

CITY OF STRONGSVILLE, OHIO

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.

WHEREAS, the owners of certain vacant 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 (the "Property") have submitted, through their authorized agent, an amended petition to the City requesting rezoning of the property from LB (Local Business) classification to GB (General Business) classification.

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 of certain vacant property located at Royalton Road to the north and Prospect Road to the west, and further known as being part of PPN 393-15-002, from LB (Local Business) classification to GB (General Business) classification, which property is more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and incorporated herein as if fully rewritten.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary change 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.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 199
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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 provide for the orderly development of lots and lands within the City, 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: _____

President of Council
Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

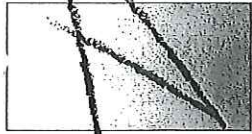
	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-199 Amended: _____
1st Rdg. 10-5-15 Ref: PC/P&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

Local Business Zoning Parcel Rezoned to General Business (GB)

Strongsville, Ohio

September 24, 2015

File No. 13853-LD003

Page 1 of 1

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:

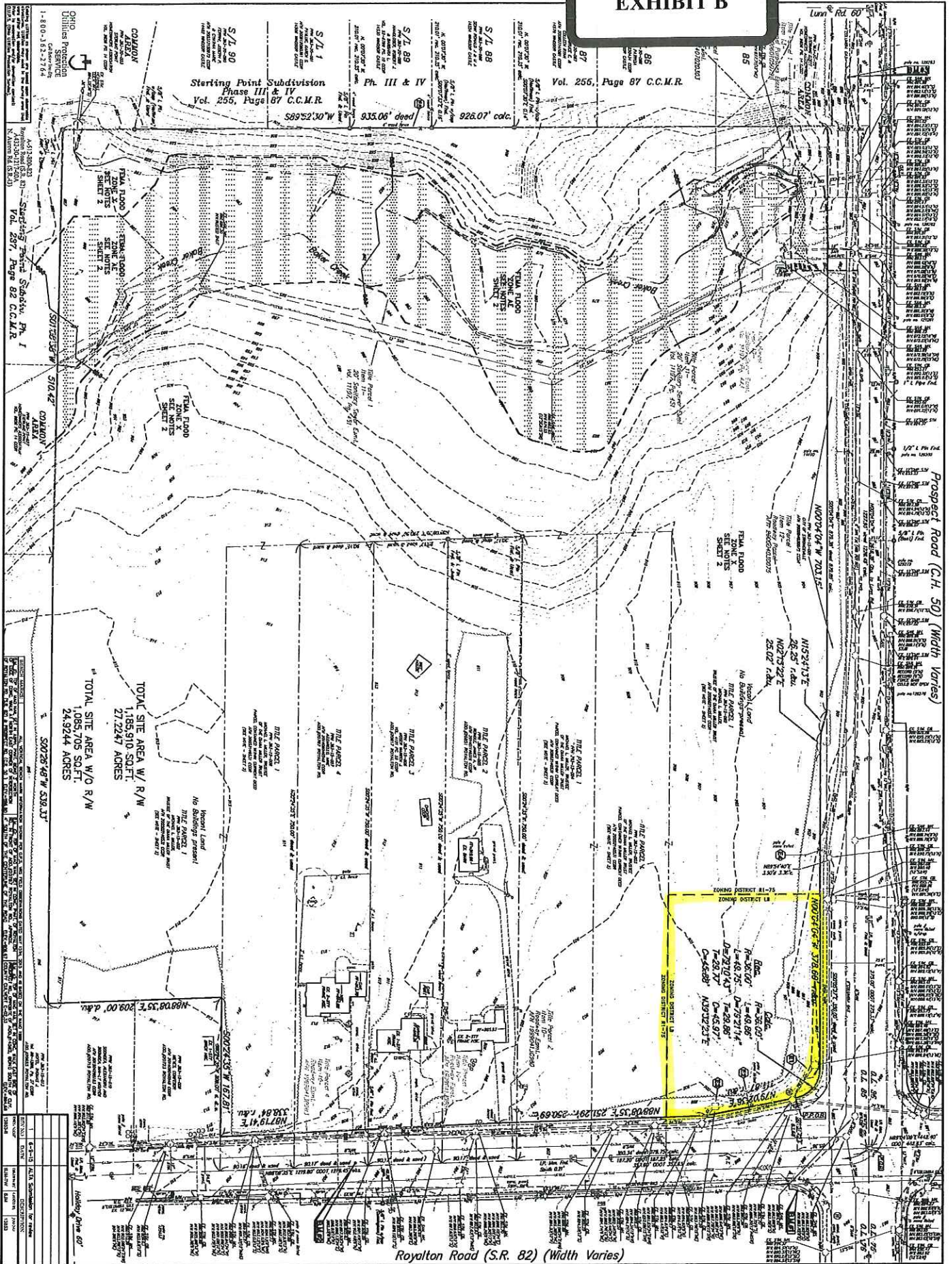
Beginning at a iron pin monument found at the intersection of the centerline of Royalton Road (State Route 82) (Width Varies) and the centerline of Prospect Road (County Highway 50) (Width Varies);

- Course 1 Thence North 88°-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.

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



Starting Point Subdivision
Phase III & IV
Vol. 255, Page 87 C.C.M.R.

TOTAL SITE AREA W/ R/W
1,185,910 SQ.FT.
27,224.7 ACRES

TOTAL SITE AREA W/O R/W
1,085,705 SQ.FT.
24,924.4 ACRES

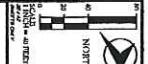
Royalton Road (S.R. 82) (Width Varies)

Prospect Road (C.H. 50) (Width Varies)

NO. 1	DATE	DESCRIPTION
1	10/2/2012	FIELD SURVEY FOR EXHIBIT B
2	10/2/2012	OFFICE SURVEY FOR EXHIBIT B
3	10/2/2012	FINAL SURVEY FOR EXHIBIT B

NEFF & ASSOCIATES

Falcon Realty Resources, LLC - Lekos Engineering, Inc. - S.R. 82 & C.R. 50
ALTA/ACSM LAND TITLE SURVEY
CITY OF STRONGVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO



LEGAL DESCRIPTION - THE PARCEL 1 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 2 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 3 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 4 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 5 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 6 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 7 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 8 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 9 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 10 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 11 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 12 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 13 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 14 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 15 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 16 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 17 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 18 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 19 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

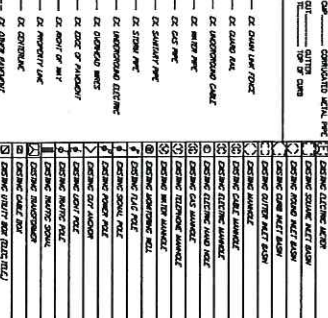
LEGAL DESCRIPTION - THE PARCEL 20 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.

LEGAL DESCRIPTION - THE PARCEL 21 - [Detailed legal description of the parcel, including lot numbers, street names, and acreage. Reference to previous surveys and map sheets.



ABBREVIATIONS AND SYMBOL LEGEND: A table defining symbols used on the survey map for various features like easements, utility lines, and survey markers.

UTILITIES ARE AS FOLLOWS: A table listing utility lines shown on the map, such as gas, electric, water, and sewer lines, with their corresponding symbols and depths.



ACCESS TO PUBLIC HIGHWAY: A section detailing how the public highway is accessed from the surveyed parcels, including any easements or rights of way.

NEFF ASSOCIATES logo and contact information, including a sheet number '2 OF 2' and a date 'June 11, 2013'.

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

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

Ken Gold
Signature of Owner(s) Agent
Ken Gold, Manager

State of Ohio)
County of Cuyahoga)

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



Audra 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. _____	_____ %

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

State of Ohio ~~Ohio~~ DELAWARE
County of ~~Cuyahoga~~ Guyahoga

Sworn to and subscribed to in my presence this 23rd day of September, 20 15.



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

Patricia A. Wilson
Notary Public

* 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

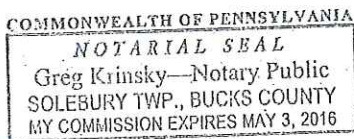
Diana Miller
Diana Miller, Trustee

Date: 9/30/15

~~STATE OF OHIO~~)
Pennsylvania)
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 *Tress W. Stein*, 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



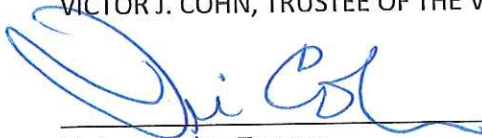
AUTHORIZATION TO APPLY FOR REZONING OF REAL PROPERTY
City of Strongsville, Ohio

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

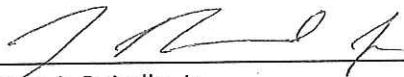
THERESE C. MANOS
NOTARY PUBLIC • STATE OF OHIO
Recorded in Cuyahoga County
My commission expires 1/1/2017

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
Warren J. Moser

Date: 9-29-15

Marilyn Moser
Marilyn Moser

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 **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.

Ruth L. Mather
Notary Public



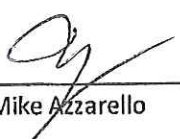
RUTH L. MATHER
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Cuyahoga County
My Comm. Exp. 6/13/18

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

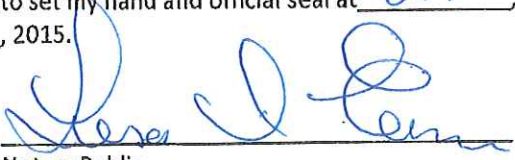
Date: 9/29/15

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
this September day of 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 **SC 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.

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.