



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-70:**

**AN ORDINANCE APPROVING THE
PRELIMINARY PLAN OF THE RESERVE
AT FOX RUN MAJOR SUBDIVISION IN
THE CITY OF WESTLAKE.**

WHEREAS, the Developer of the Reserve at Fox Run Major Subdivision presented an application for approval of the Preliminary Plan of the major subdivision pursuant to Section 1125.04 of the Planning and Platting Code of the City of Westlake; and

WHEREAS, this application was submitted to the Planning Commission for its approval or disapproval and, after notification to adjoining property owners as provided in Section 1125.04, the Planning Commission, at its regular meeting on May 11, 2015, reviewed and determined that the Preliminary Plan complied with all applicable planning principles and provisions of the Land Planning and Subdivision Regulations and recommended approval of said Preliminary Plan; and

WHEREAS, any specific conditions contingent upon the approval of the Planning Commission to be performed by the Developer, if any, have been noted herein on the Preliminary Plan and in the Planning Commission Minutes; and

WHEREAS, this Council, as required by Section 1125.04(d), has reviewed the Preliminary Plan heretofore approved by the Planning Commission and desires to consider the Preliminary Plan of this major subdivision and set forth in this Ordinance any special conditions to be performed by the Developer as a condition precedent to this Council's approval and that such special conditions shall be, where applicable, set forth on the Preliminary Plan and Council Minutes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That this Council, as required by Section 1125.04 entitled "Preliminary Plan for Major Subdivision" of the Planning and Platting Code, does hereby approve the Preliminary Plan of Reserve at Fox Run Major Subdivision with the following conditions:

1. The approval is subject to comments in the staff report;

2. Modifications are granted for lot width to depth ratios of .1 for lot 3, .3 for lots 7 and 12 and .4 for lot 14 ;
3. An island shall be constructed in the cul-de-sac with the planting design and maintenance to be presented with the final plat improvement plan;
4. A pedestrian connection to Tri-City Park shall be provided;
5. A homeowners association shall be established for the maintenance of the retention basin and cul-de-sac; and
6. The approval is subject to approval of the final plans by the Building and Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

Section 2: That the approval of the Preliminary Plan by this Council, with the performance of the conditions contained herein to be performed by the Developer, shall assure the Developer for a one-year period from the date of approval that:

1. The general layout of streets, lots and other features is approved and the Preliminary Plan shall be the basis for the preparation of the Final Plat;
2. The general terms and any special conditions under which the approval of the Plan was granted shall not be changed; and
3. The Developer may submit drawings and specifications for improvements and final plat of the whole or part of the Subdivision.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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First Reading: 5/21/15
Second Reading: 6/4/15
Public Hearing: _____

Passed: 6/18/15



Michael F. Killeen
President of Council


Presented to Mayor: 6/19/15

Approved: 6/24/15

ATTEST:



Denise L. Rosenbaum, Clerk of Council



Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2015-70 adopted 6/18/15 was duly posted on 6/24/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.