

ORDINANCE NO. 2019 – 75

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE CHARTER TO AUTHORIZE VILLAGE COUNCIL TO PERMIT LIGHT INDUSTRIAL USES DESCRIBED IN OAKWOOD C.O. 1173.02 ON CERTAIN PROPERTIES IN THE VICINITY OF ALEXANDER AND MACEDONIA ROADS IN THE VILLAGE WHICH ARE PRESENTLY ZONED R1F RESIDENTIAL.

WHEREAS, Council desires to place before the electorate of the Village a proposed Amendment to the current Village Charter to authorize Village Council to permit Light Industrial uses described in Oakwood C.O. Section 1173.02 on certain properties in the vicinity of Alexander and Macedonia Roads in the Village which are presently zoned R1F Residential; and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, at a special election to be held on the date of the primary election on the 17th day of March, 2020, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending and supplementing Article X of the Village Charter by the addition of new Section 10.14 which upon the effective date of passage of the amended and supplemented new Section 10.14 shall read as follows:

"SECTION 10.14 SOUTHERLY LIGHT INDUSTRIAL DISTRICT

Notwithstanding the provisions of Sections 10.01 through 10.13 of the Village Charter and provisions of the current Codified Ordinances to the contrary, Village Council by a 2/3rds affirmative vote of its members is hereby authorized to permit Light Industrial uses described in Oakwood C.O. Sec. 1173.02 on the following parcels located in the vicinity of Alexander and Macedonia Roads in the Village which are presently zoned R1F Residential: Permanent Parcel Numbers 795-18-034, 795-18-057 (the Southerly 65 feet of the parcel), 795-18-033 (the Southerly 65 feet of the parcel), 795-18-032 (the Southerly 65 feet of the parcel), 795-18-031 (the Southerly 65 feet of the parcel), 795-18-030, 795-28-006, 795-28-013, 795-28-005, 795-28-008 (the Westerly 134 feet of the parcel), 795-28-002 (the Westerly 134 feet of the parcel), subject to such standards and requirements as are to be established by ordinance of Council.

Section 2: A diagram detailing the property involved is attached hereto and incorporated herein as Exhibit A and a legal description of the property involved is attached hereto and incorporated herein as Exhibit B.

Section 3: The ballot of said election shall at the top thereof be entitled, "Proposed Charter Amendment," a majority affirmative vote is necessary for passage and the question to be submitted on said ballot shall be in words as follows:

"Shall Article X of the Charter of the Village of Oakwood be amended and supplemented by adding Section 10.14 authorizing Village Council to permit by a 2/3 rds affirmative vote of its members Light Industrial uses described in Oakwood C.O. Sec. 1173.02 on the following parcels located in the vicinity of Alexander and Macedonia Roads in the Village which are presently zoned R1F Residential: Permanent Parcel Numbers 795-18-034, 795-18-057 (the Southerly 65 feet of the parcel), 795-18-033 (the Southerly 65 feet of the parcel), 795-18-032 (the Southerly 65 feet of the parcel), 795-18-031 (the Southerly 65 feet of the parcel), 795-18-030, 795-28-006, 795-28-013, 795-28-005, 795-28-008 (the Westerly 134 feet of the parcel), 795-28-002 (the Westerly 134 feet of the parcel), subject to such standards and requirements as are to be established by ordinance of Council?"

"YES - For Passage

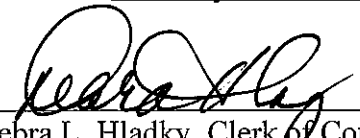
NO - Against Passage"

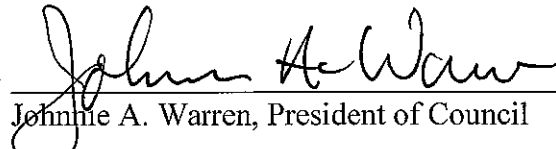
Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the primary election to be held March 17, 2020 in order for the Village to avail itself of economic development opportunities for the benefit of its citizens and for which time is of the essence and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: December 17, 2019

  
Debra L. Hladky, Clerk of Council

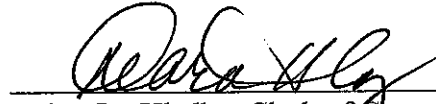
  
Johnnie A. Warren, President of Council

Presented to the Mayor: December 18, 2019

Approved: December 18, 2019


  
\_\_\_\_\_  
Mayor, Gary V. Gotschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2019 - 75 was duly and regularly passed by this Council at the meeting held on the 17 day of December 2019.

  
\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

**POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2019 -75 was duly posted on the 18 day of December, 2019 and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

  
\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

DATED: December 18, 2019

I, Debra L. Hladky, Clerk of Council, Village of Oakwood, County of Cuyahoga, State of Ohio, do hereby certify this to be a true and exact copy of Ordinance 2019-75 passed by Oakwood Village Council on the third (3<sup>rd</sup>) reading on the \_\_\_\_\_ day of December, 2019 by a vote of six (6) out of six (6) council persons present.

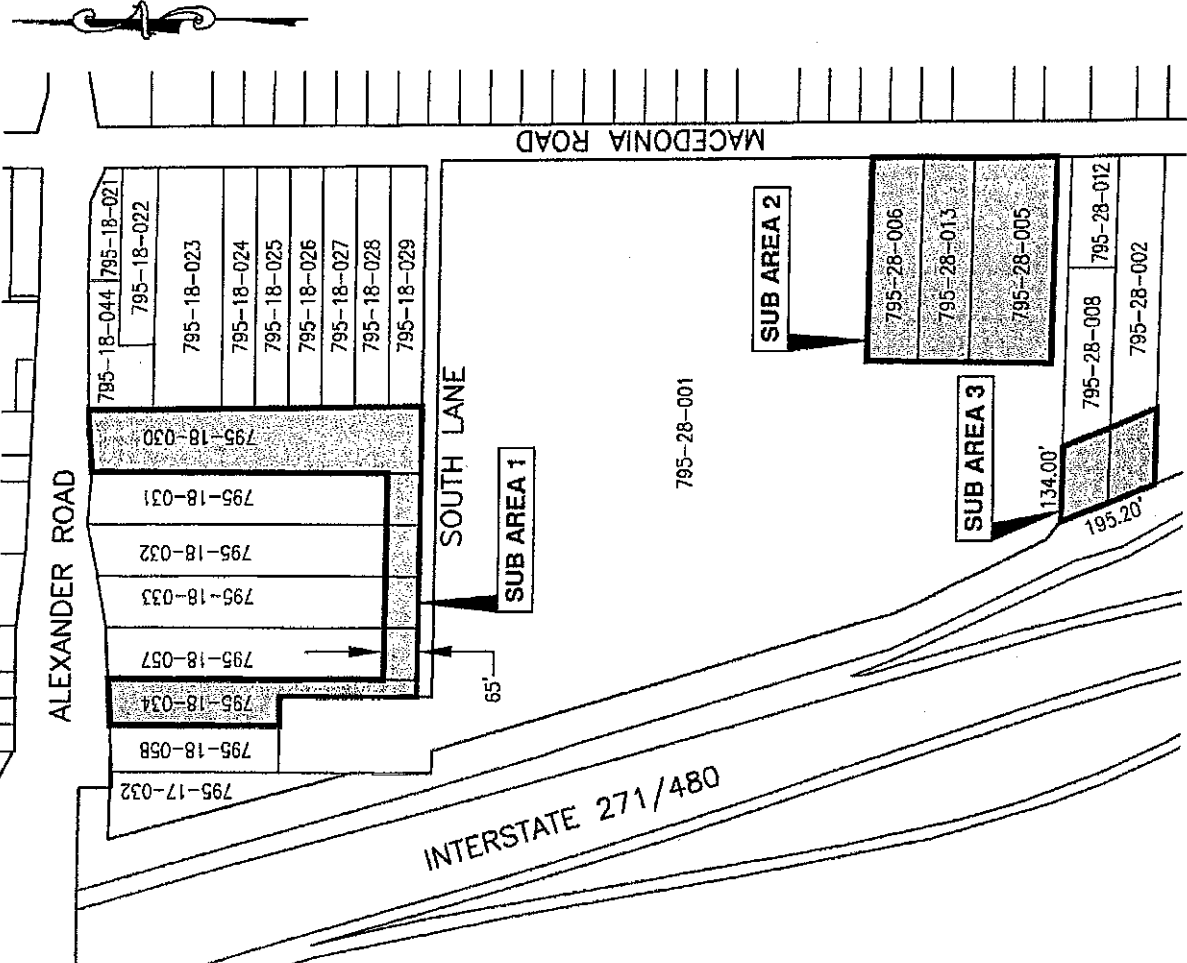
Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

\_\_\_\_\_  
Date

# EXHIBIT A

## PROPOSED SOUTHERLY LIGHT INDUSTRIAL DISTRICT

PARCEL NO.	PRESENT ZONE
<b>SUB AREA 1</b>	
795-18-030	R1F
795-18-031 South 65 Feet	R1F
795-18-032 South 65 Feet	R1F
795-18-033 South 65 Feet	R1F
795-18-034	R1F
795-18-057 South 65 Feet	R1F
<b>SUB AREA 2</b>	
795-28-005	R1F
795-28-006	R1F
795-28-013	R1F
<b>SUB AREA 3</b>	
795-28-002 West 134 Feet	R1F
795-28-008 West 134 Feet	R1F

**EXHIBIT B**

**LEGAL DESCRIPTION FOR**

**PROPOSED SOUTHERLY LIGHT INDUSTRIAL DISTRICT**

VILLAGE OF OAKWOOD, OHIO

November 21, 2019

**Sub Area 1- Presently Zoned Residential Single Family (R1F)**

Situated in the Village of Oakwood, County of Cuyahoga and State of Ohio and further described as follows:

Beginning at the northeasterly corner of Permanent Parcel No. 795-18-058, said point also being on the southerly Right of Way Line of Alexander Road, and the northwesterly corner of Permanent Parcel No. 795-18-034, and the place of beginning;

Thence easterly along the southerly Right of Way Line of Alexander Road to the northeasterly corner of Permanent Parcel No. 795-18-034, said point also being northwesterly corner of Permanent Parcel No. 795-18-057;

Thence southerly along the easterly property line of Permanent Parcel No. 795-18-034 to a point 65.00 feet northerly of the southeasterly corner of Permanent Parcel No. 795-18-034, said point also being on the westerly property line of Permanent Parcel 795-18-057;

Thence easterly along a line parallel to the northerly Right of Way Line of South Lane, a paper street, to a point on the easterly property line of Permanent Parcel 795-18-057, said point being 65.00 feet northerly of the southeasterly corner of Permanent Parcel No. 795-18-057, said point also being on the westerly property line of Permanent Parcel 795-18-033;

Thence easterly along a line parallel to the northerly Right of Way Line of South Lane, a paper street, to a point on the easterly property line of Permanent Parcel 795-18-033, said point being 65.00 feet northerly of the southeasterly corner of Permanent Parcel No. 795-18-033, said point also being on the westerly property line of Permanent Parcel 795-18-032;

Thence easterly along a line parallel to the northerly Right of Way Line of South Lane, a paper street, to a point on the easterly property line of Permanent Parcel 795-18-032, said point being 65.00 feet northerly of the southeasterly corner of Permanent Parcel No. 795-18-032, said point also being on the westerly property line of Permanent Parcel 795-18-031;

Thence easterly along a line parallel to the northerly Right of Way Line of South Lane, a paper street, to a point on the easterly property line of Permanent Parcel 795-18-031, said point being 65.00 feet northerly of the southeasterly corner of Permanent Parcel No. 795-18-031, said point also being on the westerly property line of Permanent Parcel 795-18-030;

Thence northerly along the westerly property line of Permanent Parcel No. 795-18-030 to the northwesterly corner of Permanent Parcel No. 795-18-030, said point also being on the southerly Right of Way Line of Alexander Road, and the northeasterly corner of Permanent Parcel No. 795-18-031;

Thence easterly along the southerly Right of Way Line of Alexander Road to the northwesterly corner of Permanent Parcel No. 795-18-044, said point also being northwesterly corner of Permanent Parcel No. 795-18-030;

Thence southerly along the easterly property line of Permanent Parcel No. 795-18-030 to the southwest corner of Permanent Parcel No. 795-18-029, said point also being the southeasterly corner of Permanent Parcel 795-18-030 and a point on the northerly Right of Way Line of South Lane, a paper street;

Thence westerly along the northerly Right of Way line of South Lane, a paper street, to the southwest corner of Permanent Parcel No. 795-18-034, said point also being the northwesterly corner of the South Lane Right of Way, a paper street, and a point on the easterly property line of Permanent Parcel 795-28-001;

Thence northerly along the westerly property line of Permanent Parcel No. 795-18-034 to a point on the westerly property line of Permanent Parcel No. 795-18-034, said point being the northeasterly corner of Permanent Parcel 795-28-001;

Thence westerly along the northerly property line of Permanent Parcel No. 795-28-001 to a point on the westerly property line of Permanent Parcel No. 795-18-034, said point also being the southeasterly corner of Permanent Parcel 795-18-058;

Thence northerly along the easterly property line of Permanent Parcel No. 795-18-058 to the northeasterly corner of Permanent Parcel No. 795-18-058, said point also being on the southerly Right of Way Line of Alexander Road, and the northwesterly corner of Permanent Parcel No. 795-18-034, and the place of beginning;

**Sub Area 2- Presently Zoned Residential Single Family (R1F)**

Situated in the Village of Oakwood, County of Cuyahoga and State of Ohio and further described as follows:

Beginning at the northeasterly corner of Permanent Parcel No. 795-28-006, said point also being on the westerly Right of Way Line of Macedonia Road, and on the easterly property line of Permanent Parcel No. 795-28-001, and the place of beginning;

Thence southerly along the westerly Right of Way Line of Macedonia Road to the southeasterly corner of Permanent Parcel No. 795-28-005, said point also being on the westerly Right of Way Line of Macedonia Road, and on the easterly property line of Permanent Parcel No. 795-28-001;

Thence westerly along the southerly property line of Permanent Parcel No. 795-28-005 to a point on the easterly property line of Permanent Parcel No. 795-28-001, said point also being the southwesterly corner of Permanent Parcel 795-28-005;

Thence northerly along the easterly property line of Permanent Parcel No. 795-28-001 to the northwesterly corner of Permanent Parcel 795-28-006, said point also being the easterly property line of Permanent Parcel 795-28-001;

Thence easterly along the northerly property line of Permanent Parcel No. 795-28-006 to the northeasterly corner of Permanent Parcel No. 795-28-006, said point also being on the westerly Right of Way Line of Macedonia Road, and on the easterly property line of Permanent Parcel No. 795-28-001, and the place of beginning;

**Sub Area 3- Presently Zoned Residential Single Family (R1F)**

Situated in the Village of Oakwood, County of Cuyahoga and State of Ohio and further described as follows:

Beginning at the northwesterly corner of Permanent Parcel No. 795-28-008, said point also being on the easterly Limited Access Line of Interstate 271/480, and the southwesterly corner of Permanent Parcel No. 795-28-001, and the place of beginning;

Thence easterly along the southerly property line of Permanent Parcel 795-28-001 a distance of 134.00 feet to a point, said point also being on the north property line of Permanent Parcel 795-28-008;

Thence southeasterly along a line parallel to the easterly Limited Access Line of Interstate 271/480, to a point on the southerly property line of Permanent Parcel 795-28-008, said point also being on the northerly property line of Permanent Parcel 795-28-002 being 134.00 feet easterly of the northwesterly corner of Permanent Parcel No. 795-28-002;

Thence continuing southeasterly along a line parallel to the easterly Limited Access Line of Interstate 271/480, to a point on the southerly property line of Permanent Parcel 795-28-002, said point also being on the northerly property line of Permanent Parcel 795-28-009 being 134.00 feet easterly of the northwesterly corner of Permanent Parcel No. 795-28-009;

Thence westerly along the southerly property line of Permanent Parcel No. 795-28-002 to a point on the Limited Access Line of Interstate 271/480, said point also being the southwesterly corner of Permanent Parcel 795-28-005;

Thence northwesterly along the easterly Limited Access Line of Interstate 271/480, to a point on the southerly property line of Permanent Parcel 795-28-001, said point also being the northwesterly corner of Permanent Parcel No. 795-28-008 and the place of beginning.

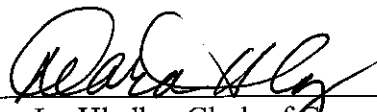


Presented to the  
Mayor: December 18, 2019

Approved: December 18, 2019

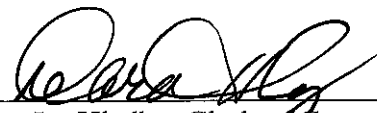
  
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Mayor, Gary V. Gottschalk

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Debra L. Hladky, Clerk of Council

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\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

DATED: December 18, 2019