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Presented by the Administration  
Upon Recommendation of the Planning Commission

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. 94 - 2014

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9 AN ORDINANCE APPROVING A MAP AMENDMENT  
10 FOR PARCELS 35-03376 AND 35-03375 FROM MU-4  
11 SUBURBAN CORRIDOR TO C-1 COMMERCIAL AND  
12 APPROXIMATELY 9.2986 ACRES OF PARCEL 35-  
13 03455 FROM R-5 MIXED RESIDENTIAL TO C-1  
14 COMMERCIAL, AS MORE FULLY DESCRIBED AND  
15 DEPICTED HEREIN, AND DECLARING AN  
16 EMERGENCY.

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

20  
21 WHEREAS, on October 7, 2014 the Planning Commission recommended  
22 approval of a map amendment for Parcels 35-03376 (101 Kappa Dr. Assoc., 75  
23 Graham Road) and 35-03375 (101 Kappa Dr. Assoc.) from MU-4 Suburban  
24 Corridor to C-1 Commercial and approximately 9.2986 acres of Parcel 35-03455  
25 (First Akron Dev. Corp.) from R-5 Mixed Residential to C-1 Commercial for the  
26 development of a Menards store. The map amendment is fully described in Project  
27 File MAP-14-00042, and

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

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32 Section 1. The zoning classification is hereby changed from MU-4 Suburban  
33 Corridor for Parcels 35-03376 and 35-03375 to C-1 Commercial and from R-5  
34 Mixed Residential of approximately 9.2986 acres of parcel 35-03455 to C-1  
35 Commercial. These parcels will make up the site for Menards development.

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38 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
39 resolutions not inconsistent herewith and which have not previously been repealed  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

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

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49 Section 4. That this ordinance is hereby declared to be an emergency measure  
50 necessary for the preservation of the public peace, health, safety, convenience and  
51 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason  
52 that it is immediately necessary to permit timely and appropriate development of

53 this property, and provided it receives the affirmative vote of two thirds of the  
54 members elected or appointed to Council, it shall take effect and be in force  
55 immediately upon its passage and approval by the Mayor; otherwise it shall take  
56 effect and be in force at the earliest period allowed by law.

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Passed: 12/8/2014

Mary Ellen Pyke  
President of Council

David C. Quinn  
Clerk of Council

Approved: 12-9-2014

[Signature]  
Mayor

10/13/14

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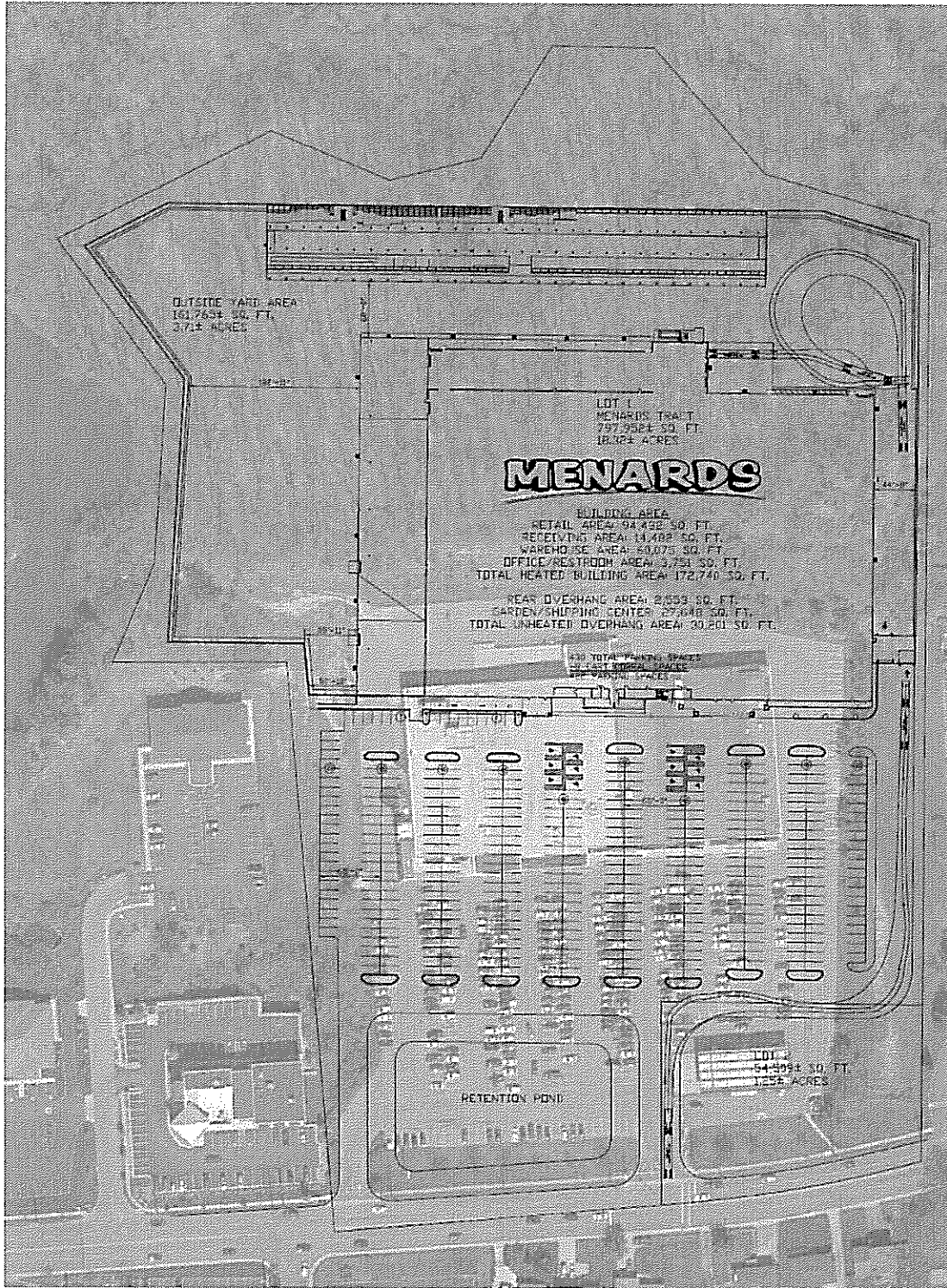


Figure 1 -- Preliminary Site Plan