

RESOLUTION NO.: 2020-R22
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: FEBRUARY 11, 2020 **ASSIGNED TO:** _____

A RESOLUTION APPROVING THE FINAL PLATS AND PERFORMANCE BOND FOR FOREST LAKES SUBDIVISION PHASE I, THE REPLAT OF BLOCK A IN THE AKRON CANTON CORPORATE PARK PHASE 7 AND THE DEDICATION PLAT FOR THE EXTENSION OF TABS DRIVE, AND THE REPLAT OF THE AKRON CANTON CORPORATE PARK PHASE 8 AND PLATTING OF AKRON CANTON CORPORATE PARK PHASE 9, AND DECLARING AN EMERGENCY.

WHEREAS, at its regularly scheduled meeting on December 18, 2019, the City of Green Planning and Zoning Commission recommended approval of the final plats of Forest Lakes Subdivision Phase I, the Replat of Block A in the Akron Canton Corporate Park Phase 7 and the Dedication plat for the extension of Tabs Drive, and the Replat of the Akron Canton Corporate Park Phase 8 and the Platting of Akron Canton Corporate Park Phase 9 by a vote of 5-0; and

WHEREAS, at its regularly scheduled meeting on December 19, 2019, the City of Green Board of Zoning Appeals granted variances to the minimum lot size and lot width requirements of proposed town home lots within Forest Lakes Subdivision Phase I; and

WHEREAS, Environmental Design Group, the City's consulting engineer, has reviewed and recommended that a minimum performance bond be posted in the amount of Two Million One Hundred Twenty-Seven Thousand Two Hundred Thirty-Seven Dollars and Thirty-Four Cents (\$2,127,237.34) to be held pending the satisfactory completion of the public improvements within Forest Lakes Subdivision Phase I, the Replat of Block A in the Akron Canton Corporate Park Phase 7 and the Dedication plat for the extension of Tabs Drive, and the Replat of the Akron Canton Corporate Park Phase 8 and the Platting of Akron Canton Corporate Park Phase 9; and

WHEREAS, Green Codified Ordinance Section 1224.06(4)(J) requires City Council to review and judge the final plat, along with the recommendation of the Planning and Zoning Commission.

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, pursuant to Green Codified Ordinance Section 1224.06(4)(J), approves the final plats of Forest Lakes Subdivision Phase I, the Replat of Block A in the Akron Canton Corporate Park Phase 7 and the Dedication plat for the extension of Tabs Drive, and the Replat of the Akron Canton Corporate Park Phase 8 and the Platting of Akron Canton Corporate Park Phase 9, a copy of which is attached hereto and incorporated herein as Exhibit "A".

SECTION TWO:

Green City Council accepts a performance bond in the amount of Two Million One Hundred Twenty-Seven Thousand Two Hundred Thirty-Seven Dollars and Thirty-Four Cents (\$2,127,237.34) submitted by K. Hovnanian Forest Lakes, LLC (“Developer”) and directs the Finance Director to retain the bond until such time as all obligations have been met and the bond is released in accordance with City regulations.

SECTION THREE:

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 FOUR:

Green City 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 and for the further reason that the plat may be recorded, and construction proceed immediately and forthwith. 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: _____

Molly Kapeluck, Clerk of Council

Barbara Babbitt, Council President

APPROVED: _____, 2020

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2020

ON ROLL CALL: Babbitt Brandenburg DeVitis France
 Shaughnessy Yeargin Young

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Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk

02/06/2020 Approved as to form and content by Lisa Carey Dean, Director of Law _____