

The regular meeting of the Olmsted Township Zoning Commission was called to order March 26, 2003 at 7:05 p.m.. Present were John Lavelle, Richard McMakin, and Richard Gebhard. Also present were Building Commissioner Daniel Gargas and Secretary Tammy Tabor. Board members Richard Witherspoon and Jerry Gobble were absent. Mr. Lavelle moved to approve the minutes of the meeting of February 26, 2003. Seconded by Mr. McMakin. Roll call, all approved.

Resolution C-03

Mr. Lavelle moved to table the regular meeting and open the public hearing for Resolution C-03. Seconded by Mr. Gebhard. Roll call, all approved. Gerald Hall was representing Hall Gardens and Tim Roche was representing Realty One.

Mr. Hall stated that currently the property is zoned R-40, residential. Due to the fact that the property has electrical towers that run alongside the property it is not preferable to residential development. Mr. Hall stated that the Board has received copies of a letter from CEI stating that the area under the towers may be used for water retention or open space without interfering with the towers. Mr. Hall stated that currently the property is vacant and will be tilled and used as agricultural until it can be sold. Mr. Roche stated that if rezoned to commercial services district the tax base to the Township will be increased by the development of office buildings on the site. Mr. McMakin asked where the entrance would be proposed. Mr. Hall stated that an entrance could be placed on Stearns Road. However, there are no plans for development at this time only a request to rezone the parcel. Mr. Roche stated that he feels that there is a need for commercial property in the Township rather than homes. Mr. Roche stated that he has tried to market the property as residential and developers do not want the property due to the configuration of land and the CEI Towers.

Mr. Lavelle stated that the property would be buffered according to the Olmsted Township Zoning Resolution.

Mel Hart, Sprague Rd., asked what type of buildings would be permitted. Mr. Lavelle stated that any type of business that is permitted in the Commercial district would be permitted.

Bob Bayda, Hunters Ridge Lane, asked how tall the buildings could be. Mr. Roche stated that they are looking for a developer that would build 1-2 story buildings. Mr. Bayda asked if the buildings would be higher than that. Mr. Lavelle stated that the code allows for up to 3 stories.

Pat McElroy asked if the developers would be granted tax abatements to move into the Township. Mr. Lavelle stated that the property is being proposed for rezoning and not development. The Zoning Commission has no power to grant abatements.

AnnMarie Radigan stated that the current tax on the parcel is commercial, how would the rezoning allow for increased taxes. Mr. Lavelle stated that the construction of buildings would increase the tax base.

Robert Miller asked what types of businesses may go in.

The Board discussed the various types of businesses that would be permitted.

Mr. Gebhard stated that whatever business would be permitted it would be strictly regulated and buffering between residential zones would be included as part of the approval.

Mr. McMakin stated that Mr. Roche approached the Board 2 months ago with questions regarding the best use of the land.

Mr. Back asked that if the property is rezoned to commercial, what if someone wanted to build a manufacturing plant or a go cart track. Mr. Roche stated that he will market the property as retail.

Mr. Radigan asked what the adjacent greenhouse property is zoned. Mr. Lavelle stated that the greenhouses are currently zoned Residential.

The Board discussed the options of commercial zoning and retail zoning. Mr. Hall stated that he will amend his application to request retail business zoning instead of commercial services.

Mr. Lavelle moved to approve Resolution C-03 as amended. Seconded by Mr. McMakin. Roll call all approved.

Mr. Lavelle moved to close the public hearing for Resolution C-03 and open the public hearing for Resolution D-03. Seconded by Mr. Gebhard. Roll call, all approved.

Resolution D-03

Rob Izer was present representing Pulte Homes. Mr. Izer stated that Pulte Homes is requesting final development plan approval for Phase 1 of the Seton Village subdivision within Woodgate Farms. Mr. Izer stated that there will be 41 home sites that will have private streets and an additional Homeowners Association. Mr. Izer stated that all of the requested changes have been made to the plans, including an additional entrance off of Sprague Rd.

Mrs. McElroy asked where the development is. Mr. Izer stated that it is in the southwest corner of the Woodgate Farms Development. Mr. McElroy stated that she didn't know where that was. Mr. Izer stated that it is near the corner of Sharp and Sprague Roads.

Mr. McElroy asked if traffic studies were done. Mr. Izer stated that traffic studies were done as a part of the general development plan submitted by Sharp Development. Mrs. McElroy asked if the Township has approved the sewer plans.

Mr. Lavelle stated that the Cuyahoga County Sanitary Engineer is responsible for reviewing and approving the sewer plans.

Mr. Lavelle moved to approve Resolution D-03 as submitted provided all plans conform to the Cuyahoga County Sanitary Engineer, Olmsted Township's Consulting Engineer, Cuyahoga County Engineer for private roads and the Cuyahoga County Planning Commission approvals. Seconded by Mr. McMakin.

Mrs. McElroy asked how large the lots are. Mr. Izer stated that the lots are 6000- 10,000 square feet.

Mrs. McElroy asked how the Board could permit all of these homes to be built. Mr. Lavelle stated that the development plan was approved several years ago and the development conforms as to the permitted number of homes and required open space. Mrs. McElroy asked if Mr. Izer knew how much the increased traffic would raise the temperature inside her home.

Mrs. Mann asked when this phase of development would begin. Mr. Izer stated that construction would begin in May 2003 in Seton Village. Mr. Izer stated that the area surrounding Mrs. Mann's property would begin in approximately a year.

Mr. McMakin stated that the Board appreciated the changes made to Phase 1 of Seton Village. On Mr. Lavelle's motion to approve. Roll call, all approved.

Mr. Lavelle moved to close the public hearing for Resolution D-03 and open the public hearing for Resolution E-03. Seconded by Mr. Gebhard. Roll call, all approved.

Resolution E-03

Tim Sorge was present representing Swings-n-Things. Steve Luenberger, Architect for Mr. Sorge was also present. Mr. Sorge stated that he would like to create paintball fields at the Swings-n- Things Family Fun Park at 8501 Stearns Road. Mr. Sorge stated that the insurance industry has rated paintball as a very safe activity when all proper gear is used. Mr. Sorge stated that Swings-n- Things has contracted with a leading industry specialist from Los Angeles to help research and design the proposed fields. Mr. Sorge stated that the area will be located to the east of the miniature golf and bumper boat activities currently at the park. Also, an existing building will be remodeled to be used as a pro shop and staging area for players. Mr. Sorge displayed the netting that would surround the paintball fields. Mr. Sorge stated that the netting would be 20 feet high around the fields. A five foot chain link fence would surround the field five feet from the netting. Mr. Sorge stated that five feet is the industry standard for paintball over spray. Mr. Sorge stated that there is not a facility similar to this in the eastern U.S. Mr. Sorge stated that most of the research he has done has shown that the groups seem to use the fields primarily. Offices, youth groups, churches seem to use the field for outings. Mr. Sorge stated that no one under 10 years old can play and anyone under 18 must have parental permission. The Spring and Fall seem to be the primary season for paintball. Mr. Sorge stated that daytime and weekends are the most popular time for play. However the fields will be open weekends year round.

Mr. McMakin asked if there is adequate parking available. Mr. Sorge stated that they have adequate parking and have never had a problem with adequate parking spaces. Mr. Sorge stated if there ever was an overflow problem, Fred Shaker has allowed parking at the Shaker Plaza and there is a walkway between the two lots.

Mr. Lavelle asked how much area will be covered. Mr. Sorge said approximately 1.5 acres. Mr. Lavelle asked when they would like to open the fields. Mr. Sorge stated they are ready to begin construction and would like to be open in May.

Mr. McMakin asked what type of base would be used in the fields. Mr. Sorge stated that pea gravel would be in one field and the other 2 would be grass.

Mr. Rottel asked if the fields would be lighted. Mr. Sorge stated that the fields would be dimly lit. The use of shadows is preferable.

Mrs. McElroy asked what the velocity of the paintball is. Mr. Sorge stated that 300 ft per second is the industry standard. The paintball cartridges used at Swings-n- Things would be between 275-280 feet per second. All equipment brought into the facility will be checked with a chronograph to assure safe play.

Mrs. McElroy asked if children would be permitted to view the shooting. Mr. Sorge stated that the fencing and netting are not solid, the games can be viewed from the exterior of the fields. Mrs. McElroy asked if Mr. Sorge has done this any where els. Mr. Sorge stated that his go cart track has been a model for other go cart tracks around the

country. Mr. Sorge stated that the tracks and equipment at Swings-n-Things have changed the way most go cart tracks are operated now. The safety record at the go cart track is very good.

Mr. McMakin stated that the Zoning Commission will decide whether or not the proposed use is within the permitted uses in the Olmsted Township Zoning Resolution. Tom Gallagher stated that he owns the property at the southeast corner of Bagley and Stearns. Mr. Gallagher stated that the county destroyed his property and the Health department told him that the ditch has raw sewage in it. Mr. Gallagher wants to know what will happen regarding the sewage coming from Swings-n-Things. Mr. Sorge stated that Swings-n-Things has an adequate sewage system and does not drain raw sewage into the ditch. Mr. Gallagher stated that there is a lot of parking in his lot and no one is doing anything about it.

Mr. Gargas stated that if Mr. Gallagher has a problem with the sewage system, he should contact the Cuyahoga County Board of Health. Mr. Gargas stated that he believes that the parking on Mr. Gallagher's lot is not from Swings-n-Things but probably from Razzles. If there is parking on his lot that is not permitted, he should call the police and have the vehicles ticketed and towed.

Mr. Lavelle asked for any further comments. Seeing none, Mr. Lavelle moved to approve Resolution E-03 as submitted. Seconded by Mr. McMakin. Roll call, all approved.

Mr. Lavelle moved to close the public hearing for Resolution E-03 and reopen the regular meeting. Seconded by Mr. Gebhard. Roll call, all approved.

Mr. Lavelle moved to amend the agenda to include Wheaton Place Final Development plan approval. Seconded by Mr. McMakin. roll call, all approved.

Mr. Lavelle moved to table the regular meeting and open the public hearing for Resolution B-03, Wheaton Place plan approval. Seconded by Mr. McMakin. Roll call, all approved.

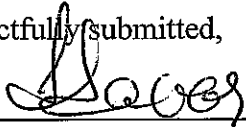
William Bishop and David Binder were present representing Wheaton Development. Mr. Bishop stated that Wheaton Place is located in Block E of the Woodgate Farms subdivision. Mr. Bishop stated that all plans have remained the same as the preliminary plan. All approvals have been granted by Cuyahoga County. Mr. Bishop stated that Wheaton Place will be a private development and will have a home owners association in addition to the overall Woodgate Farms home owners association. The development will have 42 single family homes.

Mr. Lavelle moved to approve Resolution B-03, with approvals from Cuyahoga County, Olmsted Township's consulting engineer and approval of all road improvements by Cuyahoga County Engineers. Seconded by Mr. Gebhard. Roll call, all approved.

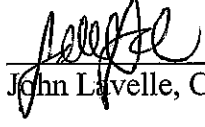
Mr. Lavelle moved to close the public hearing for Resolution B-03 and reopen the regular meeting. Seconded by Mr. McMakin. Roll call, all approved.

Mr. McMakin moved to adjourn. Seconded by Mr. Gebhard. Roll call, all approved.

Respectfully submitted,



Tammy Tabor, secretary



John Lavelle, Chairman

6-25-03
Date