

RESOLUTION NO.: 91-2023
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING COMMISSION TO APPROVE A LOT SPLIT AND CONSOLIDATION PLAT SUBMITTED BY RICHMOND HEIGHTS TOWN SQUARE OWNER LLC.

WHEREAS, at its June 14, 2023 meeting, the Planning Commission has recommended the approval of the application of Richmond Heights Town Square Owner LLC (“Applicant”) for a proposed lot split and consolidation plat (Drawing 14276-LS8, dated 04/04/23, the “Plat”) to accomplish the following that creates outparcels for commercial development:

- 1) PPN 662-27-051 (Parcel A-1) is to be split into three (3) separate Parcels identified as Parcels A-1A, A-3 and A-4;
- 2) PPN 662-30-126 (Parcel B-6B) is to be split into five (5) separate Parcels identified as Parcels B-6C, B-6D, B-6E, B-6F and B-6G; and
- 3) A 0.2132-acre portion of PPN 662-30-112 (the “Split Parcel”) is to be split off and consolidated with Parcel B-6F (small portion) and Parcel B-6E (larger portion);

WHEREAS, title to the Split Parcel, currently owned by JSSS Realty LLC, shall transfer to Richmond Heights Town Square Owner LLC contemporaneously with the recording of the Plat;

WHEREAS, at its June 27, 2023, meeting, Council's Planning and Zoning Committee recommended that Council confirm the recommendation of the Planning Commission to approve the Plat.

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

Section 1: This Council confirms the action of the Planning Commission at its meeting held on June 14, 2023, that recommended the approval of the lot split and consolidation Plat submitted by Richmond Heights Town Square Owner LLC to accomplish the lot splits and consolidations as set forth in the recitals to this Resolution, on the Plat and in the minutes of the Planning Commission's June 14, 2023 meeting, and conditioned upon fee title to the 0.2132-acre Split Parcel being transferred to Richmond Heights Town Square Owner LLC contemporaneously with the recording of the Plat being approved herein.

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

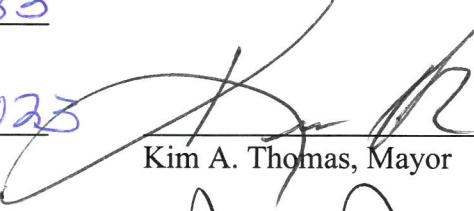
Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council,

and that all deliberations of this Council and 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 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.

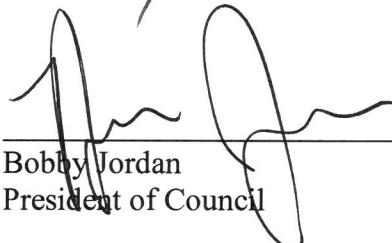
PASSED: June 27, 2023

APPROVED: June 27, 2023


Kim A. Thomas, Mayor

ATTEST: Donnie L. Hunter

Donnie L. Hunter
Clerk of Council


Bobby Jordan
President of Council

**BACK UP DOCUMENTATION
FOR
RESOLUTION 91-2023**

KENNETH J. FISHER CO., L.P.A.

ATTORNEYS AT LAW

50 PUBLIC SQUARE, SUITE 2100
CLEVELAND, OHIO 44113-2204

TEL (216) 696-7661 • FAX (216) 696-0439
www.kenfisherlpa.com

KENNETH J. FISHER
kfisher@fisher-lpa.com

DENNIS A. NEVAR
dnevar@fisher-lpa.com

May 17, 2023

VIA HAND DELIVERY

James Urankar, Building Commissioner
City of Richmond Heights
26789 Highland Road
Richmond Heights, Ohio 44143

**Re: Request to Appear Before The Planning Commission
Lot Split/Consolidation - PPNs 662-27-051, 662-30-126 and 662-30-112**

Dear Commissioner Urankar:

Please be advised the undersigned represents Richmond Heights Town Square Owner LLC, the record owner of PPNs 662-27-051 and 662-30-126 and the proposed purchaser of a portion of PPN 662-30-112 from JSSS Realty LLC, which are located in the B-2 Regional Business District.

Enclosed please find the following:

- 1) Request to Appear Before The Planning Commission for consideration of a Lot Split/Consolidation.
- 2) Lot Split/Consolidation Plat prepared by Neff & Associates.
- 3) List of all property owners and their mailing addresses which are contiguous to and/or directly across the street from the subject Parcels.
- 4) Check payable to the City of Richmond Heights in the amount of \$800.00.

Thank you for giving this matter your attention and do not hesitate to contact me with any questions as I await confirmation of the date that this matter will be considered by the Planning Commission.

RECEIVED MAY 17 2023

James Urankar, Building Commissioner
City of Richmond Heights
May 17, 2023
Page 2

Very truly yours,



KJF

Kenneth J. Fisher

KJF/dan

encs.

cc: Client



Department of Building, Zoning & Housing
26789 Highland Road
Richmond Heights, Ohio 44143-1429
216-383-6312 Fax: 216-383-6319
richmondheightsohio.org
James Uranik, Building Commissioner

REQUEST TO APPEAR BEFORE THE PLANNING COMMISSION

Applicant or Agent Name: Richmond Heights Town Square Owner LLC	
Applicant Address: 22815 Ventura Boulevard, Suite 310	Phone: (310) 671-3900
Applicant City/State/Zip: Woodland Hills, California 91364	
Applicant Email: dfrank@dealpointnemill.com	
Applicant Driver's License#: _____	State: _____
Job Location and Parcel #: 662-27-051; 662-30-126; 662-30-112	
Property Owner: Richmond Heights Town Square Owner LLC	
Property Owner Address: 22815 Ventura Boulevard, Suite 310	Phone: (310) 671-3900
Property Owner City/State/Zip: Woodland Hills, California 91364	
Present Zoning Classification: B-2 Regional Business District	
Nature of Request: Lot Split/Consolidation	
Signature: 	Date: <u>5/17/23</u>

Meeting Day/Time: The Planning Commission meets at 7:00 p.m. on the 2nd Wednesday of each month in the Caucus Room of Richmond Heights City Hall Located at 26789 Highland Road. Meeting dates are subject to change. Contact the Department of Building, Zoning and Housing for updates at 216-383-6312.

Submissions must be delivered to the Department of Building, 26789 Highland Rd., during normal working hours, (weekdays 8:00 a.m. to 4:30 p.m.) a minimum of fourteen (14) days prior to the scheduled meeting date. Please be aware: Any missing information or incomplete applications may result in a delay to appear before the Planning Commission. All applications must be complete for the Planning Commission hearing to be scheduled.

APPLICATION FEES AS FOLLOWS:

Examination of Plans by Planning Commission	Residential	Non-Residential
1. Site Plan Application with new Infrastructure	\$2,200.00	\$2,500.00
2. Site Plan Application without new infrastructure	\$700.00	\$800.00
3. Zoning Amendment	\$1,200.00	\$1,400.00
4. Lot Split/Consolidation	\$700.00	\$800.00
5. Conditional Zoning Application	\$500.00	\$600.00
6. Residential Subdivision Application	\$2,400.00	---

SEE PAGE 2 FOR ADDITIONAL APPLICATION REQUIREMENTS

OFFICIAL USE ONLY

Application Received/Fee Paid: _____

Date: _____

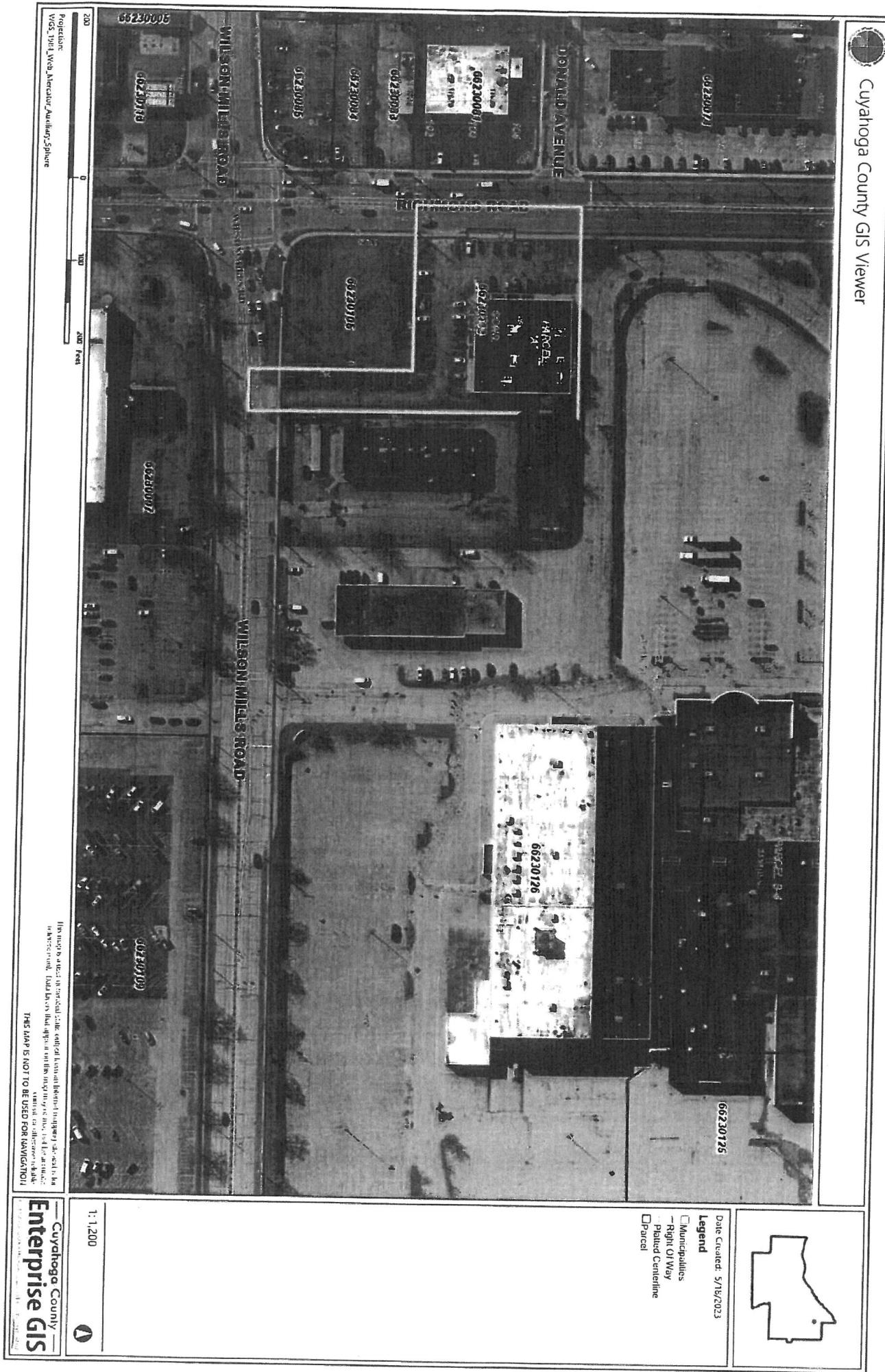
Date of Meeting: _____

Public Notice Date: _____ Newspaper: _____

Adjacent/Contiguous Property List - Lot Split/Consolidation Application

Property Owner	Property Address	Mailing Address
Vanessa Jackson and Gerard Budziak	774 Edgewood Road, Richmond Heights, Ohio 44143	774 Edgewood Road, Richmond Heights, Ohio 44143
Morris Taylor Jr.	778 Edgewood Road, Richmond Heights, Ohio 44143	778 Edgewood Road, Richmond Heights, Ohio 44143
Kimberly Waite and Tommy Davis	782 Edgewood Road, Richmond Heights, Ohio 44143	782 Edgewood Road, Richmond Heights, Ohio 44143
Dollar Bank	5201 Wilson Mills Road, Richmond Heights, Ohio 44143	Dollar Bank, 10th Floor East, Pittsburgh, Pennsylvania 15222
Hilltop Plaza LLC	5100-5222 Wilson Mills Road, Richmond Heights, Ohio 44143	36117th Street, Unit 2601, Atlanta, Georgia 30363
Hilltop Plaza LLC	5100 Wilson Mills Road, Richmond Heights, Ohio 44143	36117th Street, Unit 2601, Atlanta, Georgia 30363
JSSS Realty LLC	751 Richmond Road, Richmond Heights, Ohio 44143	Walgreen, P.O. Box 1159 ST , Deerfield, Illinois 60015
J&N Company	720-746 Richmond Road, Richmond Heights, Ohio 44143	5001 Mayfield Road, Suite 207, Cleveland, Ohio 44124
BFS Retail & Commercial	700 Richmond Road, Richmond Heights, Ohio 44143	535 Marrott Street 119269, Nashville, Tennessee 37214
Jennifer Emerling	690 Richmond Road, Richmond Heights, Ohio 44143	690 Richmond Road, Richmond Heights, Ohio 44143
Apostolic Church	666 Richmond Road, Richmond Heights, Ohio 44143	666 Richmond Road, Richmond Heights, Ohio 44143
ARC Richmond Heights, LLC	562 Richmond Road, Richmond Heights, Ohio 44143	2668 North Park Drive, Lafayette, Colorado 80026
Faith United Church of Christ	577 Richmond Road, Richmond Heights, Ohio 44143	575 Richmond Road, Richmond Heights, Ohio 44143
Richmond Reserve Homeowners Association	V/L Marrus Lane, Richmond Heights, Ohio 44143	c/o RN Landis Management, 23945 Mercantile Road, Suite B, Beachwood, Ohio 44122

Cuyahoga County GIS Viewer



- DRAFT -

**CITY OF RICHMOND HEIGHTS
PLANNING COMMISSION
June 15, 2023, 7 PM, MEETING**

Chairman Fred Cash called the meeting of the Planning Commission to order at 7:02 PM.

ROLL CALL

MEMBERS: Fred Cash, Terry Butler, Dennis McAndrew, Mia Moore, and Norman Davis
ABSENT: None

CITY OFFICIALS: Brian Gleisser, Economic/Community Development Director;

OTHERS PRESENT: Dennis Nevar, Ken Fisher LPA; Brian Meng, Bialosky Architects

OLD BUSINESS: Review approved Planning Commission meeting minutes from 4/12/23

APPROVAL OF MINUTES

The April 12, 2023, minutes were edited and unanimously approved by the board with the following corrections:

- Added an “s” to allow on line two of Mr. Cash’s announcement
- Removed an erroneous “a” on line four of the announcement by Mr. Cash

NEW BUSINESS

PRESENTATION/ DISCUSSION

Project #2023-00221

The Richmond Heights Planning Commission at its regularly scheduled meeting on June 14, 2023 reviewed the Lot Split/Consolidation request submitted by Kenneth J. Fisher, L.P.A. on behalf of Richmond Heights Town Square Owner LLC on May 17, 2023 to include Permanent Parcels #662-27-051, 662-30-126, and 662-30-112 per drawing 14276A-LS8 (Revised Plat, Dated 04/04/23) by Steven J. Metcalf, Registered Surveyor, Neff & Associates).

Attorney Dennis A. Nevar, represented the owners, explained the need for the transaction and presented the detailed site plan and mail list of property owners of contiguous properties.

- It should be noted that the proposed Lot Split/Consolidation represents a change in lot configuration to facilitate business operations but does not impact ownership, except with regard to PPN 662-30-112 that includes the proposed purchase of a portion of PPN 662-30-112 which will be split off and consolidated with the parcel identified as Parcel B-6F on the Plat.

Motion: The Planning Commission moves to forward the request to the Planning and Zoning Committee of Council for further review.

Motion: Terry Butler

Second: Mia Moore

Ayes: 5

Nays: None

Motion: Passed

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- DRAFT -

Project # 2023-0008

PRESENTATION/DISCUSSION

The Richmond Heights Planning Commission at its regularly scheduled meeting on June 14 2023 reviewed the minor modification request submitted by Brian Meng with Bialosky Architects on behalf of Richmond Heights Town Square Owner LLC to relocate the dumpster enclosure from the north side of the site to the SW corner.

The Commission engaged in a detailed discussion regarding the proposed modification. Various factors were considered, including the impact on the surrounding area, compliance with zoning regulations, and the visual impact of the proposed screening measures.

After a thorough review and discussion, the Commission acknowledged the following points:

- Relocating the dumpster enclosure to the SW corner will provide better accessibility and operational efficiency for tire disposal.
- The proposed screening using sugar and spice arborvitae pines will effectively shield the enclosure from view and mitigate any potential visual impact.
- The gate will be a material that is industry standard, no concerns are seen with this application due to elements or use, it is used in many NEO locations.
- The relocation and screening measures align with the zoning regulations and do not pose any significant concerns.
- On May 15th, the ARB approved both material the change as well as the location and recommended approval provided the location is acceptable per zoning code or receives a variance. Jim Urunker determined no variance was required.

NOTE: City of Richmond Heights Ordinance 1183.11 "Modification of Final Plans" states: Minor modifications and adjustments or rearrangements of the plan may be authorized by the Planning Commission after approval and adoption by Council.

MOTION:

The Planning Commission recommends the approval of the Firestone site plan modifications as outlined in drawing 100100 dated 3.20.23.

Motion: Dennis McAndrew

Second: Mia Moore

Ayes: 5

Nays: None

Motion: Passed

ADJOURNMENT

The meeting adjourned at 7:52 PM.

- DRAFT -

Copy: Mayor Kim A. Thomas
Council Members
CH