

The July 23, 2008 regular meeting of the Olmsted Township Zoning Commission was called to order at 7:00 p.m. Present were Chairman John Lavelle, Richard McMakin, Ronald Campanalie and David Romaine. Also present was Secretary Tammy Tabor.

#### Approval of Minutes

Mr. McMakin moved to approve the minutes of April 23, 2008 as submitted. Seconded by Mr. Lavelle. Roll call: all approved.

Mr. Lavelle moved to approve the minutes of May 28, 2008 as submitted. Seconded by Mr. McMakin. Mr. Lavelle-yes, Mr. Campanalie-yes, Mr. Romaine- yes. Mr. McMakin, abstain.

Mr. Lavelle moved to approve the minutes of June 25, 2008 as submitted. Seconded by Mr. McMakin. Roll call: all approved.

Mr. Lavelle moved to amend the agenda to hear the applications listed as New Business prior to Old Business. Seconded by Mr. McMakin. Roll call: all approved.

#### Old Business

##### CVS Pharmacy Sign

Ron Denoyer was present representing CVS Pharmacy. Mr. Denoyer stated that the pharmacy would like to place a changeable copy sign in front of the store on the east side of the Parking lot. Mr. Denoyer stated that the purpose would be to advertise specials and provide additional recognition for the store. Mr. McMakin stated that the sign proposed should be mounted to the ground to be made permanent. Mr. Lavelle stated that the Building Commissioner's review required permanent signs to be mounted and comply with the Ohio Building Code requirements.

Mr. McMakin moved to approve as modified for a permanent sign, to be permanently mounted in the ground and comply with all applicable building and zoning codes. Seconded by Mr. Lavelle. Roll call: all approved.

##### Oakwood Estates Sign

Mr. Lavelle asked for a representative from Oakwood Estates. A representative for Oakwood Estates was not present. Mr. Lavelle moved to table the application until September 24, 2008 at 7:00 p.m. Seconded by Mr. Campanalie. Roll call: all approved.

#### OLD BUSINESS

Mr. Lavelle moved to table the regular meeting and re-open the public hearing for Resolution A-08, a request for rezoning. Seconded by Mr. Campanalie. Roll call: all approved.

##### Cook Road Investments Resolution A-08

Mr. Lavelle stated that this is a continuation of the public hearing that was held on June 25, 2008. Mr. Lavelle stated that he was present at the Cuyahoga County Planning Commission meeting on July 10. The Cuyahoga County Planning Commission as required by the Ohio Revised Code to render a recommendation to the Board prior to a decision being made for zoning amendments. Mr. McMakin stated that the Cuyahoga County Planning Commission recommended disapproval based on the Olmsted Township Comprehensive Land Use Plan. Mr. McMakin stated that the Comprehensive plan is over 10 years old and needs to be updated.

Mr. Smerigan was present representing Cook Road Investments. Mr. Smerigan stated that the County Planning Commission stated that there was a conflict between the stated acreage and the actual acreage was different. Mr. Smerigan stated that the correct acreage is 21.6 acres and does not

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include any of the area that is owned or leased by CEI to the south of this parcel. Mr. Smerigan stated that the open space area is 5.17 acres. Mr. Smerigan stated that the proposal is for 7 units per acre and Cook Road Investments has proposed deed restrictions for a single story product on the site that would be attached apartments.

Mr. Campanalie asked if the product being "lightweight" construction would be designed to last. Mr. Smerigan stated that the developer is making a substantial investment in the product. Mr. Smerigan stated that the construction of apartments must be done in accordance with the Ohio Building Code. The Ohio Building Code requires apartments to be constructed in accordance with commercial development, more stringent than residential requirements.

Mr. Lavelle asked for any further questions. Hearing none, Mr. McMakin moved to approve Resolution A-08 from the current R-40, Single Family Residential, zoning to RMFA, Residential Multi Family Apartments with the submitted deed restrictions permitting a maximum seven units per acre and 1(one) to 1½ (one an one half) story apartments with an available loft. Seconded by Mr. Romaine. Roll call: all approved.

Mr. Lavelle moved to close the public hearing for Resolution A-08. Seconded by Mr. Campanalie. Roll call, all approved.

Mr. Lavelle moved to re-open the public hearing for Resolution B-08. Seconded by Mr. McMakin. Roll call, all approved.

#### Resolution B-08 Vita-Mix Rezoning

Mr. Lavelle state that the Cuyahoga County Planning Commission recommended approval of the rezoning of these two parcels based on the existing facility to the south. The Cuyahoga County Planning Commission recommended the issuance of conditional uses not be permitted on this site due to the close proximity to residences. Also, the CCPC is concerned that storm water runoff and all possible pollutants to Plumb Creek be avoided.

Ken Emling and Derrick Marsh were present as architects representing Vita-Mix. Mr. Emling stated that they have met with the Cuyahoga County Engineers regarding the storm water and the widening of Usher Road. Mr. Emling stated that the Cuyahoga County Engineers are proposing the resurfacing of Usher Road in 2010 and if the project could wait until that time to alter the roadway, Vita Mix should submit the requested surveys and plans to the Cuyahoga County Engineer for review. Mr. Conners representing Vita Mix stated that the surveys, drainage and storm water requirements were currently being determined and would need to be approved prior to any changes to the site. Mr. Lavelle stated that all of those issues would be determined at the time of development plan review. Mr. Lavelle stated that any changes would require the applicant to submit very detailed plans for approval.

Mr. Bodner, Usher Rd., stated that the Board did not make any decisions at the last meeting because the County had to recommend approval. Mr. Lavelle stated that the Cuyahoga County Planning Commission recommended approval of the rezoning. After that recommendation has been made, the Board can make a decision and a recommendation to the Board of Trustees.

Mr. Bormann, Usher Rd., stated that Vita-Mix has always been a good neighbor and hopes that it will continue to be. Mr. Bormann's main concern is with additional traffic and trucks running at all hours. Mr. Conners stated that Vita-Mix has only run one shift and will continue to run one shift.

Mr. Lavelle asked for any further questions. Hearing none, Mr. Lavelle moved to approve Resolution B-08 as submitted, including the Cuyahoga County Planning Commission suggested requirements, to rezone parcels 263-11-003 and 263-11-008 from the current R-40, single family residential to L-I, Limited Industry. Seconded by Campanalie. Roll call, all approved.

Mr. McMakin moved to close the public hearing for Resolution B-08 and reopen the regular meeting. Seconded by Mr. McMakin. Roll call: all approved.

Mr. Lavelle asked for any further questions. Hearing None, Mr. Lavelle moved to adjourn the meeting at 7:47 p.m. Seconded by Mr. Romaine. Roll call: all approved.

Respectfully submitted,



Tammy Tabor, Secretary



John Lavelle, Chairman

9/24/08

Date