code; and

WHEREAS, Planning Commission and City Council each held a public hearing regarding this rezoning, and notices regarding these hearings were mailed to property owners within two-hundred feet of the tract proposed for rezoning, and/or duly advertised in a newspaper of general circulation; and

WHEREAS, Planning Commission has recommended approval of this rezoning;

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 Trilogy Health Services, pertaining to the 3.8 acres located on the south side of W. National Road, approximately 775 feet west of Union Boulevard, be herewith conditionally approved

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

a) Final landscaping and screening plans are approved by staff before the issuance of building permits.

b) All building elevations of the proposed building are constructed of standard decorative brick, or similar masonry material judged by staff to be complementary to adjacent land uses and similar to that of the proposed elevation plan submitted by the applicant.

c) Site development plans are reviewed and approved by the City's consulting civil and traffic engineers.

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, are accomplished by the developer(s).

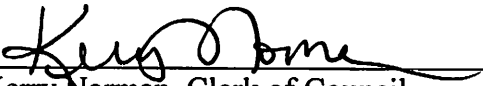
SECTION III The applicant is further approved, subject to staff approval, to make minor modifications to the development plan, to the extent of shifting the building or parking area to provide for improved traffic movements.

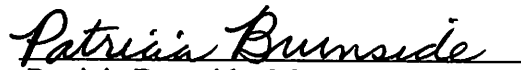
SECTION IV It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were taken in open meetings of this council, and that all deliberations of this council, and of any committees, that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements.

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

PASSED this 14th day of June 2016.

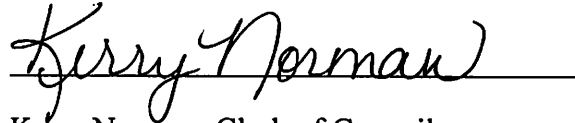
ATTEST:


Kerry Norman, Clerk of Council


Patricia Burnside, Mayor

C E R T I F I C A T E

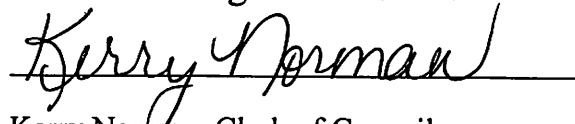
I, **Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 14th day of June, 2016.

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

Kerry Norman, Clerk of Council