

ORDINANCE NO. 35-21

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE LORAIN PUBLIC LIBRARY SYSTEM, (AVON BRANCH LIBRARY), TO ALLOW FOR THE CONSTRUCTION OF A 16,000 SQ. FT. ADDITION AND RENOVATION TO THE EXISTING 10,400 SQ. FT. BUILDING LOCATED AT 37485 HARVEST DRIVE, AND DECLARING AN EMERGENCY

WHEREAS, Lorain Public Library System has operated their Avon Branch library at 37485 Harvest Drive since 1994, seven (7) years prior to the adoption of the current Planning and Zoning Code in 2001; and

WHEREAS, under the 2001 Code, the library is located in the C-2 Central Business/French Creek District and pursuant to ACO §1270.03(c)(4) requires a Special Use Permit; and

WHEREAS, The Lorain Public Library System (LPLS) submitted an application and presented plans and specifications to the Planning Commission on April 21, 2021, for a Special Use Permit to construct and operate a 16,000 sq. ft. addition and renovation to the existing 10,400 sq. ft. building; and

WHEREAS, the Planning Commission held a public hearing on April 21, 2021 by a vote of five (5) in favor and zero (0) opposed, recommended approval of the Special Use Permit to City Council; and

WHEREAS, Council after reviewing the application, plans and specifications and the recommendation of the Planning Commission, deems it in the best interest of the health, safety and welfare of the community that the Special Use Permit be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That having considered the matter of granting a Special Use Permit to Lorain Public Library System for the construction and operation of a 16,000 sq. ft. addition and renovation to the existing 10,400 sq. ft. building to house the Avon Branch located at 37485 Harvest Drive, Council hereby accepts the recommendation of Planning Commission and agrees to grant the Special Use Permit subject to the conditions set forth in this ordinance.

Section 2 - Conditions. 1) That the project proceed pursuant to plans and specifications approved and recommended by the Planning Commission on April 21, 2021; and 2) that the Special Use Permit granted herein for the construction and operation of a 16,000 sq. ft. addition and renovation to the existing 10,400 sq. ft. library building is conditioned upon applicant meeting all applicable requirements set forth in 1270.03(c)(4) 1280.05(m), and 1280.06(g). Any other expansion, development, enlargement, improvement, change in tenancy, use or the like, other than maintenance of the property in its current condition, will require an amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by City Council.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this

Ordinance No. 35-21 (Con't)

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 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to grant a Special Use Permit for the construction and operation of a 16,000 sq. ft. addition and renovation to the existing 10,400 sq. ft. building located at 37485 Harvest Drive to house the Avon Branch of the Lorain Public Library; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director