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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 35 - 2013

AN ORDINANCE APPROVING THE SITE PLAN RELATED TO CONSTRUCTION OF A 9,100 SQUARE FOOT RETAIL SALES BUILDING AT 3946 STATE ROAD (PARCEL NOS. 35-00693 AND 35-00694), AND DECLARING AN EMERGENCY.

WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires that all affirmative decisions made by the Planning Commission be submitted to Council; and

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

WHEREAS, on May 7, 2013, the Planning Commission approved the site plan for the construction of a 9,100 square foot retail sales building for Cuyahoga Falls DG, LLC at 3946 State Road (Parcel Nos. 35-00693 and 35-00694), within the City of Cuyahoga Falls, Ohio,

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

Section 1. This Council approves the site plan related to the construction of a 9,100 square foot retail sales building at 3946 State Road (Parcel Nos. 35-00693 and 35-00694) in Cuyahoga Falls, Ohio, in accordance with Cuyahoga Falls General Development Code regulations as set forth in the Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning Commission as per the plans and final conditions contained in File P-8-13-SP and as further depicted on the plan and elevation drawings attached hereto as Exhibits A-1 and A-2.

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 Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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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62 Passed: 5/28/13



President of Council

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70 Approved: 5/30/13



Clerk of Council

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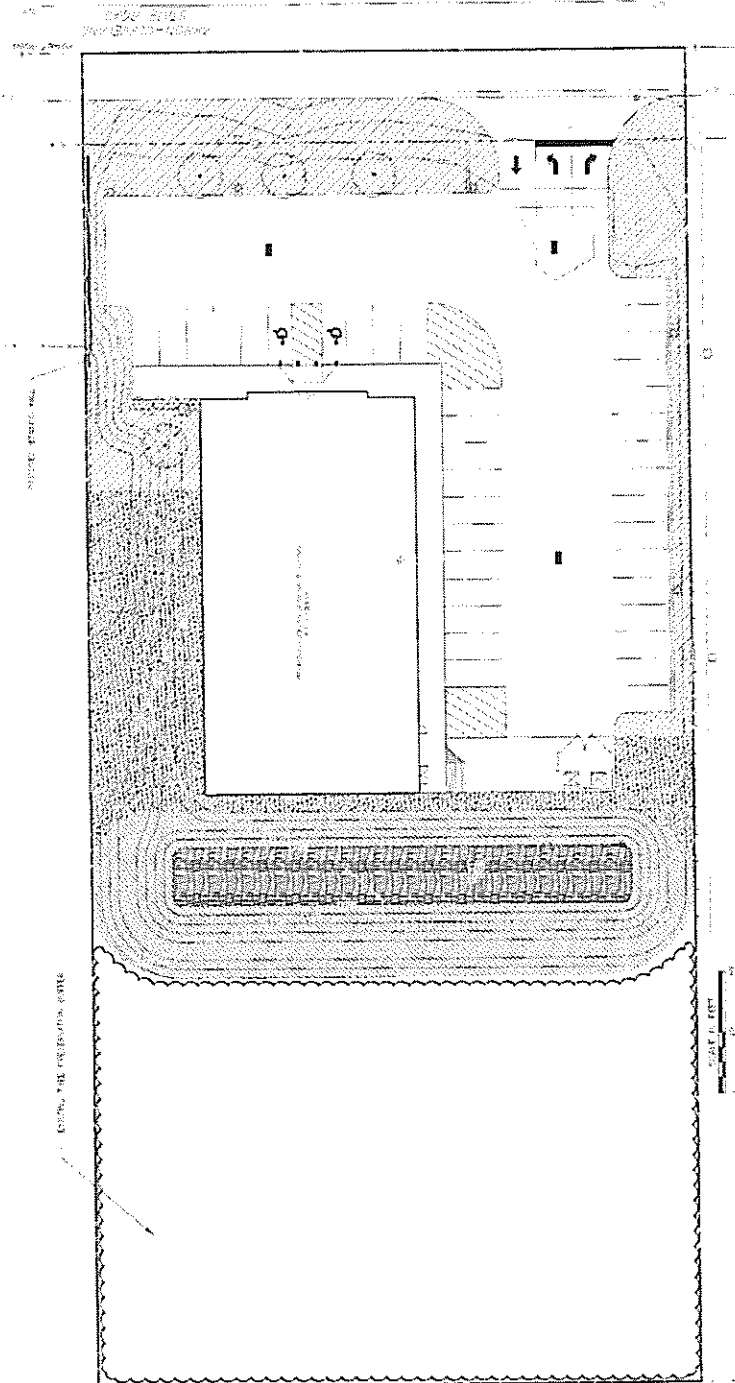
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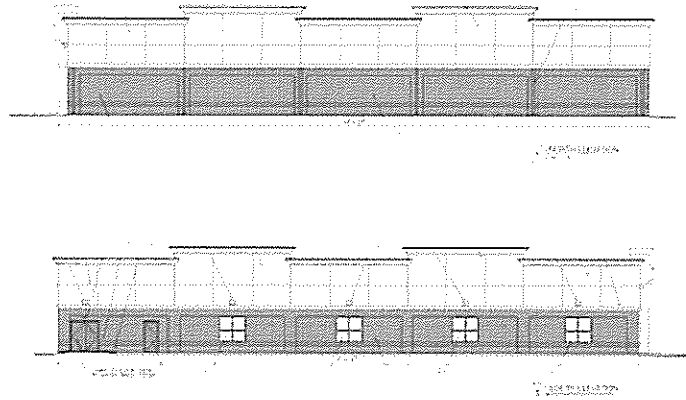
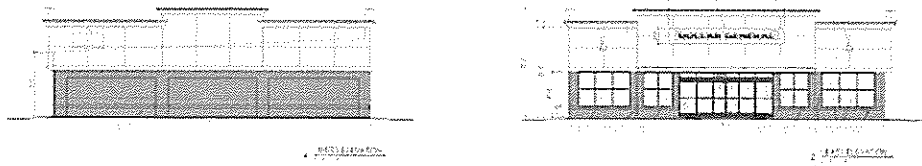
5/13/13



Mayor

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KEYNOTES

- 1. SEE PLAN FOR LOCATION OF THIS ELEVATION.
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