

1st reading _____
2nd reading _____
3rd reading _____
Voted On _____
Ayes: _____ Nays: _____
PASSED _____ DEFEATED _____

ORDINANCE NO. 2017-17

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A
DEVELOPMENT AGREEMENT WITH CHAGRIN HIGHLANDS,
LTD., FOR DEVELOPMENT OF REAL PROPERTY IN THE
VILLAGE, AUTHORIZING THE EXECUTION OF EASEMENT
AGREEMENTS FOR THE DEVELOPMENT; AND DECLARING
AN EMERGENCY**

WHEREAS, a proposal to develop real property for mixed commercial uses has been made for a portion of a parcel of real property that fronts on Harvard Road (the "Project") east of, and adjacent to, northbound Interstate 271; and

WHEREAS, the development of the Project will benefit the Village and its residents by the development of the real property comprising the Project, which development will create jobs, enlarge the property tax base, enhance income tax revenues and stimulate collateral development in the Village; and

WHEREAS, the Village has adopted Chapter 1173 of the Codified Ordinances of Orange Village (the "PM-UD Regulations") which PM-UD Regulations govern the development of the real property comprising the Project; and

WHEREAS, on December 14, 2016, the Village approved a Preliminary Development Plan for Phase I the Project, pursuant to Section 1173.11 of the PM-UD Regulations (the "PDP"), which PDP was approved subject to the adoption of a development agreement; and

WHEREAS, certain matters related to the development must be addressed by a development agreement between the Village and the Chagrin Highlands, Ltd. ("Developer"), which development agreement, and the exhibits attached thereto, supplement the provisions of the PM-UD Regulations and the PDP and set forth certain agreements and understandings between the Developer and the Village related to the development of the Project; and

WHEREAS, the Mayor and members of the Village's administration have recommended that the Village enter into a development agreement with the Developer to supplement the provisions of the PM-UD Regulations and the PDP, provide for the proper implementation of the PDP, and set forth certain understandings and agreements of the Village and the Developer related to the development of the Project; and

WHEREAS, this Council desires to authorize the Mayor to enter into a development agreement and related easements with the Developer as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. The Mayor is hereby authorized and directed to enter into a development agreement with Chagrin Highlands, Ltd., for the development of the commercial portion of the Project, such development agreement to be in a form substantially similar to the development agreement attached hereto and incorporated herein as "Exhibit A" (the "Development Agreement").

SECTION 2. The Mayor is further authorized and directed to enter into easement agreements, as contemplated by the Development Agreement, such easement agreement to be in a form substantially similar to that attached to the Development Agreement as exhibits.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation 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, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this Village and for other reasons set forth in the preamble to this Ordinance is required to be immediately effective to allow for the prompt commencement of the Project, which are necessary to provide the desired development in the Village; wherefore, this Ordinance shall be in full force and effect from and immediately after the passage and approval by the Mayor.

PASSED: August 2, 2017



Council President

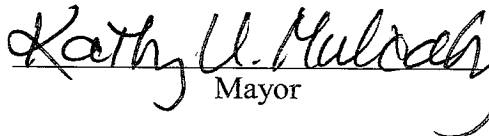
Submitted to the Mayor for approval on this 2 day of August, 2017

Approved by the Mayor this 2 day of August, 2017

ATTEST:



Clerk of Council



Mayor



Orange Village

4600 Lander Road • Orange Village, OH 44022 • 440-498-4400 • Fax 440-498-4404

www.orangevillage.com

7-18-17

DATE: ~~JUNE 20, 2017~~

TO: ALL MEMBERS OF COUNCIL

FROM: PLANNING & ZONING COMMISSION

RE: REPORT & RECOMMENDATION OF THE PLANNING & ZONING COMMISSION

ORDINANCE NO. 2017-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CHAGRIN HIGHLANDS, LTD., FOR DEVELOPMENT OF REAL PROPERTY IN THE VILLAGE, AUTHORIZING THE EXECUTION OF EASEMENT AGREEMENTS FOR THE DEVELOPMENT; AND DECLARING AN EMERGENCY.

Ordinance No. 2017-17 was referred to the Planning & Zoning Commission on 5-10-17 for review and a recommendation. On ~~6-20-17~~ a motion to recommend passage of the ordinance was made and was approved / defeated. 7-18-17

The vote was as follows:

Ayes: Ayres, Lewis, Hill, Kline, Mulcahy

No: _____

Absent/Abstain: _____

Kathy U. Mulcahy
Mayor Kathy U. Mulcahy

7/18/2017
~~JUNE 20, 2017~~
July 18, 2017