



**OFFICE OF THE CITY COUNCIL**

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**PLANNING/ZONING/LEGISLATIVE COMMITTEE MEETING MINUTES  
OCTOBER 29, 2015**

Present: Committee members Dennis Sullivan, chairman, Ken Brady and Mark Getsay.

Also present: Council President Michael Killeen; Councilmembers Mike O'Donnell, Nick Nunnari and Lynda Appel; Mayor Dennis Clough; Planning Director Jim Bedell; Law Director John Wheeler.

The meeting convened at 6:30 p.m.

**I. Discuss conditional use permit request from Mr. Sohail Ahmad for Anytime Fitness, a fitness gym open 24 hours a day to members, at 27257 Detroit Road.**

Mr. and Mrs. Ahmad own the Anytime Fitness franchise in University Heights. There are over 3,000 Any Time Fitness gyms around the world that provide 24-hour access to their members at any location. Fitness uses are a permitted conditional use in the General Business district. Westlake code section 753.01 states that businesses, including fitness, that are within 500 feet of residential uses or districts may operate until 2:30 a.m. and may reopen at 5:30 a.m. This business is not permitted to operate 24-hours per day at this location as it is adjacent to residential property. Council is unable to override this restriction. The 24-hour use may only be achieved by a text amendment initiated by the Mayor or Council.

Mr. Wheeler will discuss possibilities with the applicant. The applicant withdrew the request.

**II. Discuss zone map amendment request from Orley Developers, LLC, to change the zoning of permanent parcel numbers 213-23-023 and 213-23-024 from RMF-24 and R-1F-80 to R-1F cluster.**

Mr. Orley explained that the purpose of the request is to construct a 12-unit cluster housing development on property that was slated for the 36-unit Kings Tree Apartments. He has already submitted to the Planning Commission a major subdivision preliminary plan with 12 lots for this location, but has asked that they table the request in order to construct a cluster zoned development instead. This development is similar to the aforementioned subdivision with the exception that the lots would have smaller front yard setbacks and larger backyard setbacks. It will also include a private road and a cul-de-sac

with emergency access to Newbury Drive to be owned and maintained by a homeowners' association instead of a public street that is an extension of Newbury Drive.

Residential density was discussed and it was questioned whether the subdivision affects density, as it requires modifications for lot ratios and depth. There was concern regarding modifications being required for every lot, since the lots are less than the 170' in depth that is required and do not meet the lot width to depth ratios.

Mr. Wheeler and Mr. Bedell will meet with the applicant to discuss the proposal.

Motion by Mr. Brady, second by Mr. Getsay, to table this rezoning request. Motion passed 3-0.

Meeting adjourned at 6:58 p.m.

Respectfully submitted,

Dennis J. Sullivan  
Chairman