OLMSTED TOWNSHIP ZONING COMMISSION
RESOLUTION A-10

Recommendation: Re-approval of the development plan for Gates Village located in the Woodgate Farms subdivision

WHEREAS, Section 220 of the Olmsted Township Zoning Resolution requires plan approval for all proposed subdivisions in Olmsted Township; and

WHEREAS, Pulte Homes submitted to the Olmsted Township Zoning Commission for its review and recommendation a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated May 2003 that showed the proposed creation of 75 residential sublots, four blocks and three residential streets; and

WHEREAS, The Olmsted Township Zoning Commission approved the preliminary development plan September 24, 2003; and

WHEREAS, the preliminary development plan for Gates Village expired yet construction of the improvements has not begun; and,

WHEREAS, The Olmsted Township Zoning Commission and Board of Trustees approved the request for re-approval of the development plan for Gates Village in 2006 and 2008; and,

WHEREAS, Pulte Homes has sold the subdivided lots to Select Investment Group; and, 

WHEREAS, Select Investment Group has resubmitted to the Olmsted Township Zoning Commission the exact plan for its review and recommendations to the Olmsted Township Board of Trustees a plan for 75 residential cluster sublots, eight open space blocks of land and three residential streets on land that is referred to as Gates Village located in the Woodgate Farms subdivision; and,

Resolution A-10
Gates Village general development plan approval
WHEREAS, the Cuyahoga County Planning Commission has
recommended re-approval of the preliminary plan, Resolution No. 100408-B, to
expire April 8, 2012, provided all previously assigned conditions are met; and,

WHEREAS, the Gates Village Phase 1 and 2 improvement plans were
approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005;
and,

WHEREAS, in March 2006 and June 2007, the staff of the Olmsted
Township Building Department reviewed the resubmitted Gates Village
preliminary plan and circulated copies of said plans to the Olmsted Township
Police, Fire and Service departments requesting any additional comments and
recommendations from these offices; and,

WHEREAS, The Olmsted Township Zoning Commission has held the
required public hearing on May 26, 2010; and,

NOW, THEREFORE, BE IT RESOLVED that the Olmsted
Township Zoning Commission recommends approval of the Final Development
Plan for Gates to the Olmsted Township Board of Trustees.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the
Olmsted Township Zoning Commission recommends a two year re-approval of the
general layout for Gates Village, revision dated March 2010, approval to expire
provided that the following conditions are met:

1. Work hours for contractors on site shall be from seven o’clock (7:00) AM
   until seven o’clock PM (7:00) Monday through Friday and nine
   o’clock (9:00) AM through seven o’clock (7:00) PM on Saturday. No
   construction work shall be done on site on Sundays.
2. All private roads must meet the approval of the consulting engineer on
   grading, improvements and installation.
3. Development plans must have the approval of the Cuyahoga County
   Planning Commission.
4. All roadways must meet the Cuyahoga County subdivision regulations
   for construction and design.
5. All catch basins must be cleaned by the contractor at the completion of
   house construction.
6. All roadways within and surrounding the development area must be kept
   clear of all mud, debris and building material.
7. All buffering must be in place and approved by the Olmsted Township
   Zoning Inspector prior to final occupancy in the development.
8. All street lighting must be adequate for safety and visibility within the

Resolution A-10
Gates Village general development plan approval
9. The Cuyahoga County Prosecutor’s Office reviews the Homeowner’s Association Articles of Incorporation and finds that the Articles comply with the Township Zoning Resolution.

10. The Articles of Incorporation specify that all common areas, including all private streets, off street “guest” parking, underground utilities and street lighting will be maintained by the Homeowners’ Association.

11. All accessory decks and structures shall not exceed six hundred (600)square feet in size and shall not encroach any rear or side yard setbacks.

12. Existing vegetation shall be kept within the 20 foot buffer easement and individual lot drainage shall occur outside of the buffer easement.

13. Construction of accessory structures may not encroach on any easements located within the subdivision.

On a motion of Mr. Lavelle, seconded by Mr. McMakin, the foregoing resolution was approved.

AYES: McMakin, Campanalie, Lavelle

NAYS:

ABSENT:

Chairman Zoning Commission Date

Adopted this ___ day of __________, 20__

Attest Township Clerk

Township Trustees

Resolution A-10
Gates Village general development plan approval
1. MEETING CALLED TO ORDER

2. APPROVAL OF MINUTES
   a. March 24, 2010

3. OLD BUSINESS

4. NEW BUSINESS
   a. Fat Little Buddies – Sign
   b. A-10 Gates Village – Development Plan Approval

5. FLOOR DISCUSSION

6. ADJOURNMENT

Next Meeting
June 23, 2010
1.2.3 FAMILY BUILDING/ZONING APPLICATION

Date of submittal: March 19, 2010
Project Address: N of Sprague Rd., E of Tuttle Rd.
Lot # "K" Permanent Parcel # 263-20-001
Property Owner's Name: CG Olmsted LLC, c/o Select Investment Group
Property Owner's Address: 1301 E. 9th Street, Suite 1400, Cleveland, Ohio 44114
Property Owner's Phone: (216) 798-8630 Fax: Wireless Phone

O Homeowner acting as contractor
Contact Person: Bob Dyer
Contractor's Phone #: Street City State Zip
Contractor's Phone #: Fax Wireless Phone

GENERAL PROJECT INFORMATION

t Single Family O Two Family O Three Family

Estimated Cost $

Describe project: Proposed 75 unit subdivision known as Gates Village to be developed on 18.0 acre parcel (Parcel "K" Woodgate Farms Subdivision)

NOTE: A SEPARATE PERMIT IS REQUIRED FOR ALL AND ANY NEW ELECTRICAL WORK PERFORMED IN CONJUNCTION WITH THIS INSTALLATION.

Authorization
The undersigned stated that he/she is the owner of the property or authorized agent for the owner of the project address. This permit is subject to the observance of all resolutions of Olmsted Township and the laws of the State of Ohio, and is subject to revocation if these are not observed.

Signature of Property Owner: signature Date: 3/19/10 Printed Name: Paul Gabrovich

Signature of Contractor (if applicable): signature Date: Printed Name:

It is the responsibility of the owner and/or contractor to notify the Building Department for all required inspections.

DEPARTMENT USE ONLY

BUILDING / ZONING REVIEW

Permit fee (a) $2600.00
Permit fee (b) $25.00 per lot
Permit fee (c) 
Permit fee (d) 
Zoning Use: Ste
Zoning District: PRD

Total Permit fee: $3875.00

Review Approved by: signature Date: 3-26-10
Review Disapproved by: signature Date:

NOTES:

OLMSTED TOWNSHIP
BUILDING DEPARTMENT

RECEIVED

# 20100179
Tammy

From: Bob Dyer [dyer0016@roadrunner.com]
Sent: Thursday, May 06, 2010 10:12 AM
To: tlabor@olmstedtownship.org
Cc: 'Paul Gabrail'; andrew@selectinvestmentgroup.com
Subject: Gates Village Approval Extension

Tammy,
Please except this correspondence as a formal request by CG Olmsted, LLC to extend the plan approval for Gates Village for two years rather than the previously submitted one year. As we discussed at the Township Zoning Commission meeting on Wednesday, April 28, 2010, a two year extension will coincide with the two year extension recently granted by the Cuyahoga County Planning Commission and will permit us the time necessary to prepare for the development of the property including identifying an appropriate builder(s) and obtain the necessary financing. Please consider this at the Commission’s May meeting where we will be in attendance to provide additional information regarding the development and answer any questions you may have. Thank you for your assistance in this matter.

Robert L. Dyer
330 819 3977
MEMORANDUM

TO: Brian Driscoll, Cuyahoga County Engineer's Office, Highway Design Bill Schneider, Cuyahoga County Sanitary Engineer Chuck Althoff, Cuyahoga County Sanitary Engineer Todd Houser, Stormwater Specialist, Cuyahoga SWCD Joyce Dodrill, Cuyahoga County Prosecutor's Office Tom Bush, Olmsted Township Board of Trustees Jim Carr, Olmsted Township Board of Trustees Sherri Higgins, Olmsted Township Board of Trustees Anthony Bumbalis, Olmsted Township Building Department Tammy Tabor, Olmsted Township Zoning Commission Secretary

cc: Bob Dyer

FROM: Kristin Hopkins, AICP, Principal Planner

DATE: April 14, 2010

RE: CPC Resolution regarding Gates Village Subdivision in Olmsted Township

Enclosed for your records please find the following Cuyahoga County Planning Commission resolution from the Commission’s meeting held on April 8, 2010.

Resolution 100408-B approving a fourth extension of the Preliminary Plan approval for Gates Village, Phase 5 of Woodgate Farms PRD Subdivision, amended to be for a two year period.

If you have any questions regarding this resolution, please do not hesitate to contact Kristin Hopkins at 216-443-3700.
WHEREAS, Ohio Revised Code Section 711.10 authorizes county planning commissions that have duly adopted regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed layouts of new subdivisions of land; and

WHEREAS, the Cuyahoga County Planning Commission (CPC) has adopted such regulations governing the proposed divisions of land; and

WHEREAS, Pulte Homes of Ohio, the developer, submitted to the CPC for its review and approval a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated June 2003 that showed the proposed creation of 75 residential cluster sublots, four (4) blocks and the construction of three (3) private residential streets; and

WHEREAS, in October 2003, the staff of the CPC reviewed the initial Gates Village preliminary layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the County Health Department, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the CPC on November 12, 2003 granted tentative approval of the preliminary layout for Gates Village, provided the subdivision plat meets thirteen (13) specific conditions listed in CPC Resolution No. 031112-D; and

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County, then in effect, stated that approval of a preliminary plan will be effective for a period of one year unless extended by the Commission; and

WHEREAS, Pulte Homes requested, and the CPC granted, a one-year extension of the approval of the preliminary plan for Gates Village until November 12, 2005, as recorded in Resolution No. 041110-H; and

WHEREAS, the Gates Village Phases 1 and 2 improvement plans were approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005; and

WHEREAS, Pulte Homes of Ohio resubmitted to the CPC, for its review and reapproval, a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated March 13, 2006, which is the same as the preliminary plan layout dated June 2003 and approved by Resolution No. 031112-D, showing the proposed creation of seventy-five (75) residential cluster sublots, five (5) open space blocks and the construction of three (3) private residential streets to be constructed and platted in two (2) phases; and
WHEREAS, in March 2006, the staff of the CPC reviewed the resubmitted Gates Village preliminary plan layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the Cuyahoga County Board of Health, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting any additional comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the CPC on April 20, 2006 granted tentative approval of the revised preliminary layout for Gates Village provided that the subdivision plat met sixteen (16) specific conditions listed in CPC Resolution No. 060420- E; and

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County, then in effect, stated that approval of a preliminary plan will be effective for a period of one year unless extended by the CPC; and

WHEREAS, Pulte Homes requested, and the CPC granted on April 12, 2007 as recorded in Resolution No. 070412-G, a one-year extension of approval of the preliminary plan of Gates Village provided that the subdivision plat meet sixteen (16) specific conditions listed in CPC Resolution No. 060420- E; and

WHEREAS, Section 104.9.C. of the newly adopted Subdivision Platting Rules for the unincorporated areas of Cuyahoga County (effective November 16, 2007) states that approval of a preliminary plan will be effective for a period of one year unless extended by the Commission; and

WHEREAS, Pulte Homes requested, and the CPC granted on April 10, 2008 as recorded in Resolution No. 080410-E, a one-year extension of approval of the preliminary plan of Gates Village provided that the subdivision plat meet sixteen (16) specific conditions listed in CPC Resolution No. 060420- E as well as two additional conditions; and

WHEREAS, in October, 2008, CG Olmsted, LLC purchased the 18.082-acre Gates Village site from Pulte Homes with the intent to develop the parcel in compliance with the approved preliminary plan and improvement plans approved by the Cuyahoga County Engineer; and

WHEREAS, CG Olmsted, LLC requested, and the CPC granted on April 23, 2009 as recorded in Resolution No. 090423-D, a third one-year extension of approval of the preliminary plan of Gates Village provided all of the previously assigned conditions are met; and

WHEREAS, CG Olmsted, LLC has requested a fourth one-year extension of approval citing the current global recession as the reason why the construction of the improvements has not yet been completed.

NOW, THEREFORE BE IT RESOLVED, that the Cuyahoga County Planning Commission grants a fourth one-year extension of the preliminary plan approval for Gates Village of Woodgate Farms Subdivision until April 8, 2011, provided all of the previously assigned conditions are met.

On a motion of Mayor Welo, seconded by Mayor Procul, the foregoing resolution was approved with an amendment to the resolution. The one year extension was extended to a two year extension.
AYES: Ms. Davis representing Commissioner Jones, DePiero, Hagan, Kelley, Patton, Mulcahy, Procuk, Mr. Smock representing Commissioner Dimora, and Welo.

NAYS: None.

ABSTENSTIONS: None.

NOT PRESENT: Blomquist and Brown.
Gates Village of Woodgate Farms PRD
4th One-Year Extension of Preliminary Plan Approval
Resolution 100408-B
Sprague Road, Olmsted Township, Ohio

Resolution No. 100408-B
April 8, 2010
March 26, 2010

Dear Resident:

Please be advised that the Olmsted Township Zoning Commission will hold a public hearing on an application submitted for development plan re-approval for Gates Village on Wednesday April 28, 2010 at 7:00 p.m. The existing development plan approval will expire in June 2010. The application submitted by CG Olmsted LLC, 13110 Shaker Square 103, Cleveland, Ohio, requests re-approval for a development plan for Gates Village, parcel number 263-20-001. Gates Village is located within the Woodgate Farms subdivision. The meeting will be held at the Township Hall, 26900 Cook Rd. Copies of the application are available for review at the Olmsted Township Building Department.

Sincerely,

Tammy Tabor
Secretary
March 23, 2010

Select Investment Group
1301 E 9th Street Suite 1400
Cleveland, Ohio 44114

Dear Mr. Dyer:

The Olmsted Township Zoning Commission will hold a hearing on your application for development plan approval for Gates Village on Wednesday April 28, 2010 at 7:00 p.m. The meeting will be held at the Township Hall, 26900 Cook Rd. Please notify this office if you will be unable to attend.

Sincerely,

Tammy Tabor
Secretary

Cc: CG Olmsted LLC
The Olmsted Township Zoning Commission will hold the following public hearing on Wednesday April 28, 2010 at 7:00 p.m. at the Township Hall, 26900 Cook Road.

Application # 20100179, to be known as Resolution A-10, submitted by CG Olmsted LLC, 13110 Shaker Square 103, Cleveland, Ohio, seeks re-approval of a development plan. For Gates Village subdivision. Gates Village is located in the south east corner of the Woodgate Farms subdivision, between Schady and Sprague Roads east of Sharp Road. The currently approved development plan will expire on June 25, 2010.

Copies of this application are available for review in the Building Department. The opportunity to be heard will be afforded anyone attending the hearing.

Tabor
Sun Post Herald April 8, 2010
TIMOTHY RADIGAN
9803 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

WEBER
9799 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

GIBSON
9795 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

CAREY SR, BRADLEY J.
9791 BURTS WAY
OLMSTED TOWNSHIP, OHIO 44138

BALLINGER
9787 BURTS WAY
OLMSTED TOWNSHIP, OHIO 44138

SICKING
9783 BURTS WAY
OLMSTED TOWNSHIP, OHIO 44138

SINGLETON
9779 BURTS WAY
OLMSTED TOWNSHIP, OHIO 44138

KALINOSKI
9777 BURTS WAY
OLMSTED TOWNSHIP, OHIO 44138

DIETRICH
9832 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

KITAGAWA
9828 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

KERNEY
9824 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

RAPACZ
9820 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

ANDERSON
9816 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

PAPP
9812 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

FINLIN
9808 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

LEBLANC
9804 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

HILL
9800 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

CONNOLLY
9786 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

KRAMER
9774 TUTTLE RD
OLMSTED TOWNSHIP, OHIO 44138

PATTERSON
9744 KINGSTON TR
OLMSTED TOWNSHIP, OHIO 44138
VEERA VEMULA
9726 KINGSTON TR
OLMSTED TWP., OHIO 44138

DIX
9704 KINGSTON TR
OLMSTED TWP., OHIO 44138

WYRICK
9682 KINGSTON TR
OLMSTED TWP., OHIO 44138

ZURAWSKI
9660 KINGSTON TR
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SITTERLY
9642 KINGSTON TR
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LOEFFLER
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TRAPP
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CUCCI
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JAMES
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OLMSTED TWP., OHIO 44138

SANDERS
9616 KINGSTON TR
OLMSTED TWP., OHIO 44138

CURRENT RESIDENT
9619 KINGSTON TR
OLMSTED TWP., OHIO 44138

HOWE
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OLMSTED TWP., OHIO 44138

BEAM
9653 KINGSTON TR
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JONES
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IRETON
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CAMPBELL
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WEGRYNOWSKI
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GRAY
27167 PHOENIX WAY
OLMSTED TWP., OHIO 44138

PINNEY
27163 PHOENIX WAY
OLMSTED TWP., OHIO 44138

HOFFMEN
27159 PHOENIX WAY
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KERR
27155 PHOENIX WAY
OLMSTED TWP., OHIO 44138

BOWMAN
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OLMSTED TWP., OHIO 44138

HEAD
9653 TUTTLE RD
OLMSTED TWP., OHIO 44138

BOEHNLEIN
9615 TUTTLE RD
OLMSTED TWP., OHIO 44138

LOOMIS
27151 PHOENIX WAY
OLMSTED TWP., OHIO 44138

NORRIS
9669 TUTTLE RD
OLMSTED TWP., OHIO 44138

GAWSZWSZAWSKI
9631 TUTTLE RD
OLMSTED TWP., OHIO 44138
**Real Property Information**

**Primary Owner:** CG OLMSTED LLC  
**Property Address:** SPRAGUE Rd, OLMSTED FALLS, OH 44138  
**Tax Mailing Address:** CG OLMSTED LLC, 13110 SHAKER SQUARE 103, CLEVELAND, OH 44120  
**Legal Description:** S/L PCL K VOl 332 PG 48 FF 283.92 AC 18.082 OL TR 3 S/R 2005 LOT SPLIT AND CONSOLIDATION FOR SHARP DEV.  
**Property Class:** RESIDENTIAL VACANT LAND

### 2009 (pay in 2010) TaxBill Summary

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#### Assessed Values

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#### Half Year Charge Amounts

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#### Tax Balance Summary:

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### 2009 (pay in 2010) Charge and Payment Detail

**Taxset:** Olmsted Township, C100502-Sewer Maintenance, C289170C-Water Line

#### Olmsted Township

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**Total Balance:** 40,411.16

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**Cuyahoga County Auditor's Office**

http://auditor.cuyahogacounty.us/repi/taxbill.asp

3/23/2010
Receipt # 20100187
Application #20100179
Permit #0
Date 03/23/2010-
CHECK-2248
PAUL GABRIEL
CG OLMSTED LLC
O WOODGATE
PLAN REVIEW PRD 3875.00

Total: $3,875.00

Authorized Signature
March 18, 2010

Olmsted Township
Building Department
26908 Cook Road
Olmsted Township, Ohio 44138

ATTENTION: Tammy Tabor
Zoning Commission Secretary

RE: Gates Village
Olmsted Township

Dear Tammy:

Enclosed please find the following information in regard to the above subject site:

- One executed "1,2,3, Family Building/Zoning Application"
- One check in the amount of $3,875.00
- Fourteen prints of the Preliminary Plan

At this time we respectfully request to be placed on the agenda for the April 28, 2010, Zoning Commission meeting.

If you have any questions, or if you require additional information, please don't hesitate to contact our office.

Sincerely,

DONALD G. BOHNING & ASSOCIATES, INC.

David M. Gracon

DMG/clc
Enclosure
Cc: Bob Dyer, Select Investment Group
File 2589-40

OLMSTED TOWNSHIP
BUILDING DEPARTMENT

MAR 22 2010
RECEIVED
MEMORANDUM

TO: Olmsted Township Zoning Department

FROM: Kristin M. Hopkins, AICP, Principal Planner

DATE: March 18, 2010

RE: Requests for Extension of Preliminary Plan Approval: Gates Village Subdivision – Request for Fourth One-Year Extension

The developer of the above named subdivision in Olmsted Township has requested a one-year extension of the preliminary plan approval. According to Section 104.9 of the recently amended Cuyahoga County Subdivision Regulations, the Cuyahoga County Planning Commission (CPC) may grant an extension provided that the existing township regulations applicable to the preliminary plan have not changed since the date the preliminary plan was approved.

Gates Village Subdivision – Request for Fourth One-Year Extension

The CPC approved a revised preliminary plan submitted by Pulte Homes for this subdivision on April 20, 2006 and attached 16 conditions. On April 12, 2007 and again on April 10, 2008, the County Planning Commission granted extensions to the preliminary plan. CG Olmsted, LLC purchased the parcel from Pulte Homes in October of 2008 with the intent to develop the site as a residential community according to the approved preliminary plan. At the request of CG Olmsted, LLC, the County Planning Commission granted another one year extension on April 23, 2009. I have enclosed copies of Resolutions 060420-E, 070412-G, 080410-E and 090423-D for your review.

The applicant has requested a fourth extension citing the global recession as the reason for the need for the extension of the preliminary plan approval. The applicant's request will be on the agenda of the Cuyahoga County Planning Commission's next meeting, which is scheduled for April 8, 2010 at 2:00 PM in the CPC board room.

Please notify the County Planning Commission no later than March 25, 2010 if there have been any amendments to the Olmsted Township Zoning Regulations that would cause the approved preliminary plan to no longer be in compliance with the Township Zoning Resolution.

If there are any questions on the preliminary plan for the proposed subdivision, please feel free to contact me.
In response to your application for plan approval [Olmsted Township Resolutions], we have reviewed the plans to determine compliance with the Olmsted Township Resolutions. The following items require clarification, plans to conform to all required codes per Olmsted Township even if not specifically addressed in the following:

☐ Plans have not been approved

SECTION 560.02 INITIATION OF ZONING AMENDMENTS.
Amendments to the Zoning Resolution may be initiated in one of the following ways:

(a) By the filing of an application therefore with the Zoning Commission by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed Amendment.

—preliminary approval 7-24-2003

SECTION 220.03 ESTABLISHMENT OF A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT.
A Planned Residential Development Overlay District shall be established in accordance with the required procedures for a Zoning Map amendment pursuant to Chapter 560. The boundaries of the Planned Residential Development Overlay District shall be indicated on the Official Zoning Map with the symbol PRD-OD.
—OK see approval 7-24-2003, Cuyahoga County Planning Commission resolution 060420-E, Cuyahoga County Engineer/Sanitary Engineer on 4-1-2005

SECTION 220.05 MINIMUM PROJECT AREA.
The gross area of a tract of land proposed to be developed as a Planned Residential Development shall be a minimum of 100 acres. The area proposed shall be in one ownership. All land within a PRD shall be contiguous in that it shall not be divided into segments by any existing public street or railroad right-of-way or by any tract of land not owned by the applicant of the PRD.
- Gates Village has 18 acres

SECTION 220.06 PERMITTED USES.
Uses that are permitted as part of a planned residential development include:

(a) Single-family detached units on individual subdivided lots; -75 units

SECTION 220.07 DEVELOPMENT STANDARDS.
(a) **Maximum Density.** The gross density of a PRD shall not exceed 2.25 units per acre. The total number of dwelling units permitted shall be calculated by multiplying the total project area by 2.25. \(-18 \times 2.25 = 40.5\) units, 75 units proposed this phase

(b) **Minimum Common Open Space.** A minimum of 20% of the total project area shall be devoted to common open space. Open space this phase \(-14\%\)

(c) **Minimum Setback From Existing Public R-O-W.** All buildings, structures and parking areas shall be located no closer than 50 feet to an existing right-of-way. \(-\)present

(d) **Minimum Setback From Project Boundary.** All buildings, structures and parking areas shall be located no closer than 50 feet to the boundary of the PRD. \(-\)Properties to the east may have issues with deck encroachments

(e) **Minimum Setback From Interior Street.** All buildings and structures shall be located no closer than 35 feet to the right-of-way of a proposed public street or the pavement of a private street, except that when a building or structure is located at the corner of two intersecting streets, the minimum setback from one of the streets shall be 30 feet. \(-\)Present

(f) **Minimum Distance Between Buildings.** In order to ensure reasonable privacy and separation, individual buildings including terraces, decks and patios shall be separated by at least 20 feet, except that when the windows of living areas and patios, decks, and terraces face each other, they shall be separated by at least 60 feet. This distance may be reduced when the Zoning Commission and Trustees find that adequate landscaping and screening is provided to ensure privacy between units. \(-\)Maybe some issues with corner properties

(g) **Requirements for Fee-Simple Subdivided Lots.** Individually subdivided lots may be included as part of a PRD and need not comply with the lot area, lot width or yard requirements established for the underlying district.

**SECTION 220.08 COMMON OPEN SPACE REQUIREMENTS.**
The required common open space shall comply with the following:
\(-\)present plan does not show required open space

(a) The common open space shall be located and designed to the satisfaction of the Zoning Commission and the Trustees and shall:

1. Be sufficiently aggregated to create large areas of planned open space;
2. Conserve significant natural features to the extent practicable;
3. Be easily accessible to residents of the PRD;
4. Be not less than 70 feet in width at any point;
5. Be interconnected with open space areas on abutting parcels wherever possible.

(b) Land area devoted to the following shall not be included as meeting the common open space requirement:

1. Parking areas;
2. Required setbacks between buildings, parking areas and project boundaries and between buildings and public or private streets;
3. Required spacing between buildings and between buildings and parking areas;
4. Private yards within subdivided lots;
(5) Public street rights-of-way including any unpaved portion, private streets, and utility easements adjoining private streets.

(6) Area used for active recreation

(c) Areas designated for common open space purposes may be:

(1) Preserved as wetlands, woodlands, lakes or ponds, historic lands, environmentally sensitive areas, or similar conservation-oriented area; or

(2) Used for passive recreation.

(d) Any common open space intended to be devoted to recreational activities shall be of a usable size and shape for the intended purposes as determined by the Zoning Commission and the Trustees. Where deemed appropriate by the Zoning Commission and the Trustees, recreation areas shall be provided with sufficient parking and appropriate access.

(e) Legal instruments setting forth the ownership of the required common open space and providing for the perpetual maintenance of the common open space by a homeowners’ association, or the developer shall be submitted to the Olmsted Township Legal Advisor for review and approval.

(f) Such common open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the development plan.

SECTION 220.09 STREET, COMMON DRIVE, AND SIDEWALK REQUIREMENTS.

(e) Pedestrian Access: Pedestrian access shall be provided in compliance with the following:

(1) Concrete sidewalks shall be provided on both sides of public and private streets. Such sidewalks shall have a minimum width of five feet and be located no closer than 2.5 feet from the street pavement.

(2) Walkways shall be provided to connect residential areas to common open space areas and to provide convenient pedestrian access throughout the Planned Residential Development and from the Planned Residential Development to other areas of the community. Walkways shall be constructed of concrete or asphalt unless otherwise permitted by the Zoning Commission and the Trustees.

-No indicated sidewalks comply with ADA requirements

SECTION 220.10 SUPPLEMENTAL REQUIREMENTS.

(a) Privacy for individual principal buildings shall be maintained through the use of landscaping and screening.

(b) Adequate facilities for public utilities including central water and sanitary sewer, gas and electric shall be provided for every planned residential development.

(c) The applicant shall purchase and install all roadway signage and roadway markings as specified by the Board of Trustees.

(d) Street lighting shall be adequate for safety and security.

(e) Additional development requirements formulated to achieve the objectives of this Chapter may be established at the time the PRD development plan is reviewed. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed PRD.
-Plan submitted does not address these issues

SECTION 220.11 HOMEOWNERS ASSOCIATIONS.
As part of a planned residential development a homeowners association, community association, condominium association or similar legal entity shall be created so that, pursuant to Section 220.08(e) above, such association is responsible for the maintenance and control of common areas, including the required open space, private streets and common drives. At the time of General Development Plan approval, the applicant shall provide the township's legal advisor with copies of the Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association, et al). No General Development Plan shall be approved without a written opinion by the township's legal advisor that these submitted documents demonstrate full compliance with the provisions of this subsection in that these documents, read in their entirety, contain appropriate provisions implementing all of the following requirements. —To be submitted

SECTION 220.12 PHASED DEVELOPMENT.
If development is to be implemented in phases, each phase shall have adequate provision for access, parking, storm water management, and other public improvements to serve the development in accordance with the applicable criteria set forth above. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property. —final phase to this development

SECTION 220.13 PLAN APPROVAL.
The applicant for a planned residential development shall submit development plans in accordance with Chapter 520.
SECTION 520.02 DEVELOPMENT PLAN REVIEW REQUIRED.

(a) The Zoning Commission shall review development plans for the following, and make its recommendations for approval, disapproval, or modification to the Board of Trustees:

(3) Any planned residential development.

SECTION 520.04 SUBMISSION OF A FINAL DEVELOPMENT PLAN.

The final development plan shall be prepared by a qualified professional and drawn to an appropriate scale, and shall disclose all uses proposed for the development, their location, extent and characteristics. The application for final development plan review shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary and are waived in writing by the Zoning Inspector:

(a) An accurate legal description prepared by or certified by a registered surveyor of the state;

(b) A property location map showing existing property lines, easements, utilities and street rights-of-way;

(c) A final development plan indicating:

(1) Use, location and height of existing and proposed buildings and structures, including accessory buildings, structures and uses, along with notation of the development standards for building spacing, setback from property lines, and maximum building heights;

(2) Location and configuration of off-street parking and loading areas, the arrangement of internal and in-out traffic movement including access roads and drives; lane and other pavement markings to direct and control parking and circulation; and the location of signs related to parking and traffic control;

(3) Adjacent streets and property including lot lines, buildings, parking and drives within 200 feet of the site; plans show only Gates Village;

(4) Proposed and existing fences, walls, signs, lighting; no lighting indicated;

(5) Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles; NA;

(6) Sanitary sewers, water and other utilities including fire hydrants, as required, and proposed drainage and storm water management; approved by County;

(7) Dimensions of all buildings, setbacks, parking lots, drives and walkways.

(d) Topographic maps showing existing and proposed grading contours, and major vegetation features, including existing trees over six inches in diameter, wooded areas; wetlands and other environmental features; shown in 1 foot increments;

(e) Proposed landscaping and screening plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements and the existing trees to be removed; entrance detailed;

(f) Preliminary architectural sketches of buildings and other structures, floor plans, site construction materials and signs; none;

(g) Summary table showing total acres of the proposed development; number of acres devoted to each type of residential and/or non-residential use including streets and open space; number of dwelling units by type; see preliminary plan;

(h) Other features necessary for the evaluation of the development plan as deemed necessary by the Zoning Inspector or Zoning Commission (or Board of Zoning appeals for Conditional Uses); see individual comments.

SECTION 520.08 ZONING COMMISSION DETERMINATION.

In recommending approval of a final development plan, the Zoning Commission shall find that:
h) Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swells, water courses and drainage areas, and shall comply with the applicable regulations in this Resolution and any other design criteria established by the Township or any other governmental entity which may have jurisdiction over such matters.

(i) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.

SECTION 520.11 Lapse of Approval

An approved plan shall remain valid for a period of 12 months following the date of its approval unless the Board of Trustees authorizes a longer period at the time of approval. If, at the end of that time, construction has not begun, then approval of such plan shall expire and shall be of no effect unless resubmitted and reapproved by the Board of Trustees. Construction is deemed to have begun when all necessary excavation and piers or footings of one or more principal buildings included in the plan shall have been completed.

Please return letter with signature and statement of compliance for items indicated, or revise and resubmit 2 sets of corrected plans to file. It will help the plan reviewer and expedite the review your project (If you identify the changes you have made by circling them in red, hereby indicating how you have resolved the items of non-compliance [correction letter]).

If you have any questions about any of the above items please contact the building department for further clarification. Items that cannot be solved can be appealed.

Notice of appeal shall be filed with the officer from whom the appeal is taken and with the secretary of the Board of Zoning Appeals within 20 days after the date of any adverse order, requirement, decision, or determination. Such written notice of appeal shall specify therein the grounds and reasons for the appeal. The officer from whom the appeal is taken shall transmit to the secretary of the Board of Zoning Appeals all data pertaining to the subject matter upon which the action so appealed was taken.

Application to be filed at:
Olmsted Township Board of Zoning Appeals
26908 Cook Rd.
Olmsted Township, Ohio 44138
440-235-4225

Respectfully,

Anthony Bumbalis
Building Commissioner
CUYAHOGA COUNTY PLANNING COMMISSION
RESOLUTION NO. 090423-D

Approving a third one-year extension of the approval of the preliminary layout for Gates Village of Woodgate Farms Subdivision, proposed to be located in Olmsted Township.

WHEREAS, Ohio Revised Code Section 711.10 authorizes county planning commissions that have duly adopted regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed layouts of new subdivisions of land; and

WHEREAS, the Cuyahoga County Planning Commission (CPC) has adopted such regulations governing the proposed divisions of land; and

WHEREAS, Pulte Homes of Ohio, the developer, submitted to the CPC for its review and approval a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated June 2003 that showed the proposed creation of 75 residential cluster sublots, four (4) blocks and the construction of three (3) private residential streets; and

WHEREAS, in October 2003, the staff of the CPC reviewed the initial Gates Village preliminary layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the County Health Department, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the CPC on November 12, 2003 granted tentative approval of the preliminary layout for Gates Village, provided the subdivision plat meets thirteen (13) specific conditions listed in CPC Resolution No. 031112-D; and

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County, then in effect, stated that approval of a preliminary plan will be effective for a period of one year unless extended by the Commission; and

WHEREAS, Pulte Homes requested, and the CPC granted, a one-year extension of the approval of the preliminary plan for Gates Village until November 12, 2005, as recorded in Resolution No. 041110- H; and

WHEREAS, the Gates Village Phases 1 and 2 improvement plans were approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005; and

WHEREAS, Pulte Homes of Ohio resubmitted to the CPC, for its review and reapproval, a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated March 13, 2006, which is the same as the preliminary plan layout dated June 2003 and approved by Resolution No. 031112-D, showing the proposed creation of seventy-five (75) residential cluster sublots, five (5) open space blocks and the construction of three (3) private residential streets to be constructed and platted in two (2) phases; and
WHEREAS, in March 2006, the staff of the CPC reviewed the resubmitted Gates Village preliminary plan layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the Cuyahoga County Board of Health, the Cuyahoga County Prosecutor’s Office, and the Cuyahoga Soil and Water Conservation District, requesting any additional comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the CPC on April 20, 2006 granted tentative approval of the revised preliminary layout for Gates Village provided that the subdivision plat met sixteen (16) specific conditions listed in CPC Resolution No. 060420- E; and

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County, then in effect, stated that approval of a preliminary plan will be effective for a period of one year unless extended by the CPC; and

WHEREAS, Pulte Homes requested, and the CPC granted on April 12, 2007 as recorded in Resolution No. 070412-G, a one-year extension of approval of the preliminary plan of Gates Village provided that the subdivision plat meet sixteen (16) specific conditions listed in CPC Resolution No. 060420- E; and

WHEREAS, Section 104.9.C. of the newly adopted Subdivision Platting Rules for the unincorporated areas of Cuyahoga County (effective November 16, 2007) states that approval of a preliminary plan will be effective for a period of one year unless extended by the Commission; and

WHEREAS, Pulte Homes requested, and the CPC granted on April 10, 2008 as recorded in Resolution No. 080410-E, a one-year extension of approval of the preliminary plan of Gates Village provided that the subdivision plat meet sixteen (16) specific conditions listed in CPC Resolution No. 060420- E as well as two additional conditions; and

WHEREAS, in October, 2008, CG Olmsted, LLC purchased the 18,082-acre Gates Village site from Pulte Homes with the intent to develop the parcel in compliance with the approved preliminary plan and improvement plans approved by the Cuyahoga County Engineer; and

WHEREAS, CG Olmsted, LLC has requested a third one-year extension of approval citing the slowdown in the housing market as the reason why the previous developer had not completed the construction of the improvements as required prior to expiration of approval.

NOW, THEREFORE BE IT RESOLVED, that the Cuyahoga County Planning Commission grants a third one-year extension of the preliminary plan approval for Gates Village of Woodgate Farms Subdivision until April 23, 2010, provided all of the previously assigned conditions are met.

On a motion of Mayor Blomquist, and seconded by Mayor Kelley the foregoing resolution was duly adopted.

AYES: Blomquist, Mr. Danek representing Mr. Brown, Mr. Smock representing Commissioner Dimora, Ms. Forbes representing Commissioner Hagan, Jones, Kelley, Longo, E. Patton, K. Patton, Prock and Welo
NAYS: None.
ABSTENTIONS: None.
NOT PRESENT: None.
Gates Village of Woodgate Farms PRD
3rd One-Year Extension of Preliminary Plan Approval
Resolution 090423-D
Sprague Road, Olmsted Township, Ohio
CUYAHOGA COUNTY PLANNING COMMISSION
RESOLUTION NO. 080410-E

Approving a second one-year extension of the approval of the preliminary layout for Gates Village of Woodgate Farms Subdivision, proposed to be located in Olmsted Township.

WHEREAS, Ohio Revised Code Section 711.10 authorizes county planning commissions that have duly adopted regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed layouts of new subdivisions of land; and,

WHEREAS, the Cuyahoga County Planning Commission has adopted such regulations governing the proposed divisions of land; and,

WHEREAS, Pulte Homes of Ohio, the developer, submitted to the Cuyahoga County Planning Commission for its review and approval a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated June 2003 that showed the proposed creation of 75 residential cluster sublots, four (4) blocks and the construction of three (3) private residential streets; and

WHEREAS, in October 2003, the staff of the Cuyahoga County Planning Commission reviewed the initial Gates Village preliminary layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the County Health Department, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities;

WHEREAS, the Cuyahoga County Planning Commission on November 12, 2003 granted tentative approval of the preliminary layout for Gates Village, provided the subdivision plat meets thirteen (13) specific conditions listed in Cuyahoga County Planning Commission Resolution No. 031112-D;

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County states that approval of a preliminary plat will be effective for a period of one year unless extended by the Commission;

WHEREAS, Pulte Homes requested, and the Cuyahoga County Planning Commission granted, a one-year extension of the approval of the preliminary plat for Gates Village until November 12, 2005, as recorded in Resolution No. 041110- H.

WHEREAS, the Gates Village Phases 1 and 2 improvement plans were approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005.

WHEREAS, Pulte Homes of Ohio resubmitted to the Cuyahoga County Planning Commission, for its review and reapproval, a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated March 13, 2006, which is the same as the preliminary plan layout dated June 2003 and approved by Resolution No. 031112-D, showing the proposed
CUYAHOGA COUNTY
PLANNING COMMISSION

creation of seventy-five (75) residential cluster sublots, five (5) open space blocks and the construction of three (3) private residential streets to be constructed and platted in two (2) phases;

WHEREAS, in March 2006, the staff of the Cuyahoga County Planning Commission reviewed the resubmitted Gates Village preliminary plan layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the Cuyahoga County Board of Health, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting any additional comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the Cuyahoga County Planning Commission on April 20, 2006 granted tentative approval of the preliminary layout for Gates Village provided that the subdivision plat met sixteen (16) specific conditions listed in Cuyahoga County Planning Commission Resolution No. 060420- E; and

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County states that approval of a preliminary plat will be effective for a period of one year unless extended by the Cuyahoga County Planning Commission;

WHEREAS, Pulte Homes requested, and the Cuyahoga County Planning Commission granted on April 12, 2007 as recorded in Resolution No. 070412-G, a one-year extension of approval of the preliminary plat of Gates Village provided that the subdivision plat meet sixteen (16) specific conditions listed in Cuyahoga County Planning Commission Resolution No. 060420- E; and

WHEREAS, Pulte Homes has requested a second one-year extension of approval citing the slowdown in the housing market as the reason why they have not yet completed the construction of the improvements as required prior to expiration of approval.

NOW, THEREFORE BE IT RESOLVED, that the Cuyahoga County Planning Commission grants a second one-year extension of the preliminary plat approval for Gates Village of Woodgate Farms Subdivision until April 10, 2009, provided the following conditions are met:

1. The developer shall provide a valid NPDES General Construction Permit and documentation from the Army Corp of Engineers regarding wetland permits at the time of the preconstruction conference conducted by the Cuyahoga County Engineer.

2. The detailed sanitary improvement plan approval has expired. Reapproval is required prior to construction.

On a motion of Mayor Blomquist, seconded by Ms. Forbes the foregoing resolution was duly adopted.


NAYS: None.

ABSTENTION: None.

NOT PRESENT: Brown, Kelley, E. Patton, and K. Patton.

Resolution No. 080410-E
April 10, 2008
Gates Village of Woodgate Farms PRD
Second One-Year
Extension of Preliminary Plan Approval
Resolution 080410-E
Sprague Road, Olmsted Township, Ohio

Resolution No. 080410-E
April 10, 2008
CUYAHOGA COUNTY PLANNING COMMISSION
RESOLUTION NO. 070412-G

Approving a one-year extension of the approval of the preliminary layout for Gates Village of Woodgate Farms Subdivision, proposed to be located in Olmsted Township.

WHEREAS, Ohio Revised Code Section 711.10 authorizes county planning commissions that have duly adopted regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed layouts of new subdivisions of land; and,

WHEREAS, the Cuyahoga County Planning Commission has adopted such regulations governing the proposed divisions of land; and,

WHEREAS, Pulte Homes of Ohio, the developer, submitted to the Cuyahoga County Planning Commission for its review and approval a preliminary layout plan for Gates Village of Woodgate Farms Subdivision, dated June 2003 that showed the proposed creation of 75 residential cluster sublots, four (4) blocks and the construction of three (3) private residential streets; and

WHEREAS, in October 2003, the staff of the Cuyahoga County Planning Commission reviewed the initial Gates Village preliminary layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the County Health Department, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities;

WHEREAS, the Cuyahoga County Planning Commission on November 12, 2003 granted tentative approval of the preliminary layout for Gates Village, provided the subdivision plat meets thirteen (13) specific conditions listed in Cuyahoga County Planning Commission Resolution No. 031112-D;

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas of Cuyahoga County states that approval of a preliminary plat will be effective for a period of one year unless extended by the Commission;

WHEREAS, Pulte Homes requested, and the Cuyahoga County Planning Commission granted, a one-year extension of the approval of the preliminary plat for Gates Village until November 12, 2005, as recorded in Resolution No. 041110- H.

WHEREAS, the Gates Village Phases 1 and 2 improvement plans were approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005.

WHEREAS, Pulte Homes of Ohio resubmitted to the Cuyahoga County Planning Resolution No. 070412-G
April 12, 2007
Farms Subdivision, dated March 13, 2006, which is the same as the preliminary plan layout dated June 2003 and approved by Resolution No. 031112-D, showing the proposed creation of seventy-five (75) residential cluster sublots, five (5) open space blocks and the construction of three (3) private residential streets to be constructed and platted in two (2) phases;

WHEREAS, in March 2006, the staff of the Cuyahoga County Planning Commission reviewed the resubmitted Gates Village preliminary plan layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the Cuyahoga County Board of Health, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and Water Conservation District, requesting any additional comments and recommendations from these offices and officials and duly noted the concerns that were received from the review authorities; and

WHEREAS, the Cuyahoga County Planning Commission on April 20, 2006 granted tentative approval of the preliminary layout for Willow Grove provided that the subdivision plat met sixteen (16) specific conditions listed in Cuyahoga County Planning Commission Resolution No. 060420- E; and

WHEREAS, Section II, H of the Subdivision Plating Rules for the unincorporated areas of Cuyahoga County states that approval of a preliminary plat will be effective for a period of one year unless extended by the Cuyahoga County Planning Commission;

WHEREAS, Pulte Homes has requested a one-year extension of approval so that they may continue construction of the improvements and work to meet the conditions of the Subdivision Regulations and the requirements as set forth in Cuyahoga County Planning Commission Resolution No. 060420- E; and

NOW, THEREFORE BE IT RESOLVED, that the Cuyahoga County Planning Commission grants a one-year extension of the preliminary plat approval for Gates Village of Woodgate Farms Subdivision until April 12, 2008.

On a motion of Mayor Kenneth Patton, seconded by Mayor Blomquist, the foregoing resolution was approved.

AYES: Blomquist, Mr. Cantor representing Mr. Brown, Dimora, Gorden, Mr. Shannon representing Commissioner Jones, Longo, E. Patton, K. Patton and Procuk.

NAYS: None.

ABSTENSIONS: None.

NOT PRESENT: Hagan, Kelley.
CUYAHOGA COUNTY PLANNING COMMISSION
RESOLUTION NO. 060420- E

Reapproving the preliminary plan for Gates Village
of Woodgate Farms Subdivision, proposed to be
located in Olmsted Township.

WHEREAS, Section 711.10 of the Ohio Revised Code authorizes county planning
commissions that have duly adopted regulations and procedures governing the proposed divisions of
land to review and approve, approve with conditions, or to disapprove the proposed layouts of new
subdivisions of land; and,

WHEREAS, the Cuyahoga County Planning Commission has adopted such regulations
governing the proposed divisions of land; and,

WHEREAS, the Pulte Homes of Ohio submitted to the Cuyahoga County Planning
Commission for its review and approval a preliminary layout plan for Gates Village of Woodgate Farms
Subdivision, dated June 2003 that showed the proposed creation of 75 residential cluster sublots, four
blocks and the construction of 3 private residential streets; and,

WHEREAS, in October 2003, the staff of the Cuyahoga County Planning Commission
reviewed the initial Gates Village preliminary layout and circulated copies of said plans to the Olmsted
Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer,
the County Health Department, the Cuyahoga County Prosecutor's Office, and the Cuyahoga Soil and
Water Conservation District, requesting comments and recommendations from these offices and
officials and duly noted the concerns that were received from the review authorities; and,

WHEREAS, the Cuyahoga County Planning Commission on November 12, 2003
granted tentative approval of the preliminary layout for Gates Village, provided that the subdivision plat
meets thirteen specific conditions listed in Cuyahoga County Planning Commission Resolution No.
031112-D; and,

WHEREAS, Section II, H of the Subdivision Platting Rules for the unincorporated areas
of Cuyahoga County states that approval of a preliminary plat will be effective for a period of one year
unless extended by the Commission; and,

WHEREAS, Pulte Homes requested, and the Cuyahoga County Planning Commission
granted, a one-year extension of the approval of the preliminary plat for Gates Village until November
12, 2005, as recorded in Resolution No. 041110- H; and,

WHEREAS, the Gates Village Phases 1 and 2 improvement plans were approved by the
Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005; and,

WHEREAS, the preliminary plat for Gates Village expired on November 12, 2005 yet
construction of the improvements has not begun; and,

WHEREAS, Pulte Homes of Ohio resubmitted to the Cuyahoga County Planning
Commission, for its review and reapproval, a preliminary layout plan for Gates Village of Woodgate
Farms Subdivision, dated March 13, 2006, which is the same as the preliminary plan layout dated June
2003 and approved by Resolution No. 031112-D, showing the proposed creation of 75 residential
cluster sublots, eight open space blocks and the construction of 3 private residential streets to be
constructed and platted in two phases; and,
WHEREAS, in March 2006, the staff of the Cuyahoga County Planning Commission reviewed the resubmitted Gates Village preliminary plan layout and circulated copies of said plans to the Olmsted Township Board of Trustees, the Cuyahoga County Engineer, the Cuyahoga County Sanitary Engineer, the County Health Department, the Cuyahoga County Prosecutor’s Office, and the Cuyahoga Soil and Water Conservation District, requesting any additional comments and recommendations from these offices and officials; and,

WHEREAS, the staff of the Cuyahoga County Planning Commission has duly noted concerns that have been received from the review authorities that have reviewed the resubmitted preliminary plan layout for Gates Village of Woodgate Farms Subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Cuyahoga County Planning Commission grants tentative reapproval of the preliminary layout Gates Village of Woodgate Farms Subdivision dated March 13, 2006 provided that the following conditions are met:

1. Olmsted Township grants zoning, reapproval of the preliminary layout for Gates Village, if applicable.

2. The Cuyahoga County Prosecutor's Office reviews the Homeowners’ Association Articles of Incorporation and finds that the Articles comply with the Township Zoning resolution and the articles specify that all common areas of the development, including all private streets, off-street “guest parking” spaces and underground utilities, will be maintained by the Homeowners’ Association.

3. The developers have agreed to make all the streets shown that are within this preliminary drawing for Gates Village private, and, therefore, agree to meet the following specific street standards and requirements for private streets:
   a. All private streets must be built according to the same pavement-material standards as public streets within the subdivision and according to the improvement plans approved by the Cuyahoga County Engineer on April 1, 2005.
   b. The disclosure requirements contained within Section 220.09 (d) of the Olmsted Township Zoning Resolution must be met by the developers and their future assigns. These requirements state that whenever a private street and/or common drive is proposed, the following deed restrictions shall be required to be affixed on the deed:

   “The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated private street or common drive. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said private street or common drive.”
   c. The developers must include a statement on the final plat of this subdivision development that indicates that the following streets (provide street names) are to be private, nondedicated streets and that any attempt to dedicate these streets will require a replat of this subdivision and approval by the Cuyahoga County Planning Commission.

4. Proposed water lines, sanitary sewers and storm sewers are constructed according to the improvement plans approved by the Cuyahoga County Engineer/Sanitary Engineer on April 1, 2005.

Resolution No. 069420-E
5. The preservation of existing vegetation is encouraged within the established 20 foot buffer areas. Individual lot drainage should occur outside of the 20 foot buffer easements.

6. Prior to any construction for Gates Village, improvement plans must be submitted to the Cuyahoga Soil and Water Conservation District for review and comment of the developer's erosion and sediment control plans and storm-water management plans. If the developer's erosion and sediment control plans and storm-water management plans result in any changes to the preliminary plan, the changes must be submitted to the County Planning Commission.

7. Prior to the start of any construction on the site, the applicant must apply to the Ohio EPA for a National Pollutant Discharge Elimination System Permit (NPDES Permit).

8. Sidewalks will be required to be constructed by the developers or their assigns on both sides of all proposed private streets within the subdivision development.

9. The street names proposed within Gates Village must not duplicate or cause confusion with any existing street names within Olmsted Township and the City of Olmsted Falls.

10. All Federal and State wetlands regulations must be complied with.

11. The Cuyahoga County Planning Commission must be provided with the lot-split that creates the block that will transfer this land from Sharp Development to Pulte Homes and will create the open space blocks along Sprague Road.

This lot-split must:
- label the blocks as open space in perpetuity;
- note that the Homeowners Association is responsible for maintenance of these blocks;
- show sidewalks or similar walking paths for public use are to be constructed along Sprague Road within the extent of this subdivision. The location of these sidewalks/paths must be specifically reviewed and approved by the Prosecutor's Office prior to construction.

12. The Lorain County Engineers maintains drainage on both sides of Sprague Road. Prior to any construction, improvement plans for this project must be reviewed and approved by the Lorain County Engineer.

13. Prior to the start of any construction on the site, the applicant demonstrates that "regional" retention basins will be used to treat the water quality volume.

14. Prior to the start of any construction on the site, the applicant submits to the County Engineer a revised Stormwater model and report that accurately reflects the actual dimensions and elevations of the Pond 2 Discharge Structure.

15. All off-street "guest parking" spaces must be located in an easement or in an open space block and clearly noted as common area.

16. The blocks located between Unit #9 and Sprague Road and between Unit #10 and Sprague Road shall be clearly noted on the Final Plat as "Open Space Block ([insert correct acreage] Ac.)"
On a motion of Mayor Blomquist, seconded by Mayor E. Patton, the foregoing resolution was duly adopted.

AYES: Blomquist, Dimora, Gorden Mr. Hayes representing Hagan, Kelly, Licate, Longo, E. Patton and Mr. Shannon representing Jones.

NAYS: None.

ABSTENTIONS: None.

NOT PRESENT: Aveni, Brown, Hruby and K. Patton.