

Minutes: Special Meeting
Russell Township Zoning Commission
Russell Fire-Rescue Station
April 18, 2016

Present: Richard Snyder, Chairman
Bruce Murphy
Donna Weiss Carson
Ben Kotowski
Tom Warren
Diana Steffen, Secretary

The Chairman called the meeting to order at 7:48 p.m. The Secretary announced that a Sunshine Notice for this special meeting was sent to the Chagrin Valley Times, News Herald and Geauga Maple Leaf on 04/11/16 and was posted at the Administration Building.

PROPOSED ZONING AMENDMENT #2016-1 – MAP CHANGE – CORRECT ERROR ON ZONING MAP – REZONE 3 PARCELS TO R-5 – Mr. Snyder explained that there are three parcels shown on the Zoning Map as zoned PPD Passive Park District, that are actually in the R-5 zone. Amendment 89-2 in 1989 rezoned PP#26-707009, 20.57 acres, situated between Russell Road and Riddle Road, in the name of the Russell Land Conservancy, to PPD. The three parcels on either side of that parcel were not included in the amendment. The 1992 Zoning Map shows PP#26-707009 correctly zoned PPD and the three parcels correctly zoned as R-5. In 1993 some minor revisions/corrections were made to the Zoning Map which did not require an amendment. It appears that when CT Consultants made those changes the configuration of the PPD was changed to include the three parcels.

The Commission has discussed this several times, and has notified the affected owners with no response from them.

Mr. Murphy made the motion to initiate an amendment to the Russell Township Zoning Resolution, identified as number 2016-1, consisting of 12 pages, marked Exhibit A, and an amendment to the Russell Township Zoning Map marked Exhibit B, be hereby initiated by the Russell Township Zoning Commission this 18th day of April, 2016. Mr. Warren seconded, and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

Mr. Warren made the motion that the Russell Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2016-1, to the Russell Township Zoning Resolution, on the 25th day of May, 2016, at 7:30 p.m. at the Russell Fire-Rescue Station, 14810 Chillicothe Road. Ms. Weiss Carson seconded and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

PROPOSED ZONING AMENDMENT #2016-2 – AMEND SECTION 5.3 C-S COMMERCIAL AND SERVICES ZONE – Mr. Snyder explained that this amendment will split Section 5.3 into two C-S zones. The reason for this is that since sewers have been installed at the S.R. 306/S.R. 87 intersection but not at the Music Street/S.R. 306 intersection, it will now be possible to permit uses such as retail food service on those lots that have sewers. Therefore, the proposed C-S-1 district will permit uses such as retail food service whereas the proposed C-S-2 district will not. To do this an amendment is required to split the zones.

Because Mr. Warren had asked a question during the last discussion on this amendment regarding the reason for the maximum building size, Mr. Snyder said he had researched it. One building is permitted on a lot, and each establishment may not exceed 5,000 sq. ft., with a maximum of 5 separate establishments allowed in a building, thereby creating a 25,000 sq. ft. building. This regulation was adopted in 1977 and no supporting information for the size limits could be found. The Commission agreed to address this question in the future.

The second question that had arisen was the reason for the 40% maximum impervious surface requirement in the C-S and O-B zones. Mr. Snyder said that in 2002 he had worked on a maximum coverage for the residential zones and the result was a 10% limit. At a meeting discussing this the Chairman at that time, Jim Dickinson, suggested also putting a limit on the C-S and O-B zones, which only encompass 1% of the land in Russell. He proposed 40% because that was the maximum building coverage in those zones. Mr. Snyder said he has talked to the Chagrin River Watershed Partners who have been unable to find any studies that support the percentage limit of 40%. However, a few years ago a shopping center was planned for the southwest corner of S.R. 306/Music Street, and the applicant and his attorney, Dale Markowitz, were able to work within the limit in spite of asking for some variances, so it appears not to be overly restrictive. Since that time there is new technology of porous concrete and pervious pavers. Mrs. Steffen explained that last year she had a request to build a new residence and outbuilding on a five-acre lot, and the lot coverage was going to exceed 10%. The landscape architect proposed pervious pavers, he worked with CRWP as the Township's consultants, and they agreed that those would be acceptable. Mrs. Steffen said she would have issued a permit based on using the pavers, but has not yet received an application to build on the property. The Commission agreed not to change the 40% lot coverage limit in the C-S and O-B zones.

Mr. Warren made the motion to initiate an amendment to the Russell Township Zoning Resolution, identified as number 2016-2, consisting of 9 pages, marked Exhibit A, and an amendment to the Russell Township Zoning Map marked Exhibit B, and including 43 pages with deeds, be hereby initiated by the Russell Township Zoning Commission this 18th day of April, 2016. Mr. Kotowski seconded, and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

Ms. Weiss Carson made the motion that the Russell Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2016-2, to the Russell Township Zoning Resolution, on the 25th day of May, 2016, at 7:30 p.m. at the Russell Fire-Rescue Station, 14810 Chillicothe Road. Mr. Warren seconded and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

PROPOSED ZONING AMENDMENT #2016-3 – NEW SECTION 6.5.J RETAIL FOOD SERVICE – Mrs. Steffen said she had made the grammatical change requested by Mr. Warren at the last discussion of this amendment. She mentioned that the addition of wording in Section 4.7.L resulted in awkward grammar. The Commission rewrote the sentence to read, "No commercial food preparation or warehousing, except as provided in Section 6.5.J, shall be permitted within the Township."

The Commission discussed some questions as to the types of restaurants to be permitted. It was agreed that an amendment should go forward now that there are sewers at the S.R. 306/S.R. 87 intersection since it is preferable to have regulations in place before there is a request for a restaurant or coffee shop.

Ms. Weiss Carson made the motion to initiate an amendment to the Russell Township Zoning Resolution, identified as number 2016-3, consisting of 6 pages, marked Exhibit A, be hereby initiated by the Russell Township Zoning Commission this 18th day of April, 2016. Mr. Kotowski seconded, and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

Mr. Warren made the motion that the Russell Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2016-3, to the Russell Township Zoning Resolution, on the 25th day of May, 2016, at 7:30 p.m. at the Russell Fire-Rescue Station, 14810 Chillicothe Road. Mr. Murphy seconded and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

PROPOSED ZONING AMENDMENT #2016-4 – MAP CHANGE – REZONE 1 PARCEL OWNED BY RUSSELL PARK COMMISSION TO PPD PASSIVE PARK DISTRICT – Mr. Snyder said that this 5.29

