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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. 58 - 2016

8
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION
10 APPROVAL, FINDINGS AND CONDITIONS OF THE PORTAGE
11 CROSSING LLC/STARK ENTERPRISE SITE PLAN FOR THE
12 CONSTRUCTION OF A NEW 9,428 SQUARE FOOT RETAIL
13 BUILDING AT 2929 STATE ROAD ON PARCEL 02-20631, AND
14 DECLARING AN EMERGENCY.

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

18
19 WHEREAS, on September 7, 2016 the Planning Commission recommended approval of
20 the site plan for the construction of a 9,428 square foot free-standing retail building at 2929
21 State Road on Parcel 02-20631 for Portage Crossing LLC/Stark Enterprise; and

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

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25 WHEREAS, such approval is necessary to determine that the site plan 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. The City Council approves the site plan for 9,428 square foot free-standing
32 retail building at 2929 State Road (parcel 02-20631) for Portage Crossing LLC/Stark
33 Enterprise in accordance with Cuyahoga Falls General Development Code regulations as
34 stipulated in the Codified Ordinances of the City of Cuyahoga Falls and as approved by the
35 Planning Commission as per the plans and final stipulations contained in Project File MSP-
36 16-00029.

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39 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
40 not inconsistent herewith and which have not previously been repealed are hereby ratified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

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

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49 Section 4. This ordinance is hereby declared to be an emergency measure necessary
50 for the preservation of the public peace, health, safety, convenience and welfare of the City
51 of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately
52 necessary to permit timely and appropriate development of this property, and provided it
53 receives the affirmative vote of two thirds of the members elected or appointed to Council, it

54 shall take effect and be in force immediately upon its passage and approval by the Mayor;
55 otherwise it shall take effect and be in force at the earliest period allowed by law.

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58 Passed: 9-26-16

Mary Ellen Pyke
President of Council

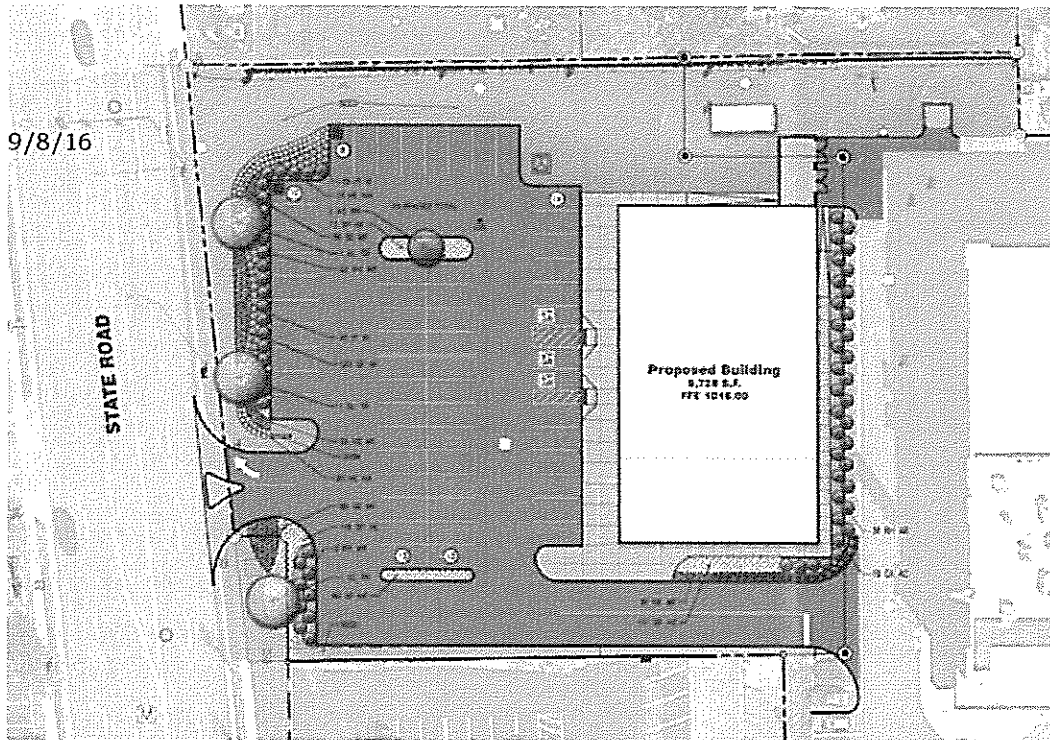
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Janice L. Linn
Clerk of Council

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65 Approved: 9-27-2016

[Signature]
Mayor

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70 9/12/16



A-4 SCALE 1/8" = 1'-0"

