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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 40 - 2016

7
8 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION ONE
9 YEAR EXTENSION FOR THE MENARDS SITE PLAN AT 75 GRAHAM
10 ROAD, AND DECLARING AN EMERGENCY.

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

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

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19 WHEREAS, on February 23, 2015, City Council approved the site plan as recommended by
20 Planning Commission, and

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22 WHEREAS, all site plan approvals remain valid for one year following the date of City Council
23 approval.

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25 WHEREAS, on April 19, 2016, the Planning Commission recommended the extension of the site
26 plan approval for an additional year.

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

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31 Section 1. The City Council accepts the Planning Commission recommendation to extend the
32 February 23, 2015 Menards site plan approval for 75 Graham Road for an additional year. The
33 extension would allow the Site Plan to be valid until June 13, 2017.

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36 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
37 herewith and which have not previously been repealed are hereby ratified and confirmed.

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

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

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54 Passed: 6-13-16 _____

55 Mary Ellen Pyke
56 _____
57 President of Council

58 [Signature]
59 _____
60 Clerk of Council

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62 Approved: 6-15-16 _____

63 [Signature]

Mayor

