

Ordinance No. 16-19

AN ORDINANCE REZONING 9.539 ± ACRES LOCATED AT (PARCEL #02-00088.000) FROM DARBY TOWNSHIP "AGRICULTURE" TO A PLANNED RESIDENTIAL DISTRICT ("PRD") AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE DARBY FIELDS RESIDENTIAL DEVELOPMENT.

WHEREAS, Jay and Ruth Ann Gingerich ("Owner") own approximately 9.539± acres located at, identified as parcel number 02-00088.000 by the Madison County Auditor's Office (the "Property"); and

WHEREAS, M/I Homes of Central Ohio, LLC (the "Applicant") is in contract to purchase the Property from the Owner and submitted application number 2019-007 to the Village's Planning and Zoning Commission to rezone the Property from its current classification to that of a Planned Residential District ("PRD") to be identified as the Darby Fields Residential Development ("Darby Fields"); and

WHEREAS, the Applicant has also submitted a required development plan with the rezoning application pursuant to Chapter 1178 of the Village's Codified Ordinances; and

WHEREAS, on October 16, 2019, following its duly advertised public hearing, the Planning and Zoning Commission voted 5-0 to recommend to Village Council the approval to rezone the Property to "PRD" Planned Residential Development contingent upon the Applicant's conformance with the approved development plan and the conditions recommended by the Planning and Zoning Commission, as may or may not be amended by Village Council; and

WHEREAS, the Village Council has reviewed the Darby Fields Development Text and Development Plan, dated August 7, 2019, (Attached hereto as Exhibits A and B) and considered the recommendations of the administration and the Planning and Zoning Commission, and agrees that the proposal is consistent with the goals and objectives of the Village's Comprehensive Plan, zoning code, and related ordinances; and

WHEREAS, the Village Council agrees with the conditions of approval recommended by the Planning and Zoning Commission and delegates the responsibility of ensuring that the contingencies are met and conformity of the project to the Development Plan to the Village administration and the Planning & Zoning Commission.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. The 9.539± acres located at, identified as parcel number 02-00088.000 by the Madison County Auditor's Office is rezoned to Planned Residential Development (PRD) pursuant to Chapter 1178 of the Village's Codified Ordinances upon final approval of the subject area's annexation by the Village.

Section 2. The Darby Fields Development Standards Text and the Development Plan, dated August 7, 2019, attached hereto as Exhibits A and B respectively, and incorporated by reference

herein, are approved subject to the conditions outlined by the Planning and Zoning Commission at its October 16, 2019. Those conditions are as follows:

- The PRD zoning regulations and preliminary development plan for the subject territory shall be those stamped "Received August 7, 2019" by the Village of Plain City Zoning Inspector, except as modified herein.
- Principal and accessory uses shall be those detailed in the attached proposed zoning regulations document.
- Lot 1 shown on the proposed development plan shall be modified to more closely match the dimensions of other lots within the development per the approval of the Village through the final record plan approval process.
- Additional mounding and landscape buffering shall be provided near lots 71-78, 81-86, 121-124 subject to approval by the Village at a final record plan stage of approval.
- On-street parking restrictions shall be established by the Village at a final record plan stage of approval.
- A looped recreation path shall be provided by the applicant subject to approval by the Village at a final record plan stage of approval.

Section 3. The administration of the Village, its administrator, engineer and zoning officer, and the Planning and Zoning Commission shall confirm conformance to the Darby Fields Development Plan and that all conditions adopted by Council are met before plat approval.

Section 4. This Ordinance shall be in full force and effect from the earliest period provided for by law.

Passed: December 23, 2019.

Attest: Renee Sonnett
Village Fiscal Officer

Darwin Lane
Mayor

First reading: November 25, 2019. Vote: ___ yea ___ nay ___ abstain

Second reading: December 9, 2019. Vote: ___ yea ___ nay ___ abstain

Third reading: December 23, 2019. Vote: 5 yea 0 nay 1 abstain