

ORDINANCE NO. 78-19

AN ORDINANCE TO AMEND A SPECIAL USE PERMIT GRANTED TO UNIVERSITY HOSPITALS (f.k.a. EMH REGIONAL HEALTHCARE SYSTEM AND, a.k.a. COMPREHENSIVE HEALTH CARE OF OHIO, INC.) TO ALLOW THE CONSTRUCTION AND OPERATION OF A NEW TWO (2) STORY, 37,000 sq. ft. MEDICAL OFFICE BUILDING TO BE LOCATED AT 1997 HEALTHWAY DRIVE IN THE CITY OF AVON AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 95-93 granted a Special Use Permit to EMH Regional Healthcare System, a.k.a. Comprehensive Health Care of Ohio, Inc., (hereinafter referred to as AEMH@) to establish and operate a medical center for human care on property located north of Detroit Road and west of State Route 83 on what is now known as Healthway Drive in the City of Avon; and

WHEREAS, Council has previously approved amendments to said Special Use Permit in Ordinance Nos. 50-95, 193-98, and 110-04; and

WHEREAS, it is now necessary to amend said Special Use Permit to include the construction and operation of a new two (2) story, 37,000 sq. ft. Medical Office Building on the same site as per the final drawings, plans and specifications submitted to the Planning Commission; and

WHEREAS, following a public hearing on August 21, 2019, Planning Commission voted to recommend approval of the amendment to the Special Use Permit by a vote of Five (5) to Zero (0); and

WHEREAS, having reviewed the plans and specifications as submitted, together with the recommendation of Planning Commission, Council deems it in the best interest of the health, safety and welfare of the community that the Special Use Permit be amended.

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

Section 1 - That having considered the matter of amending the Special Use Permit to include the construction and operation of a new two (2) story, 37,000 sq. ft. Medical Office Building on Healthway Drive in the City of Avon, Council hereby accepts the recommendations of the Planning Commission and agrees to amend the Special Use per the final drawings, plans and specifications approved by Planning Commission and attached hereto as Exhibit A and incorporated herein and made a part of this Special Use Permit by reference.

Section 2 - Conditions. That the Special Use Permit granted herein is conditioned upon (1) applicant meeting all applicable requirements set forth in 1280.02 and 1280.03 Codified Ordinances of the City of Avon; (2) applicant abiding by all conditions set forth in the original Special Use Permit and all amendments thereto; and (3) any expansion, development, enlargement, improvement, change 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. All requirements of the previously granted special use permits or amendments thereto remain in effect.

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 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 amend the special use permit to include the construction and operation of a new two (2) story, 37,000 sq. ft. Medical Office Building at the existing EMH facility located on Healthway Drive; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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