

RESOLUTION NO. 2018-46

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE AND SITE PLAN APPROVAL TO THOMAS FINLEY OF OMNI SENIOR LIVING AND OMNI ALLEN ROAD LLC, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF SIX (6) ASSISTED LIVING VILLAS ADJACENT TO THE PREVIOUSLY APPROVED 148-UNIT ASSISTED LIVING DEVELOPMENT LOCATED ON ALLEN ROAD.

WHEREAS, on March 27, 2018, the Planning Commission did prudently consider and did recommend to this Council the granting of conditional zoning certificate and 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 Thomas Finley of Omni Senior Living and Omni Allen Road LLC, applicant and property owner, is hereby granted conditional zoning certificate and site plan approval to permit the construction of six (6) assisted living villas adjacent to the previously approved 148-unit assisted living development located on Allen Road. The proposed villas will be located south of the new Omni Senior Living campus currently under construction and east of the Northeast Ohio Eye Surgeons medical building. With this additional parcel the Omni Senior Living campus will consist of approximately 9.7 acres. The property is zoned I-1 Limited Industrial and assisted living facilities are conditionally permitted in this district.

The site plan previously reviewed by the Planning Commission at the February 27th meeting included eleven (11) villas. The proposed villas will be accessed from three locations: the previously approved entrances off of Allen Road and Hudson Drive and the existing entrance for the Northeast Ohio Eye Surgeons parking lot off of Allen Road.

Screening from the adjacent office/industrial uses will consist of a vinyl fence (6 feet) and evergreen plantings located along the east property line and a mix of deciduous and evergreen plantings west of the proposed villas. Storm water management will primarily be accommodated through the use of a regional detention basin located on an adjacent property.

The exterior of the buildings will be finished using a combination of vinyl siding, stone veneer and EIFS (varying colors and textures) and the roof material will be asphalt.

This proposal shall be in accordance with the provisions contained under Sections 1147.01 through 1147.09 and Sections 1163.01 through 1163.04, C.O.S.

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 \$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 and Building Departments' approval of storm water management plans and the Engineering, Building and Fire Departments' approval of construction plans.
3. To the City Arborist's approval of a landscaping plan.
4. To the Applicant consolidating the subject parcel with the existing Omni Senior Living parcel.

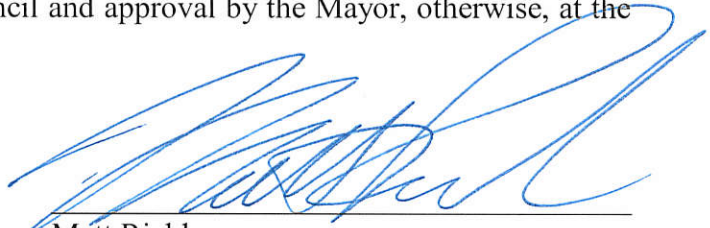
5. To compliance with the site plan as approved by the Planning Commission on March 27, 2018, which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
6. This approval is non-assignable and may not be transferred without the consent of Council.
7. This approval 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.
8. 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 of any committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. This Resolution was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise, at the earliest period allowed by law.

ADOPTED BY COUNCIL 4/12/18

ATTEST 
 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Matt Riehl
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 4/16/18

APPROVED 
 Sara Kline
 MAYOR

FILED WITH CLERK 4/16/18

APPROVED AS TO FORM

EFFECTIVE DATE 5/16/18

 Amber K. Zibritosky
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Thomas Finley of Omni Senior Living and Omni Allen Road LLC, 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.

OMNI SENIOR LIVING &
 OMNI ALLEN ROAD LLC

 Date

 By: Thomas Finley