

RESOLUTION NO.: 126 -2019
INTRODUCED BY: Alexander

A RESOLUTION DENYING A CONDITIONAL USE PERMIT FOR AN
ADULT DAYCARE CENTER AT 26391 CURTIS WRIGHT PARKWAY.

WHEREAS, pursuant to Codified Ordinance Section 1167.03, the Planning Commission, at its October 2019 regular meeting, passed a motion to recommend to Council the approval of an application for a conditional use permit for the non-profit organization known as the Rose-Mary Center, a tenant at property located at 26391 Curtis Wright Parkway, for the establishment of an adult daycare center for developmentally-disabled persons in the I-1 Office-Industrial Zoning District;

WHEREAS, the proposed use being a daycare center is not a permitted or conditionally permitted use listed in the I-1 Zoning District and the City's Planning Commission lacked the jurisdiction and authority to recommend the approval of a conditional use permit in the I-1 Zoning District for the proposed use;

WHEREAS, this Council further finds that the proposed daycare use does not meet the requirements of Zoning Code Section 1167.03, "Other Uses", to be an approved use in the I-1 Office-Industrial Zoning District;

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The action of the Planning Commission of the City of Richmond Heights taken at its October 2019 regular meeting in recommending to Council the approval of a conditional use permit at 26391 Curtis Wright Parkway in the City of Richmond Heights for use of the property as an adult daycare center for developmentally-disabled persons is denied for the reasons set forth in the recitals to the Resolution.

Section 2: The Clerk is instructed to mail a copy of this Resolution to the applicant.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Dec 10, 2019

APPROVED: Dec 10, 2019

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council

David H. Roche
David H. Roche, Mayor

Eloise Cotton-Henry
Eloise Cotton-Henry
President of Council