

RESOLUTION NO. 2021 – 17

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH DEALPOINT MERRILL LLC [DEVELOPER] AND DECLARING AN EMERGENCY

WHEREAS, Developer is currently under contract to purchase a 12.53± acre parcel of real property located at 7011 West 130th St. within the City of Parma Heights, Cuyahoga County, Ohio, and identified as Permanent Parcel Number 473-23-086 (the “Property”); and

WHEREAS, the Property is presently zoned West 130th Street Mixed Use District; and

WHEREAS, Developer proposes to redevelop an existing structure on the Property with an indoor climate-controlled self-storage facility and enclosed outdoor non-climate storage, together with retail/commercial along the West 130th Street (the “Development”); and

WHEREAS, the Planning Commission conducted a public hearing regarding the Developer’s conditional use application and issued recommendations to the council pursuant to 1135.06 of the codified ordinances; and

WHEREAS, the City also desires to enter into a Development Agreement with Developer to ensure the public interest is protected and the Property shall only be used as set forth in this Agreement; and

WHEREAS, the parties desire to enter into this Development Agreement in order to set forth the respective rights, agreements and obligations of the parties as more fully provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1. The Mayor is authorized to enter into a Development Agreement with Dealpoint Merrill LLC pursuant to terms and conditions approved by the Director of Law and which are substantially in the form as set forth in Exhibit A, which is attached to this Resolution and incorporated herein, as if fully rewritten, said authorization is contingent on council’s acceptance of the recommendations of the Planning Commission.

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Resolution is declared to be an emergency measure for the public peace, health and safety of the Municipality and for the further reason that the Development Agreement sets forth the respective rights, agreements and obligations of the parties; wherefore, this Resolution shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

PASSED: AUGUST 30, 2021

Marie Gallo
PRESIDENT OF COUNCIL
MARIE GALLO

ATTEST: *Chrissy Reason*
CLERK OF COUNCIL
CHRISSEY REASON

Aug 30, 2021
APPROVED

FILED WITH
THE MAYOR: AUGUST 30, 2021

Michael Byrne
MAYOR
MICHAEL BYRNE



EXHIBIT A
DEVELOPMENT AGREEMENT