

ORDINANCE NO. 65-25

**AN ORDINANCE TO AUTHORIZE A DEVELOPER'S AGREEMENT
WITH CHESTER ROAD PARTNERS, LLC FOR THE CONSTRUCTION
OF PUBLIC IMPROVEMENTS AT THE VILLAS AT CHESTER COMMONS
LOCATED ON THE NORTH SIDE OF CHESTER ROAD
JUST EAST OF TIMBERLAKE APARTMENTS
AND DECLARING AN EMERGENCY**

WHEREAS, Chester Road Partners, LLC (hereinafter referred to as "Chester Partners") is the owner of a parcel of land consisting of approximately 54.72 acres, of which they seek to develop 24.40 acres into a multi-family residential development, viz., Villas at Chester Commons, to be located on the north side of Chester Road just to the east of the Timberlake Apartments; and

WHEREAS, in order to construct the Villas, Chester Partners must construct Public Improvements, to wit: public waterline, sanitary sewer, stormwater drainage, sidewalk on Chester Road, traffic markings/signage and all appurtenances thereto, to serve their property; and

WHEREAS, on May 21, 2025, Chester Partners presented plans and specifications for the proposed Public Improvements to the Planning Commission and by a vote of four (4) in favor one (1) opposed, Planning Commission made a recommendation to Council (contingent upon final engineering approval) to authorize same; and

WHEREAS, the City Engineer finalized his approval on July 10, 2025 and City Council had the opportunity to review the Developer's Agreement with Chester Partners and provided the Developer the opportunity to discuss the proposed Developer's Agreement and plans for the installation of said Public Improvements; and

WHEREAS, after discussion, review and further consideration, Council deemed it acceptable, appropriate and in the best interests of the health, safety, and welfare of the citizens of Avon to enter into a written Developer's Agreement to provide for the construction of public improvements as set forth herein.

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

Section 1 - That the City of Avon hereby enters into a Developer's Agreement with Chester Road Partners, LLC, (Chester Partners) in substantially the form as set forth in attached [Exhibit A](#) which is incorporated herein by this reference, for the construction of public waterline, sanitary sewer, stormwater drainage, sidewalks on Chester Road, traffic markings/signage and all appurtenances thereto, to serve the proposed Villas at Chester Commons development to be located on the north side of Chester Road just east of Timberlake Apartments, pursuant to plans and specifications approved by Planning Commission on May 21, 2025 (contingent) with final approval by the City Engineer on July 10, 2025.

Section 2 - The Mayor and President of Council are hereby authorized to sign said Developer's Agreement on behalf of the City.

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 authorize the City to enter into a Developer's Agreement with Chester Partners for the construction of Public Improvements for the future Villas at Chester Commons development before the end of the 2025 construction season; therefore, this Ordinance shall be in full force and effect immediately upon its passage by Council 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 J. Brooks, Clerk of CouncilPOSTED: _____
Electronically and at City Hall as
Provided by CouncilPrepared by:
John A. Gasior, Esq.
Law Director