

RESOLUTION NO. 2019-103

A RESOLUTION GRANTING SITE PLAN AND CONDITIONAL ZONING CERTIFICATE TO AVS REALTY, LLC., APPLICANT, TO PERMIT THE CONVERSION AND EXPANSION OF THE FACILITY LOCATED AT 3855 FISHCREEK ROAD FOR USE AS AN ASSISTED LIVING FACILITY, AND DECLARING AN EMERGENCY.

WHEREAS, on June 25, 2019, the Planning Commission did prudently consider and did recommend to this Council the granting of a site plan and conditional zoning certificate 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 Jason Rice of AVS Realty, LLC., applicant, is hereby granted site plan and conditional zoning certificate, to permit conversion and expansion of the building located at 3855 Fishcreek Road. The property is zoned C-6 Office and assisted living facilities are conditionally permitted in this district.

The applicant is proposing to demolish the existing accessory structure behind the main building and construct an addition approximately 16,000 square feet in area. The addition will extend from the north and east walls to form a courtyard between the existing structure and the proposed addition. The proposed addition will sided with vinyl siding and will include an asphalt shingle roof, and the exterior of the existing building will be renovated to match the addition. Exterior improvements to the existing structure include painting, new windows and the addition of a new roofed entrance feature.

The applicant is proposing to provide a total of 67 rooms with 72 beds. The project will also include a common kitchen/dining area; multi-purpose and activity rooms; and other resident amenities.

The existing entrance at Fishcreek Road, the circular drive and parking in front of the existing building will be utilized and a portion of the parking lot north of the building will also be used. The applicant is proposing to provide a total of 49 parking spaces and 18 additional potential land banked spaces. An emergency access drive will be constructed around the addition. A storm water detention basin is proposed to be located just east of this drive. There is an existing tree buffer along the east property line that will remain in place.

The proposal shall be in accordance with the provisions contained in the Stow Zoning Code.

Further, such approval shall be contingent upon the applicant complying with the following terms and conditions:

- Building and Engineering approval of construction and storm water management plans including accommodating the additional area for the potential landbank parking spaces;
- Fire Department approval of construction plans including the applicant installing two on-site fire hydrants and designating the front circulation drive as a fire lane “no parking” to allow for emergency access;
- City Arborist approval of landscape plans including the preservation of the existing tree buffer along the south, east and north property lines; and the addition of some deciduous trees along the rear of the property; and
- Planning Department approval of lighting plans to ensure cut-off shields are included on fixtures that are adjacent to residential properties.

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. 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 the conversion and expansion project can be completed accordingly, 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 7.11.19

ATTEST [Signature]
Lorree Villers
CLERK OF COUNCIL

FILED WITH MAYOR 7.12.19

FILED WITH CLERK 7.15.19

APPROVED AS TO FORM

[Signature]
Brendan Mackin
LAW DIRECTOR

[Signature]

Matt Riehl
PRESIDENT OF COUNCIL

APPROVED [Signature]
John Pribonic
MAYOR

EFFECTIVE DATE 7.15.19

ASSENT AND ACCEPTANCE BY APPLICANT

I, Jason Rice of AVS Realty, LLC., applicant, 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.

AVS Realty, LLC., applicant,

Date

By: Jason Rice

Date

By: