

COUNCIL CHAMBER Municipal Planning Commission
City of Mentor Director of Planning
01/07/2020

ORDINANCE NO. 20-O-002
AS AMENDED

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MENTOR, 2006, AS AMENDED, AND THE OFFICIAL ZONING MAPS BY REZONING APPROXIMATELY 186.53 ACRES FROM C-1, CONSERVATION, AND R-4, SINGLE FAMILY RESIDENTIAL, DISTRICTS TO THE PMUD, PLANNED MIXED-USE DEVELOPMENT OVERLAY, DISTRICT FOR LAND ADJACENT TO THE SOUTH SIDE OF JOHNNYCAKE RIDGE ROAD AND THE EAST SIDE OF CENTER STREET AND EXTENDING TO THE VILLAGE OF KIRTLAND HILLS BORDER, INCLUDING PERMANENT PARCEL NOS. 16-A-011-0-00-001-0, 002-0, 003-0, 004-0, 005-0, 014-0, 015-0, 017-0 AND 16-A-013-0-00-016-0, 017-0 AND 021-0; PROVIDING FOR THE SUBMISSION OF THIS ORDINANCE TO THE ELECTORATE; AND DECLARING AN EMERGENCY

WHEREAS, the record owners of various parcels of property listed herein below, totaling 186.53 acres, collectively acting by and through Bolton Properties, Ltd., made application and desire to have their property rezoned to the PMUD, Planned Mixed-Use Development, district pursuant to a Preliminary Site Development Plan and various additional Conditions made a part thereof.

WHEREAS, the subject request for rezoning consists of the following parcels now zoned C-1, Conservation:

PPN 16-A-011-0-00-001-0;
PPN 16-A-011-0-00-017-0;
PPN 16-A-011-0-00-002-0;
PPN 16-A-011-0-00-003-0;
PPN 16-A-011-0-00-004-0;
PPN 16-A-011-0-00-005-0;
PPN 16-A-011-0-00-014-0; and
PPN 16-A-011-0-00-015-0.

WHEREAS, the subject request for rezoning consists of the following parcels now zoned R-4, Single Family Residential:

PPN 16-A-013-0-00-016-0;
PPN 16-A-013-0-00-017-0; and
PPN 16-A-013-0-00-021-0.

WHEREAS, the Municipal Planning Commission at its regular meeting held on December 9, 2019 by a 6-1 favorable vote recommended the approval the rezoning to PMUD pursuant to the Preliminary Site Development Plan and additional Conditions of same.

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WHEREAS, pursuant to law, a public hearing with Notice thereof was held by this Council on January 7, 2020, relative to the recommendation by the Municipal Planning Commission of the rezoning request.

WHEREAS, having considered the recommendation of the Municipal Planning Commission, the Administration, and public comments, the Council hereby determines that the proposed Preliminary Site Development Plan and Conditions thereof are in accordance with the regulations of the PMUD, Planned Mixed-Use Development, district.

WHEREAS, pursuant to § 3.09(A)(5) of the Charter, the people of Mentor have reserved to themselves the right to determine through referendum whether a zoning change of lands from a C-1, Conservation, district to another zoning classification shall be approved.

WHEREAS, pursuant to § 3.09(A)(1) and (2) of the Charter, the people of Mentor have reserved to themselves the right to determine through referendum whether a zoning change of lands from an R-4, Single Family Residential, district to a commercial and/or multi-family zoning district classification shall be approved.

WHEREAS, the Council determines that it therefore is appropriate pursuant to the Charter to pass legislation providing for the approval of this rezoning request in order that it can be placed upon the ballot for referendum at which time the question of this rezoning shall be decided.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the following parcels of real property zoned C-1, Conservation, be and are hereby rezoned to PMUD, Planned Mixed-Use Development:

PPN 16-A-011-0-00-001-0;
PPN 16-A-011-0-00-017-0;
PPN 16-A-011-0-00-002-0;
PPN 16-A-011-0-00-003-0;
PPN 16-A-011-0-00-004-0;
PPN 16-A-011-0-00-005-0;
PPN 16-A-011-0-00-014-0; and
PPN 16-A-011-0-00-015-0.

SECTION 2. That the following parcels of real property zoned R-4, Single Family Residential, be and are hereby rezoned to PMUD, Planned Mixed-Use Development:

PPN 16-A-013-0-00-016-0;
PPN 16-A-013-0-00-017-0; and
PPN 16-A-013-0-00-021-0.

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SECTION 3. That legal descriptions for the property listed in Sections 1 and 2 are attached hereto as Exhibit "A" and incorporated herein by this reference.

SECTION 4. That pursuant to §§ 1137.07 and 1158.13 of the Codified Ordinances, the rezoning of the parcels, in whole and in part, to the PMUD district is expressly conditioned upon their development in accordance with the approved Preliminary Site Development Plan, which is attached hereto as Exhibit "B" and incorporated herein by this reference. The Preliminary Site Development Plan is further comprised of Subareas A through E, as shown on the district subarea plan attached hereto as Exhibit "B-1" and incorporated herein by this reference.

SECTION 5. That pursuant to §§ 1137.07 and 1158.13 of the Codified Ordinances, the rezoning of the parcels, in whole and in part, to the PMUD district is expressly conditioned on each of the Subareas A, B, C, and E being developed in accordance with any and all additional plan(s) and conditions specifically applicable to each of these Subareas A, B, C and E, to wit:

Subarea A's use and preliminary site development plan is attached hereto as Exhibit "B-2" and incorporated herein by this reference.

Subarea B's use and preliminary site development plan is attached hereto as Exhibit "B-3" and incorporated herein by this reference.

Subarea C's use and preliminary site development plan is attached hereto as Exhibit "B-4" and incorporated herein by this reference.

Subarea E's use and preliminary site development plan is attached hereto as Exhibit "B-5" and incorporated herein by this reference.

SECTION 6. That pursuant to §§ 1137.07 and 1158.13 of the Codified Ordinances, the rezoning of the parcels, in whole and in part, to the PMUD district is expressly conditioned on Subarea D remaining undeveloped as a conservation area in perpetuity and further in accordance with any and all additional Conditions specifically applicable to this Subarea D.

SECTION 7. That pursuant to §§ 1137.07 of the Codified Ordinances, the rezoning of the parcels, in whole and in part, to the PMUD district is further expressly conditioned upon their development in accordance with the approved Conditions, which are attached hereto as Exhibit "C" and incorporated herein by this reference.

SECTION 8. That the Codified Ordinances of the City of Mentor, 2006, as amended, and the Official Zoning Maps shall be and hereby are amended so as to reflect the change of zoning as herein provided.

SECTION 9. That pursuant to §§ 3.09(A)(1)(2) and (5) of the Charter this Ordinance shall be submitted to a vote of the qualified electors of the City of Mentor at an election to be held on

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Tuesday, March 17, 2020 and shall appear as a separate and distinct ballot question to be submitted on said ballot in the following recommended form:

“Shall Ordinance No. 20-O-002 amending the Codified Ordinances of the City of Mentor, 2006, as amended, and the Official Zoning Maps to rezone approximately 186.53 acres from C-1, Conservation, and R-4, Single Family Residential, districts to the PMUD, Planned Mixed-Use Development Overlay, district for land adjacent to the south side of Johnnycake Ridge Road and the east side of Center Street and extending to the Village of Kirtland Hills border, including Permanent Parcel Nos. 16-A-011-0-00-001-0, 002-0, 003-0, 004-0, 005-0, 014-0, 015-0, 017-0 and 16-A-013-0-00-016-0, 017-0 and 021-0 be approved?”

SECTION 10. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Lake County, Ohio, which Board shall make the necessary arrangements for submission of said question to the electors of the City of Mentor on Tuesday, March 17, 2020.

SECTION 11. Public notice of the time and place of holding such election shall be given as required by law.

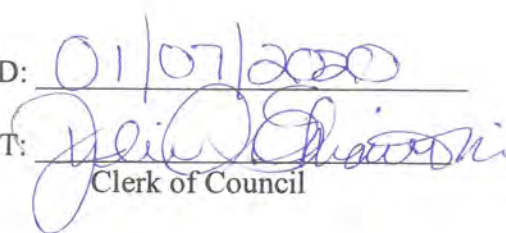
SECTION 12. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 13. That this Ordinance constitutes an emergency measure necessary for the peace, health, and safety of the City of Mentor in that the same is part of a mandatory Charter process which requires the proposed zoning amendment to be approved by the electors of the City of Mentor at either a general or primary election, and, in order to comply with a 60-day advance submission requirement to the Board of Elections this Ordinance must and shall take immediate effect in accordance with the provisions of Article III, § 3.10 of the Charter of Mentor.

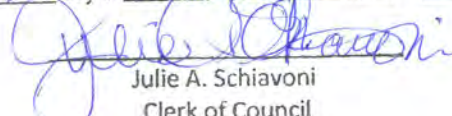


President of Council

PASSED: 01/07/2020

ATTEST: 
Clerk of Council

I, Julie A. Schiavoni, Clerk of Council of the City of Mentor, do hereby certify that the foregoing is a true and exact copy of Ordinance/Resolution No. 20-O-002 passed/adopted by the Council of the City of Mentor on the 7th day of January, 2020


Julie A. Schiavoni
Clerk of Council

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EXHIBIT "A"

The Land referred to herein below is situated in the County of Lake, State of Ohio, and is described as follows:

PARCEL ONE:

Situated in the City of Mentor and the Village of Kirtland Hills, County of Lake and State of Ohio and known as being a part Lot No. 1 and Lot No. 2, Tract No. 2 of Original Mentor Township and further being known as a parcel of land conveyed to the East Shore Unitarian Fellowship by Deed recorded in Volume 515, Page 105 of Lake County Deed Records, and is further bounded and described as follows:

Beginning at the Southeast corner of a 15.82 acre parcel of land conveyed to Lincoln Reavis et al, Trustee and Charles P. Bolton by Deed recorded in Volume 1193, Page 950 of Lake County Official Records, formerly known as land conveyed to Frank W. and Prudence C. Jarvis by Deed recorded in Volume 292, Page 254 of Lake County Deed Records, witness a 1 1/2 inch iron pipe found 0.25 feet North and 0.47 Feet West and a 5/8 inch iron pin found (I.D. Courtney), 0.43 feet North and 0.19 feet East;

Course I: Thence South 02 deg. 05'47" East, along a Westerly line of land so conveyed to Reavis et al, and Bolton, a distance of 448.01 feet to a Southwesterly corner thereof, witness a 5/8 inch iron pin found (I.D. Courtney), 0.39 feet North and 0.47 feet East, said corner lying on the Northerly sideline of relocated Interstate 90 (S.R. 1); 210.00 feet left at Station 107+10.81 as shown by State Plans for Project No. LAK-1-6.97;

Course II: Through Course V are along said Northerly sideline and stations refer to said state project;

Course II: Thence South 63 deg. 18'38" West, passing through a 5/8 inch iron pin set at 110.06 feet, a total distance of 115.06 feet to a wood fence post in concrete found 179.00 feet left at Station 106+00.00;

Course III: Thence South 71 deg. 59'56" West, passing through a 5/8 inch iron pin set at 3.00 feet, a total distance of 115.84 feet to a 5/8 inch iron pin set 165.00 feet left at Station 104+85.00;

Course IV: Thence South 81 deg. 25'33" West a distance of 185.19 feet to a 5/8 inch iron pin set 173.00 feet left at Station 103+00.00;

Courses V: Thence North 80 deg. 45'03" West; a distance of 106.62 feet to a Southeasterly corner of land so conveyed to Reavis et al, and Bolton 210.00 feet left at Station 102+00.00, witness a 5/8 inch iron pin found (I.D. Courtney), 0.23 feet North and 0.81 feet East;

Course VI: Thence North 00 deg. 30'06" West, along an Easterly line of land so conveyed to Reavis et al, and Bolton, a distance of 534.44 feet to a point; witness a 5/8 inch iron pin found (I.D. Courtney), 0.23 feet North and 0.43 feet East;

Course VII: Thence North 88 deg. 41'06" East, along a Southerly line of land so conveyed to Reavis et al, and Bolton, a distance of 489.75 feet to the place of beginning and containing 5.9553 acres of land (4.4660 +/- acres situated in the City of Mentor and 1.4893 +/- acres situated in the Village of Kirtland Hills as recorded by Deed of land so conveyed to the East Shore Unitarian Fellowship) as survey, calculated and described in May, 1996 by Ruby E. Schwartz, P.S. No. 7193 of LDC Inc. Bearings used herein refer to an assumed meridian and are intended to indicate angles only.

Permanent Parcel Nos.: 16A0110000140 and 22A0060000220

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PARCEL TWO:

TRACT I:

Parcel 1:

Situated in the Village now City of Mentor, and Village of Kirtland Hills, County of Lake and State of Ohio and known as being part of Lot No. 2 Tract No. 2 Mentor Village, and Lot No. 3, Tract No. 2 Kirtland Hills Village, and is bounded and described as follows:

Beginning in the center of Center Street at a point where the South line of Parcel 2 of premises conveyed to Oliver P. Bolton by Deed Volume 284, Page 437 of Lake County Records intersects the center of said Street;

Thence following the South line of land of the said Bolton and of The Cleveland Trust Company, South 88° 31' East, a distance of 2145.20 feet;

Thence following a West line of The Cleveland Trust Company, South 1° 48' 30" West, a distance of 378.25 feet to a point where the South line of said 15.01 acre parcel deeded to Ajax Corporation and the extension thereof, North 88° 32' West, a distance of 1569.42 feet;

Thence by a line which bears South 54° 40' West, a distance of 93.37 feet;

Thence by a line which bears South 60° 33' West, a distance of 199.10 feet;

Thence by a line which bears South 69° 09' West, a distance of 101.50 feet;

Thence by a line which bears South 54° 40' West, a distance of 93.37 feet;

Thence by a line which bears South 60° 33' West, a distance of 199.10 feet;

Thence by a line which bears South 69° 09' West, a distance of 101.50 feet;

Thence by a line which bears South 81° 11' West, a distance of 246.68 feet to the center of Center Street;

Thence following the center of said Center Street, North 2° 16' East a distance of 619.75 feet to the place of beginning, and containing about 20.714 acres of land, of which 17.059 acres are in Lot No. 2, Tract No. 2, Mentor Village, and 3.655 acres are in Lot No. 3, Tract No. 2, Kirtland Hills Village, as surveyed and described by R. D. Green, Registered Surveyor No. 3257, be the same more or less, but subject to all legal highways.

Property Address: 8157 Center Street and Johnnycake Ridge Road (rear), Mentor, Ohio Permanent Parcel Nos.: 16A0110000030 and 22A0050000120

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Parcel 2:

Parcel A:

Permanent Parcel Nos: 16A0110000010 and 16A0130000160

Situated in the Township and Village, now City of Mentor, County of Lake and State of Ohio, and known as being a part of Lot Nos. 2 and 7, Tract No. 2 in said Village and is bounded and described as follows:

Beginning at a point in the center line of Center Street at the North West corner of the residence grounds, so called, said place of beginning being located as follows: Commencing in the center line of Center Street at the North West corner of land of the Ajax Corporation;

Thence along said center line of said Street North $0^{\circ} 25'$ East a distance of 378.79 feet to an angle in said center line;

Thence continuing on the center line of Center Street North $0^{\circ} 45'$ East a distance of 426.10 feet to the principal place of beginning;

Thence from the principal place of beginning and continuing along the center line of Center Street North $0^{\circ} 45'$ East a distance of 455.42 feet to an angle in said center line;

Thence continuing along the center line of Center Street North $1^{\circ} 57' 50''$ East a distance of 1648.32 feet to the center line of Johnnycake Ridge Road (aka State Route #84);

Thence along the center line of Johnnycake Ridge Road South $89^{\circ} 38' 10''$ East a distance of 1659.53 feet to the beginning of a curve in said center line;

Thence continuing along the center line of Johnnycake Ridge Road on the arc of a circle (the radius of which is 835.003 feet and the long chord of which bears South $54^{\circ} 35' 40''$ East 958.87 feet) to the right a distance of 1021.36 feet to the beginning of a tangent in said center line;

Thence continuing along the center line of Johnnycake Ridge Road South $19^{\circ} 33' 10''$ East a distance of 778.53 feet to the beginning of a curve in said center line;

Thence continuing along the center line of Johnnycake Ridge Road on the arc of a circle (the radius of which is 722.37 feet and the long chord of which bears South $24^{\circ} 16' 10''$ East 118.80 feet) to the left a distance of 118.93 feet to the Northwest corner of land conveyed by Newell C. Bolton to Dulcie S. Scott by deed recorded in Volume 173, Page 77 Lake County Records of Deeds;

Thence along the West line, as found monumented, of land so conveyed to said Scott South $5^{\circ} 19' 20''$ West (passing through an iron pipe stake in the Southwesterly line of Johnnycake Ridge Road) a distance of 225.09 feet to an iron pipe stake in the line between Mentor Township and Kirtland Hills Village;

Thence along the line between said Township and Village South $89^{\circ} 36' 20''$ West a distance of 1065.09 feet to a pipe in concrete monument in the East line of Mentor Village;

Thence along the line between Kirtland Hills Village and Mentor Village South $0^{\circ} 27' 30''$ West a distance of 890.04 feet to an iron pipe stake at an angle in the line between said Villages;

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Thence continuing along the line between said Villages South 0° 21' 50" West a distance of 28.28 feet to an iron pipe stake which is North 0° 21' 50" East a distance of 350.51 feet from an iron pipe stake in the North line of land of the Ajax Corporation;

Thence by a line which bears North 89° 58' 40" West a distance of 250.00 feet to an iron pipe stake;

Thence by a line which bears North 0° 27' 30" East a distance of 918.32 feet to an iron pipe stake;

Thence by a line which bears North 23° 59' West a distance of 675.22 feet to an iron pipe stake;

Thence by a line which bears South 89° 02' West a distance of 341.00 feet to an iron pipe stake set in the line of a steel post and wire fence;

Thence following said fence line with the meanderings thereof by the following courses and distances: South 1° 17' West 419.85 feet, South 89° 02' West 47.00 feet, South 0° 22' East 87.20 feet, South 50° 08' West 225.40 feet, South 46° 06' West 224.10 feet, South 52° 12' West 121.85 feet, South 55° 23' West 117.60 feet, South 61° 43' West 167.70 feet and South 70° 35' West 138.45 feet to the principal place of beginning and containing __ acres of land of which __ acres are in Lot No. 3 Tract No. 2 Mentor Township, __ acres are in Lot No. 6 Tract No. 2 Mentor Township, __ acres are in Lot No. 2 Tract No. 2 Mentor Village and __ acres are in Lot No. 7 Tract No. 2 Mentor Village as described in part from survey and in part from Records by Fullerton and Kerr, Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Parcel B:

Pt. of Permanent Parcel No. 16A0110000010

Situated in the Village of Mentor, now City of Mentor, County of Lake and State of Ohio, and known as being a part of Lot Nos. 2 and 7, Tract No. 2 in said Village and bounded and described as follows:

Beginning in the center line of Center Street at a point which is North 0° 25' East a distance of 350.51 feet, measured along said center line, from the Northwest corner of land of the Ajax Corporation;

Thence along the center line of Center Street North 0° 25' East a distance of 28.28 feet to an angle in said center line;

Thence continuing along the center line of Center Street North 0° 45' East a distance of 426.10 feet;

Thence by a line which bears North 70° 35' East, following the line of a steel post and wire fence and passing through a post near the East line of Center Street, a distance of 138.45 feet to an iron post;

Thence following the line of a steel post and wire fence with the meanderings thereof by the following courses and distances: North 61° 43' East 167.70 feet, North 55° 23' East 117.60 feet, North 52° 12' East 121.85 feet, North 46° 06' East 224.10 feet, North 50° 08' East 225.40 feet, North 0° 22' West 87.20 feet, North 89° 02' East 47.00 feet and North 1° 17' East 419.85 feet to an iron pipe stake;

Thence by a line which bears North 89° 02' East a distance of 341.00 feet to an iron pipe stake;

Thence by a line which bears South 23° 59' East a distance of 675.22 feet to an iron pipe stake;

Thence by a line which bears South 0° 27' 30" West a distance of 918.32 feet to an iron pipe stake;

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Thence by a line which bears North 89° 58' 40" West (at 1445.46 feet passing through an iron pipe stake in the East line of Center Street) a distance of 1475.46 feet to the place of beginning and containing ___ acres of land of which ___ acres are in Lot No. 2 Mentor Village and acres are in Lot 7 Tract 2, Mentor Village as surveyed and described by Fullerton and Kerr, Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Excepting from the above described parcel that part conveyed to Charles P. Bolton by deed dated March 5, 1982 and recorded in Volume 892, Page 814 of Lake County Records.

Property Address: 8021 Center Street and Johnnycake Ridge Road, Mentor, Ohio
Permanent Parcel Nos.: 16A0130000160 and 16A0110000010

Parcel No. 3:

Situated in the Village of Kirtland Hills and City of Mentor, County of Lake and State of Ohio: And known as being part of Lots 1, 2 and 3, Tract 2 and Bloss Lot Tract 2: and is further bounded and described as follows:

Beginning in the center of Center Street at the Southwest corner of land of Frances W. Bolton, as recorded in Volume 286, Page 300 of Lake County Records of Deeds;

Thence following the Southerly lines of land of the said Bolton by the following courses and distances: North 81° 11' East, 246.68 feet to an iron pipe stake; North 69° 09' East, 101.50 feet to an iron pipe stake; North 60° 33' East, 199.10 feet to an iron pipe stake; North 54° 40' East, 93.37 feet to an iron pipe stake;

Thence South 88° 32' East, a distance of 1569.42 feet to the West line of land of Dr. William E. Doyle;

Thence following the West line of land of the said Doyle, South 1° 48' 30" West, a distance of 143.79 feet to the North West corner of land of William L. and Mildred C. Thomas;

Thence following the West line of land of the said Thomas, South 3° 06' 15" East, to a point in the Northerly right of way line of State Route 90;

Thence Westerly along the Northerly line of said State Route 90 to a point in the Southeasterly corner of lands of the East Shore Unitarian Fellowship by Deed Volume 535, Page 105 of Lake County Records.

Thence North 2° 08' 06" East along the Easterly line of said East Shore Unitarian Fellowship, a distance of 448.07 feet; Thence South 88° 41' 54" West, along the Northerly line of said Fellowship, a distance of 498.75 feet;

Thence South 0° 30' 06" East, along the Westerly line of said Fellowship, a distance of 534.44 feet to the Northerly right-of-way line of State Route 90.

Thence Westerly along the Northerly line of State Route 90 to a point in the Easterly line of Route 615. Also known as Center Street, as widened by parcel #31-3 of an easement given to the State of Ohio by Lake County Probate Court Civil Docket 7, Page 201 of Lake County Records.

Thence Northwesterly and Northerly to the Easterly line of said easement to the Southerly line of a 15.851 acre parcel of land conveyed by Frank W. Jarvis and Prudence C. Jarvis to The Chillicothe Center Company by Deed Volume 582, Page 274 of Lake County Records;

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Thence North 88° 32' West to the centerline of Route 615;

Thence North 2° 16' East, along the centerline of Route 615, a distance of 219.40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Property Address: 8171 Center Street, Chardonwood Dr. (rear), Center Street, Chillicothe Road, Mentor, Ohio

Permanent Parcel Nos: 16A0110000040, 22A0050000110, 16A0110000050, 22A0060000160, 22A0060000190, and 16A0110000150

Parcel 4:

Situated in the Village now City of Mentor, County of Lake and State of Ohio and known as being a part of Lot No. 2, Tract No. 2, in said Village and is bounded and described as follows:

Beginning in the center line of Center Street at the North West corner of land formerly owned by Ajax Corporation and now owned by said Frances Wick Bolton said place of beginning also being the Northwesterly corner of Parcel No. 1 described above:

Thence along the center line of Center Street North 0° 25' East a distance of 350.51 feet;

Thence by a line which bears South 89° 58' 40" East, (at 30.00 feet passing through an iron pipe stake in the East line of Center Street and at 1475.46 feet passing through an iron pipe stake on line) a distance of 1725.46 feet to an iron pipe stake in the line between Mentor Village and Kirtland Hills Village;

Thence along the line between Mentor and Kirtland Hills Villages South 0° 21' 50" West a distance of 350.51 feet to an iron pipe stake in the North line of land formerly belonging to the Ajax Corporation and now owned by said Frances Wick Bolton;

Thence along the North line of land formerly owned by the Ajax Corporation and now owned by Frances Wick Bolton North 89° 58' 40" West (at 1695.78 feet passing through an iron pipe stake in the East line of Center Street) a distance of 1725.78 feet to the place of beginning and containing about ___ acres of land as surveyed and described by Fullerton and Kerr, Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Property Address: 8155 Center Street, Mentor, Ohio
Permanent Parcel No.: 16A0110000020

Parcel 5:

Situated in the County of Lake in the State of Ohio and in the Village of Kirtland Hills and City of Mentor and bounded and described as follows: known as being a part of Lot No. 3, Tract No. 2, in said Village of Kirtland Hills and City of Mentor and being further bounded and described as follows:

Beginning at the intersection of the centerlines of Little Mountain Road (60 feet wide) and Johnnycake Ridge Road (60 feet wide);

Thence South 89° 52' 00" West along the centerline of Johnnycake Ridge Road, a distance of 47.71 feet to a point of curvature;

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Thence along the arc of the centerline of Johnnycake Ridge Road, a distance of 624.06 feet, with a chord of 604.83 feet which bears North 65° 23' 32" West to the principal place of beginning;

Course 1: Thence South 00° 16' 00" East a distance of 282.44 feet to a point;

Course 2: Thence North 88° 47' 50" West a distance of 175.36 feet to a point;

Course 3: Thence South 1° 12' 10" West a distance of 531.72 feet to a point;

Course 4: Thence North 88° 47' 50" West a distance of 569.86 feet to a point;

Course 5: Thence North 00° 25' 50" East a distance of 690.56 feet to a point;

Course 6: Thence North 89° 35' 10" East a distance of 644.71 feet to a point;

Course 7: Thence North 5° 18' 10" East a distance of 225.39 feet to a point on the centerline of Johnnycake Ridge Road;

Course 8: Thence along the arc of the centerline of Johnnycake Ridge Road, deflecting to the left, a distance of 147.85 feet, with a chord of 147.59 feet which bears South 34° 46' 47" East to the principal place of beginning and containing 10.282 acres of land, subject to all legal highways, as calculated and described by Harry S. Jones, Registered Surveyor No. 7343 in July 1988.

Property Address: 8680 Johnnycake Ridge Road and Johnnycake Ridge Road, Mentor, Ohio
Permanent Parcel Nos.: 22A0050000140, 16A0130000170, and 22A0050000150

Parcel 6:

Situated in the City of Mentor, County of Lake and State of Ohio; and being known as part of Original Mentor Township Lot Nos. 3 and 6, Tract No. 2 further being known as part of a parcel of land conveyed to L. Reavis and R. Watson, Trs., by deed recorded in Volume 849, Page 253 of Lake County Deed Records, further bounded and described as follows:

Beginning in the curved centerline of Johnnycake Ridge Road (S.R. 84), 60 feet wide, at its intersection with the Westerly line of said Original Lot No. 6;

Course I: Thence South 0° 29' 19" West, along said Westerly line of Original Lot No. 6, a distance of 800.00 feet to a point;

Course II: Thence South 89° 30' 41" East, a distance of 300.00 feet to a point;

Course III: Thence North 0° 29' 19" East, a distance of about 737.64 feet to a point in said curved centerline of Johnnycake Ridge Road;

Course IV: Thence Northwesterly along the arc of said curved centerline of Johnnycake Ridge Road, having a radius of

835.00 feet and a chord which bears North 77° 46' 05" West, 306.41 feet, an arc distance of 308.16 feet to the Place of Beginning and containing ___ acres of land as calculated and described by LDC Inc., dba Land Design Consultants, August 1986, be the same more or less, but subject to all legal highways. Bearings used herein are to an assumed meridian and are intended to indicate angles only.

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EXHIBIT "A"

Property Address: 8600 Johnnycake Ridge Road, Mentor, Ohio
Permanent Parcel No.: 16A0130000210

TRACT II:

Parcel 1:

Situated in the City of Mentor, County of Lake and State of Ohio: Being known as part of Original Mentor Township Lots No. 2 and No. 7, Tract No. 2, further bounded and described as follows:
Beginning at the intersection of the centerline of Johnnycake Ridge Road (S.R. 84) 60 feet wide and Center Street (S.R.615) 60 feet wide;

thence South $1^{\circ} 57' 50''$ West, along the centerline of said Center Street, 1648.32 feet to an angle point therein;

thence South $0^{\circ} 45' 00''$ West, continuing along the centerline of said Center Street, 454.28 feet to the principal place of beginning of the parcel herein described;

Course No. 1 - Thence North $64^{\circ} 35' 27''$ East, 317.39 feet to a point;

Course No. 2 - Thence North $53^{\circ} 11' 27''$ East, 237.55 feet to a point;

Course No. 3 - Thence North $45^{\circ} 48' 05''$ East, 217.01 feet to a point;

Course No. 4 - Thence North $47^{\circ} 49' 26''$ East, 234.35 feet to a point;

Course No. 5 - Thence North $0^{\circ} 14' 52''$ West, 241.91 feet to a point;

Course No. 6 - Thence North $0^{\circ} 02' 06''$ West, 194.61 feet to a point;

Course No. 7 - Thence North $17^{\circ} 59' 06''$ East, 196.88 feet to a point;

Course No. 8 - Thence North $88^{\circ} 14' 44''$ East, 476.59 feet to a point;

Course No. 9 - Thence South $13^{\circ} 31' 35''$ East, 283.31 feet to a point;

Course No. 10 - Thence South $0^{\circ} 27' 30''$ West, 737.27 feet to a point;

Course No. 11 - Thence South $77^{\circ} 13' 19''$ West, 166.02 feet to a point;

Course No. 12 - Thence South $88^{\circ} 56' 48''$ West, 200.00 feet to a point;

Course No. 13 - Thence North $89^{\circ} 25' 30''$ West, 458.53 feet to a point;

Course No. 14 - Thence South $59^{\circ} 32' 15''$ West, 304.11 feet to a point;

Course No. 15 - Thence South $69^{\circ} 08' 51''$ West, 349.89 feet to the centerline of said Center Street

Course No. 16 - Thence North $0^{\circ} 45' 00''$ East, along the centerline of said Center Street, 110.76 feet to the principal place of beginning and containing 17.522 acres of land of which 0.077 acres is contained in the

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EXHIBIT "A"

right-of-way of said Center Street, be the same more or less, but subject to all legal highways and easements of record.

Parcel 2:

Situated in the City of Mentor, County of Lake, State of Ohio and known as being part of Lot 2, Tract 2, and in Township 9 and 10 North, Range 9 West, and is bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made by the Department of Transportation, and being located within the following described points in the boundary thereof:

Beginning at the point of intersection of the centerline of State Route 615 (Center Street) at Station 30+00.00 with the centerline of Interstate Route 90 at Station 89+18.13;

Thence North $00^{\circ} 27' 37''$ West along said centerline of State Route 615, 1599.75 feet to an angle point located at Station 45+99.75;

Thence North $00^{\circ} 51' 10''$ West along said centerline of State Route 615, 892.11 feet to a point in the Northerly line of land conveyed to Bolton Properties Limited by instrument recorded under Document #980029042 of the Lake County Official Records, said point being located at Station 54+91.86 and further being the true place of beginning;

Thence North $00^{\circ} 51' 10''$ West, continuing along said centerline of State Route 615, 110.76 feet to a point in the Southerly line of land conveyed to Bolton Properties Limited by instrument recorded under Document #980029042 of the Lake County Official Records, said point being located at Station 56+02.62;

Thence North $63^{\circ} 24' 20''$ East, along said Southerly line of land of Bolton Properties Limited, 49.96 feet to a point in the proposed Easterly right of way line of State Route 615, said point being 45.00 feet Right of Station 56+24.32;

Thence South $00^{\circ} 51' 10''$ East, along said proposed Easterly right of way line of State Route 615, 114.97 feet to a point in the above said Northerly line of land of Bolton Properties Limited, said point being 45.00 feet Right of Station 55+09.34;

Thence South $67^{\circ} 54' 51''$ West, along said Northerly line of land of Bolton Properties Limited, 48.28 feet to the true place of beginning and containing 5,079 square feet of land, including the present roadway which occupies 3,365 square feet, more or less, as calculated and described in September 2000 by Richard J. Bilski, Ohio Professional Surveyor No. 5244, of CT Consultants, Inc., Registered Engineers and Surveyors.

All bearings for this project are based on the ODOT Project LAK-1-6.97 (April 1960).

Prior Instrument Reference: Volume 892, Page 814, of the Lake County Official Records.

The above described 5,079 square feet, more or less, of which the present road occupies 3,365 square feet, more or less, are to be deleted from Auditor's Parcel 16-A-011-0-00-017-0.

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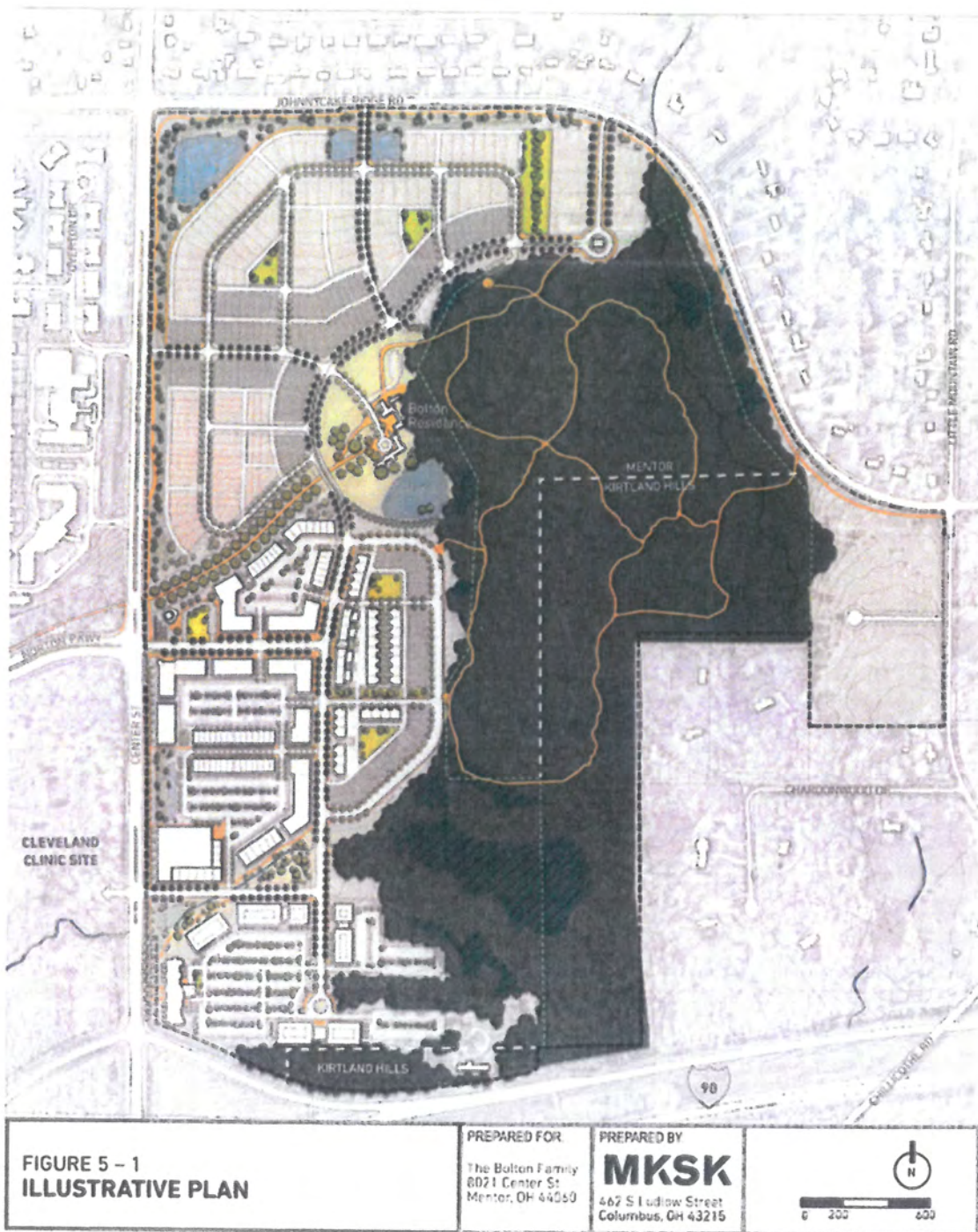
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EXHIBIT "B" Pg. 1 of 1

EXHIBIT "B"



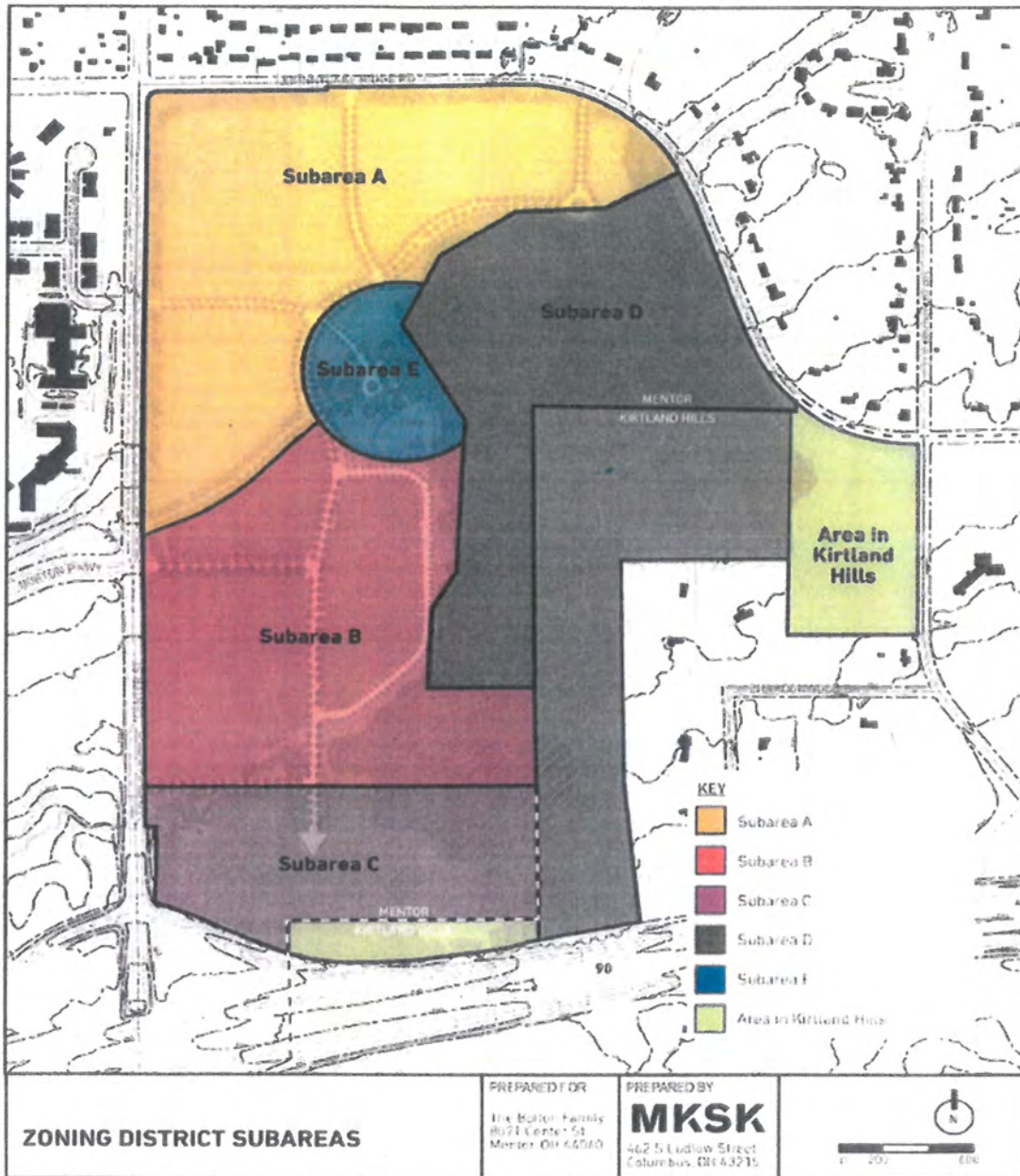
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EXHIBIT "B1"



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EXHIBIT "B2"



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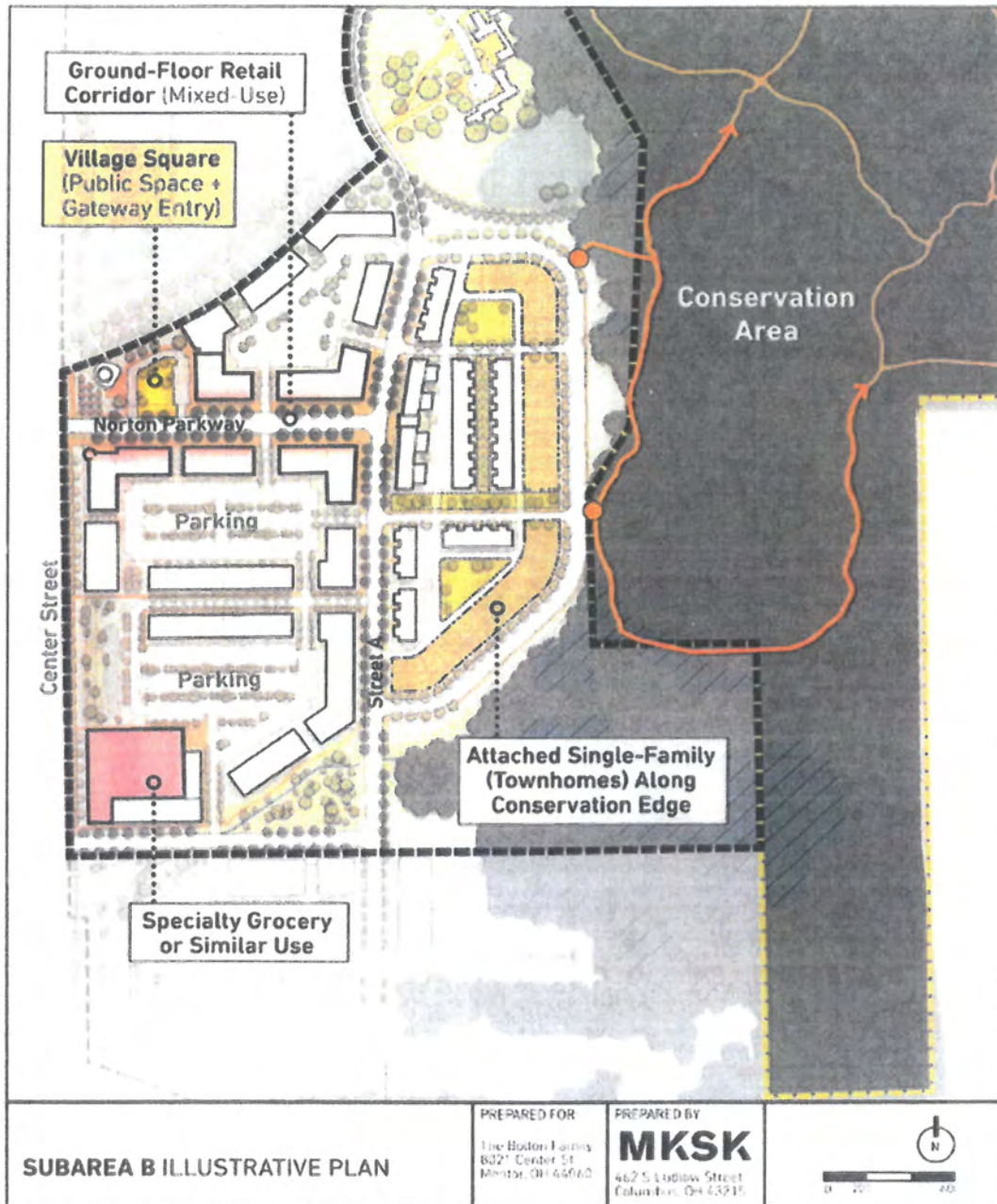
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EXHIBIT "B3" Pg. 1 of 1

EXHIBIT "B3"



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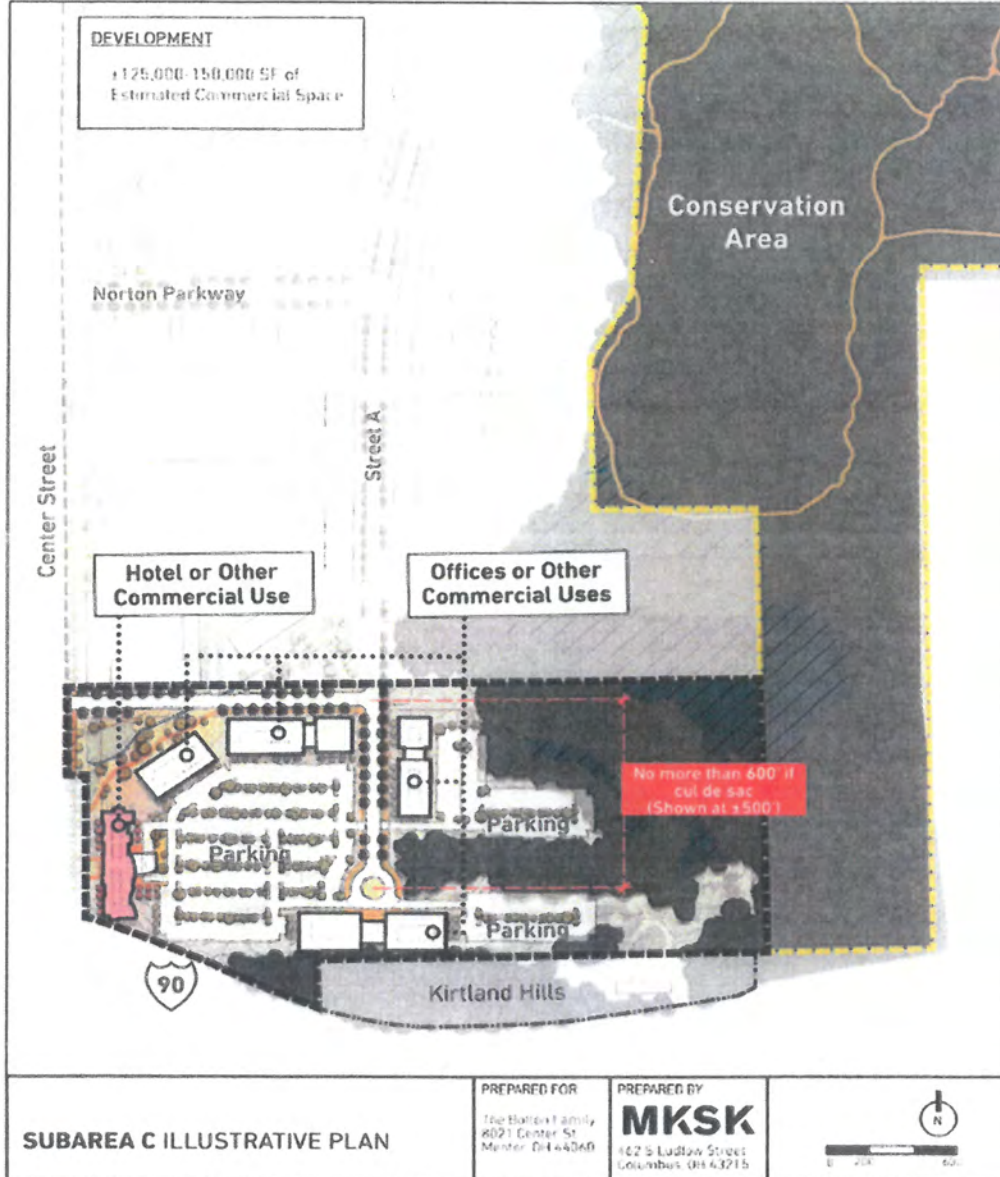
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EXHIBIT "B4" Pg. 1 of 1

EXHIBIT "B4"



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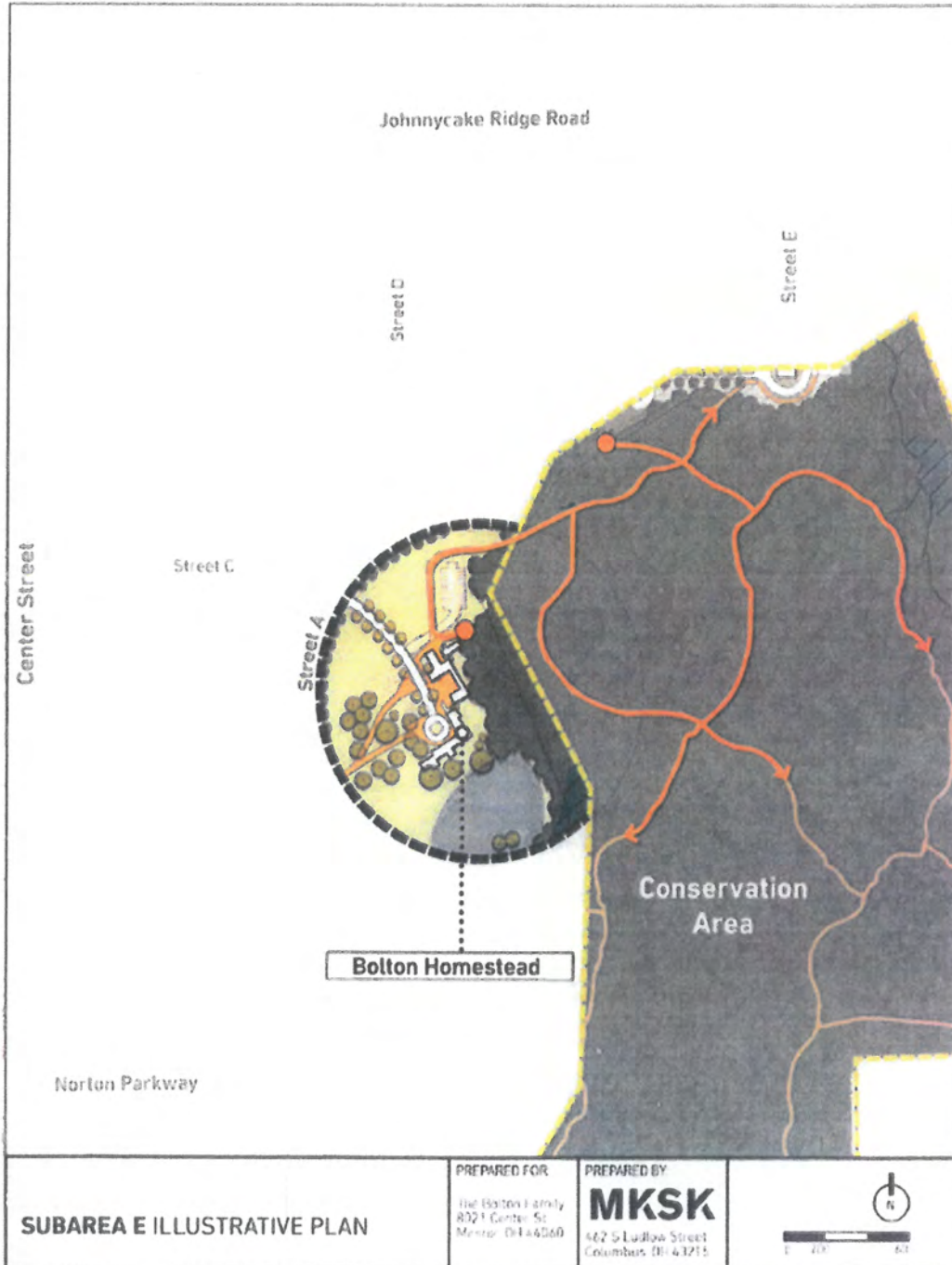
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EXHIBIT "B5"



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EXHIBIT "C" - Conditions
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CONDITIONS

1. Subareas A – E are approved as part of the Preliminary Development Plan submitted on November 25, 2019 and indicated on Figure 3-1 Zoning District Subareas (page 14), **as amended**. Figure 5-1 Illustrative Plan (page. 21) is also approved as part of the Preliminary Development Plan. The detailed subarea plans for Subareas A - E are approved as part of the Preliminary Development Plan as follows: Figure 5-6 Subarea A Illustrative Plan (page 26); Figure 5-11 Subarea A: +/- 300 Lots (page 29); Figure 5-13 Subarea B Illustrative Plan (page 32); Figure 5-14 Subarea B Residential Typologies (page 33); Figure 5-16 Subarea C Illustrative Plan (page 36); Figure 5-18 Subarea D Conservation Area (page 39); and Figure 5-20 Subarea E Illustrative Plan. All of these plans are part of the Bolton Property: Conceptual Development Plan, Planned Mixed Use Development (PMUD) binder dated November 25, 2019.
2. The open space plan is approved per Figure 5-5 Open Space Plan (page 24) of the Bolton Property: Conceptual Development Plan Planned Mixed Use Development (PMUD) binder submitted on November 25, 2019.
3. The buildings proposed along the Norton Parkway entry corridor within Subarea B shall be ground floor retail with the allowance for small office. Residential shall only be permitted above retail/office space along the entry corridor in Subarea B. Single-use buildings shall not be considered along the Norton Parkway entry corridor within Subarea B; except as expressly permitted by the Planning Commission and Council during the final development plan review.
4. The residential unit count approved for Subarea A is up to 300 units. The residential unit count approved for Subarea B is up to 350 units.

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5. The Bolton Family Home should be preserved and re-used as a bed and breakfast, a boutique hotel or any of the Allowed Land Uses identified on p. 41 for Subarea E as submitted on November 25, 2019 in the Bolton Property: Conceptual Development Plan, Planned Mixed Use Development (PMUD) binder. If at any time in the future, the applicant/property owner cannot find an economically viable use to preserve the Bolton Home, the owner will provide notice thereof to the City and agree to a 60-day discussion period to find a means to preserve the home.
 6. Public access shall be provided to the entire proposed conservation area identified as Subarea D (+/- 69 acres) and a conservation easement shall be put in place over the 34 acres of the conservation zone located within Kirtland Hills to guarantee it will not be developed.
 7. The following uses shall be prohibited within the Bolton development: any uses not specified in §1158.05 Uses Permitted of the Planned Development (PD) Overlay District Regulations, as outlined in the attached staff exhibit.
 8. Any proposed architectural design of residential and commercial buildings, and site design, shall meet or exceed the Design Criteria set forth in §1158.11 of the Planned Development Overlay District regulations during final development plan submittal.
 9. Building spacing shall be identified on the plans as part of any final development plan review.
 10. At least two (2) of the proposed access points to the existing roadway system (Center Street and Johnnycake Ridge Road) shall be installed and/or accessible for each phase of the project.
 11. Future development submissions shall conform with all applicable zoning, building, engineering, and fire code requirements set forth in the Mentor Code of Ordinances.
 12. Comments per the City Engineering/Building Department and Fire Department shall be addressed as part of any final development plan submission.
 13. A Traffic Impact Study is required to be submitted for the overall proposed development pursuant to §1133.06 and §1133.07 of the Mentor Code of Ordinances as part of any final development plan submission.

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EXHIBIT "C" - Conditions
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14. A tree preservation plan, for the trees located outside of the Conservation Area, identifying the trees or tree canopies on the property that will be maintained shall be submitted as part of the final development plan application. Any dead or dying trees that pose a threat or hazard shall also be identified and shall be removed by the developer following the recording of the final plat and prior to the issuance of any building permits for the development.
 15. The Declaration of Covenants, Conditions, Restrictions, Easements and the open space maintenance requirements in conformance with Chapter 1158 Planned Development (PD) Overlay District Regulations shall be submitted for review and approval by the Law Director and the Planning Director prior to approval of the final site development plan.
 16. The applicant shall submit the proposed street names for review at the time of the final development plan application.
 17. In Subarea B or Subarea C, parking shortages due to the shared parking concept shall be resolved by introducing structured parking, or, via other remedies acceptable upon final approval of an amendment to the Development Plan.
 18. Subarea A shall not include mid-rise multi-family homes, which shall be updated on p. 25 under the Allowed Land uses within Subarea A as well as in the proposed Table 5.1, Permitted Use by Subarea (p. 43), in the Bolton Property: Conceptual Development Plan, Planned Mixed Use Development (PMUD) binder submitted on November 25, 2019.
 19. Construction and haul roads shall not utilize Johnnycake Ridge Road (S.R. 84) and may only utilize Center Street (S.R. 615), as approved by the City Manager.
 20. Change(s) to the approved Preliminary and/or Final Development Plan(s) and/or Conditions shall require Council review and an amendment to Ordinance No. 20-O-002 after review and recommendation by the Municipal Planning Commission.
 21. There shall be no residential use in Subarea C. Retail may only be permitted as a secondary use in Subarea C.