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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. 80 - 2016

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9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION
10 SECOND ONE YEAR EXTENSION FOR THE MENARDS SITE
11 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 by
15 the Planning Commission be submitted to Council; and

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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

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

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25 WHEREAS, all site plan approvals remain valid for one year following the date of City
26 Council Approval; and

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28 WHEREAS, on April 19, 2016 the Planning Commission recommended a one year
29 extension of the Menards site plan approval. City Council approved the site plan extension
30 on June 13, 2016; and

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32 WHEREAS, on November 15, 2016, the Planning Commission recommended an
33 additional one year extension commencing on the approval of this Ordinance.

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

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38 Section 1. The City Council accepts the Planning Commission recommendation to
39 extend the Menards site plan approval for 75 Graham Road for an additional year beginning
40 on the approval date of this Ordinance.

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43 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
44 not inconsistent herewith and which have not previously been repealed are hereby ratified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

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

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

Passed: 12-12-16 _____
President of Council May Ellen Pyke
Clerk of Council Jan M. Green
Approved: 12-13-2016 _____
Mayor [Signature]

11/28/16
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