

The Olmsted Township Zoning Commission regular meeting of August 22, 2001 was called to order at 7:35 PM. Present was Vice Chairman Ryan Thomas, Richard Witherspoon, Ronald Campanalie and Jerry Gobble. Chairman Albert Arlow was absent. Mr. Witherspoon moved to approve the minutes of the meeting of July 25, 2001 as submitted. Seconded by Mr. Campanalie. Roll call, Mr. Witherspoon, Mr. Campanalie and Mr. Gobble-all approved, Mr. Thomas-abstain.

Resolution J-01 Pulte Homes Phase 3

Mr. Campanalie moved to table the regular meeting and open the public hearing for Resolution J-01. Seconded by Mr. Witherspoon. Roll call, all approved.

Matt Casey was present representing Pulte Homes. Mr. Casey stated that Phase 3 of Woodgate Farms would include 40 single family homes and a recreation area. The overall Home Owners Association, approved through the general development plan, would govern these homes. The same features approved for phase one will be implemented in Phase 3. The lighting and retention basins will be the same. Mr. Casey stated that Pulte is working with a landscaping company to provide naturally growing plants within and around the retention basins. The planting of these materials will help to deter people from entering the areas around retention basins. Mr. Thomas asked how these plants would withstand drought conditions. Mr. Casey stated that the types of plants that would be considered would be able to withstand drought and flood conditions. Mr. Thomas asked if the proposed recreation center for phase 3 would be submitted separately for final approval. Mr. Casey stated that he would like to submit the recreation center as phase 3A. Mr. Casey stated that he would like input from the Board for the recreation complex. In order to complete phase I and Farmington Village in phase 2 improvements, phase 3 needs to be approved. Mr. Thomas asked how soon these roads would be put in. Mr. Casey stated that the roads for phase 3 should be in by the summer of 2002. Mr. Gobble stated that he is concerned that although the lot size conforms, the frontage is only 55 feet on the cul de sac. Mr. Thomas stated that the regulations allow for smaller frontage on cul de sacs. Mr. Casey stated that the homes are placed further back on the lots to conform to the building line requirements. Mr. Thomas asked if the proposed trails would be done by Pulte. Mr. Casey stated that the walking trails would be controlled by Forest City, however Pulte would probably be putting the trails in. Mr. Gobble asked if the trails are part of phase 3A. Mr. Casey stated that the trails were approved in the overall general development plan and would be throughout the entire development. Mr. Thomas asked if fencing would be around the retention areas. Mr. Casey stated that fencing and shrubs would be used. The same type of fencing that is being used in Phase 1 will be used in Phase 3.

Mr. Thomas asked if the Knestrick property to the south of Phase 3 would be buffered. Mr. Casey stated that the buffering has not been determined. However Pulte will approach Mr. Knestrick when they are working in that area. Mr. Thomas asked if the final development plan will show the fencing of lakes, lighting and buffering. Mr. Casey stated that these plans are only preliminary to allow for improvements necessary to complete the roadway and required utilities. All other specifics will be included in final development plans. Mr. Witherspoon asked what will be done with the existing wells throughout the development. Mr. Casey stated that all existing wells will need to be removed.

Mr. Casey stated that the theme for the recreation center will be farmhouse. Mr. Campanalie moved to approve Resolution J-01 as submitted. Seconded by Mr. Witherspoon. Roll call, all approved.

Mr. Thomas moved to close the public hearing for resolution J-01 and reopen the regular meeting. Seconded by Mr. Campanalie. Roll call, all approved.

Resolution C-00 request for rezoning from R1-40 to RMFT

Mr. Campanalie moved to open the public hearing for C-00, Stearns Bagley Plaza, request for rezoning. Seconded by Mr. Gobble. Roll call, all approved.

Fred Shaker was present representing the Stearns Bagley Plaza Association. Mr. Shaker stated that he was before this Board previously, due to a procedural error the Board of Trustees has returned the application to the Zoning Commission. Mr. Thomas stated that previously the Cuyahoga County Planning Commission had not returned a recommendation to the Zoning Commission regarding this application for rezoning. Mr. Shaker stated that Tom Schultz of the Cuyahoga County Planning Commission has stated that the recommendation is to disapprove due to the fact that the Comprehensive Land Use Plan for Olmsted Township is currently under review. Mr. Shaker stated that Mr. Schultz has suggested that higher density uses be considered for the area requested for rezoning.

Mr. Thomas stated that he would recommend disapproval of this application due to the fact that the Comprehensive Land Use Plan does not allow for higher density or multi-family housing in the area. Mr. Thomas stated that the type of building proposed by DiSanto Enterprises within an RMFT District, should cause the Board to re-think it's approval of rezoning to RMFT.

Mr. Shaker asked why Mr. Thomas has changed his mind. He, Mr. Thomas, voted to recommend approval at the previous hearing.

Mr. Campanalie stated that Mr. Shaker has been more than patient in waiting for the recommendations from the Cuyahoga County Planning Commission. This issue was recommended for approval by the Zoning Commission previously. The property is landlocked and is adjacent to currently existing RMFT property owned by Mr. Shaker. Mr. Shaker has a right to develop his property and the request is reasonable.

Mr. Gobble stated that he agrees with Mr. Campanalie's comments. Mr. Shaker's property is along the Turnpike and cannot be built upon due to the fact that there is no road frontage. Mr. Gobble feels that one issue does not have any bearing on another.

Mr. Thomas stated that until the review of the Comprehensive Land use plan is adopted the Board should abide by the currently existing Land Use Plan.

Mr. Shaker stated that Mr. Schultz, CCPC, stated that because the Comprehensive Land Use Plan does not reflect the current zones within the Township, it is not in effect.

Mr. Thomas stated that the Land Use Plan has been in effect since 1998. Mr. Shaker stated that since the entire Schady Road has been changed the Land Use Plan is not current. Mr. Thomas stated that those issues were determined by the court system and not through the Township.

Mr. Gobble stated that the county has recommended that the area Mr. Shaker is requesting be considered for higher density housing in the review of the Land Use Plan.

Mr. Campanalie stated that the parcel that is proposed to be consolidated with adjacent RMFT zoned land is only 8 acres. Mr. Campanalie stated that the Master Land Use Plan is not chiseled in stone and is used as a guide. This will not change the complexion of Olmsted Township. It will only add a small amount of property to an already existing RMFT site.

Mr. Thomas stated that he does not want to see the same type of development that DiSanto Enterprises is proposing for this site. Other developers are waiting for the outcome of the

DiSanto RMFT development. If Mr. Thomas stated that if there was no Land Use Plan this Board could decide whatever they wanted.

Mr. Gobble stated that his opinion is that the Commission was created to decide this type of issue.

Mr. Thomas stated that the CCPC recommended that if anything was to be zoned differently, the Master Land Use Plan should be changed first.

Mr. Campanalie asked if that meant that any time a rezoning was granted, the Master Land Use Plan would need to be changed.

Mr. Thomas stated that the idea is to not put spot zoning in place. The only way to avoid that is a Master Land Use Plan.

Mr. Thomas stated that the reason that was zoned RMFT was because it existed prior to the CAC review of the Land Use Plan.

Mr. Thomas stated that the changes should be made to the Land Use Plan first.

Mr. Gobble stated that if Mr. Shaker was just starting with this, he would agree. This was applied for over a year ago and all he is asking for is to add 8 acres to existing RMFT property.

Mr. Campanalie has stated that CCPC has ignored this issue for over a year.

Mr. Shaker asked what the CCPC is recommending for the area in question for the Land Use Plan. Mr. Thomas stated that they are recommending higher density development, we don't know what that type will be.

Mr. Campanalie asked how much longer this will take. Mr. Thomas stated that he does not know how long it will be. Possibly another 4-6 months.

Mr. Campanalie stated that he feels that it is unreasonable to have Mr. Shaker wait another 4-6 months.

Mr. Gobble stated that the review from CCPC recommends that higher density should be considered for the parcel.

Mr. Thomas stated that he would recommend disapproval of application C-00 as submitted.

Mr. Witherspoon stated that Mr. Thomas is correct as far as the Land Use Plan. If this is allowed, anyone can put up multi-family housing any where.

Mr. Campanalie stated that would be different. This is rezoning a parcel to what is currently existing adjacent to the proposed rezoning. The property is landlocked. It cannot be developed as residential as it sits.

Mr. Shaker requested that if the Board is not prepared to approve this application he would like to table the issue and return at the next meeting with his legal advisor. Mr. Shaker stated that he has a great deal of time and cost involved with this property.

Mr. Campanalie moved to table Resolution C-00 until the next regular meeting of the Zoning Commission. Seconded by Mr. Gobble. Roll call, all approved.

Mr. Gobble moved to re-open the regular meeting. Seconded by Mr. Campanalie. Roll call, all approved.

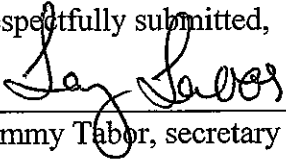
Mr. Thomas moved to amend the agenda to include Resolution 1-01 review. Seconded by Mr. Witherspoon. Roll call, all approved.

Mr. Thomas moved to amend Resolution 1-00 section 1(a), to read the meetings will be held on the fourth Wednesday of every month. Seconded by Mr. Campanalie. Roll call, all approved.

Mr. Gobble moved to set the public hearing for Resolution K-00 for September 26, 2001 at 7:30 PM.

Mr. Thomas moved to adjourn. Seconded by Mr. Gobble. Roll call, all approved.

Respectfully submitted,



Tammy Tabor, secretary



Ryan Thomas, Vice Chairman

9.26.01

Date