

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2005-28**

**AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN OF THE PHILLIPS-BROWN HOMES, INC. PLANNED UNIT DEVELOPMENT-RESIDENTIAL (PUD-R) KNOWN AS THISTLE CREEK, PHASE ONE.**

**WHEREAS**, Council, by Ordinance 2005-20, approved the preliminary plan of Thistle Creek, Phase One and established the PUD-R zoning designation for the development site; and

**WHEREAS**, the Village of Yellow Springs received an application for final plat approval from Phillips Brown Homes, Inc. for the development of a single-family residential subdivision known as Thistle Creek Planned Unit Development, Phase 1 (“PUD”); and

**WHEREAS**, the Village Planning Commission held a public hearing and reviewed the preliminary and final plans for the PUD with consultation from a Consulting Engineer, and Village Solicitor; and

**WHEREAS**, based on public input and technical review, the Village Planning Commission made a recommendation, subject to conditions, to approve the final development plan (the “Plan”) for the PUD; and

**WHEREAS**, the conditions set forth in the Planning Commissions approval have been satisfied by Phillips Brown Homes, Inc. and Council desires to approve the Plan by this administrative action pursuant to the provisions of the Zoning Ordinance of the Village of Yellow Springs, Ohio;

**NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:**

**Section 1.** The Village Council, based on recommendation of and review by the Planning Commission, hereby approves the Final Development Plan for Thistle Creek Planned Unit Development, Phase One.

**Section 2.** This Council finds that the general standards for approval of the Plan for the proposed Planned Unit Development are met by a preponderance of the evidence presented in this case, only upon compliance with the conditions set forth above in this case.

**Section 3.** It is hereby found and determined that all formal action of this Council concerning and related to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4.** This Ordinance shall become effective at the earliest period allowed by law.

\_\_\_\_\_  
Jocelyn Hardman, President of Council

Passed:

Attest: \_\_\_\_\_  
Deborah Benning, Clerk of Council

ROLL CALL:

Hardman \_\_\_\_ Rickenbach \_\_\_\_

Hempfling \_\_\_\_ Wintrow \_\_\_\_