

RESOLUTION NO.: 37 -2007
INTRODUCED BY: O'Toole

**A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING
COMMISSION APPROVING A SITE PLAN FOR A SENIOR LIVING
FACILITY AT THE CORNER OF RICHMOND ROAD AND MERIT
DRIVE.**

WHEREAS, at its regular meeting on April 11, 2007, the Planning Commission passed a motion to recommend to Council the approval of a revised site plan submitted by Capital Senior Living for the construction of a senior citizen living facility to be known as "The Waterford at Richmond Heights" at the corner of Richmond Road and Merit Drive; and

WHEREAS, the Council Committee-of-the-Whole has reviewed the revised site plan, including the proposed landscape planting plan, and has recommended to the Council confirmation of the Planning Commission's action with the condition that prior to any building permit being issued that an appropriate deed restriction be placed upon the property to restrict the occupancy of the residential facilities to persons age 62 or older, other than employees of the residential facilities that live on the property, which restriction language shall be approved by the City's Director of Law and shall be to the benefit of the City of Richmond Heights.

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 taken at its April 11, 2007 regular meeting recommending to the Council the approval of the revised site plan for the construction of a senior residential living facility at the corner of Richmond Drive and Merit Drive according to a site plan prepared by the firm of Perkins & Will dated April 6, 2007, as such plan was submitted to the Planning Commission be, and the same is hereby confirmed with the condition that prior to any building permit being issued for the development a deed restriction be placed upon the property to restrict the occupancy of the residential facilities to persons age 62 or older, other than employees of the residential facilities that live on the property, if any, which restriction language shall be approved by the City's Director of Law and shall be to the benefit of the City of Richmond Heights.

Section 2: The Clerk is hereby instructed to mail a copy of this Resolution to the applicant by certified U.S. 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.

PASSED:_____

Daniel J. Ursu, Mayor

APPROVED:_____

ATTEST:_____

Betsy Traben
Clerk of Council

David H. Roche
President of Council