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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 13 - 2024

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION FOR THE CONSTRUCTION OF A 10-UNIT TOWNHOME BUILDING, KNOWN AS THE RESIDENCES AT FOUNTAIN POINT, FOR TESTA ENTERPRISES, INC., AND LOCATED AT 2335 SECOND STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning Commission be submitted to Council; and

WHEREAS, on December 5, 2023, the Planning Commission recommended the approval of the major site plan for the construction of a 10-unit townhome building, known as The Residences at Fountain Point, for Testa Enterprises, Inc., and located at 2335 Second Street. The proposed 3-story building will face Front Street and Levinson Lane, where the primary pedestrian entrance doors will be located. Vehicular access will be provided from a rear access lane accessible from Oakwood Avenue; and

WHEREAS, such approval is given subject to all Planning Commission findings and provisions contained in Project File MSP-23-00051; and

WHEREAS, such approval is necessary to determine that the site plan is satisfactory, serves the public interest, and is acceptable for recording.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio:

Section 1. The City Council approves the major site plan for the construction of a 10-unit townhome building, known as The Residences at Fountain Point, for Testa Enterprises, Inc., and located at 2335 Second Street. The proposed 3-story building will face Front Street and Levinson Lane, where the primary pedestrian entrance doors will be located. Vehicular access will be provided from a rear access lane from Oakwood Avenue. The approved site plan is depicted in Attachment "A" and is fully described in Project File MSP-23-00051.

Section 2. That any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate development of this property, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 1-22-2024



President of Council

Approved: 1-22-2024



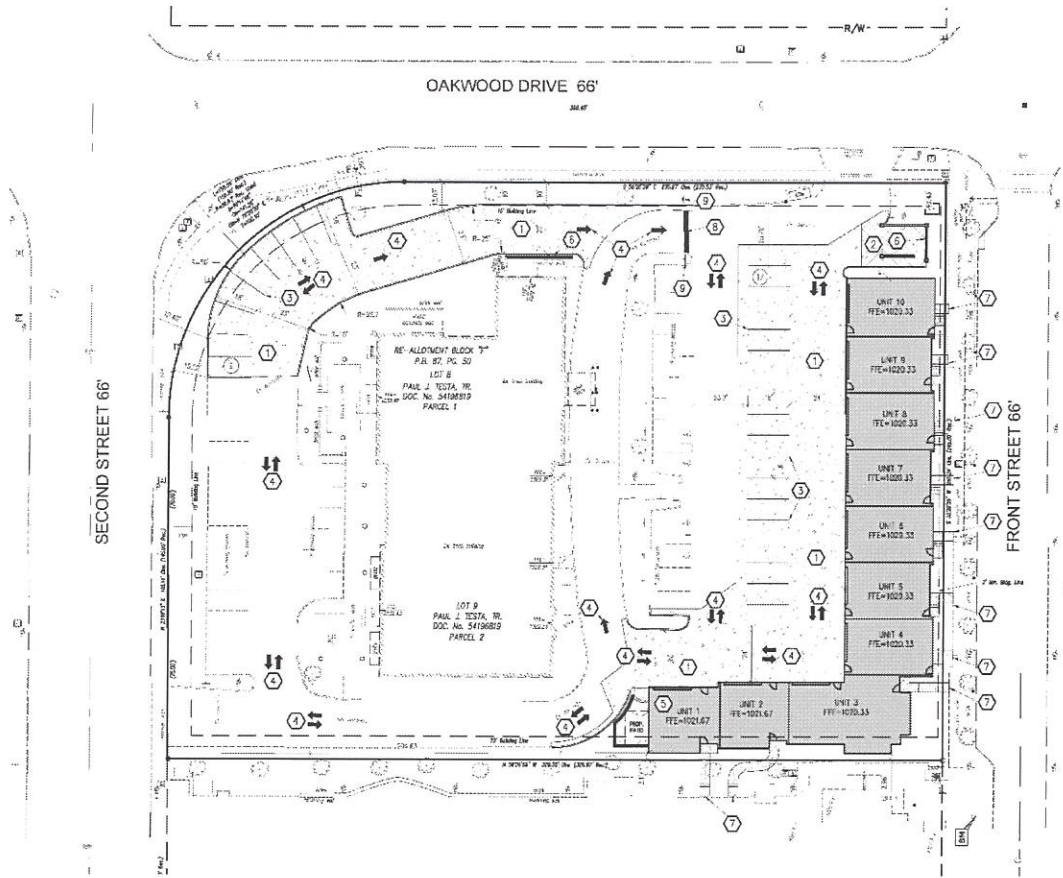
Clerk of Council



Mayor

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ATTACHMENT "A"



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