

RESOLUTION NO. 108-2021
INTRODUCED BY: Alexander

**A RESOLUTION TO CONDITIONALLY APPROVE THE SITE
DEVELOPMENT PLAN FOR A MIXED USE DEVELOPMENT TO BE
KNOWN AS BELLE OAKS MARKETPLACE AT 621 RICHMOND ROAD.**

WHEREAS, Richmond Heights Town Square Owner, LLC (the "Applicant"), for property known as Permanent Parcel Nos. 662-27-050, 662-28-068, 662-27-049, 662-30-121, 662-30-120, 662-30-122, and 662-30-098 (the "Property") at or about 621 Richmond Road in the City of Richmond Heights, filed an application with the Planning Commission requesting a site development plan approval under Sections 1151.09 and .10 of the City's Zoning Code to permit a mixed use development of multi-family apartments, commercial and retail uses in a B-2 Regional Business District and pursuant to a use variance on a smaller part of the property which was granted by this Council by Resolution No. 48-2019, adopted on May 14, 2019 – the entire project to be known as Belle Oaks Marketplace (the "Project");

WHEREAS, pursuant to Resolution Nos. 64-2019, 14-2020 and 122-2020, this Council conditionally approved a site development plan for Phase 1 of this Project with revisions thereto which Phase 1 is now being slightly revised by the Applicant's current application;

WHEREAS, pursuant to Sections 1151.09 and .10 of the Zoning Code, at its October 4, 2021 meeting, the Planning Commission held a hearing with respect to this application and the Commission, also relying on the review and recommendations of the City's Architectural Board of Review ("ARB"), unanimously recommended to this Council the approval of the site development plan entitled "Phase II Development Plan," Subtitled "Bialosky Alternative Development Plan 3," dated 09/20/2021, with the following conditions:

- a. This recommendation for approval includes all Project areas, including any changes that have been made to previously approved Phase 1 and Phase 2A building areas.
- b. The general character of all buildings, including the proposed Meijer store, will be consistent with the requirements spelled out in the ARB's Design Guidelines and the previously approved Phase II submissions to it.
- c. As in previous site plan approvals for this Project, each individual building in the development will be submitted for ARB review and approval.
- d. Separate submissions for landscape, signage, and site lighting must be reviewed and approved by the City. Landscape submittals shall also include detailed designs for features at the traffic circle and the green spaces near Buildings 10 and 12.
- e. The final site development plan shall be approved by the City's Fire Inspector, including vehicle access and fire hydrant locations.

f. A parking study shall be prepared by a professional consultant engaged by the Applicant at its sole expense to confirm that adequate parking is being provided at parking ratios used in the original Phase 2 preliminary site plan approval.

g. A new traffic study of the impact of the Project on the public roads adjacent to the project site must be provided by the Applicant and its sole expense. Any concerns identified by the study must be addressed by the Applicant with appropriate revisions to the site development plan and resubmitted for review and approval by the City.

WHEREAS, this application and the Planning Commission recommendation were heard by the Planning and Zoning Committee of City Council at its meeting on October 5, 2021, at which time a presentation in support of the plan approval was made by the Applicant's representative(s) and after discussion and deliberation, the Committee voted to recommend to the Council as a whole that the site development plan be approved with the conditions recommended by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

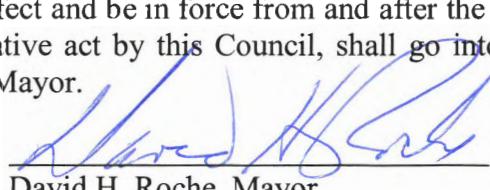
Section 1: This Council finds the application for the site development plan set forth in the recitals to this Resolution is supported by a preponderance of reliable, substantial and probative evidence and with the conditions recommended by the Planning Commission, the Applicant demonstrated substantial compliance with the regulations in Sections 1151.09 and .10 of the Zoning Code; therefore, this Council conditionally approves the Applicant's site development plan application recommended by the Planning Commission and this Council's approval is conditioned upon the Applicant meeting the conditions recommended by the Planning Commission as set forth in the recitals to this Resolution.

Section 2: The Clerk is instructed to mail a copy of this Resolution to the Applicant by Federal Express with proof of delivery obtained.

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 which, being an administrative act by this Council, shall go into effect immediately upon its passage and signature by the Mayor.

PASSED: October 12, 2021

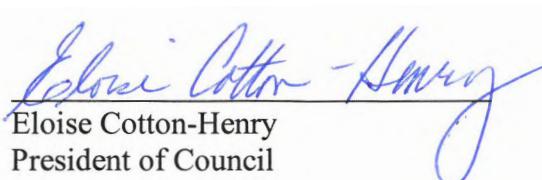


David H. Roche, Mayor

APPROVED: October 12, 2021

ATTEST: Betsy Traben

Betsy Traben
Clerk of Council



Eloise Cotton-Henry
President of Council