

ORDINANCE NO. 98-25

**AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE
DEVELOPER'S AGREEMENT WITH CHESTER ROAD PARTNERS, LLC
FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS
AT THE VILLAS AT CHESTER COMMONS
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 sought 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, Council passed Ord. No. 65-25 on August 11, 2025 to authorize a Developer's Agreement for the construction of public improvements necessitated by the proposed development; and

WHEREAS, Chester Partners has begun construction of said public improvements and with the favorable weather, is ahead of plans to begin constructing apartments at the site; and

WHEREAS, paragraph 19(c) limits the number of models that the developer is permitted to construct prior to acceptance of improvements. In addition, the city desires to add a paragraph 19(d) to include payment of the Land Disturbance Fee upon acceptance of improvements; and

WHEREAS, both of these amendments require Council approval; 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 this Amendment to the Developer's Agreement.

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

Section 1 - That Council hereby authorizes an amendment to the 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,

Section 2 - The Mayor and President of Council are hereby authorized to sign said Amendment 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 an amendment to the Developer's Agreement with Chester Partners for the construction of Public Improvements for the future Villas at Chester Commons development to enable additional models and foundations to be started prior to acceptance of improvements and 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 Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

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