

RESOLUTION NO.: 2026-R09
SPONSOR: MAYOR YEARGIN
INTRODUCED: MARCH 10, 2026 **ASSIGNED TO:** _____

A RESOLUTION APPROVING THE DEDICATION PLAT FOR A RIGHT-OF-WAY DEDICATION ASSOCIATED WITH THE CHICK-FIL-A PROJECT AT ARLINGTON RIDGE (S. ARLINGTON ROAD / ARLINGTON RIDGE), REQUIRING PERFORMANCE SECURITY, AND DECLARING AN EMERGENCY.

WHEREAS, at its regularly scheduled meeting on February 18, 2026, the City of Green Planning & Zoning Commission reviewed the dedication plat for the Chick-fil-A project at Arlington Ridge and recommended approval of the dedication plat by a vote of 5-0; and

WHEREAS, the dedication plat provides for the dedication of approximately 0.023 acres (986.20 square feet) of land as public right-of-way, being part of Lot 1 of the Arlington Ridge Marketplace Subdivision, owned by Arlington Ridge Marketplace, LLC; and

WHEREAS, Green Codified Ordinances § 157.050(4)(J) authorizes City Council to review and approve final plats upon recommendation of the Planning & Zoning Commission, and § 157.050(7)(B)(1) provides that approval by the Planning & Zoning Commission shall not constitute acceptance of a dedication until such acceptance is endorsed by City Council; and

WHEREAS, City Council finds that the dedication of public right-of-way associated with roadway widening and access improvements at Arlington Ridge necessitates the provision of a performance guarantee to ensure that the required public improvements are constructed and completed to the satisfaction of the City; and

WHEREAS, first reading passage has been requested by the applicant to ensure there are no construction delays due to a very tight schedule.

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

SECTION ONE:

City Council hereby approves the dedication plat for the right-of-way dedication associated with the Chick-fil-A project at Arlington Ridge, as shown on the dedication plat attached hereto and incorporated herein as Exhibit A, subject to the conditions set forth in this Resolution.

SECTION TWO:

The owner/developer has provided a performance bond, acceptable to the City, in an amount \$85,256.56 determined by the City Review Engineer to be sufficient to guarantee the construction, installation, and completion of all public improvements associated with the right-of-way dedication.

The performance security shall:

- (a) be payable to the City of Green;
 - (b) be executed by a surety or financial institution authorized to do business in the State of Ohio;
- and

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(c) remain in effect until the required improvements are completed in accordance with approved plans and accepted by the City.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council relating to the adoption of this Resolution were taken in open meetings in compliance with all applicable legal requirements.

SECTION FOUR:

This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Green, and for the further reason that timely approval, bonding, and recordation of the dedication plat is necessary to allow roadway and access improvements at Arlington Ridge to proceed without delay. Provided this Resolution 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 at the earliest time permitted by law.

ADOPTED: _____, 2026

Nichole Messner, Clerk of Council

Justin Speight, Council President

APPROVED: _____, 2026

Rocco Yeargin, Mayor

ENACTED EFFECTIVE: _____, 2026

ON ROLL CALL: Brandenburg _____ DeVitis _____ Humphrey _____
 Neugebauer _____ Noble _____ Meager _____ Speight _____

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on _____ and _____, 2026.

Nichole Messner, Clerk of Council

_____, 2026 Approved as to form and content by Lisa Carey Dean, Director of Law _____