

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

**January 3, 2017**

**Members:** Russ Iona, Chair  
Jeff Iula  
Vince Rubino

Mr. Iona called the meeting to order at 6:38 p.m. All members were present.

**Legislation Discussed:**

Temp. Ord. A-112

**Discussion:**

**Temp. Ord. A-112**

An ordinance authorizing and approving the conditional zoning certificate to construct and operate an outdoor sales lot at 1546 State Road (Parcel 02-10006) in an MU-4 Sub-Urban Corridor District, and declaring an emergency.

Mr. Nicholas Sugar, Senior Planner, stated that this ordinance is for a conditional zoning certificate at 1546 State Road. It will be operated by Prestige Auto, which is in the former Rick Case building. This is across the street from their current location. The lot will be used for overflow parking for their automobiles, as well as employee parking. The site plan was originally reviewed by the Planning Commission early in February. A lot of people from the neighborhood came out and voiced some concerns mainly over the extent of the parking area. It is close to the neighborhood on Grant Avenue. Some screening issues and things like that needed to be worked out, so the Planning Commission ended up denying the file at that time. The applicant, instead of moving on to City Council to be reviewed, pulled the application at that time. They went back to the drawing board with their engineer, took the comments from that meeting and came back with the site plan that has been presented tonight. Basically, the changes were that about 40 percent of the total parking area was removed, so it was closed in from the neighboring properties. There was also landscaping and screening added. When they went back before the Planning Commission on December 20th, there was more input from the neighborhood and a few more conditions were added.

Mr. Sugar stated that the Planning Commission approved the file with the 10 conditions listed. One of the conditions is there is going to be a six-foot fence located around the parking area. That is going to extend all the way to the property lines. That was added in for the Planning Commission's approval. There is a condition for no signs or attention-getting displays on the property. The Zoning Department will inspect the property for compliance on a yearly basis. No vehicle is to be parked in any area other than in the area that is designated or proposed on the site plan. Most of the other conditions were taken directly from the old Rick Case site plan in regards to loudspeakers, public address systems and no disabled or inoperable vehicles on the lot. There is some vegetation on the property that goes all the way to a ravine located behind Grant Avenue that won't be disturbed as part of the screening. The City will require a landscaping bond to ensure

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the fence is constructed and the landscaping is placed on the site. Through this process, they tried to balance it to the rights of the property owner and, also, the rights of the residents in the area. Mr. Sugar stated that they feel that it is a good plan moving forward. The applicant, Mr. George Albanna, 1559 State Road, was present to answer any questions Council may have.

Mr. Iona stated that the first plan versus the second plan was night and day. He wanted to thank the folks for submitting the second plan with so many changes the neighbors wanted. Mrs. Pyke stated that after the application failed the first Planning Commission and before it went before the Planning Commission the second time, Mr. Albanna was kind enough to meet with her and Mr. Pallotta. At that time, he had mentioned the average cost of the cars in his sale lot when he first started. Mrs. Pyke stated that she thinks it is important for people to realize how he has increased his business and the average cost of the cars now, because what happened before was there were some undesirable vehicles in the lot across the street. She asked Mr. Albanna if he would touch on how he has increased his business there and what that means as far as increased cost of cars and increased taxes paid on those cars. Mr. Albanna stated that when he first started, it was with 100 to 120 units. The average price of the vehicles was \$5,000 to maybe \$10,000. There were a few in the \$20,000 range. The average price of the vehicles is now between \$10,000 to \$12,000 and up. Before, there were all kinds of makes and models. Right now, they're averaging between 2011 and 2012 models. As the price of the cars go up, the taxes go up. They've brought on another 15 employees. That will continue as they have room to grow.

Mrs. Pyke asked what their total staffing is as far as full time and part-time. Mr. Albanna stated that, right now, it is about 33. Mrs. Pyke asked if that will increase with this lot going in. Mr. Albanna stated that, if everything goes well, by March, they will add another 10 employees. The plan is to keep growing and growing, and, God willing, to be sitting here in the next few years, after proving themselves, wanting to open another place in the city. Mrs. Pyke stated that she wanted to thank Mr. Albanna for bringing it back to the Planning Commission and doing his part to listen to the neighbors. She stated that he will have a very tough hill to climb and that people are going to be watching. The residents in the area requested that the compliance shall be reviewed on a yearly basis. Mr. Albanna stated that they added another security camera this week, so there are now two cameras facing that direction. Those cameras stream directly to his cell phone.

Mr. Pallotta stated that, as always, he is concerned about people crossing the street at State Road, right up to the bridge. He asked Mr. Albanna what his vision is, as far as having the public going from one lot to the other and crossing the street. Mr. Albanna stated that they bring everyone over. After tonight, his employees are going to sign something stating they can't cross the street right there; they're supposed to cross at the crosswalk. They are also going to post a smaller sign stating that the lot is for employees only. He is sure that some people will still drive through there. They cannot control that. The employees will cross the street to bring over the cars for the customers. He will do his best to see that customers do not cross State Road. Mr. Pallotta stated that he understands that, but if people see an open lot over there, they're going to run over there if the gate is open. If the gate is closed and employees only can get in there, that will better that possibility and it will make it safer. Ms. Nichols-Rhodes stated that she wanted to comment that Mr. Albanna's car dealership is a big improvement in that area. There were some good suggestions

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from neighbors that she is glad he agreed to follow. She stated she appreciates him working with everybody.

Mr. Terry Gahring, 1550-20th Street, stated that he is directly behind Prestige Auto. He does not agree that this dealership is fixing that area up. He thinks it does just the opposite. Mr. Albanna has promised different things over the last four years and most of them never happened. He is talking about expanding again and getting bigger. Mr. Gahring stated he has heard rumors that Mr. Albanna would like to buy out Monroe Muffler and put another car garage on the other side of State Road. Right now, there is going to be a 6-foot fence that's going to have about a 15-foot light pole where the light is going to shine over them. He has lived with it now for the last 20 years and he knows what the lights do. Mr. Gahring stated that, in February, the Planning Commission unanimously turned this down, because it was not zoned for automotive use. It was commercial use; not automotive. Mr. Sugar stated that is not true. A conditional zoning permit is an allowed use in the area, but this process must be gone through to make sure the impacts to the neighborhood are limited. It is an allowed use; that is why they have these conditions and that is why they have worked with the applicant. Mr. Gahring stated that the Planning Committee had it and, based on the fact it wasn't zoned for automotive, it was turned down in February. Mr. Sugar stated that it has always been zoned for automotive. Mr. Pallotta stated that he called the Monroe Muffler general headquarters, and there is no proposition to sell their property.

Mr. Iona asked if there was motion to bring out Temporary Ordinance A-112 with a favorable recommendation. Mr. Colavecchio called a point of order, stating that since Mr. Gahring made a five-minute speech, Mr. Albanna may want to respond to some of the allegations he made. Mr. Albanna stated that Council has seen that building before and can see what they have done to it. It's been a long journey. There have been some issues with compliance, and they are going to take care of that. He stated that Mr. Gahring's comments were not fair. As long as he grows in the right way, he is going to continue to grow to get that corner and the next corner. That's business. He would be happy to hand out his direct number. He wants to be a good neighbor and everybody to be happy.

Mr. Rubino moved to bring out Temp. Ord. A-112 with a favorable recommendation, second Mr. Iula. Motion passed (3-0).

The meeting adjourned at 6:54 p.m.