

**ORDINANCE NO.:** 2018-21 (*AMENDED OCTOBER 23, 2018*)  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** AUGUST 28, 2018      **ASSIGNED TO:** \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 8.65 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF MASSILLON AND GRAYBILL ROADS FROM B-2 (PROFESSIONAL OFFICE) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED TWL INVESTMENTS PLANNED DEVELOPMENT.**

WHEREAS, the applicant, TWL Investments, LLC., initiated this rezoning request to the City of Green Planning & Zoning Commission and City Council; and

WHEREAS, the City of Green Planning & Zoning Commission, at its regularly scheduled meeting on August 15, 2018, reviewed the application to rezone approximately 8.65 acres of land located on the southwest corner of Massillon and Graybill Roads, from B-2 (Professional Office) to PD (Planned Development), and the conceptual site plan for the TWL Investments Planned Development, and made a favorable recommendation for this rezoning to City Council by a vote of 4-1; and

WHEREAS, pursuant to Green Codified Ordinance §1224.04(6), Green City Council is required to approve the conceptual site plan; and

WHEREAS, pursuant to Green Codified Ordinance §1224.04(4)(E), and the City's Charter, Green City Council is required to set a time for a public hearing on the proposed amendment.

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

**SECTION ONE:**

Green City Council, pursuant to Green's Codified Ordinances, Section 1224.04(6) approves the conceptual site plan for the TWL Investments Planned Development.

**SECTION TWO:**

Green City Council amends the City of Green zoning map by changing the classification of approximately 8.65 acres of land from B-2 (Professional Office) to PD (Planned Development) located on the southwest corner of Massillon and Graybill Roads. A diagram of the Property proposed to be rezoned is on file with the Clerk of Green City Council and attached herein and incorporated herein as Exhibit "A".

**SECTION THREE:**

The City of Green Planning Department is directed to change the official zoning map of the City of Green in accordance with the terms of this Ordinance; and, no restaurant or retail use will be permitted within 390 feet of the western boundary of the property; and, no bar or

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tavern shall be allowed on the property; and, any proposed use, as well as its design, construction, operation and maintenance shall be in conformity in appearance with the existing neighborhood bordering the western boundary of the property.

**SECTION FOUR:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 FIVE:**

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: October 23, 2018

Nichole Baldinger  
Nichole Baldinger, Clerk of Council, Interim

Chris Humphrey  
Chris Humphrey, Council President

APPROVED: Oct. 23, 2018

Gerard M. Neugebauer  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: October 23, 2018

ON ROLL CALL: Babbitt Aye Dyer Aye Humphrey Aye Shaughnessy Nay  
Speight Aye Yeargin Aye Young Aye Adopted 6-1

Suburbanite publication on Oct. 26 and Nov. 2, 2018

Nichole Baldinger  
Nichole Baldinger, Clerk of Council, Interim