

**CITY OF NORTH ROYALTON
APPLICATION FOR ZONING CHANGE REQUEST**

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| APPLICANT: <u>Randall Residence at Royalton Woods, LLC</u> | The Parma Community General Hospital OWNER: <u>Association and Royalton Senior Living, Inc.</u> |
| ADDRESS: <u>310 White Oak Road</u> | ADDRESS: <u>7007 Powers Boulevard</u> |
| <u>Lawton, MI 49065</u> | <u>Parma, OH 44129-5437</u> |
| PHONE: <u>269.624.7368</u> | PHONE: <u>440.743.3000</u> |
| SUBJECT PARCEL ADDRESS: <u>14227 State Road</u> | PARCEL NO. <u>487-10-002 (listed with 487-10-003)</u> |
| EXISTING ZONING DISTRICT: <u>RM-D</u> | PROPOSED ZONING DISTRICT: <u>SC</u> |

INFORMATION TO BE SUBMITTED TO COUNCIL OFFICE:

1. Written legal description.
2. Survey/Plat Plan drawn as follows:
 - a. Set forth the dimensions of subject property (s) and bearing directions of subject property lines.
 - b. Set forth the surrounding Public Right of Way (s) (if any) along with recorded Right of Way width(s).
 - c. Set forth the surrounding properties, including any directly across any Public Right of Way, along with all such property owners names and addresses. Outline in RED color the boundary of the property included in the requested Zoning amendment.
 - d. Show Permanent Parcel Number of all properties on said survey.
3. Acreage of each parcel proposed for rezoning:
4. Number, type & disposition of any existing buildings:
5. Any deed restrictions (existing or expired).
6. Proposed use of property and why change is necessary for the preservation and enjoyment of a substantial property right. Also why the change would not be detrimental to the public welfare nor to the property of other persons located in the vicinity thereof.
7. Sketch plan, showing proposed type of building, building location, driveways, parking areas, sanitary & storm sewers and water lines.

If the property involved is not registered in the same name in the County records as property owner on application, or an agent or representative applies, written notarized consent from the property owner must be presented with the application.

Applicant shall pay, to the Council Office, a fee of \$400.00 per parcel, for the processing of this application. This fee is **non-refundable** if rezoning is denied.

The applicant agrees to appear upon written or oral request before any legally constituted board, commission or representatives of the City for the purpose of clarifying any points at issue or to assist said board, commission or representative in arriving at a decision on this application.

SIGNATURE OF APPLICANT/AGENT/OWNER: _____

Date: _____

This Application must be reviewed and approved by the Building Commissioner prior to submission to the Council Office to ensure proper zoning district is being requested for proposed use.

Approved by: _____ Date: _____
Building Commissioner

COUNCIL OFFICE USE ONLY

Date received: _____ Fee Paid: _____ Receipt No.: _____

Referred to Engineering Dept. to review legal: _____ Engineering Dept. approved legal: _____

Planning Commission Recommendation: _____

Building & Building Codes Committee Recommendation: _____

City Council Recommendation: _____

Referral to Voters: _____ Voters: Approved _____ Defeated _____

ADDENDUM TO
CITY OF NORTH ROYALTON
APPLICATION FOR ZONING CHANGE REQUEST
14277 STATE ROAD, NORTH ROYALTON, OH, 44133

REQUEST

Randall Residence at Royalton Woods, LLC (the “Applicant”) seeks to rezone the property and improvements located at 14277 State Road, North Royalton, OH, 44133, PPN 487-10-002 (listed with PPN 487-10-003) (the “Property”), from the RM-D (Multi-Family Residential) district under Chapter 1270 of the North Royalton Code of Ordinances (the “Ordinance”) to the SC (Senior Citizen) district under Chapter 1272 of the Ordinance.

BACKGROUND & ANALYSIS

The Property consists of a 3-story primary building and related parking and site improvements (the “Improvements”) situated on an approximately 3.6 +/- acre site. The Improvements were constructed in the late 1980s for use and operation as a senior living, assisted living, and retirement community (the “Use”). The Property has been used for the Use continuously since the construction of the Improvements, and Applicant intends to continue that Use going forward for the foreseeable future.

The Applicant is in the process of acquiring the Property from The Parma Community General Hospital Association, d/b/a University Hospitals Parma Medical Center, and Royalton Senior Living, Inc., d/b/a Royalton Woods Retirement Community (the “Owner”). Through the course of its due diligence, Applicant discovered that the Improvements and Use are not compatible with its current zoning classification (RM-D).

Subsequent research into the issue revealed that the Improvements were constructed and Use commenced prior to the Property being zoned RM-D. Additionally, communications with the City representatives¹ have confirmed that the Improvements and Use are currently being permitted by the City as a legal non-conforming use under Chapter 1286 of the Ordinance.

Operation of a facility such as the Property as a legal non-conformity carries with it certain risks and disadvantages, particularly as it pertains to casualty risk. As such, and after consultation with the aforementioned City representatives, the Applicant hereby requests a rezoning of the Property to a district in which the Property, the Improvements, and the Use are better suited – the SC district.

SUBMITTED MATERIALS

1. Written Legal Description: See attached Exhibit “A”.
2. Survey/Plat Plan: See attached Exhibit “B”.
3. Acreage of Each Parcel: Parcel 1 is 0.8039 acres (excluding R/W); Parcel 2 is 2.8952 acres (excluding R/W) (Note: Per City representatives, the Property has been consolidated into a single parcel.)

¹ Law Director, Thomas Kelly; Director of Legislative Services, Laura Haller; and Building Commissioner, Dan Kulchytsky.

4. Number, Type, & Disposition of Existing Buildings: 2 Buildings. The primary building is the main, 3-story building in which the Use is primarily conducted. There is also a garage building on the North side of the Property used for automobile parking and storage.
5. Deed Restrictions: See attached Exhibit "C".
6. Proposed Use & Analysis: The proposed use is the Use described above. The change is necessary in order to preserve the right to continue the Use and potentially remodel the Improvements in a manner which may not be consistent with its status as a legal non-conforming use under Chapter 1286, but which would be consistent with the SC district. Notably, the primary building is a 3-story building which exceeds the height restriction in the current RM-D district, but is compliant with the height restriction in the SC district. The change would not be detrimental to the public welfare nor to the property of other persons located in the vicinity thereof as the change would do nothing more than memorialize and properly conform the Property to the 25+ year historic use of the Property.
7. Sketch Plan: N/A (see as-built Survey attached as Exhibit "B")

OWNER CONSENT TO SUBMISSION

Royalton Senior Living, Inc., d/b/a Royalton Woods Retirement Community, is the current owner of the above-referenced Property, and hereby consents to the submission of the City of North Royalton Application for Zoning Change Request to which this Addendum is attached.

ROYALTON SENIOR LIVING, INC.,
an Ohio non-profit corporation

By: Kathi L. O'Connor
Name: Kathi L. O'CONNOR
Its: PRESIDENT

The foregoing instrument was acknowledged before me on the 15th day of April, 2015, by Kathi L. O'Connor, the duly authorized President of Royalton Senior Living, Inc., an Ohio non-profit corporation, on behalf of the corporation.

Beverly Tucholski
Notary Public
My commission expires: 6/6/19



BEVERLY TUCHOLSKI
Resident Summit County
Notary Public, State of Ohio
My Commission Expires 6/6/19

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216/741-0110 741-3243
FAX: 216/741-3926

A-4496
July 27, 2010

LEGAL DESCRIPTION OF PARCELS A

Situated in the City of North Royalton, County of Cuyahoga and State of Ohio and known as being part of Original Royalton Township Section No. 18, and bounded and described as follows:

Beginning in the centerline of State Road, (60 feet wide) at a point distant South $00^{\circ}-26'-30''$ West 644.22 feet measured along said centerline from its intersection with the centerline of Royalton Road;

Thence South $89^{\circ}-33'-30''$ East along the Southerly line of Sublot Z-4 of the Swan Lake Subdivision as recorded in Volume 264, Page 11 and re-recorded in Volume 268, Page 33 of the Cuyahoga County Map Records, a distance of 120.00 feet to a point at the Northwesterly corner of said Sublot Z-4;

Thence South $00^{\circ}-26'-30''$ West along the Westerly line of said Sublot Z-4, a distance of 26.21 feet to a point at the Southwesterly corner of said Sublot Z-4;

Thence South $89^{\circ}-33'-30''$ East along the Southerly line of said Sublot Z-4, a distance of 338.59 feet to a point at the Southeasterly corner of said Sublot Z-4;

Thence South $00^{\circ}-26'-30''$ West along the Westerly line of Sublot Z-4, Cygnet Court (50 feet wide), and Sublot Z-3 as recorded in said Swan Lake Subdivision, a distance of 369.07 feet to a point at the Southwesterly corner of said Sublot Z-3;

Thence North $88^{\circ}-29'-30''$ West along the Northerly line of Sublot Z-3 and Sublot Z-2 as recorded in said Swan Lake Subdivision, a distance of 293.00 feet to a point on the Northerly line of land conveyed to Patricia Vruvas by deed dated April 19, 1999 recorded in AFN #199904191003 of the Cuyahoga County Records;

Thence South $00^{\circ}-26'-20''$ West, a distance of 26.00 feet to a point on the Northerly line of said land conveyed to Patricia Vruvas;

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LEGAL DESCRIPTION OF
COMBINED PARCELS

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Thence North $88^{\circ}-36'-20''$ West, a distance of 165.66 feet to a point in the centerline of said State Road;

Thence North $00^{\circ}-26'-30''$ East along the centerline of said State Road, a distance of 413.07 feet to the place of beginning and containing 4.0122 acres of land, according to a survey made by The Western Reserve Surveying Company in July, 2010, be the same more or less but subject to all legal highways.



