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Presented by the Administration
Upon Recommendation of the Planning Commission

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. 95 - 2012

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9 AN ORDINANCE APPROVING THE SITE PLAN RELATED
10 TO CONSTRUCTION A 22,000 SQUARE FOOT
11 COMMERCIAL GREENHOUSE AT 1820 AKRON-
12 PENINSULA ROAD (PARCEL NO. 35-02321), AND
13 DECLARING AN EMERGENCY.
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16 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires
17 that all affirmative decisions made by the Planning Commission be submitted to
18 Council, and

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20 WHEREAS, site plan review by the Planning Commission is required for the
21 construction of all new buildings in excess of 8,000 SF in the City of Cuyahoga
22 Falls, Ohio, and

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24 WHEREAS, on November 6, 2012 the Planning Commission approved the site
25 plan for the construction of a 22,000 square foot commercial greenhouse for
26 Todaro Family Limited Partnership at 1820 Akron-Peninsula Road (Parcel No. 35-
27 02321), within the City of Cuyahoga Falls, Ohio.

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29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
30 Falls, County of Summit, and State of Ohio, that:

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32 Section 1. This Council approves the site plan related to construction of a
33 22,000 square foot commercial greenhouse at 1820 Akron-Peninsula Road,
34 Cuyahoga Falls, Ohio, (Parcel No. 35-02321), in accordance with Cuyahoga Falls
35 General Development Code regulations as set forth in the Codified Ordinances of
36 the City of Cuyahoga Falls and as approved by the Planning Commission as per the
37 plans and final conditions contained in File P-22-12-SP, and as further depicted on
38 the plan and elevation drawings attached hereto as Exhibits A-1 and A-2.
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40 Section 2. Any other ordinances or resolutions or portions of ordinances and
41 resolutions inconsistent herewith be and the same are hereby repealed, but any
42 ordinances and resolutions not inconsistent herewith and which have not
43 previously been repealed are hereby ratified and confirmed.
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45 Section 3. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this ordinance were adopted in an open
47 meeting of this Council, and that all deliberations of this Council and of any of its
48 committees that resulted in such formal action, were in meetings open to the

49 public, in compliance with all legal requirements, to the extent applicable,
50 including Chapter 107 of the Codified Ordinances.

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52 Section 4. This ordinance is hereby declared to be an emergency measure
53 necessary for the preservation of the public peace, health, safety, convenience and
54 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
55 that it is immediately necessary to permit timely and appropriate development of
56 this property, and provided it receives the affirmative vote of two thirds of the
57 members elected or appointed to Council, it shall take effect and be in force
58 immediately upon its passage and approval by the Mayor; otherwise it shall take
59 effect and be in force at the earliest period allowed by law.

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Passed: ^{November} ~~August 26, 2012~~

Mark Shary
President of Council

Cathleen J. Meacham
Clerk of Council

Approved: 11/28/12

D. Robert
Mayor

11/7/12

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