

RESOLUTION NO. 2018-158

A RESOLUTION GRANTING SITE PLAN APPROVAL TO KEVIN SHEAFFER VICE PRESIDENT OF INSTANTWHIP-AKRON, INC., APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN ADDITION TO THE EXISTING INSTANTWHIP BUILDING LOCATED AT 4870 HUDSON DRIVE, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on December 4, 2018, 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 Kevin Sheaffer Vice President of Instantwhip-Akron, Inc., applicant and property owner, is hereby granted site plan approval to permit the construction of an addition to the existing Instantwhip building located at 4870 Hudson Drive. The property is zoned I-2 Industrial and industrial/warehouse buildings are permitted by right in this district. The project will be located on a currently vacant parcel adjacent to the existing facility. This parcel will be consolidated with the 4870 Hudson Drive parcel.

The existing industrial/warehouse building is approximately 17,000 square feet in area and the applicant is proposing to add an additional 21,065 square feet. The addition will be added to the south side of the existing structure. It will be located 190 feet from Hudson Drive, 100 feet from the south property line and 20 feet from the rear property line.

The parking lot and truck circulation area will be expanded to the south and the entrance drive will be relocated approximately 50 feet to the south. A storm water management basin will be located south of the proposed addition. A total of 35 parking spaces will be provided and the applicant has identified an additional 19 "land banked" parking spaces on the site which will satisfy the 54 parking spaces required for this development.

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. The Building and Engineering Departments' approval of construction plans.
3. Compliance with the Site Plan and building elevations as approved by the Planning Commission on December 4, 2018, which are incorporated herein by reference and made a part hereof as if fully reappearing herein.
4. The City Arborist's approval of landscaping plans.
5. The Fire Department's approval of plans provided the fire sprinkler system FDC be located within 50 feet of an existing or new fire hydrant and, if the fence gate shown on the plans is a powered opening gate, a Knox key switch must be installed so that the gate can be opened for emergency access.
6. The parcels be consolidated into one lot.

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 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 12/13/18


ATTEST 
 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Matt Riehl
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 12/17/18

FILED WITH CLERK 12/17/18

APPROVED AS TO FORM

APPROVED 
 John Pribonic
 MAYOR

EFFECTIVE DATE 12/17/18

 Brian A. Reali
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Kevin Sheaffer Vice President of Instantwhip-Akron, Inc., 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.

INSTANTWHIP-AKRON, INC.

12/17/18
 Date


 By: Kevin Sheaffer, Vice President