

RESOLUTION NO.: 2013-R02 (*AMENDED MARCH 12, 2013*)
SPONSOR: MAYOR NORTON
INTRODUCED: JANUARY 8, 2013 **ASSIGNED TO:** PLANNING

A RESOLUTION APPROVING THE CREATION OF THE MASSILLON ROAD COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO THE PROVISIONS OF REVISED CODE 4301.80, AND DECLARING AN EMERGENCY.

WHEREAS, the purpose of a Community Entertainment District is to create potential for more entertainment, retail, social, cultural, and dining options for residents of the City and visitors to the City; and

WHEREAS, Green faces a major challenge in attracting new restaurants and entertainment venues due to the lack of available Liquor Permits; and

WHEREAS, the creation of a Community Entertainment District gives the City a tool to encourage these types of amenities in a designated area while still limiting the maximum number of Liquor Permits that can be used and designated within this District; and

WHEREAS, the Administration proposes a Community Entertainment District as set forth in the map attached as **AMENDED** Exhibit "A" and the legal description attached as **AMENDED** Exhibit "B"; and

WHEREAS, the proposed District has had or will have more than Fifty Million Dollars (\$50,000,000.00) invested in the development and construction of new buildings and additional infrastructure; and

WHEREAS, the proposed use of the land is consistent with the City's Long Range Land Use Plan and Development Code; and

WHEREAS, pursuant to the revisions of the Ohio Revised Code, City Council must act on this Resolution within seventy-five (75) days.

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 and creates a Massillon Road Community Entertainment District as identified in the map attached as **AMENDED** Exhibit "A" and the legal description attached as **AMENDED** Exhibit "B". City Council directs the Administration to submit all required applications, notices, and fees to ensure the proper creation of this Community Entertainment District.

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

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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: MARCH 12, 2013

Molly Stevens
Molly Stevens, Clerk

Dave France
Dave France, Council President

APPROVED: March 12, 2013

Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: March 12, 2013

ON ROLL CALL: Colopy -yes France -yes Humphrey -yes Knodel -yes
Neugebauer -yes Reed -yes Summerville -yes Adopted 7-0
as Amended.

Suburbanite publication on MARCH 17 and MARCH 24, 2013

Molly Stevens
Molly Stevens, Clerk

03/12/2013 Approved as to form and content by Stephen J. Pruneski, Law Director

SP 3/12/13

Entertainment District



Zoning Districts



1, Amended - March 2013



General Concept Plan Only



B-1: General Business



B-2: Professional Office



B-3: Neighborhood Business



B-4: Highway Business



B-5: Airport Commerce



I: General Industrial



PD: Planned Development

R-1: Single Family Residential

R-2: Multi-Family Residential

R-R: Rural Residential

The Entertainment District, as shown here, is approximately 970 acres.



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EXHIBIT B
Community Entertainment District Legal Description

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Community Entertainment District – Legal Description

The following described parcel of land is for the purposes of an Entertainment District, situated in the City of Green (formerly the Township of Green), County of Summit, State of Ohio.

- Beginning at the intersection of the centerline of Graybill Road , TR-248, and the eastern limited access line of Interstate 77, as described in the centerline plat as recorded in Plat Vol. 61, Page 40-41 of the Summit County Records;
- Thence southeasterly following the eastern limited access line of said Interstate 77 to a point on the north line of the NW Qtr of Section 23 in the City of Green, formerly the Township of Green;
- Thence westerly along the north line of said QTR Section 23 and the north line of the NE QTR Section 22, to the southwest corner of a parcel of land owned by Martha R. Carper, as recorded in Reception No. 55453894 of the Summit County Records;
- Thence southwesterly across a parcel of land owned by Union Square Investments LTD, as recorded in Reception No. 55772582 of the Summit County Records, to a point at the east most corner of the right of way line of Town Park Blvd, as recorded in Reception No. 55770364 of the Summit County Records;
- Thence southerly for a distance of 76.00 feet along the east right of way line of said Town Park Blvd to its south most point and also being on the north line of a parcel of land owned by Akron General Medical Center, as recorded in Reception No. 55772580 of the Summit County Records;
- Thence easterly along the north line of said Akron General Medical Center parcel to its northeast corner;
- Thence southerly along the east line of said Akron General Medical Center parcel to its southeast corner;
- Thence southwesterly along the south line of said Akron General Medical Center parcel to its southwest corner, also being a point on the east line of a parcel of land owned by Green Wellness Investors, LLLP, as recorded in Reception No. 55772578 of the Summit County Records;
- Thence southerly along the east of said Green Wellness Investors, LLLP parcel to its southeast corner and a point at the northeast corner of right of way of Steese Rd as described in the Steese Rd Extension Dedication Plat, as recorded in Reception No. 55770365 of the Summit County Records;
- Thence southerly along the east right of way line of said Steese Rd, for a distance of 50.00 feet to its southeast corner;
- Thence westerly along the south right of way line of said Steese Rd, for a distance of 81.48 feet to a point at the northeast corner of a parcel of land owned by Avon Park of Summit County, LLC, as recorded in Reception No. 54220940 of the Summit County Records;
- Thence southerly along the east line of said Avon Park to its southeast corner.
- Thence westerly along the south line of said Avon Park to the northwest corner of a parcel of land owned by Steven M & Donna J Snyder, as recorded in O.R. 1364, Page 42 of the Summit County Records;
- Thence southerly along the west line of said Snyder parcel to the centerline of Wise Rd, Ch-250;

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- Thence southerly across a parcel of land owned by Marilyn Gaylord, as recorded in O.R. 360, Page 769 of the Summit County Records to a the northeast corner of a parcel of land owned by Blood Family Realty, as recorded in Reception No. 55051393 of the Summit County Records;
- Thence southerly along the east line of said Blood Family Realty parcel to its southeast corner;
- Thence westerly along the south line of said Blood Family Realty parcel to its southwest corner on the centerline of Massillon Rd SR-241;
- Thence northerly along the centerline of said Massillon Rd to the centerline intersection of Steese Rd CH-241;
- Thence westerly along the centerline of said Steese Rd to the southeast corner of a parcel of land owned by the Board of Education Green Local School District, as recorded in Deed Vol. 4545, Page 243 of the Summit County Records;
- Thence northerly along the east line of said Board of Education Green Local School District to its northeast corner and a point on the south line of Green Highland Allotment Section A, as recorded in Plat Book 112, Page 5-8, of the Summit County Records;
- Thence easterly along the south line of said Green Highland Allotment for a distance of 665.00 feet to its southeast corner;
- Thence northerly along the east line of said Green Highland Allotment to the centerline of Boettler Rd, TR-242,
- Thence westerly along the centerline of said Boettler Rd to the centerline of Tabs Dr, 60 feet wide, as platted in Executive Park Allotment, as recorded in Plat Cabinet A, Slides 31-32 of the Summit County Records;
- Thence continuing westerly along the centerline of said Boettler Rd, for a distance of 393.62 feet to the southwest corner of a parcel of land owned by Dan Susman, as recorded in Book 23, Page 729, of the Summit County Records;
- Thence northerly along the west line of said Susman parcel, to a point on a south line of a parcel of land owned by Diebold Inc, as recorded in Deed Vol. 6601, Page 132 of the Summit County Records;
- Thence westerly along the south line of said Diebold Inc, for a distance of 100.00 feet, to a southwest corner of said Diebold Inc;
- Thence northerly along a west line of said Diebold Inc., for a distance of 610.41 feet, to its northwest corner and the southwest corner of Sublot 3, in said Executive Park Allotment;
- Thence northerly along the west line of said Sublot 3 to its northwest corner and a point on the south line of Sublot 4 of said Executive Park Allotment;
- Thence westerly along the south line of said Sublot 4 to its southwest corner;
- Thence northerly along the west line of said Executive Park Allotment to the northwest corner of said Executive Park Allotment and the southwest corner of Executive Park Allotment Replat No. 1, as recorded in Reception No. 55501637 of the Summit County Records;
- Thence northerly along the west line of said Executive Park Allotment Replat No. 1 to its northwest corner and the southwest corner of a parcel of land owned by the City of Green, (aka Green Community Improvement Corporation), as recorded in Reception No. 55057926 of the Summit County Records;

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- Thence northerly north along the west line of said City of Green parcel to its northwest corner and a point on the south line of a parcel of land owned by Paline M Miller, as recorded in Reception No. 55707166 of the Summit County Records;
- Thence westerly along the south line of said Miller parcel to its southwest corner;
- Thence northerly along the west line of said Miller parcel to a northwest corner of said Miller parcel and a southwest corner of a parcel of land owned by Kenneth E and Mina J Leib, as recorded in Reception No. 55872675 of the Summit County Records;
- Thence northerly across said Lieb parcel to a northwest corner of said Leib parcel and a southwest corner of a parcel of land owned by Christopher J and Anna O Bolyard, as recorded in Reception No. 54192174 of the Summit County Records;
- Thence northerly along the west line of said Bolyard parcel and its elongation to a point on the centerline of E. Turkeyfoot Lake Rd, SR-619;
- Thence easterly along the centerline of said E. Turkeyfoot Lake Rd to the intersection of the centerline of Pickle Rd, TR-70;
- Thence northerly along the centerline of said Pickle Rd to the northwest corner of a parcel of land owned by The Queue Continuum LTD, as recorded in Reception No. 54071566 of the Summit County Records;
- Thence easterly along the north line of said The Queue Continuum LTD parcel to its northeast corner and the northwest corner of a parcel of land owned by Teresa V Brasaemle, as recorded in Reception No. 55243901 of the Summit County Records;
- Thence easterly along the north line of said Brasaemle parcel to its northeast corner and a point on the west line of a parcel of land owned by Harvey Bates, as recorded in Deed Vol. 5528, Page 712 of the Summit County Records;
- Thence easterly across said Bates parcel to a southwest corner of a parcel of land owned by USF Holland Inc, as recorded in Reception No. 55600486 of the Summit County Records;
- Thence easterly along the south line of said USF Holland Inc parcel to the northwest corner of a parcel of land owned by Standard Jig Boring Service, as recorded in Reception No. 55668403 of the Summit County Records;
- Thence southerly along a west line of said Standard Jig Boring Service to a southwest corner;
- Thence easterly along a south line of said Standard Jig Boring Service to a west corner;
- Thence southerly along a west line of said Standard Jig Boring Service to southwest corner;
- Thence easterly along the south line of said Standard Jig Boring Service to its southeast corner and the centerline of Massillon Rd, SR-241;
- Thence northerly along the centerline of said Massillon Rd to the northwest corner of a parcel of land owned by Donald L And Eva M Templeton Trustees, as recorded in Reception No. 54450279 of the Summit County Records;
- Thence easterly along the north line of said Templeton parcel, for a distance of 328.92 feet to its northeast corner and the northwest corner of a parcel of land owned by Narottam K, Champak N Patel, as recorded in Book 2108, Page 1030 of the Summit County Records;
- Thence easterly along the north line of said Patel parcel for a distance of 171.05 feet to a point.

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- Thence southerly across said Patel parcel and parallel to said Massillon Rd to the centerline of said E. Turkeyfoot Lake Rd;
- Thence easterly along the centerline of said E. Turkeyfoot Lake Rd to the centerline of Sawgrass Dr, 50 feet wide, as platted in Mayfair Estates Phase 7, as recorded in Plat Cabinet G Slide 343 of the Summit County Records;
- Thence southerly along the centerline of said Sawgrass Dr, for a distance of 346.32 to a point;
- Thence westerly for a distance of 25 feet, to the northeast corner of Sublot 187 of said Mayfair Estates;
- Thence westerly along the north line of said Sublot 187 to its northwest corner;
- Thence southerly along the west line of said Mayfair Estates to its southwest corner and a point on the north line of a parcel of land owned by Ashley Stalnaker, as recorded in Reception No. 55835387 of the Summit County Records;
- Thence westerly along the north line of said Stalnaker parcel to its northwest corner and the northeast corner of Robinwood Estates No. 3, as recorded in Plat Book 72, Page 35 of the Summit County Records;
- Thence westerly along the north line of said Robinwood Estates No. 3 to its northwest corner;
- Thence southerly along the west line of said Robinwood Estates No. 3 to the northwest corner of Sublot 1 of said Robinwood Estates No. 3;
- Thence easterly along the north line of said Sublot 1 to its northeast corner;
- Thence southerly along the east line of said Sublot 1 to its southeast corner on the north right of way line of Raber Rd, CH-246
- Thence southwesterly across said Raber Rd, to the northeast corner of a parcel of land owned by A&M Green Properties LLC, as recorded in Reception No. 55559828 of the Summit County Records and being the northwest corner of Sublot 38 of Robinwood Estates, as recorded in Plat Book 50, Page 29 of the Summit County Records;
- Thence southerly along an east line of said A&M Green Properties LLC parcel to an east corner of said A&M Green Properties LLC parcel and a northwest corner of Sublot 36 of said Robinwood Estates;
- Thence easterly along a north line of said A&M Green Properties LLC parcel and a said Sublot 36 to an east corner of said A&M Green Properties LLC parcel;
- Thence southerly along an east line of said A&M Green Properties LLC parcel to its southeast corner and a point on the south line of Sublot 34 of said Robinwood Estates;
- Thence westerly along the south line of said A&M Green Properties LLC parcel to a southwest corner and the southwest corner of said Sublot 34 and also being the northeast corner of Sublot 2 of said Robinwood Estates;
- Thence southerly along the west line of said Sublot 2 to its southeast corner;
- Thence westerly along the south line of said Sublot 2 to a point on the easterly limited access line of said Interstate 77;
- Thence southeasterly following the eastern limited access line of said Interstate 77 to the place of beginning and containing 970 acres, more or less.

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This description is for the purposes of generally outlining the boundaries of the proposed Community Entertainment District in the City of Green, Ohio. It is not a certified legal description.

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