

**CITY OF KIRTLAND**

**RESOLUTION NO.: 20-R-38**

**A RESOLUTION APPROVING THE FINAL DEVELOPMENT PLAN FOR 9327 CHILlicothe ROAD AS APPROVED BY THE PLANNING AND ZONING COMMISSION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, on February 24, 2020, Tom Paul of Paul Architects filed an application for a conditional use permit and preliminary development plan with the City of Kirtland’s Planning and Zoning Commission to develop a property located at 9327 Chillicothe Road within the City of Kirtland; and

**WHEREAS**, the property located at 9327 Chillicothe Road is currently zoned “Historic Town Center District”; and

**WHEREAS**, the applicant intends to develop the property into multi-family dwelling units; and

**WHEREAS**, the proposed development can be defined as a “conservation development” pursuant to Kirtland Codified Ordinance §1240.07(1); and

**WHEREAS**, multi-family dwellings are permitted uses, subject to a conditional use permit, within a Historic Town Center District; and

**WHEREAS**, at its meeting of July 7, 2020, the Planning and Zoning Commission approved the final development plan pursuant to Kirtland Codified Ordinance §1244.14(b)(5); and

**WHEREAS**, said approvals by the Planning and Zoning Commission have been memorialized in a resolution captioned 20-PZ-2; and

**WHEREAS**, Resolution 20-PZ-2 and the applicant’s final development plan for 9327 Chillicothe Road are being forwarded to this Council for its consideration pursuant to §1244.14(b)(6) and 1274.04(a); and

**WHEREAS**, due to the current state of emergency in Ohio and the governor’s current stay at home order stemming from the COVID-19 pandemic, the Kirtland Community Center has been closed to protect both the community and the staff from potential infection; and

**WHEREAS**, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

**WHEREAS**, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

**Section 1.** The final development plan of 9327 Chillicothe Road, as approved by the Planning and Zoning Commission, is hereby approved by the Council of the City of Kirtland pursuant to its authority in its codified ordinances, sections 1244.14(b)(6) and 1275.04(a).

**Section 2.** The applicant must continue to follow the procedures as outlined in the Kirtland Codified Ordinances, including but not limited to, Section 1244.14.

**Section 3.** The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and requires the following:

1. The Clerk of Council is hereby directed to post the enacted legislation in City Hall and the Kirtland Public Library for fifteen (15) consecutive days after the effective date of this legislation; and
2. Due to the closure of the Kirtland Community Center, the Clerk of Council is not required to post said enacted legislation in that location; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland's website for fifteen (15) consecutive days after the effective date of this legislation.

**Section 4.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed 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 Section 121.22 of the Ohio Revised Code.

**Section 5.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to provide for the needs of the municipality; wherefor, this Resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Submitted to the Mayor for his  
Approval on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2020.

ATTEST:

Approved by the Mayor, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

---

Clerk of Council  
Approve Final Plan for 9327 Chillicothe Road

---

Mayor Kevin F. Potter