

**Cuyahoga Falls City Council
Minutes of the Planning & Zoning Committee**

May 21, 2018

Members: Paul Colavecchio, Chair
Mike Brillhart
Russ Iona

Mr. Colavecchio called the meeting to order at 6:30 p.m. All members were present.

Legislation Discussed:

Temp. Ord. A-39

Discussion:

Temp. Ord. A-39

An ordinance authorizing and approving the Woodland Villas final subdivision plat and improvement plans for Parcels 3503246 and 35-03248, and declaring an emergency.

Mr. Fred Guerra, Planning Director, stated that Woodland Villas, LLC is the applicant. The owners are Bart Pignatelli Trustee, Trustee/Victoria Schafer. The developer is Karem Development or Woodland Villa LLC and the home builder is Ryan Homes. Woodland Villas is a 40.7920 acre development with 40 lots. The parcel is zoned R-3 Suburban Density Residential. The Woodlands Villas Final Plat and Improvement Plans represents the first phase of the Woodlands Villas and Esplanade Development. The Preliminary Subdivision was approved by the Planning Commission on March 6, 2018 and City Council on March 26, 2018. The Planning Commission approved the Woodland Villas Final Plat and Improvement Plans on May 1, 2018. Mr. Guerra stated that the Woodland Villas Final Subdivision Plat and Improvement Plans, as proposed and approved in Project File FMP-18-00017, complies with the Cuyahoga Falls General Development Code Final Subdivision Plat approval and code criteria. Therefore, the Planning Commission recommended the approval of the Woodland Villas Subdivision Plat and Improvement Plans with the following additional stipulations:

1. Section 1124.06 Off-Site Improvements: Sourek Trail will be widened and improved by both the developer and city. L-50/R Local Rural Standards will guide improvements. The developer will improve areas adjacent to both the Villas and Esplanade subdivisions. If the final decision is made to not have a cul-de-sac, the City will make immediate short-term road widening and improvements (in areas not improved by the developer) with the eventual goal to make long-term Sourek Trail (reconstruction) improvements. The City Engineering Department will oversee all improvements.
2. Section 1122.05 Intersection Design: The Sourek Trail-East Woodland Drive shall meet local/collector curb radius standards.
3. Section 1124.05D In Lieu of Dedication: Because no usable land is being dedicated, an "In Lieu of Dedication" of \$600.00 per lot shall be collected.

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4. Chapter 1126 Open Space: Open space areas shall be deeded to the City of Cuyahoga Falls because it is best equipped to preserve open space land. Open Space Blocks A and B (detention basins) shall be owned and maintained by the homeowner association. These detention areas shall incorporate naturalized landscaping (Section 1145.03D) that includes varied native and non-native grasses and wildflowers comparable to those found in undisturbed natural environments.
5. Section 1142.02 General Design Standards: All housing units must be designed and constructed to the approved enhanced standards outlined in Project File FMP-18 00017.
6. Section 1145.05 Street Trees: The street trees will be large growing Red Oaks and spaced every 50 feet on center. Red Oaks shall be 2.5 caliber trees when planted.
7. Declaration of Covenants, Conditions, Restrictions and Reservation of Easements: Final document must be reviewed by the Planning Staff. All appropriate Planning Commission stipulations must be incorporated into the document.
8. Subdivision Construction: All construction vehicles will use Smith Road as ingress and egress. A safety professional will assist or be consulted for the development of a written safety plan to be submitted to and approved by the City pertaining to construction traffic and equipment during construction along with a safety plan that will remain in place after project completion. The developer is responsible to repair any damage sustained to the streets during construction.
9. Road Improvement Plans: If the Woodlands Subdivisions Tax Increment Financing (TIF) funding is approved, long term Sourek Trail road improvements will be identified.
10. Cul-de-sac: Request that the City and all safety forces re-visit the idea of a cul-de-sac that would be accessible from a safety response standpoint, and that options be explored to allow it to have a bypass entryway for emergency response vehicles.

Mr. Guerra stated that, since that meeting, they have had several meeting with the Service Department and Law Department talking about the viability of the cul-de-sac. It is not the recommendation of the City that cul-de-sacs be constructed on Sourek Trail, because of safety and service concerns. Based on another meeting about the TIF, his opinion is they can design Sourek Trail with traffic-calming elements that would make it safe without the cul-de-sacs. Mr. Colavecchio stated that Mr. Guerra anticipated that the TIF, if it's approved, will generate around \$5 million for improvements to Sourek Trail. Mr. Guerra stated, based on full development, that estimates are it could generate that much. Mr. Colavecchio asked if that would be exclusively to improve Sourek Trail. Mr. Guerra stated that it would be Sourek Trail and potential waterline extensions to Kubic Drive and Sand Hill Drive. One of things that has to be done with a TIF is an economic plan. It will include public meetings.

Mr. Colavecchio stated that, at Planning Commission meetings, some of the residents were interested in having a cul-de-sac. The Safety Forces felt that this was problem as far as response time. He asked Fire Chief Moledor if he could explain why they don't feel that it's a good idea to have cul-de-sacs there. Chief Moledor stated that any time the Fire Department can come from two different directions to a residence that is having problems is better for them. It increases the public safety of the residents that live on Sourek Trail, as well as Kubic Drive and Sand Hill Drive. It is safer to keep that circular flow of traffic going. This is an area where the Fire Department uses mutual aid quite a bit. In order for Akron stations to get there, they will come up Smith Road

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and down Sourek Trail, whereas their engines would come down Sand Run Road to enter Sourek Trail that way to service all the residents there. A cul-de-sac really does increase the response time, because now you have to go all the way around. When there is a cul-de-sac, if something would happen at the other end, like at Sand Run and Sourek Trail, that would block that whole street off, and they cannot get down that street to service the residents who live there. With a gate, there are issues about who is going to maintain the gate. When snow plowing occurs, snow gets pushed up against it. Chief Moledor stated that, in his opinion, it not in the best interest of the safety of the people there to have a cul-de-sac. Police Chief Davis stated that the Police Department has the same concerns in needing to get to the area.

Mr. Brillhart stated that he would be very opposed to the cul-de-sac for the safety reasons. The City's Safety Forces' whole focus is keeping citizens safe. They should respect what they have to say. Mr. Iona stated that he has had many phone calls about the cul-de-sac issue from Ward 8 residents. Mr. Pallotta asked if they explored any alternatives to a gate that would be accessible from the one direction so that the Safety Forces could enter by that gate only and not through traffic. Mr. Guerra stated that they looked at many different options. At the end of the day, because of multiple jurisdictions using it, it didn't seem to work out.

Mr. Andrew Holland, 2079 Sourek Trail, stated that he would like to expedite the delivery of the statements of Sourek Trail residents by asking for an exception to aggregate the time of the neighbors that are present today, to allow him to speak on their behalf. Mr. Colavecchio asked the residents of Sourek Trail if there were any objections. There were no objections.

Mr. Iona moved to allow Mr. Holland 20 minutes to deliver the statements of the Sourek Trail residents, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Mr. Holland then stated the many concerns of the residents of Sourek Trail and outlined reasons and advantages of having a cul-de-sac. Mr. Colavecchio asked what the likelihood of approval of the TIF would be, and, if approved, when the City would realize the money to begin the improvements to Sourek Trail. Mr. Guerra stated that they started the TIF today. By the end of the year, there could be a TIF in place. The Economic Development Plan and the TIF legislation has to be approved by City Council. The goal would be to get that out of the way the fourth quarter of 2018. Road construction and maybe a few houses would start late 2018. It was mentioned at the Planning Commission meeting they are moving on a pretty quick pace to start and complete home building. Money would start coming in probably around 2020, 2021. Mr. Colavecchio asked if Mr. Guerra has spoken to the Street Department about the improvements to Sourek Trail and how long that would take once the money starts rolling in. Mr. Guerra stated that it depends on what type of improvements are made. The engineering has to be done first. Once the engineering drawings are completed, it has to be bid out. It has not been determined when things would actually start.

Mrs. Pyke asked what type of street would go in there. Mr. Guerra stated that they are considering rural local or rural collector. Rural collectors are 22 feet to 24 feet wide; rural locals are 20 to 22

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feet. The local street is where houses are located. They dump out into a collector street and then into an arterial; probably Sourek Trail. Even though there are a lot of collector streets, the developer is looking at 22 feet wide street in their section. The other issue would be if there needs to be a multi-purpose trail. That would take up more room. If the neighbors don't want a multi-purpose trail or 22-foot wide street, it would depend on what the residents need and what is appropriate. Mrs. Pyke stated that because it is a rural design street, regardless of how storm water is being controlled, they are not putting in curbs. Mr. Guerra stated that was correct. Mrs. Pyke stated that it may be a street similar to Crown Pointe, where measuring from pavement to pavement is 18 feet, but when measuring at berm to berm, it is 20 to 22 feet. Mr. Guerra stated that they may want to look at making it a collector street, so it would be a little bit wider. Mrs. Pyke asked where the cul-de-sac is and where it would come out.

Mr. Michael Wohlwend, Wohlwend Engineering Group, 4216 Cargo Industrial Parkway, stated that the potential cul-de-sac is the area of Lot 36. Coming down off Sourek Trail on the west, the cul-de-sac would be located right here. The other options that were discussed were an additional cul-de-sac in the intersection and bringing Sourek Trail from the south, up and dead ending it into a T-intersection and stopping it there. Another option was a gate at that location to allow access from the southern end up to the cul-de-sac. That was discussed with Fire and Police. The location of the cul-de-sac that was discussed is located on the map. On the final plat, there is a right-of-way easement that's shown on that and would allow for that to happen if that's what is decided. Mrs. Pyke asked if there was enough room in that lot to put in two cul-de-sacs. Mr. Wohlwend stated it would be one cul-de-sac. Mrs. Pyke asked how these residents would get turned around. Mr. Wohlwend stated there are a couple of options; a cul-de-sac or a gate, so that coming up Sourek Trail from the south, Police and Fire would be able to open that gate to allow them to go down through to where the cul-de-sac is going to be. That section of road would only be used in an emergency situation.

Mr. Gorbach stated that, during the discussion with the preliminary plat, he thought that the developer was talking about making some improvements to Sourek Trail during the development. Mr. Wohlwend stated that in the areas where Sourek Trail will be improved as part of the project, they would be expanding the road from the corporation limits on the south, up to the proposed intersection. They are lowering the road grade at the intersection because of the site-distance issues and will actually be improving the road all the way down to the property line on the north side of the west part of the development. Mr. Gorbach asked for the definition of road improvement. Mr. Wohlwend stated that, currently, what is shown is a 22-foot-wide paved and overlaid roadway; plus, bringing in new water, sewer and gas lines up. They are looking to finalize some of those details based on discussions tonight. The intended schedule is to build the development up to the east side; then they would transition to the development on the west side. As that part of the construction of the roadways are done, they would improve Sourek Trail and basically pave their way out of the development. The current schedule is all the paving would be done this year. The houses would be built over the next two years at that point. Mr. Iona stated that some residents may not want water, sewer and gas. He asked if they will have an option, in writing, that if they want it, they can hook in, but if they don't want it, they aren't going to be

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forced into it. Mr. Russell Balthis, Law Director, stated that it would be Akron water and it would be County sewer in that area, so he doesn't want to speak for Akron or the County. In terms of sewer, they would also have to look at certain EPA requirements and where people's septic systems are. Those are things that everyone should be aware of in public meetings when deciding whether it would make sense to run sewer or not. Gas obviously is a private utility that they don't have any control over. He stated that it's too early to answer that question with any specifics.

Mr. Holland stated the improvements would simply be paving a failing road. They are still at 20 to 22 feet, which would include berm and also the ditches and the blind spots and all the other issues there are. He stated that he questions if that is an improvement that would mitigate the safety concerns of a 383-percent increase in traffic. With regard to connecting to sewer, water and gas, they were told explicitly, on public record, that they wouldn't have to connect. Now they find out that it's a County issue or a City of Akron issue. The residents have a lot of unanswered questions. They have a rural area and a rural road that they're now going to increase the traffic on to a point where he doesn't think it's safe. With regard to the issue of connecting to water, sewer and gas, all the residents have septic systems, wells and gas. The planning area is radically different from what they are trying to turn it into. This specific area of Northampton was never designed for this. There are codes and minimum specifications, but nothing about how they are going to maintain Sourek Trail.

Mrs. Pyke asked when a decision will be made about the cul-de-sac. Mr. Guerra stated that the Planning Commission added that because of concerns. Right now, they are trying to come up with a solution. It will be done with the design of the street. Mrs. Pyke stated that Council, next week, is voting to allow the City to investigate the cul-de-sac. However Council votes next week allows them to make the final decision. She stated she doesn't know how to proceed with her vote next week. Mr. Gorbach stated that Mr. Guerra explained in his presentation that since the Planning Commission had completed their report, Item 10 on the report states that he has since had several meetings internally with different departments, two of which were the Fire Department and the Police Department, who said that they were against any type of cul-de-sac or other idea, such as fencing. Mrs. Pyke asked if they should take Item 10 and change it to no cul-de-sac when Council votes next week. Mr. Guerra stated that they can do that. Mrs. Pyke stated that what she understands Mr. Gorbach to be saying is that because of the Safety Forces' opinion, they would be removing the cul-de-sac and keeping it as an open street.

Mr. Colavecchio moved to change Item 10 on Temp. Ord. A-39 to reflect that, due to public safety issues, the cul-de-sac will no longer be considered and eliminated for this project, second by Mr. Brillhart. Motion passed (2-1). (Mr. Iona)

Mr. Brillhart moved to bring out Temp. Ord. A-39 with a favorable recommendation, second by Mr. Iona. Motion passed (2-1). (Mr. Iona)

The meeting adjourned at 7:22 p.m.