

RESOLUTION NO.: 84 -2008
INTRODUCED BY: Morgan

A RESOLUTION MODIFYING THE ACTION OF THE PLANNING COMMISSION WITH RESPECT TO THE APPROVAL OF THE SITE PLAN FOR A WIRELESS TELECOMMUNICATIONS TOWER AT 24400 HIGHLAND ROAD.

WHEREAS, the Planning Commission at its regular meeting on August 13, 2008, passed a motion to recommend to Council the approval of a site plan submitted by Stategis LLC, as agent for T-Mobile Central LLC, to lease a portion of the premises at 24400 Highland Road in the City of Richmond Heights for a wireless telecommunication tower and antenna facility at said site, conditioned upon the applicant providing landscaping and/or fencing at City Council's direction; and

WHEREAS, Council desires to modify the action of the Planning and Zoning Commission by approving a revised site plan for the wireless telecommunication facility that complies with the City's ordinances and as an accommodation under the Federal Telecommunications Act of 1996, Public Law 104-104, and specifically 47 U.S.C. §332(c)(7);

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 of the City of Richmond Heights taken at its August 13, 2008 meeting in recommending to Council the approval of a site plan for a wireless telecommunication tower facility at 24400 Highland Road, in the City of Richmond Heights, be, and the same is hereby, modified so as to approve a revised site plan (File # 6-137-024, dated September 29, 2008) that is conditioned upon compliance with the provisions of Zoning Code Sections 1172.02 and 1172.03.

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 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