

A RESOLUTION GRANTING SITE PLAN/RESIDENTIAL BUILDING CONVERSION APPROVAL TO CHAU L. NGUYEN OF C-NAILS & SPA LLC, PROPERTY OWNER, IN ORDER TO UTILIZE THE EXISTING GARAGE AS A NAIL SALON AND SPA AT 3616 DARROW ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on September 11, 2018, the Planning Commission did recommend to this Council the granting of site plan/residential building conversion 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 Chau L. Nguyen of C-Nails & Spa LLC, property owner, is hereby granted site plan/residential building conversion approval in order to utilize the existing garage as a nail salon and spa at 3616 Darrow Road. The property is zoned R-B Residential and nail salons are permitted by right in this district.

The applicant intends to reside in the existing dwelling and the proposed spa will be located in an existing garage. A parking lot that will accommodate 17 vehicles is proposed to be located behind the existing dwelling.

The applicant is proposing to retain several large trees on the property and buffer the parking lot with evergreen plantings. A storm water detention (dry) basin is proposed to be located in the front yard.

This proposal shall be in accordance with the provisions contained under Sections 1143.01 through 1143.13, 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 \$1,100 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.
3. To the City Arborist's approval of landscaping plans, including buffering of the parking lot from the north and west.
4. To the Building and Engineering Departments' approval of construction plans, including the applicant venting the exhaust from the nail stations through the roof and as far from adjacent property as practicable.
5. To the Planning Department's approval of any parking lot lighting plan per Section 1182.04(c), C.O.S.

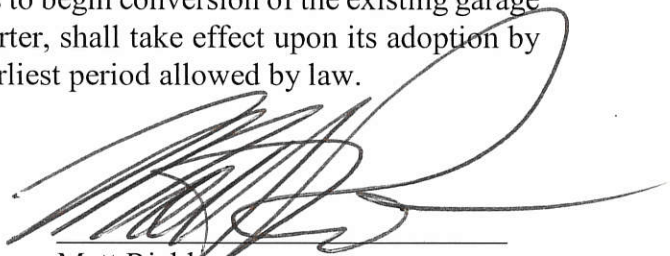
6. To compliance with the site plan and building elevations as approved by the Planning Commission on September 11, 2018, which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
7. This approval is non-assignable and may not be transferred without the consent 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 begin conversion of the existing garage as soon as possible, 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.

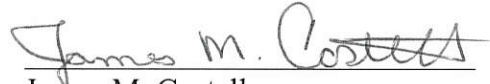
ADOPTED BY COUNCIL 9/27/18

ATTEST 
 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Matt Riehl
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 10/1/18

APPROVED


 James M. Costello
 MAYOR

FILED WITH CLERK 10/1/18

APPROVED AS TO FORM

EFFECTIVE DATE 10/1/18


 Amber K. Zibritosky
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Chau L. Nguyen, 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.

9/27/2018
 Date


 Chau L. Nguyen