



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2014-168:**

**AN ORDINANCE CONSIDERING A
CONDITIONAL USE PERMIT FOR
MOBILE FOOD VENDING**

WHEREAS, Kennedy Property Investments III, Ltd. has submitted a request to the Council of the City of Westlake, Ohio, for a Conditional Use Permit for the property at 29305 Clemens Road, Westlake, Ohio, known as Permanent Parcel Numbers 211-22-056, 211-22-057, 211-22-058 and 211-22-059 to allow mobile food vending located on the property; and

WHEREAS, after receiving the current application, the application was sent to the Planning Commission for its review, and the Planning Commission recommended approval of the Conditional Use Permit; and

WHEREAS, this Council provided and held a Public Hearing on the application for the Conditional Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That this Council does hereby approve the application of Kennedy Property Investments III, Ltd. for a Conditional Use Permit for the property at 29305 Clemens Road, Westlake, Ohio, Permanent Parcel Numbers 211-22-056, 211-22-057, 211-22-058 and 211-22-059 to allow mobile food vending located on the property, which said use is to be conditioned only within the areas located within the address described in this Ordinance.

Section 2: That this Conditional Use Permit application is approved upon the following terms and conditions:

1. Approval is subject to the adoption of Ordinances 2014-166 and 2014-167.
2. A modification is granted to reduce the total number of required parking spaces to fifty-eight (58).
3. The mobile food vending shall be located on a paved surface and shall not interfere with ingress to or egress from the building.

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4. The location of the mobile food vending unit is subject to the approval of the Director of Planning.
5. That hours of operation be limited to 10:00 a.m. to 10:00 p.m.

Section 3: That the approval of this Conditional Use Permit shall become null and void if the operation of the conditional use permit is contrary to law and/or the conditions of this Ordinance and the Conditional Use Permit shall not be transferable to another location without a new Conditional Use Permit being obtained but would be transferable at the location described in Section 1 hereof to a new owner subject to all the terms and conditions thereof.

Section 4: That it is found and determined that all formation actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

Section 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First Reading: 11/20/14

Referred to Planning Commission: 11/20/14

Report of Planning Commission on: 12/15/14

The Planning Commission recommended to Council that this Ordinance be:

Approved: X Disapproved:

Second Reading: 12/18/14

Public Hearing: 1/15/15


Passed: 1/15/15

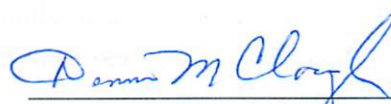

Michael F. Killeen
President of Council

Presented to Mayor: 1/16/15

Approved: 1/16/15

ATTEST:


Denise L. Rosenbaum, Clerk of Council


Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2014-168 adopted 1/15/15 was duly posted on 1/16/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.