

ORDINANCE NO. 47-25

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO AVON ASSOCIATES LIMITED TO ALLOW THEIR TENANT, INFINITY ATHLETICS, LLC TO OPERATE A CHEERLEADING/TUMBLING BUSINESS LOCATED AT 1260 MOORE ROAD, SUITES A-D, (PPN 04-00-004-102-167) AND DECLARING AN EMERGENCY

WHEREAS, the zoning regulations for the City of Avon require indoor recreational facilities in an M-1 General Industrial District to obtain a Special Use Permit pursuant to ACO Sections 1278.03(f)(6); and

WHEREAS, Avon Associates Limited, the property owner, has submitted an application and presented plans and specifications to Planning Commission for a Special Use Permit to allow their tenant, Infinity Athletics, LLC, to operate a cheerleading/tumbling business located at 1260 Moore Road, Suites A-D, (PPN 04-00-004-102-167); and

WHEREAS, the Planning Commission held a public hearing on May 21, 2025, and by a vote of Five (5) in favor and Zero (0) opposed, recommended approval of the Special Use Permit; and

WHEREAS, the granting of this Special Use Permit requires approval of City Council; and

WHEREAS, Council, after reviewing the application, plans and specifications and the recommendation of the Planning Commission, deems it in the best interests of the health, safety, and welfare of the community that the Special Use Permit be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That having considered the matter of granting the Special Use Permit to Avon Associates Limited, as owner of the property at 1260 Moore Road, Suites A-D, (PPN 04-00-004-102-167), Council hereby accepts the recommendation of the Planning Commission and agrees to grant them a Special Use Permit to allow their tenant, Infinity Athletics, LLC to operate a cheerleading/tumbling business in an M-1 General Industrial District per the plans and specifications submitted and approved by the Planning Commission on May 21, 2025, and made a part of this Special Use Permit by reference. (See [Exhibit A](#))

Section 2 - Conditions. (1) The project shall proceed pursuant to plans and specifications approved and recommended by the Planning Commission at its May 21, 2025 meeting; (2) that the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances including, but not limited to Chapter 1230, Sections 1280.02, 1280.03, 1280.05(l), and 1280.06(r). Any expansion, development, enlargement, improvement, change in ownership or tenancy, use or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by Council.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to grant a Special Use Permit to Avon Associates Limited to allow their tenant, Infinity Athletics, LLC to operate a cheerleading/tumbling business at their facility located at 1260 Moore Road, Suites A-D, (PPN 04-00-004-102-167), subject to the conditions set forth above; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director