

RESOLUTION NO.: 49-2025
INTRODUCED BY: Justice

A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING COMMISSION TO APPROVE A LOT SPLIT PLAT SUBMITTED BY DEALPOINT MERRILL, LLC FOR PHASE II OF THE BELLE OAKS MARKETPLACE DEVELOPMENT PROJECT.

WHEREAS, at its February 12, 2025 meeting, the Planning Commission recommended the approval of the application of DealPoint Merrill, LLC (“Applicant”) for the “Lot Split Plat of Parcels ‘B-5A and B-5B’” (the “Plat”), on behalf to its affiliate entity, Belle Oaks Marketplace II LLC, to create twelve (12) separate parcels for multi-family residential and commercial retail buildings and for common areas for the Belle Oaks Marketplace Development Project, as follows:

- 1) Permanent Parcel No. 662-28-070 (Parcel B-5A), owned by Belle Oaks Marketplace II LLC, is to be split to create five (5) separate parcels to be identified as Parcels B-5A2, B-5C, B-5D, B-5E, and B-5F;
- 2) Permanent Parcel No. 662-30-125 (Parcel B-5B), owned by Belle Oaks Marketplace II LLC, is to be split to create eight (8) separate parcels to be identified as Parcels B-5B2, B-5G, B-5H, B-5J, B-5K, B-5L, B-5M, and B-5N.

(See “Lot Split Plat of Parcels ‘B-5A and B-5B’”, attached hereto as “Exhibit A” for illustrations of the lot splits.)

WHEREAS, at its March 25, 2025 special 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 February 12, 2025, that recommended the approval of the lot split Plat submitted by DealPoint Merrill, LLC, on behalf of its affiliated entity identified in the recitals to this Resolution, to accomplish the lot splits as set forth in the recitals to this Resolution and as shown on the Plat submitted by the Applicant (Exhibit A attached hereto) and in the minutes of the Planning Commission's February 12, 2025 meeting.

Section 2: The approval set forth in Section 1 of this Resolution is conditioned upon the title owners of the parcels which are the subject of the lot split Plat continuing to comply with the provisions of a certain “Master Declaration of Easements and Public Dedication Agreement” and the “First Amendment” thereto filed of record with the Cuyahoga County Fiscal Office as Instrument Nos. 202301240518 and 202307130601.

Section 3: The approval set forth in Section 1 of this Resolution is also conditioned on the various title owners of the parcels created by the lot split Plat to have in place upon the recording of the Plat a common area maintenance agreement for as long as any of the parcels created by this lot split Plat are in separate ownership, regardless of whether the title owners are affiliates of one common entity.

Section 3: The Clerk is hereby instructed to mail a copy of this Resolution to the Applicant.

Section 4: 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 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

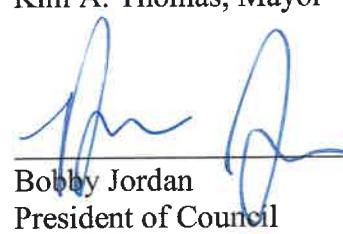
PASSED: March 25, 2025

APPROVED: March 25, 2025

ATTEST: Tracey Blair
Tracey Blair
Clerk of Council

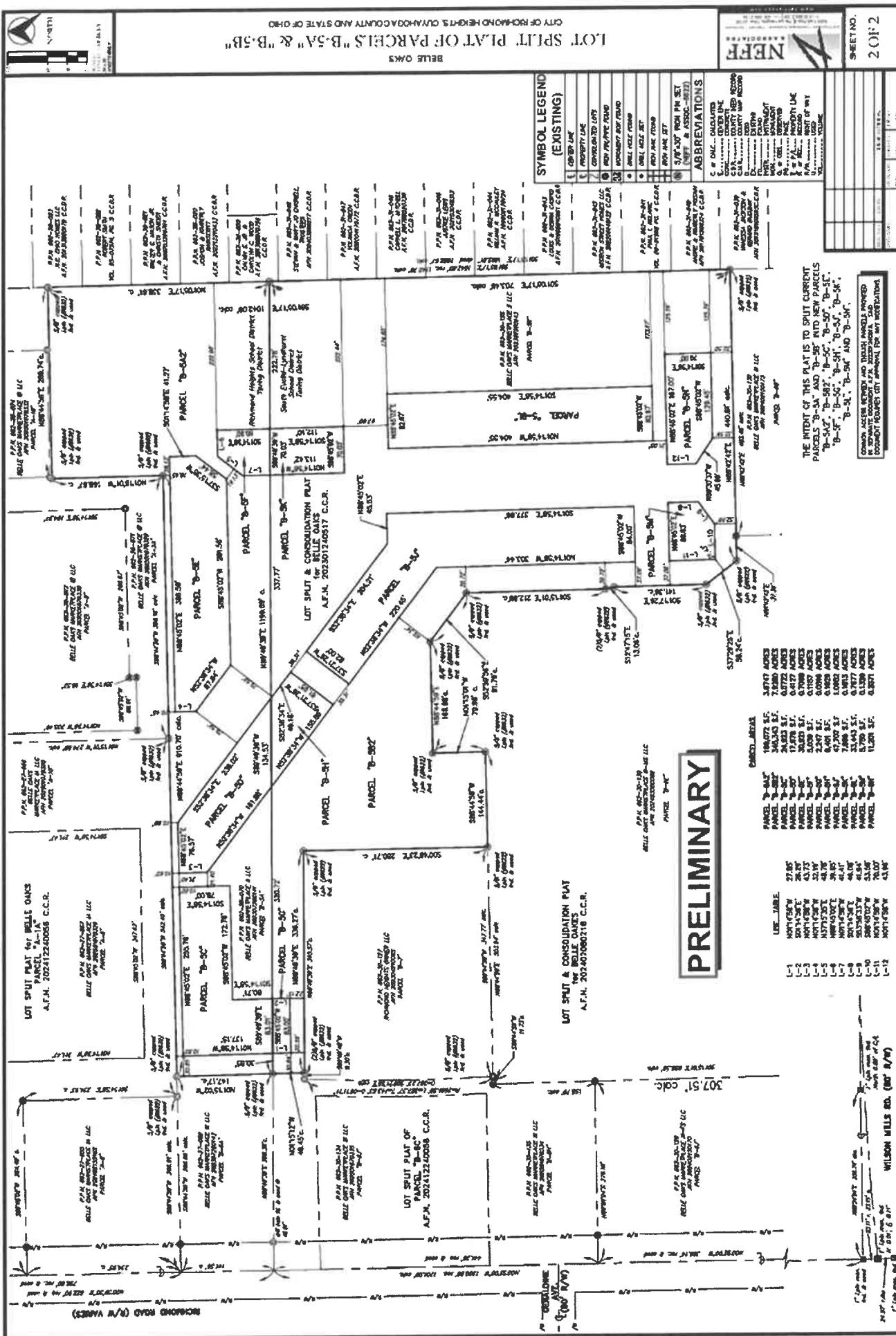


Kim A. Thomas, Mayor



Bobby Jordan
President of Council

EXHIBIT A



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