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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. 14 - 2015

8  
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION  
10 APPROVAL, FINDINGS AND CONDITIONS OF THE MENARDS  
11 SITE PLAN AT 75 GRAHAM ROAD, AND DECLARING AN  
12 EMERGENCY.

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14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made  
15 by the Planning Commission be submitted to Council, and

16  
17 WHEREAS, on February 3, 2015 the Planning Commission recommended approval of  
18 the site plan for the construction of a 172,740 square foot heated retail building with  
19 27,260 square feet of unheated overhang space and a 46,780 square foot unheated  
20 warehouse at 75 Graham Road, and

21  
22 WHEREAS, such approval is given subject to conditions subsequent to be satisfied,  
23 and

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25 WHEREAS, such approval is necessary to determine that the allotment is satisfactory,  
26 serves the public interest, and is acceptable for recording.

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

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31 Section 1. Council approves the site plan for the construction of a 172,740 square  
32 foot heated retail building with 27,260 square feet of unheated overhang space and a  
33 46,780 square foot unheated warehouse at 75 Graham Road, Cuyahoga Falls, Ohio, in  
34 accordance with Cuyahoga Falls General Development Code regulations as stipulated in  
35 the Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning  
36 Commission as per the plans and final stipulations contained in Project File MSP-15-  
37 00001.

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39 Section 2. Any other ordinances or resolutions or portions of ordinances and  
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
41 resolutions not inconsistent herewith and which have not previously been repealed are  
42 hereby ratified and confirmed.

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44 Section 3. It is found and determined that all formal actions of this Council  
45 concerning and relating to the adoption of this ordinance were adopted in an open  
46 meeting of this Council, and that all deliberations of this Council and of any of its  
47 committees that resulted in such formal action, were in meetings open to the public, in  
48 compliance with all legal requirements, to the extent applicable, including Chapter 107 of  
49 the Codified Ordinances.

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51 Section 4. This ordinance is hereby declared to be an emergency measure necessary  
52 for the preservation of the public peace, health, safety, convenience and welfare of the  
53 City of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately

54 necessary to permit timely and appropriate development of this property, and provided it  
55 receives the affirmative vote of two thirds of the members elected or appointed to Council,  
56 it shall take effect and be in force immediately upon its passage and approval by the  
57 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.  
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60 Passed: 2/23/2015

Mary Ellen Pyke  
President of Council

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Debra Cain  
Clerk of Council

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66 Approved: 2-25-15

[Signature]  
Mayor

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68  
69 2/9/15  
70 O:\2015 ords\MSP-5-00001 Menards Site Plan.doc

