

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 198

By: Mr. Maloney

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND PROSPECT ROAD (PART OF PPN 393-15-002; AND ALL OF PPNs 393-15-003; 393-15-004; 393-15-005; 393-15-006; 393-15-007; AND 393-15-008) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of certain property located at Royalton Road to the north and Prospect Road to the west, and further known as being part of Permanent Parcel No. 393-15-002 being vacant land, and all of Permanent Parcel Nos. 393-15-003, 393-15-004, 393-15-005, 393-15-006, 393-15-007 and 393-15-008, being located at 20787, 20817 and 20851 Royalton Road (the "Property") have submitted, through their authorized agent, an amended petition to the City requesting rezoning of the property from R1-75 (One Family 75) classification to GB (General Business) classification; and

WHEREAS, Article VIII, Section 6 of the City Charter provides that neither the Council, the Mayor, any Board, including Board of Appeals, or Commission appointed pursuant to this Charter, or any ordinance or resolution of this Municipality, nor any other agent, employee, person or organization acting for or on behalf of this Municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in the zoning classification or district of any property or area in the City of Strongsville from R1-75 (One Family 75) or R1-100 (One Family 100) commonly known as single family residential, or by whatever other name called, to any other zoning classification or district unless the change or grant, after adoption in accordance with applicable administrative and/or legislative procedures, is approved at a regularly scheduled election by a majority vote of the electors voting thereon, in the City of Strongsville and in each ward in which the change is applicable to property in the ward;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification from R1-75 (One Family 75) classification to GB (General Business) classification of certain property described in Exhibit "A", and depicted in Exhibit "B", attached hereto and incorporated herein as if fully rewritten; provided that such amendment is approved at a regularly scheduled election by a majority vote of the electors voting thereon in the City of Strongsville and in each ward in which the change is applicable to the property in the ward.

Section 2. That, if approved by the electors as set forth in Section 1 above, the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to rezone such property in order to meet the deadline for submittal of this issue to the ballot in accordance with law, to afford the applicant an opportunity to submit plans and commence construction, and to enhance economic development within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First Reading: October 5, 2015

Referred to Planning Commission

Second Reading: _____

October 6, 2015

Third Reading: _____

Approved: _____

Public Hearing: _____

CITY OF STRONGSVILLE, OHIO
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President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-198 Amended: _____

1st Rdg. 10-5-15 Ref: PCIP&E

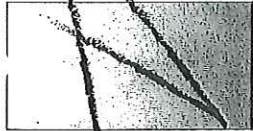
2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

Terminated as pending legislation



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors
Traffic Engineers + Environmental Engineers

EXHIBIT A

Legal Description

R-1-75 Parcel Rezoned to **General Business (GB)**

Strongsville, Ohio

September 24, 2015

File No. 13853-LD002

Page 1 of 2

Situated in the City of Strongsville, County of Cuyahoga, State of Ohio and known as being part of Original Strongsville Township Lot No. 76 and is further bounded and described as follows:

Beginning at a iron pin monument found at the intersection of the centerline of Royalton Road (State Route 82) (Width Varies) and the centerline of Prospect Road (County Highway 50) (Width Varies);

- Course 1 Thence North $88^{\circ}-08'-35''$ East, along the centerline of said Royalton Road, a distance of 786.93 feet to the Northwestern corner of a parcel of land conveyed to Confesor Nieves as recorded in AFN 201406040548 of Cuyahoga County Deed Records;
- Course 2 Thence South $00^{\circ}-24'-35''$ West, along the Westerly line of said Confesor Nieves parcel, a distance of 209.00 feet to a $5/8''$ iron pin set at the Southwesterly corner of said parcel;
- Course 3 Thence North $88^{\circ}-08'-35''$ East, along the Southerly line of said Confesor Nieves Parcel and continuing along a southerly line of a parcel of land conveyed to Alexandru Sgondea and Mai-Ly Nguyen Sgondea as recorded in AFN 201504290183 of Cuyahoga County Deed Records, a distance of 209.00 feet to a $5/8''$ iron pin set at the Southeasterly corner of said Sgondea parcel and a point on the Westerly line of a parcel of land conveyed to Thomas J. Nofel as recorded in AFN 200410060272 of Cuyahoga County Deed Records;
- Course 4 Thence South $00^{\circ}-26'-48''$ West, along the Westerly line of said Thomas J Nofel parcel, a distance of 539.33 feet to a $5/8''$ iron pin set at the Southwesterly corner of said Nofel parcel and the Northwestern corner of the Sterling Point Subdivision Phase 1 as recorded in Volume 237, Page 82 of Cuyahoga County Map Records;
- Course 5 Thence South $01^{\circ}-08'-38''$ West, along the Westerly line of said Sterling Point Subdivision Phase 1, a distance of 510.42 feet to a $5/8''$ iron pin found at the Northeasterly corner of the Sterling Point Subdivision Phases III and IV as recorded in Volume 255, Page 87 of Cuyahoga County Map Records;

Legal Description
Overall Parcel
Strongsville, Ohio
September 24, 2015
File No. 13853-LD002
Page 2 of 2

- Course 6 Thence South 89°-52'-30" West, along the Northerly line of said Sterling Point Subdivision Phases III and IV, a distance of 978.07 feet to a point on the centerline of said Prospect Road;
- Course 7 Thence North 00°-04'-04" West, along the centerline of said Prospect Road, a distance of 1228.49 feet to place of beginning and containing 27.2247 Acres (1,185,910 S.F.) of land.

Excepting Therefrom the Following Described Premises, Local Business Zoned Parcel

Beginning at a iron pin monument found at the intersection of the centerline of Royalton Road (State Route 82) (Width Varies) and the centerline of Prospect Road (County Highway 50) (Width Varies);

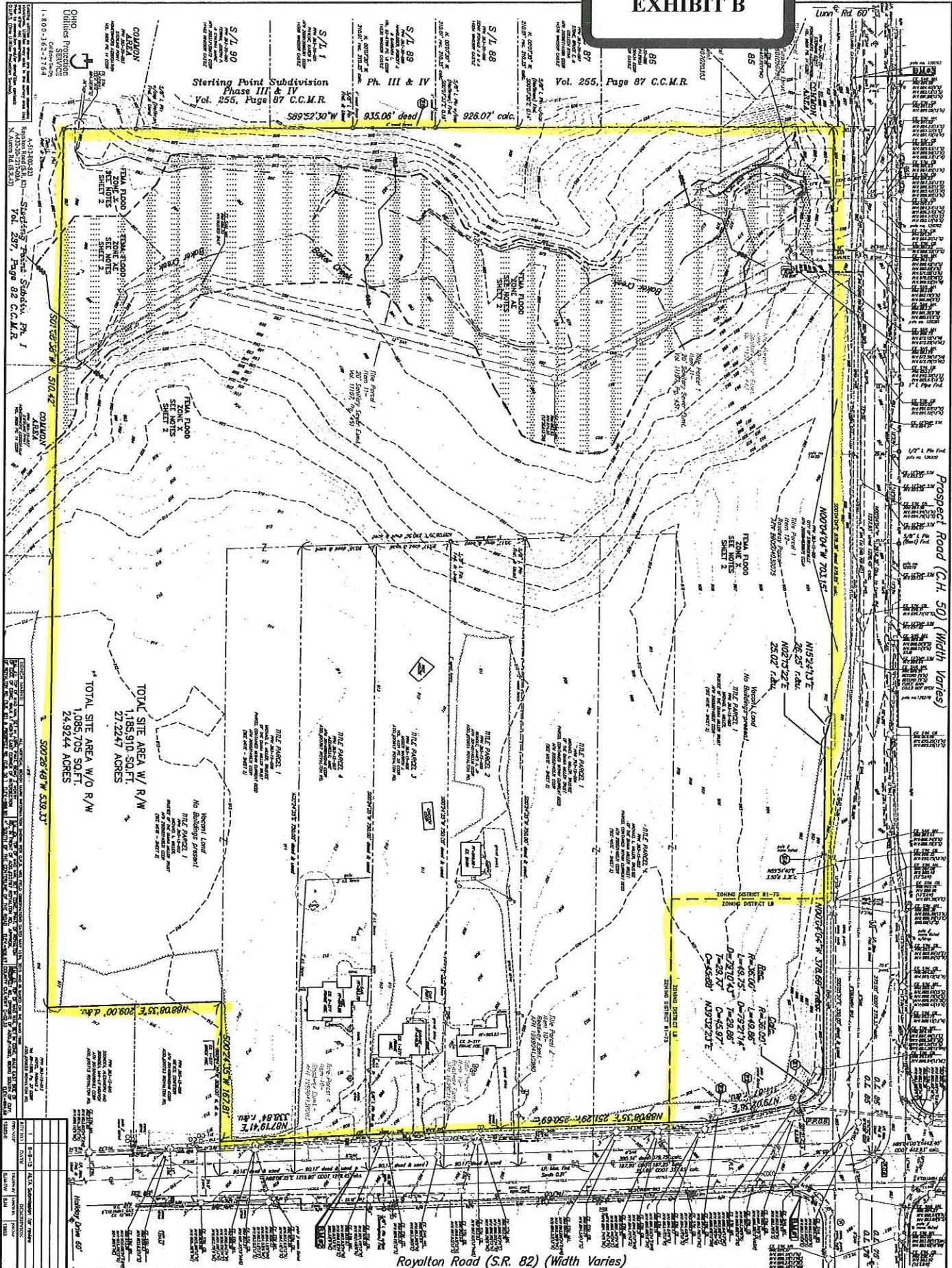
- Course 1 Thence North 88°-08'-35" East, along the centerline of said Royalton Road, a distance of 245.93 feet to the Northwesterly corner of a Permanent Parcel Number 393-15-003 and conveyed to Michael L. Miller, Trustee of the Diana Miller Trust as recorded in AFN 20052140531 of Cuyahoga County Deed Records;
- Course 2 Thence South 00°-24'-35" West, along the Westerly line of said P.P.N. 393-15-003, a distance of 320.00 feet;
- Course 3 Thence South 88°-08'-35" West, a distance of 243.26 feet to a point on the centerline of said Prospect Road;
- Course 4 Thence North 00°-04'-04" West, along the centerline of said Prospect Road, a distance of 320.16 feet to place of beginning and containing 1.7969 Acres (78,271 S.F.) of land.

Lands contained in this parcel are adjusted, after removing Local Business Parcel, to 25.4278 Acres (1,107,639 S.F.) of land.

Basis of bearing for this survey is Grid North of the NAD83 (CORS96), Ohio State Plane, North Zone (3401) as established by GPS observations and is used to denotes angles only.

Be the same more or less, but subject to all legal highways and easements of record

EXHIBIT B



PETITION FOR ZONING CHANGE

Ordinance Number: 2015-198, 2015-199

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class R1-75 & LB use to a class GB use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: _____

See attached

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: _____

See attached

Please list other supporting documents (if any) which accompany this petition:

1. ALTA/ACSM Land Title Survey
2. Title Commitment for each property
3. Preliminary Site Plan

THE PROPOSED USE OF THE PROPERTY IS: General Business district for a single tenant

Name, address and **telephone number** of applicant or applicant's agent:

Name: Falcon Realty Resources, LLC

Address: 4270 Morse Road, Columbus OH 43230

Telephone Number: 614-418-3100



 Signature of Owner(s) Agent
 Ken Gold, Manager

State of Ohio)
County of ~~Cuyahoga~~)
Franklin

Sworn to and subscribed in my presence this 28th day of September, 2015.



ANDRA TRAPP
Notary Public, State of Ohio
My Commission Expires
12/10/15

Andra L. Trapp

 Notary Public
 My commission expires: 12/10/15

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

PROPERTY DESCRIPTION FORM

Ordinance Number: 2015-198, 2015-199

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 20787, 20817, 20851 and Vacant Land on Royalton Road
393-15-002, 393-15-003, 393-15-004, 393-15-005, 393-15-006, 393-15-008 and
Permanent Parcel No.: 393-15-009

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Road (S.R. 82) to the North; Prospect Road to the West

Number and type of buildings which now occupy property (if any): Three (3) single family homes
with the balance being vacant land

Acreage: 24.93 Acres without area in S.R. 82 right-of-way

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): None found, see attached title report

Said deed restrictions (will) (have) expire(d) on: None

Said property is presently under lease or otherwise encumbered as follows: No encumbrances

Owner(s)	Percent of Ownership:
1. <u>See attached property ownerships</u>	_____ %
2. _____	_____ %
3. _____	_____ %

[Signature]
Signature of Owner(s) Agent
Rob Swan, Manager

State of Ohio)
DELAWARE
County of Cuyahoga)

Sworn to and subscribed to in my presence this 23rd day of September, 2015.



PATRICIA A. WILSON
Notary Public, State of Ohio
My Commission Expires
1/1/2020

[Signature]
Notary Public

My commission expires 1/1/2020

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

ATTACHMENT
PETITION FOR ZONING CHANGE
September 23, 2015

Applicant: Falcon Realty Resources, LLC
4270 Morse Road
Columbus, Ohio 43230

Such change is necessary for the preservation and enjoyment of a substantial property right because:

The property is ill-suited to development under its present R1-75 zoning. This is due in no small part to the property's physical attributes, which include the hydrological features and irregular topography along the property's southern one-third.

The property also has frontage on only two streets at a busy intersection (i.e., Royalton Road and Prospect Road). This leaves no viable prospect for introducing a collector street this close to such a busy intersection, to accommodate an R1-75 development.

Thus, without accommodation by way of rezoning, the property's development potential is substantially impaired by the property's features, location, street access, and the limitations of its current zoning.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because:

The property's zoning and land use environment better suits it to uses available under the proposed General Business District zoning. Directly across Royalton Road from the property are a Motor Service district and a fairly substantial Local Business district, establishing business traffic patterns and access in this location. Both due west of and kitty-cornered to the property are two other Motor Service districts with fuel station uses. The rezoning will introduce no new traffic patterns different from existing patterns, which the adjacent Motor Districts and Local Business Districts have long established.

The rezoning essentially creates a commercial location mirroring that directly across Royalton Road, and of nearly identical size. This confines the commercial activity to the area nearest the intersection and keeps it contiguous to the Motor District (and gasoline station) uses located there. Extending west of this intersection, on both sides of Royalton Road, the land is zoned General Industrial to the City limits.

Finally, the property's southern topographical and hydrological features well buffer it from residential uses south of the property. Those features also dictate that structures on the property be shifted towards Royalton Road. Ample buffering opportunities exist for the only other residential interface the property has with residential parcels to the east.

ATTACHMENT
PROPERTY DESCRIPTION FORM
September 23, 2015

Applicant: Falcon Realty Resources, LLC
4270 Morse Road
Columbus, Ohio 43230

PROPERTY OWNERSHIPS

PPN 393-15-002, 393-15-003, 393-15-004, 393-15-008

Michael L. Miller, Trustee of the Diana Miller Trust	1/8 interest
Developers Diversified, an Ohio Limited Liability Partnership	1/2 interest
Benjamin F. Cappadora	1/8 interest
Victor J. Cohn, Trustee of the Victor J. Cohn Living Trust	1/4 interest

PPN 393-15-005

James A. Rendle, Jr.

PPN 393-15-006

Warren J. Moser

PPN 393-15-007

Mike Azzarello

AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of a twelve and one-half percent (12.5%) fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Numbers 393-15-002, 393-15-003, 393-15-004, and 393-15-008 (collectively the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.

DIANA MILLER, TRUSTEE OF THE DIANA MILLER TRUST

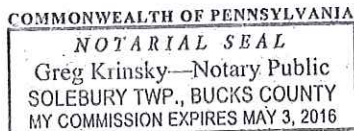
Diana Miller
Diana Miller, Trustee

Date: 9/30/15

~~STATE OF OHIO~~)
~~BUCKS~~) SS:
~~COUNTY OF CUYAHOGA~~)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **Diana Miller**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed, in both his personal capacity and his fiduciary capacity as Trustee.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Bucks, ~~Ohio~~ ^{Pennsylvania}, this 30 day of September, 2015.



Greg Krinsky
Notary Public

AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of a fifty percent (50%) fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Numbers 393-15-002, 393-15-003, 393-15-004, and 393-15-008 (collectively the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.

DEVELOPERS DIVERSIFIED, an Ohio limited partnership

By: *[Signature]*
Its: President

Date: 9-30-2015

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Travis Weinstein, the President of Developers Diversified, an Ohio limited partnership, who did acknowledge that he/she did sign the foregoing instrument and that the same is his/her free act and deed, in both his/her personal capacity and as President of the limited partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Pepper Pike, Ohio this 30th day of September, 2015.

[Signature]
Notary Public



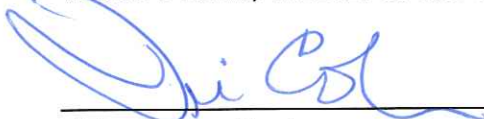
AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of a twenty five percent (25%) fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Numbers 393-15-002, 393-15-003, 393-15-004, and 393-15-008 (collectively the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.

VICTOR J. COHN, TRUSTEE OF THE VICTOR J. COHN LIVING TRUST




Victor J. Cohn, Trustee

Date: 9-30-15

STATE OF OHIO)
)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **Victor J. Cohn**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed, in both his personal capacity and his fiduciary capacity as Trustee.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Beachwood, Ohio this 30th day of September, 2015.



Notary Public

BARBARA K. SOFER
Notary Public, State of Ohio
Lake County
My Commission Expires March 18, 2019

AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of a twelve and one-half percent (12.5%) fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Numbers 393-15-002, 393-15-003, 393-15-004, and 393-15-008 (collectively the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.



Benjamin F. Cappadora

Date: 9/30/15

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **Benjamin F. Cappadora**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio this 30th day of September, 2015.



Notary Public

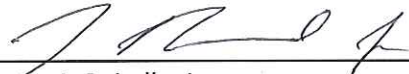
THERESE C. MANOS
NOTARY PUBLIC • STATE OF OHIO
Recorded in Cuyahoga County
My commission expires 1/1/2017

AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of the fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Number 393-15-005 (the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.




James A. Reindle, Jr.


Date: 9-30-15

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **James A. Reindle, Jr.**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cuyahoga County, Ohio this 30th day of September, 2015.




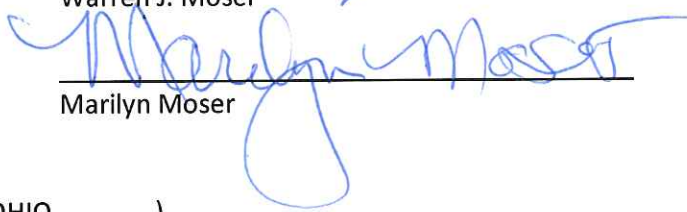
Notary Public
 **JULIA A KAISER**
Notary Public State of Ohio
My Comm. Expires August 4, 2020

AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

The undersigned is the current holder of the fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Number 393-15-006 (the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.


This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.

 _____ Warren J. Moser	Date: <u>9-29-15</u>
 _____ Marilyn Moser	Date: <u>9-29-15</u>

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **Warren J. Moser**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Strongsville Ohio this 29th day of September, 2015.



Notary Public



RUTH L. MATHER
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Cuyahoga County
My Comm. Exp. 6/13/18


AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY

City of Strongsville, Ohio

The undersigned is the current holder of the fee interest in the real property identified in the records of the County Recorder, for the County of Cuyahoga, State of Ohio, as Permanent Parcel Number 393-15-007 (the "Property"), which Property is located in the southeast corner of the intersection of State Route 82 (aka Royalton Road) and Prospect Road, in the City of Strongsville, Ohio ("City").

By signing below, the holder does hereby authorize the duly delegated representative(s) of Falcon Realty Resources, LLC, an Ohio limited liability company ("Falcon"), to undertake all actions required by the City of Strongsville, Ohio to apply for and obtain the Properties' rezoning, pursuant to applicable law, including without limitation all provisions of the City's Charter and Codified Ordinances. By signing below, holder expressly represents and warrants its and his authority to so empower Falcon.

This authority expires automatically at 12:00 p.m. on March 31, 2016, unless holder gives written notice to the City either that it expires at a later time and date or, if given before March 31, 2016, that holder has terminated or withdrawn this authority before March 31, 2016. The authority hereby conferred is limited to the express purposes stated and confers no general or other specific authority on Falcon.



Mike Azzarello

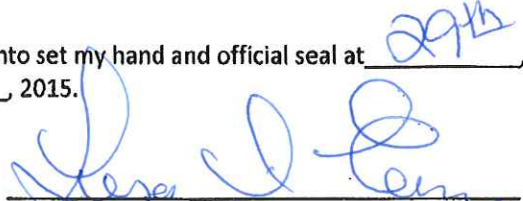
Date: 9/29/15

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **Mike Azzarello**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at 29th Strongsville, Ohio, Ohio this 29th day of September, 2015.





Notary Public

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: September 28, 2015

SUBJECT: Rezoning Application
Rob Swan, Falcon Realty Resources, LLC; Agent
PPNs 393-15-002, 003, 004, 005, 006, 008 and 009
Address: 20787, 20817, 20851 and Vacant Land on Royalton Road
From R1-75 and LB to SC

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

akp
Attachments

cc: Thomas P. Perciak, Mayor
Kenneth A. Kraus, Law Director
Daniel J. Kolick, Asst. Law Director
George Smerigan, City Planner
All Members of Council
Carol Oprea, Planning Commission Secretary

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: September 29, 2015

SUBJECT: Amended Rezoning Application
Rob Swan, Falcon Realty Resources, LLC; Agent
PPNs 393-15-002, 003, 004, 005, 006, 008 and 009
Address: 20787, 20817, 20851 and Vacant Land on Royalton Road
From R1-75 and LB to **SG GB**

I have received an amended Petition for Zoning Change for the property referenced above. The petition has been amended to change the zoning classification from R1-75 and LB to **GB**, and not SC as previously submitted. The additional attachments also reference this change. Please update the binders you received accordingly.

Thank you.

akp
Attachments

cc: Thomas P. Perciak, Mayor
Kenneth A. Kraus, Law Director
Daniel J. Kolick, Asst. Law Director
George Smerigan, City Planner
All Members of Council
Carol Oprea, Planning Commission Secretary

City of Strongsville

Memorandum

To: Ken Kraus, Law Director

CC: Thomas P. Perciak, Mayor
Aimee Pientka, Clerk of Council

From: Lori Daley, Assistant City Engineer

Date: September 29, 2015

Re: Amended Rezoning Application
Rob Swan, Falcon Realty Resources, LLC; Agent
PPN's 393-15-002, 003, 004, 005, 006, 007 & 008.
Address: 20787, 20817, 20851 and vacant land on Royalton Road
From R1-75 and LB to GB

Ken,

The legal descriptions included in the rezoning application for the above referenced parcels accurately describe the areas to be rezoned.

A portion of PPN 393-15-002 is to be rezoned from LB to GB.

The remaining portion of PPN 393-15-002 and all of PPN's 393-15-003, 004, 005, 006, 007 and 008 are to be rezoned from R1-75 to GB.

Please note, the parcels listed above are different than those shown on the applicant's application. The application appears to be incorrect, as the parcel numbers listed above match all of the supporting documentation included in the package.

If you have any questions please do not hesitate to contact me.

Thank you.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: October 6, 2015

SUBJECT: Referral from Council: **Ordinance No. 2015-198**
Ordinance No. 2015-199

At its regular meeting of October 5, 2015, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2015-198 by Mr. Maloney. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND PROSPECT ROAD (PART OF PPN 393-15-002; AND ALL OF PPNs 393-15-003; 393-15-004; 393-15-005; 393-15-006; 393-15-007; AND 393-15-008) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-199 by Mr. Maloney. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN VACANT REAL ESTATE LOCATED AT ROYALTON ROAD AND PROSPECT ROAD (PART OF PPN 393-15-002) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

Copies of the ordinances are attached for Planning Commission review.

TAM
Attachment

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Ken Kraus, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: October 9, 2015

Please be advised that at its meeting of October 8, 2015, the Strongsville Planning Commission gave Favorable Recommendation to the following;

LaCHAPERONE ROUGE DAY CARE/ Ben Gingrich, Agent

Site Plan approval of a 2,000 SF parking lot addition for the existing LaChaperone Rouge Day Care located at 14780 Pearl Road, PPN 393-23-001 zoned Public Facility.
**BZA Variance Granted July 8, 2015. ARB Favorable Recommendation 9-22-15.*

ORDINANCE NO. 2015-198:

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT ROYALTON ROAD AND PROSPECT ROAD (PART OF PPN 393-15-002; AND ALL OF PPNs 393-15-003; 393-15-004; 393-15-005; 393-15-006; 393-15-007; AND 393-15-008) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-199:

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN VACANT REAL ESTATE LOCATED AT ROYALTON ROAD AND PROSPECT ROAD (PART OF PPN 393-15-002) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.