RESOLUTION NO.: **2013-R01**
SPONSOR: **MAYOR NORTON**
INTRODUCED: **JANUARY 8, 2013** **ASSIGNED TO:** PLANNING

A RESOLUTION APPROVING A SPECIAL USE PERMIT AND THE GENERAL DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 5430 MASSILLON ROAD, GENERALLY KNOWN AS THE BELDEN LODGE, AND DECLARING AN EMERGENCY.

WHEREAS, by Ordinance 2012-18, City Council approved a text amendment to the City's Land Development Code to allow the City to permit specific uses within varying zoning districts which are not permitted by the Land Development Code when those uses may be beneficial to the Community and serve the best interest of the City; and

WHEREAS, the City and Table for Life, LLC ("Applicant") entered into a Real Estate Purchase Agreement dated November 20, 2012 for the property located at 5430 Massillon Road ("the Property") conditioned upon approval of a Special Use Permit by City Council. The Purchase Agreement has been submitted to City Council for approval by Resolution 2012-R70; and

WHEREAS, the Applicant submitted an application for a Special Use Permit and General Development Plan for the adaptive re-use of the existing Belden Lodge located at Southgate Park at 5430 Massillon Road; and

WHEREAS, the Planning and Zoning Commission considered the application and conducted a Public Hearing at its meeting on December 19, 2012; and

WHEREAS, the Planning and Zoning Commission made a favorable recommendation to City Council by a vote of 5-0; and

WHEREAS, pursuant to Ordinance 2012-18, it is necessary for City Council to approve the Special Use Permit and General Development Plan for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:
Green City Council approves the General Development Plan. City Council also approves the issuance of the Special Use Permit to the Applicant for the Property upon submission of a Final Site Plan to the Planning Department for review and approval.

SECTION TWO:
The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:
Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: Feb. 12, 2013

Molly Stevens, Clerk

Dave France, Council President

APPROVED: Feb 12, 2013

Richard G. Norton, Mayor

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ENACTED EFFECTIVE: Feb 12, 2013

ON ROLL CALL: Colopy - yes France - yes Humphrey - Absent Knodel - yes
Neugebauer - yes Reed - yes Summerville - yes Adopted 6-0

Suburbanite publication on Feb 17 and Feb 24, 2013

Molly Stevens, Clerk

01/08/2013 Approved as to form and content by Stephen J. Pruneski, Law Director 1/9/13