

A RESOLUTION GRANTING SITE PLAN APPROVAL TO RICHARD ESTERLE OF ESTERLE MOLD AND MACHINE, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN ADDITION 28,920 SQUARE FEET IN AREA AT 1567 COMMERCE DRIVE, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on November 7, 2017, the Planning Commission did recommend to this Council the granting of site plan approval as hereinafter set forth;

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

SECTION 1. That Richard Esterle of Esterle Mold and Machine, applicant and property owner, is hereby granted site plan approval to permit the construction of an addition 28,920 square feet in area at 1567 Commerce Drive. The property is zoned I-2 Industrial and industrial uses are permitted by right subject to site plan approval.

The existing building is approximately 38,000 square feet in area and the applicant is proposing to add an additional 28,920 square feet of warehousing space. The applicant recently demolished a building located at 1549 Commerce Drive and proposes to consolidate this lot with 1567 Commerce Drive. The exterior of the proposed addition will be comprised of a masonry base and metal siding to match the existing structure.

The existing entrance from Commerce Drive for the former 1549 Commerce Drive building will be removed and a new entrance located west of the addition is proposed. The main circulation drive will be 26 feet in width and will include 42 parking spaces. Approximately 15 parking spaces located west of 1567 will be removed as part of this project. Storm water management will primarily be addressed with underground storage facilities.

This proposal shall be in accordance with the provisions contained under Sections 1147.01 through 1147.09, C.O.S., and 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 \$2,500 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 construction and storm water management plans.
3. To the Building Department's approval of construction plans including the issuance of a final occupancy permit for 1567 Commerce Drive prior to issuance of a building permit for the addition.
4. To consolidation of the parcels for 1567 and 1549 Commerce Drive.
5. To the Fire Department's approval of construction plans.
6. To compliance with the Site Plan and building elevations as approved by the Planning Commission on November 7, 2017 which are incorporated herein by reference and made a part hereof as if fully reappearing herein.


7. This approval is non-assignable and may not be transferred without the consent of Council.
8. This approval shall expire within one (1) year of the date of this enactment unless prior thereto a building permit has been issued and actual construction undertaken.
9. 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. 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 3. 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 proceed with construction prior to inclement weather, 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 11/16/17

ATTEST



 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Mike Rasor
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 11/20/17

APPROVED

FILED WITH CLERK 11/27/17


 Sara Kline
 MAYOR

APPROVED AS TO FORM

EFFECTIVE DATE 11/27/17

 Amber K. Zibritosky
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Richard Esterle of Esterle Mold and Machine, applicant and 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.

ESTERLE MOLD AND MACHINE

 Date

 By: Richard Esterle