

RESOLUTION NO. 122 -2020
INTRODUCED BY: Alexander

A RESOLUTION APPROVING A MODIFICATION TO THE SITE DEVELOPMENT PLAN FOR A MIXED USE DEVELOPMENT ON PERMANENT PARCEL NO. 662-27-048 AT 621 RICHMOND ROAD.

WHEREAS, Richmond Heights Town Square Owner, LLC (the "Applicant"), for property known as Permanent Parcel No. 662-27-048 (the "Property") at 621 Richmond Road in the City of Richmond Heights, filed an application with the Planning Commission requesting a modification to its site development plan approved under Sections 1151.09 and .10 of the City's Zoning Code to permit a permanent leasing office, as opposed to a temporary office which was originally part of the applicant's approved mixed use development of multi-family apartments, commercial and retail uses in a B-2 Regional Business, adopted by this Council on June 25, 2019 (Resolution 64-2019);

WHEREAS, pursuant to Sections 1151.09 and .10 of the Zoning Code, at its November 11, 2020 meeting, the Planning Commission held a hearing with respect to this application and the Commission unanimously recommended to this Council the approval of the modification to the approved site development plan with the following condition:

The current calculations of "Belle Oaks Phase One and the proposed Belle Oaks Phase Two combined will have no single type of use exceeding 90%, with the proposed residential use at 74.29%. While Phases One and Two of the proposed Belle Oaks project combined meet the requirements of Zoning Code Section 1151.10 (c), Phase One alone may not meet this requirement. Therefore, if development of Phase Two does not commence prior to the conclusion of the permitting process for the subject of this modification, Phase One shall be modified to meet the 90% requirement of Section 1151.10 (c).

WHEREAS, this application and the Planning Commission recommendation was heard by the Planning and Zoning Committee of City Council at its meeting on December 1, 2020, and the Committee voted to recommend to the Council as a whole that the modification of the site development plan be conditionally approved;

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

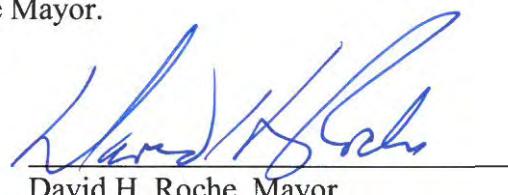
Section 1: This Council finds the application for the modification of the site development plan set forth in the recitals to this Resolution is supported by a preponderance of reliable, substantial and probative evidence and the Applicant demonstrated substantial compliance with the regulations in Sections 1151.09 and .10 of the Zoning Code; and, therefore, this Council conditionally approves the Applicant's modification to the approved site development plan with the condition as recommended and 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 certified mail, return receipt requested.

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: 12-8-20

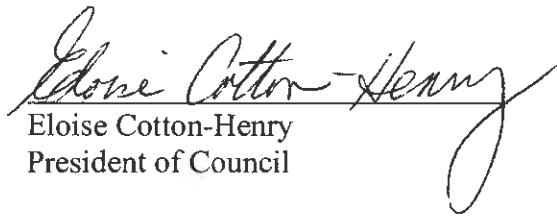


David H. Roche

David H. Roche, Mayor

APPROVED: 12-8-20

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council



Eloise Cotton-Henry

Eloise Cotton-Henry
President of Council