

The Olmsted Township Zoning Commission regular meeting of May 23, 2001 was called to order at 7:40 PM. Present was Vice Chairman Albert Arlow, Ryan Thomas, Ronald Campanalie, Rick Witherspoon and Jerry Gobble. Also present was secretary Tammy Tabor. Mr. Thomas moved to approve, as submitted, the minutes from the meeting of March 14, 2001. Seconded by Mr. Witherspoon. Roll call, Mr. Thomas, yes, Mr. Witherspoon-yes, Mr. Arlow -abstain, Mr. Campanalie,- abstain, Mr. Gobble- abstain. Mr. Thomas moved to approve, as submitted, the minutes from the meeting of April 11, 2001. Seconded by Mr. Witherspoon. Roll call, Mr. Witherspoon-yes, Mr. Campanalie-yes, Mr. Arlow-yes, Mr. Thomas-yes, Mr. Gobble-abstain..

#### Correspondence

The secretary reported that 3 new applications had been received. Mr. Thomas moved to set the public hearing for application # 01-6140, to be known as Resolution G-01, for June 27, 2001 at 8:15 PM. Seconded by Mr. Campanalie. Roll call, all approved.

Mr. Thomas moved to set the public hearing for application # 01-6140, to be known as Resolution H-01, for June 27, 2001 at 8:30 PM. Seconded by Mr. Campanalie. Roll call, all approved.

Mr. Thomas moved to set the public hearing for application # 01-6146, to be known as Resolution I-01, for June 27, 2001 at 8:45 PM. Seconded by Mr. Campanalie. Roll call, all approved.

#### Resolution D-01 Vita Mix

John Barnard and Gary Fisher were present representing Vita Mix. Mr. Fisher presented photos of the property and the buffering that currently exists around the Vita Mix facility. The company is wanting to expand the facility and has been operating in a residential area since 1948.

Richard Hajduk, 8587 Usher Road, is a direct neighbor of the Vita - Mix Corporation and has no objection to the rezoning or expansion of the company.

James Hajduk, 8591 Usher Road, has no objection to the rezoning or the expansion of the Vita - Mix Company.

Mr. Thomas stated that a residential home exists on the property. He asked what the plans are for that residence. Mr. Barnard stated that the home is currently occupied by an employee of the Vita - Mix Corporation. The company would prefer to have the home occupied as it is a buffer at the entrance to the property. The occupants of the home would always be employees of the corporation and serve as security to the property. The home would not be used as rental property. Mr. Thomas asked if Vita-Mix had plans for buffering the existing building on the North side of the property. Mr. Barnard stated that the site is currently heavily wooded.

Mr. Bormann, a neighbor to the north, stated that the night lighting is most distracting in the winter when the foliage is off the trees.

Richard Hajduk stated that he requested that Vita-Mix remove some of the taller unsightly trees, that was done. He has no problem with the lighting at night. Mr. Thomas stated that Mr. Bormann's home is more directly in line with the Vita - Mix buildings.

Mr. Thomas stated that he would like to see a proposal for the use of the home and a variance would be needed for construction of a new building. The proposed plans show that the new structure would be closer to the side lot line than permitted in industrial areas.

Mr. Campanalie moved to table Resolution D-01 until the next regular meeting on June 27, 2001 at 7:45 PM. Seconded by Mr. Thomas . Roll call, all approved.

**Resolution C-00 Stearns Bagley Plaza Rezoning Request**

Mr. Fred Shaker was present representing the Stearns Bagley Plaza Association. Mr. Shaker stated that the property is a parcel that has no road frontage and he would like to rezone the property from R1-40 to RMFT and combine that parcel with adjacent RMFT zoned property. Mr. Thomas asked if Mr. Shaker would be willing to develop the property within the RMFT zoning Regulations. Mr. Shaker stated yes he would. Mr. Thomas asked if Mr. Shaker would be developing the property himself or would he be selling the property. Mr. Shaker stated that he would be the developer. Mr. Campanalie asked when the development of that property would begin. Mr. Shaker stated that would be at least a couple of years. Currently operating gas wells would need to be capped.

Mr. Campanalie moved to approve Resolution C-00. Seconded by Mr. Thomas. Roll call, Mr. Thomas-yes, Mr. Campanalie-yes, Mr. Witherspoon- no, Mr. Arlow-yes, Mr. Gobble- yes.

Mr. Thomas move to close the public hearing for Resolution C-00 and open the public hearing for Resolution E-01. Seconded by Mr. Witherspoon. Roll call, all approved.

**Resolution E-01- Center Properties rezoning.**

Mr. Tom Gable was present representing Center Properties. Mr. Gable stated that the request is for property located west of the Greenbrooke Plaza on Cook Road. The proposed use would be for medical buildings and a day care center. In 1990 the property was proposed for rezoning and the Cuyahoga County Planning Commission recommended approval. The Township, however did not approve that request. Mr. Gable stated that the daily car count for the area has increased from 2300 in 1984 to 5700 in 1992. Mr. Gable stated that the County Engineer estimates the daily car count is currently 8000. Mr. Gable sated that the Greenbrooke Plaza was at capacity in July of 2000. Merchants have left the area for many reasons. Mr. Gable stated that size needed by merchants, poor management and major chains, such as Home Depot, have lowered the necessity of smaller hardware stores. Mr. Gable stated that the proposal would be for free standing buildings, a day care center and medical buildings. The day care center would temporarily be housed in the Greenbrooke Plaza. On the North and west sides of the property, a 40 foot buffer would be created. On the east and south sides of the property, the buffer zones would maintain the setbacks required by Olmsted Township.

Tony Zanzanno, Heatherwood, stated that Center Properties, Shore West Construction, has not kept the promises made to the homeowners in the development. The homeowners were told that the vacant land would be developed as residential properties. Mr. Zanzanno stated that a day care is not wanted in that area.

John Rickey, Heatherwood, stated that traffic problems on Cook Road would be worse than it currently is.

Mr. Mandato, Heatherwood, does not want to have to fence his yard to block out retail businesses. The residents did not want it in 1990 and they don't want it now. Residential homes would be preferable to retail buildings.

Ms. McDade, Cook Road, would prefer homes on that property. The current retail area has many vacant shops.

Sam Gallus, Heatherwood Circle, stated that Shore West promised buffering along the current retail area. Those buffers were never installed.

Robert Rini, Timber Lane, stated that model homes were to be built on that property. Is this change going to increase or decrease property values?

Mr. Gable stated that he feels the property values would increase. The proposal is for single story detached buildings.

Jill Petitti, Heatherwood Circle, stated that the Kids First Day Care center on Bagley Road has many openings still available. A day care center is proposed for the old middle school property.

Ms. Petitti stated that another day care center is not needed.

Chuck Scheckle, Cook Road, existing shopping area is vacant. The possible additional traffic could be a problem.

Tony Zanzanno, Heatherwood Circle, The rent is probably too high for the merchants to maintain business.

Darren Petitti, Heatherwood Circle, the vacant buildings look terrible, other businesses would not like to rent in a plaza with so many vacancies. What are the taxes paid by the current retail plaza?

Mr. Gable stated that the taxes paid are approximately \$40, 000.00 a year.

Sam Gallus, Heatherwood Circle, stated that he pays approximately 5, 000.00 a year in property taxes. Several homes on that property would create approximately the same revenue.

Mr. Terbrack, Heatherwood Circle, stated that the zoning is currently R1-30, a change to R1-15 would probably be more acceptable to the residents.

John Rickey, Heatherwood, stated that the current sewer system may not accommodate additional retail areas.

Mr. Gable stated that in 1990 the studies indicated that the storm and sanitary systems were adequate.

Bill Doslak, Heatherwood Circle, stated that the master plan does not provide for additional retail buildings in that area. The request to rezone this property were voted down twice before. The developer previously requested variances to place model homes on that property, stating it was the best use of the land. The construction of retail shops would diminish the value of the surrounding homes.

Mr. Sosoka, stated that more retail buildings are not wanted.

Ms. McDade, does not know how retail buildings could fit on the lot with the required buffering between residential property.

Doug Huber, Pine Woods Way, asked if buffering can be enforced. Mr. Thomas stated that the current zoning resolution allows for the enforcement of buffer zones.

Jill Petitti, does not see a need for additional day care centers.

Ms. Huber asked if any studies were done to see if additional day care centers were needed.

Mr. Gable stated that his company has not done any studies, a business has requested the need for day care space to rent.

Mike Turner, Heatherwood Circle, stated that this issue has been discussed several times. Please put up homes and end this problem.

Mr. Higgin, stated that the developer will get his approval and then build and leave the community.

Mr. Thomas asked Mr. Gable if the day care center would be occupying space in the Greenbrooke Plaza. Mr. Gable stated yes. Mr. Thomas stated that the applicant has applied for a conditional use to operate a day care center in the Greenbrooke Plaza. Mr. Gable stated that the tenant has applied for the conditional use at that location. Mr. Thomas asked what the square footage of Greenbrooke plaza is. The building is approximately 40,000 square feet. Mr. Gable stated that it is approximately 21-22, 000 square feet. Mr. Thomas asked what is the proposed size of the buildings if the adjacent property is rezoned to retail business. Two 2400 square foot buildings. Mr. Thomas asked how long before the buildings are complete. Mr. Gable stated that the area would be developed as needed. The facility for the day care would be built first and then the rest would be developed as needed. Mr. Gable also stated that some of the units may be sold and owner occupied.

Helen Nemeth , Heatherwood circle, asked if there would be a playground for the children. Mr. Gable stated that the playground would need to be built. Mr. Gable stated that the temporary site would be the north west corner of Greenbrooke Plaza. Mrs. Nemeth stated that a bar is currently next to that site. Mr. Gable stated that the state regulations would need to be followed, and the bar is only open at night. Mrs. Nemeth stated that the bar is open all day.

Mr. Thomas stated that the retail area will be developed somewhere. The residents will always be coming in and saying "not in my back yard". The Township does need a larger tax base. Where to put this retail area is a tough decision.

Ms. McDade stated that the Master Plan should be followed.

Mr. Thomas stated that not one person in the audience, concerned with the Center Properties request, voiced a concern regarding the Vita-Mix application. Because it is not directly affecting them, they ignore it.

Ms. McDade stated that the tax base would be approximately the same residential or retail.

Mr. Zanzanno stated that when you drive down Usher Road you do not see a building.

Mr. Doslak, Heatherwood Circle, stated that the Master Plan has set retail and commercial areas. The area has always been residential and should stay that way.

Mr. Gable stated that the Master Plan has been reviewed and changed several times. The last review by the Cuyahoga County Planning Commission suggested the development of retail business along Cook Road.

Mr. Terbrack stated that the residents should have a say on what is developed in their community.

Mr. Petitti stated that the Vita - Mix Company is a viable business and the residents are not opposed to that because Vita- Mix is a good neighbor. Shore West has proven not to be a good neighbor.

The secretary read the response, recommending disapproval of Resolution E-01, from the Cuyahoga County Planning Commission regarding Resolution D-01 and E-01.

Mr. Thomas moved to close the public hearing for Resolution E-01, Center Properties request for rezoning and reopen the regular meeting . Seconded by Mr. Campanalie. Roll call, all approved.

Mr. Thomas moved to approve Resolution E-01 as submitted. Seconded by Mr. Campanalie. Roll call, all opposed.

Mr. Thomas moved to table Resolution F-01 until June 27, 2001 at 8:45 PM. Seconded by Mr. Campanalie. Roll call, all, approved.

**Board Reorganization**

Mr. Campanalie moved to appoint Albert Arlow as Chairman of the Zoning Commission. Seconded by Mr. Thomas. Roll call, all approved.

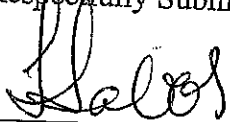
Mr. Campanalie move to appoint Ryan Thomas as Vice Chairman of the Olmsted Township Zoning Commission. Seconded by Mr. Witherspoon. Roll call, all approved.

**Floor Discussion**

Dan Greco of RAG Custom Homes, presented some ideas regarding property he would like to develop along Cook Road.

Mr. Campanalie moved to adjourn. Seconded by Mr. Witherspoon. Roll call, all approved.

Respectfully Submitted,



Tammy Tabor, Secretary

albert arlow 6/27/01

Albert Arlow, Chairman

Date