

## NEW LEGISLATION

June 24, 2013

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-39	6/24/13	PZ	An ordinance approving the site plan related to construction of 92,622 square foot grocery store at 2687 State Road (Parcel No. 02-20436) and a 34,562 square foot cinema at 2925 State Road (Parcel Nos. 02-20437, 02-20439, and 02-02885) within the Portage Crossing Redevelopment Site, and declaring an emergency.
B-40	6/24/13	PZ	An ordinance approving a conditional zoning certificate for the operation of an outdoor bulk storage facility at 4575 State Road in an E-1 Employment District, and declaring an emergency.
B-41	6/24/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of a 16" water main in Graham Road, from Bath Road to Graham Road Circle, and declaring an emergency.

## CALENDAR

June 24, 2013

The following legislation will be up for passage at the Council Meeting on June 24, 2013.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-34	6/10/13	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for replacement of flooring at The Natatorium, and declaring an emergency.
B-35	6/10/13	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for the lease or rental of golf carts for Brookledge Golf Club, and declaring an emergency.
B-36	6/10/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the installation of a storm sewer and associated appurtenances in a portion of 8 <sup>th</sup> Street, and declaring an emergency.
B-37	6/10/13	PA	An ordinance authorizing the Director of Public Service to issue an encroachment permit to the Woodridge Local School District for the purpose of installing and operating a private sanitary force main sewer in Northampton and West Bath Roads, and declaring an emergency.
B-38	6/10/13	PA	An ordinance authorizing the Mayor to enter into an agreement with Boston Township and Summit County for the annexation of 615 acres of land, more or less, from Boston Township to the City of Cuyahoga Falls, and declaring an emergency.

## PENDING LEGISLATION

June 24, 2013

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-34	6/10/13	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for replacement of flooring at The Natatorium, and declaring an emergency.
B-35	6/10/13	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for the lease or rental of golf carts for Brookledge Golf Club, and declaring an emergency.
B-36	6/10/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the installation of a storm sewer and associated appurtenances in a portion of 8 <sup>th</sup> Street, and declaring an emergency.
B-37	6/10/13	PA	An ordinance authorizing the Director of Public Service to issue an encroachment permit to the Woodridge Local School District for the purpose of installing and operating a private sanitary force main sewer in Northampton and West Bath Roads, and declaring an emergency.
B-38	6/10/13	PA	An ordinance authorizing the Mayor to enter into an agreement with Boston Township and Summit County for the annexation of 615 acres of land, more or less, from Boston Township to the City of Cuyahoga Falls, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2013

8  
9 AN ORDINANCE APPROVING THE SITE PLAN RELATED TO  
10 CONSTRUCTION OF 92,622 SQUARE FOOT GROCERY  
11 STORE AT 2687 STATE ROAD (PARCEL NO. 02-20436) AND  
12 A 34,562 SQUARE FOOT CINEMA AT 2925 STATE ROAD  
13 (PARCEL NOS. 02-20437, 02-20439, AND 02-02885) WITHIN  
14 THE PORTAGE CROSSING REDEVELOPMENT SITE, AND  
15 DECLARING AN EMERGENCY.  
16

17  
18 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires that all  
19 affirmative decisions made by the Planning Commission be submitted to Council; and  
20

21 WHEREAS, site plan review by the Planning Commission is required for the  
22 construction of all new buildings in excess of 8,000 SF in the City of Cuyahoga Falls, Ohio,  
23 and  
24

25 WHEREAS, on June 18, 2013, the Planning Commission approved the site plan for the  
26 construction of a 92,622 square foot grocery store at 2687 State Road (Parcel No. 02-  
27 20436) and a 34,562 square foot cinema at 2925 State Road (Parcel Nos. 02-20437, 02-  
28 20439 and 02-02885) for Portage Crossing, LLC within the Portage Crossing  
29 Redevelopment Site, Cuyahoga Falls, Ohio,  
30

31 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
32 County of Summit, and State of Ohio, that:  
33

34 Section 1. This Council approves the site plan related to the construction of a 92,622  
35 square foot grocery store at 2687 State Road (Parcel No. 02-20436) and a 34,562 square  
36 foot cinema at 2925 State Road (Parcel Nos. 02-20437, 02-20439 and 02-02885) for Portage  
37 Crossing, LLC within the Portage Crossing Redevelopment Site, Cuyahoga Falls, Ohio, in  
38 accordance with Cuyahoga Falls General Development Code regulations as set forth in the  
39 Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning  
40 Commission as per the plans and final conditions contained in File P-16-13-SP and as  
41 further depicted on the plan and elevation drawings attached hereto as Exhibit A.  
42

43 Section 2. Any other ordinances or resolutions or portions of ordinances and  
44 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
45 not inconsistent herewith and which have not previously been repealed are hereby ratified  
46 and confirmed.  
47

48 Section 3. It is found and determined that all formal actions of this Council concerning  
49 and relating to the adoption of this ordinance were adopted in an open meeting of this  
50 Council, and that all deliberations of this Council and of any of its committees that resulted  
51 in such formal action, were in meetings open to the public, in compliance with all legal  
52 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.  
53

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

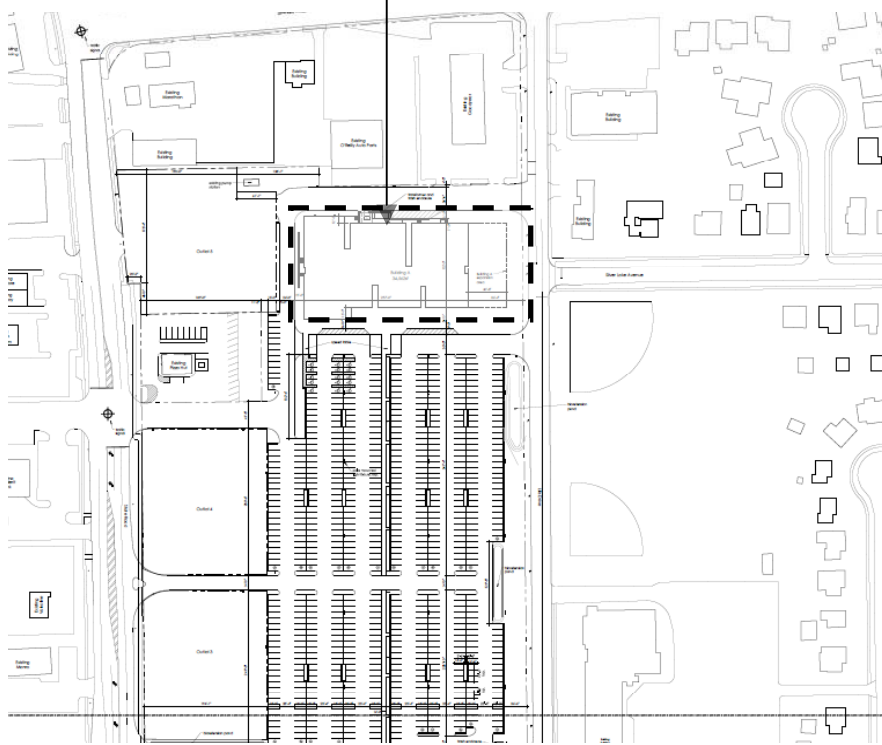
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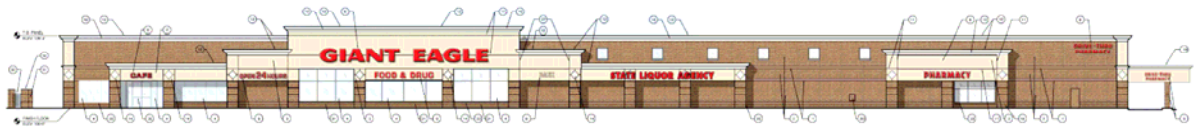
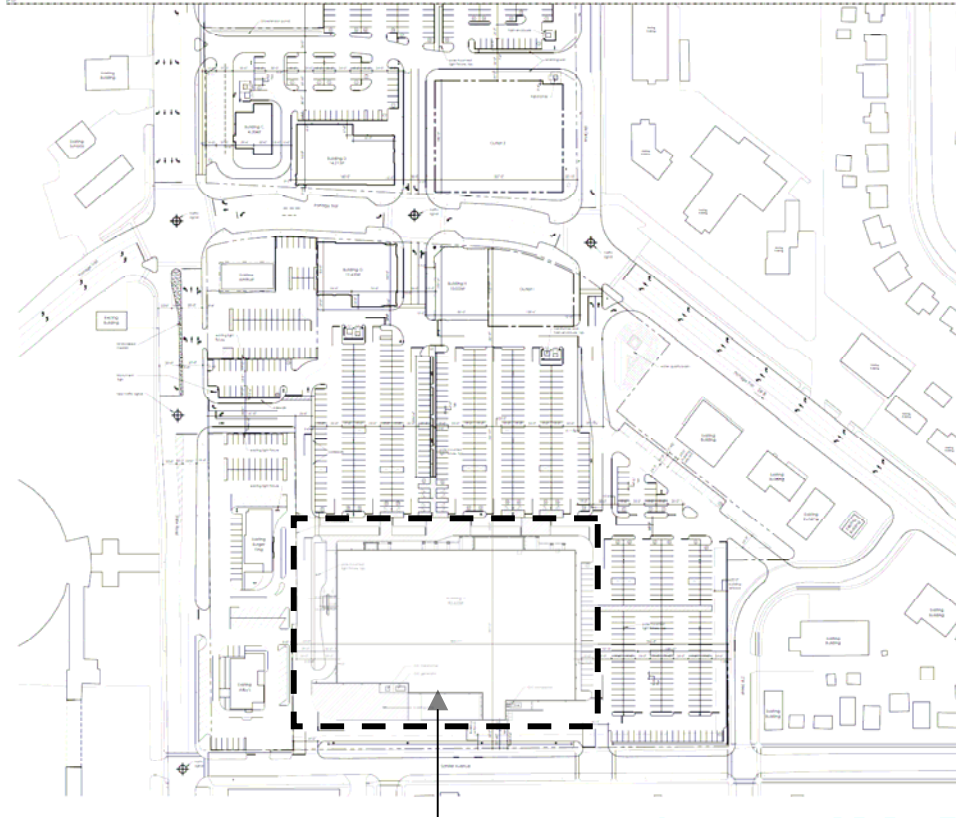
Passed: \_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_  
Mayor

6/24/13  
O:\2013ords\P-16-13-SP PortCrossCinemarkGiantE.doc





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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2013

8  
9 AN ORDINANCE APPROVING A CONDITIONAL ZONING  
10 CERTIFICATE FOR THE OPERATION OF AN  
11 OUTDOOR BULK STORAGE FACILITY AT 4575 STATE  
12 ROAD IN AN E-1 EMPLOYMENT DISTRICT, AND  
13 DECLARING AN EMERGENCY.

14  
15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires  
16 that all affirmative decisions made by the Planning Commission be submitted to  
17 Council; and

18  
19 WHEREAS, the Planning Commission has jurisdiction to grant a conditional  
20 zoning certificate relative to certain uses in certain districts, subject to the  
21 approval of this Council, pursuant to Section 1113.08 of the Codified Ordinances,  
22 and

23  
24 WHEREAS, on June 18, 2013, the Planning Commission approved the issuance  
25 of a conditional zoning certificate for the operation of an outdoor bulk storage  
26 facility at 4575 State Road (Parcel No. 35-01025), in an E-1 Employment District  
27 within the City of Cuyahoga Falls, Ohio,

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

31  
32 Section 1. This Council approves the issuance of a conditional zoning certificate  
33 for the operation of an outdoor bulk storage facility at 4575 State Road State Road  
34 (Parcel No. 35-01025) within the City of Cuyahoga Falls, Ohio, situated an E-1  
35 Employment District, in accordance with the district and zoning regulations  
36 contained in the Codified Ordinances of the City of Cuyahoga Falls and subject to  
37 the conditions approved by the Planning Commission as set forth in File P-13-13-  
38 CZ, and as further depicted on the Proposed Site Plan attached hereto as Exhibit  
39 "A."

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

45  
46 Section 3. It is found and determined that all formal actions of this Council  
47 concerning and relating to the adoption of this ordinance were adopted in an open  
48 meeting of this Council, and that all deliberations of this Council and of any of its  
49 committees that resulted in such formal action, were in meetings open to the



50 public, in compliance with all legal requirements, to the extent applicable,  
51 including Chapter 107 of the Codified Ordinances.

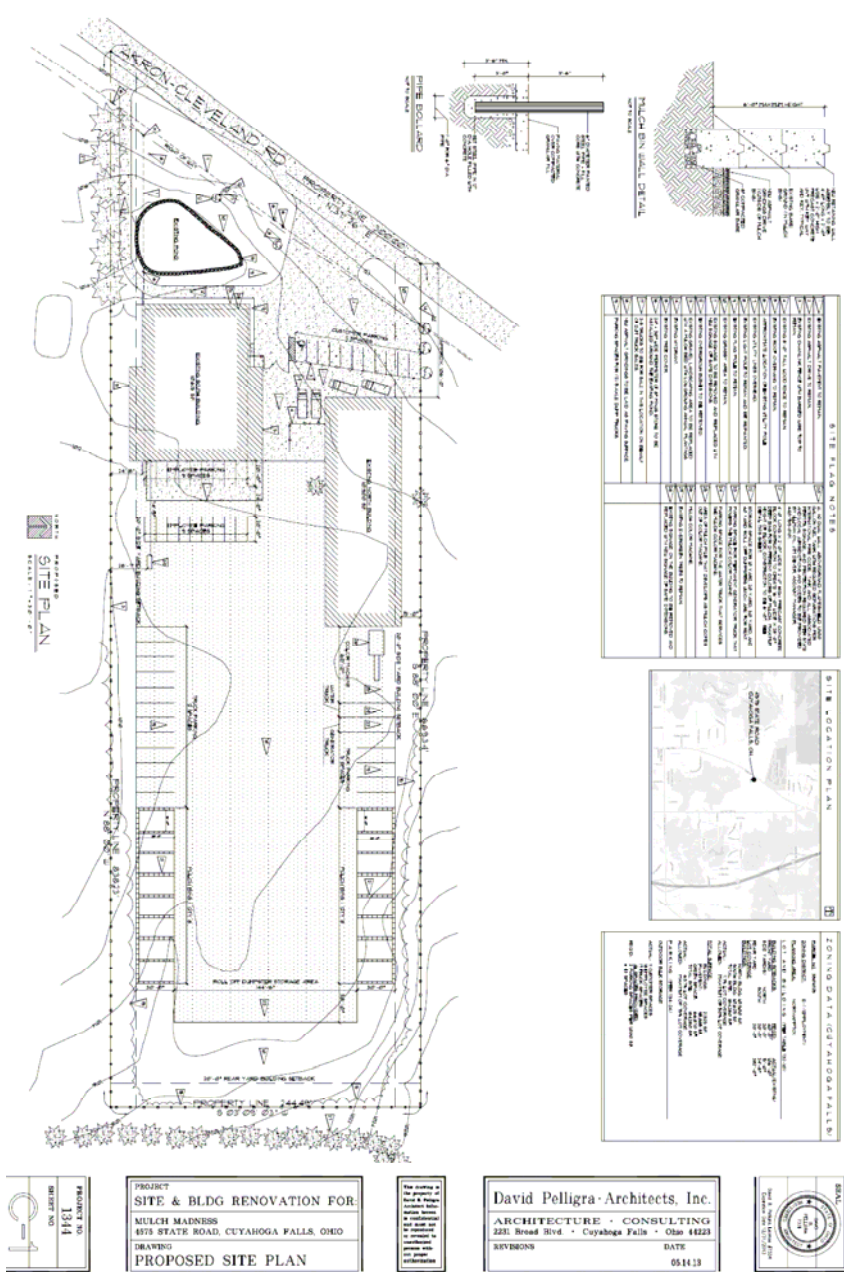
52  
53 Section 4. This ordinance is hereby declared to be an emergency measure  
54 necessary for the preservation of the public peace, health, safety, convenience and  
55 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason  
56 that it is immediately necessary to permit timely and appropriate development of  
57 this property, and provided it receives the affirmative vote of two thirds of the  
58 members elected or appointed to Council, it shall take effect and be in force  
59 immediately upon its passage and approval by the Mayor; otherwise it shall take  
60 effect and be in force at the earliest period allowed by law.

61  
62  
63 Passed: \_\_\_\_\_  
64 \_\_\_\_\_ President of Council

65  
66 \_\_\_\_\_  
67 Clerk of Council

68  
69 Approved: \_\_\_\_\_  
70 \_\_\_\_\_ Mayor

71 6/24/13  
72 O:\2013ords\P-13-13-CZ MulchMadness Conditional Use Permit.doc  
73



**SITE LEGEND**

[Symbol]	EXISTING BUILDING
[Symbol]	PROPOSED BUILDING
[Symbol]	EXISTING DRIVEWAY
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	EXISTING PAVEMENT
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[Symbol]	EXISTING CURB
[Symbol]	PROPOSED CURB
[Symbol]	EXISTING SIDEWALK
[Symbol]	PROPOSED SIDEWALK
[Symbol]	EXISTING LANDSCAPE
[Symbol]	PROPOSED LANDSCAPE
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[Symbol]	PROPOSED UTILITY
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**JOINING DATA (C:\A\B\06\A\FALLS)**

DATE	05/14/13
PROJECT	MULCH MADNESS
CLIENT	4575 STATE ROAD, CUYAHOGA FALLS, OHIO
ARCHITECT	DAVID PELLIGRA ARCHITECTS, INC.
ADDRESS	223 Broad Blvd - Cuyahoga Falls - Ohio 44223
PHONE	(330) 325-1111
FAX	(330) 325-1112
EMAIL	info@davidpelligra.com
WEBSITE	www.davidpelligra.com
PROJECT NO.	1314
DRAWING NO.	PROPOSED SITE PLAN
REVISIONS	
DATE	05/14/13

PROJECT NO. 1314  
 DRAWING NO. C-1

**PROJECT**  
 SITE & BLDG RENOVATION FOR  
 MULCH MADNESS  
 4575 STATE ROAD, CUYAHOGA FALLS, OHIO  
 DRAWING  
 PROPOSED SITE PLAN

The owner of this project is David Pelligra Architects, Inc. All drawings are the property of David Pelligra Architects, Inc. and shall remain confidential. No part of this drawing may be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system without the prior written permission of David Pelligra Architects, Inc.

**David Pelligra Architects, Inc.**  
 ARCHITECTURE - CONSULTING  
 223 Broad Blvd - Cuyahoga Falls - Ohio 44223  
 REVISIONS DATE  
 05/14/13

**SCALE**  
 1/8" = 1'-0"

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2013

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, FOR THE REPLACEMENT OF A 16”  
10 WATER MAIN IN GRAHAM ROAD, FROM BATH ROAD TO  
11 GRAHAM ROAD CIRCLE, AND DECLARING AN  
12 EMERGENCY.

13  
14 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and  
15 State of Ohio, that:

16  
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
18 contracts, according to law, for the replacement of a 16” water main, including all  
19 necessary appurtenances, in Graham Road between Bath Road and Graham Road Circle.

20  
21 Section 2. The Director of Finance is hereby authorized and directed to make payment  
22 for same from the Water Fund, line item Capital Outlay.

23  
24 Section 3. Any other ordinances or resolutions or portions of ordinances and  
25 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
26 not inconsistent herewith and which have not previously been repealed are hereby ratified  
27 and confirmed.

28  
29 Section 4. It is found and determined that all formal actions of this Council concerning  
30 and relating to the adoption of this ordinance were adopted in an open meeting of this  
31 Council, and that all deliberations of this Council and of any of its committees that resulted  
32 in such formal action, were in meetings open to the public, in compliance with all legal  
33 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

34  
35 Section 5. This ordinance is hereby declared to be an emergency measure necessary for  
36 the preservation of the public peace, health, safety, convenience and welfare of the City of  
37 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary  
38 to permit timely and appropriate development of this property, and provided it receives the  
39 affirmative vote of two thirds of the members elected or appointed to Council, it shall take  
40 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it  
41 shall take effect and be in force at the earliest period allowed by law.

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44 Passed: \_\_\_\_\_

\_\_\_\_\_

President of Council

\_\_\_\_\_

Clerk of Council

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50 Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

51  
52 06/24/13

53 O:2013ords/Graham Rd. waterline