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CITY OF BROOK PARK, OHIO

Resolution No. 36-2016

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT AND  
OPERATE A NEW 12,000 SF MULTI-TENANT BUILDING LOCATED AT  
16110 BROOKPARK ROAD, LOCATED IN A U7-B AND A U7-AE DISTRICT,  
AND DECLARING AN EMERGENCY

WHEREAS, Ryan Bickley, Project Manager of Janotta & Herner filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to operate a multi-tenant building in a U7-B and U7-AE at 16110 Brookpark Road, Brook Park, OH; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on October 3, 2016 to the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Council of the City of Brook Park finds that the proposed conditional use permit requested is appropriate in the location for which it is proposed, (see Exhibit "A" attached) and hereby grants the conditional use permit, if the following specific conditions are met:

- A. Applicant must submit final building details (i.e., Landscaping, Signage, Parking) to the Planning Commission for review;
- B. Applicant must submit for lot consolidation of PPN 344-36-004, 005, 006 and 008 with the Planning Commission prior to the final Certificate of Occupancy issuance.
- C. Applicant agrees to the initiation for rezoning of the consolidated parcel by the City of Brook Park to the U7-B District.

**SECTION 2:** It is found and determined that all formal actions of this Council concerning and relating to this Resolution 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3:** This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further purpose of granting a conditional use permit in a U7-B and U7-AE District to operate a multi-tenant building; therefore provided this Resolution receives the affirmative vote of at least five (5) 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.

PASSED: October 18, 2016  
 ATTEST: Michelle Blazak  
 Clerk of Council

Jim Astor  
 PRESIDENT OF COUNCIL  
 APPROVED: [Signature]  
 MAYOR  
10/18/2016  
 DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS  
[Signature]  
 DIRECTOR OF LAW

CERTIFICATE  
 Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 36-2016 passed on the 18th day of October 2016 by said council.  
Michelle Blazak  
 Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.  
 commencing October 21, 2016  
Michelle Blazak  
 MICHELLE BLAZAK  
 Clerk of Council

*Exhibit A on file in the Council office*