

**RESOLUTION NO.:** 2020-R55  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** AUGUST 11, 2020 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AMENDING THE CONCEPTUAL SITE PLAN OF BRIER CREEK, AN EXISTING PLANNED DEVELOPMENT DISTRICT LOCATED ON BOETTLER ROAD AT BRIER CREEK PARKWAY, AND DECLARING AN EMERGENCY.**

WHEREAS, the owners of the Property initiated this request for amendment to the Conceptual Site Plan to the City of Green Planning & Zoning Commission and to City Council; and

WHEREAS, the existing 80.6 acre Planned Development District located at 1102 and 1184 Boettler Road was created by the adoption of Ordinance 2013-13 on August 13, 2013 (effective September 13, 2013); and

WHEREAS, the City of Green Planning & Zoning Commission, at its regularly scheduled meeting on July 15, 2020, reviewed the request to amend the Conceptual Site Plan of Brier Creek and made a favorable recommendation to City Council by a vote of 5-0; and

WHEREAS, pursuant to Green's Codified Ordinances, Section 1224.04(6)(C), Green City Council is required to approve the Conceptual Site Plan; and

WHEREAS, pursuant to Green's Codified Ordinances, Section 1224.04(4)(E), Green City Council is required to conduct a public hearing on the proposed amendment.

**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's Codified Ordinances, Section 1224.04(6)(C), approves the amended Conceptual Site Plan of Brier Creek.

**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:**

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. 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.

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**Resolution 2020-R55**

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

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk of Council

08/06/2020 Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_