

AN ORDINANCE APPROVING THE REZONING OF APPROXIMATELY 5.48 ACRES OF REAL PROPERTY LOCATED ON FAIRLAWN CORPORATE PARKWAY (NEWLY CREATED PARCEL 9 FROM PARCEL #0902700) FROM THE B-4 OFFICE PARK/RESEARCH DISTRICT TO THE M-1 MUNICIPAL DISTRICT (INSTITUTIONAL)

WHEREAS, it is necessary from time to time to rezone property in the City of Fairlawn to allow growth and development within the City; and

WHEREAS, the City is the owner of real estate known as 951 Cleveland-Massillon Road and wishes to rezone a portion of said real estate to accommodate the development of the parcel for a data center for a county-wide fiber-optic broadband network and as a consolidated emergency dispatch backup location; and

WHEREAS, the City believes that the best zoning classification to allow for the greatest use, and yet maintain continuity with the surrounding area, is the M-1 Municipal District (Institutional); and

WHEREAS, approximately 5.48 acres of said property will be split off from current parcel number 0902700 for new parcel 9 in Fairlawn Corporate Park; and

WHEREAS, the City of Fairlawn Planning Commission has recommended said rezoning.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Council hereby approves the rezoning of approximately 5.48 acres of real property located on Fairlawn Corporate Parkway (newly created Parcel 9 from Parcel #0902700) from the B-4 Office Park/Research District to the M-1 Municipal District (Institutional), as more fully described in the legal descriptions attached hereto as Exhibit A and made a part hereof. Such rezoning shall be subject to all of the terms and conditions approved by the Fairlawn Planning Commission.

Section 2: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings, and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 3: This Ordinance shall be in full force and effect from and after its enactment and approval by the Mayor or at the earliest period allowed by law.

Enacted: _____ 2022

Approved: _____ 2022

Russell T. Sharnsky, President of Council

Mayor William J. Roth, Jr., Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on _____, 2022.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2022 the within Ordinance was published as required by in Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

EXHIBIT A
Ordinance 2022-051

CITY OF FAIRLAWN

FAIRLAWN CORPORATE PARK - PARCEL 9

January 21, 2022

Situated in the City of Fairlawn, County of Summit and State of Ohio and known as being part of Original Lot 18, formerly Copley Township and more fully described as follows:

Beginning at a monument box found at the centerline intersection of Fairlawn Corporate Parkway (60 feet in width) and Southwestern Boulevard (60 feet in width).

Thence North 89 degrees 29 minutes 24 seconds East, a distance of 30.00 feet to a point on the easterly right of way of said Fairlawn Corporate Parkway;

Thence North 00 degrees 30 minutes 36 seconds West, along the easterly right of way of said Fairlawn Corporate Parkway, a distance of 338.28 feet to a capped iron pin set and the true point of beginning for the parcel herein described:

Thence North 00 degrees 30 minutes 36 seconds West, continuing along the easterly right of way of said Fairlawn Corporate Parkway and extension thereof, a distance of 243.99 feet to a capped iron pin set at a point of curve;

Thence following a curve to the left, having a radius of 360.00 feet, a central angle of 37 degrees 10 minutes 14 seconds, a tangent distance of 121.05 feet, a chord distance of 229.48 feet which bears North 19 degrees 05 minutes 43 seconds West, a distance of 233.55 feet to a capped iron pin set at a point of reverse curve;

Thence following a curve to the right, having a radius of 300.00 feet, a central angle of 8 degrees 34 minutes 01 seconds, a tangent distance of 22.47 feet, a chord distance of 44.82 feet which bears North 33 degrees 23 minutes 49 seconds West, a distance of 44.86 feet to a capped iron pin found;

Thence North 89 degrees 45 minutes 29 seconds East, a distance of 561.43 feet to a capped iron pin set;

Thence South 0 degrees 20 minutes 13 seconds East, a distance of 496.51 feet to a capped iron pin set;

Thence South 89 degrees 29 minutes 24 seconds West, a distance of 462.45 feet to the true point of beginning and containing 238,764 square feet of 5.4813 acres of land, more or less.

This description is based on a survey made by Dennis W. Stoffer, Registered Surveyor No. 7604, in January, 2022.

The above described parcel is subject to a 12.5 foot utility easement along the west, east, north and south sides of the parcel. These easements are granted to the City of Fairlawn.

The basis of bearings for the description Ohio State Plane Grid, NAD 83 (ODOT CORS)
Ohio North Zone.