

A RESOLUTION AMENDING RESOLUTION NO. 1996-124 WHICH GRANTED CONDITIONAL ZONING CERTIFICATE, SITE PLAN AND VARIANCE APPROVALS FOR THE EXPANSION OF THE STOW PUBLIC LIBRARY TO REVISE THE APPROVED SITE PLAN TO PERMIT THE EXPANSION OF THE EXISTING PARKING LOT ONTO PROPERTY LOCATED AT 1862 BEECH STREET, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, conditional zoning certificate, site plan and variance approvals were approved by Council (Resolution 1996-124) on July 11, 1996; and

WHEREAS, on March 22, 2016, the Planning Commission did prudently consider and did recommend to this Council the granting of revised site plan approval as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That David Myers, P.E. of Thorson and Baker, applicant, and Linda Sutherland Fiscal Officer of the Stow-Munroe Falls Public Library, property owner, are hereby granted revised site plan approval for the expansion of the existing parking lot onto property located at 1862 Beech Street, in the City of Stow. The property is zoned R-2 Residential and libraries are conditionally permitted in this district.

The applicant is proposing to modify the existing parking lot which currently has 119 spaces to expand the capacity to 150 spaces. The proposed expansion will occur to the west of the parking lot on the 0.26-acre lot located at 1862 Beech Street. The existing house, which is currently vacant, and the garage will be removed as part of the project. The curb cut on Beech Street will remain in the same location. The proposed new parking area will be set back 15 feet from the Beech Street right-of-way similar to the existing lot east of the curb cut. The proposed new parking lot will be located 20 feet from the adjacent property line to the west.

The existing wood privacy fence will be extended to the north to screen the proposed new parking. New landscaping is also proposed to be located in the following locations: west of the new privacy fence; adjacent to Beech Street and Darrow Road; and in the new interior landscaped islands within the parking lot.

This proposal shall be in accordance with the provisions contained under Sections 1143.01 through 1143.11 and 1163.01 through 1163.04, C.O.S. Further such approval shall be contingent upon the applicant complying with the following terms and conditions:

1. The applicant shall either execute the Assent and Acceptance By Applicant attached hereto or, in lieu thereof, and pursuant to 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$700.00 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. To the Engineering Department's approval of storm water management plans (ensuring new impervious area is accommodated by either modifying existing retention basin or providing underground storage and adjustment of catch basins near the entrance to prevent ponding in the parking lot).


3. To the Building Department's approval of construction plans.
4. To the City Arborist's approval of landscape plans.
5. To compliance with the Revised Site Plan as approved by the Planning Commission on March 22, 2016, which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
6. This approval is non-assignable and may not be transferred without the consent of Council.
7. The authorization granted by this legislation shall become null and void if it is not signed or if the bond is not posted within 30 days from the effective date of this legislation.

SECTION 2. That all other terms and provisions of Resolution 1996-124, not amended herein, be, and the same are, hereby reaffirmed as if fully rewritten herein.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and committees and subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

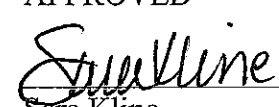
SECTION 4. That this Resolution was adopted pursuant to Section 4.11 Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that the applicant wishes to start construction of the parking lot renovation as soon as possible to keep the project on schedule, and, pursuant to Section 4.13, Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 4/14/16

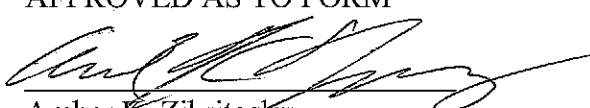
ATTEST   
 Bonnie J. Emahiser  
 CLERK OF COUNCIL

  
 Mike Rasor  
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 4/18/16

APPROVED  
  
 Sara Kline  
 MAYOR

FILED WITH CLERK 4/18/16

APPROVED AS TO FORM  
  
 Amber K. Zibritosky  
 LAW DIRECTOR

EFFECTIVE DATE 4/18/16

ASSENT AND ACCEPTANCE BY APPLICANT

I, David Myers, P.E. of Thorson and Baker, applicant, and I, Linda Sutherland, Fiscal Officer of the Stow-Munroe Falls Public Library, property owner, have read the foregoing enactment by Stow City Council and do hereby assent and accept all terms and conditions contained herein as being the basis upon which approval was granted and upon which the authorized activity is expressly conditioned.

THORSON & BAKER

\_\_\_\_\_

Date

By: \_\_\_\_\_  
David Myers, P.E.

4/18/2016  
\_\_\_\_\_

Date

STOW-MUNROE FALLS PUBLIC LIBRARY

By:   
Linda Sutherland, Fiscal Officer

I, Bonnie J. Emahiser, Clerk of  
Council, do hereby certify that  
copies of the forgoing were  
posted in accordance with  
Section 10.13 C.O.S.

A handwritten signature in black ink, appearing to read "Bonnie J. Emahiser", written in a cursive style.