

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

December 18, 2017

Members: Russ Iona, Chair
Jeff Iula
Vince Rubino

Mr. Iona called the meeting to order at 6:32 p.m. All members were present.

Legislation Discussed:

Temp. Ord. B-112

Temp. Ord. B-113

Discussion:

Temp. Ord. B-112

An ordinance accepting the planning commission approval, findings and conditions of the enclave at Old Mill Pond Final Subdivision Plat-Phase 2 (Section 1113.04) on Parcel 35-06495, and declaring an emergency.

Mr. Fred Guerra, Planning Director, stated that this is the second phase of The Enclave at Mill Pond. It's 8.3 acres, and there are 44 lots associated with it. It's on Parcel 35-06495. The property is zoned R-5 Mixed Density Residential. On December 5th, 2017, the Planning Commission found that the project complied with the Cuyahoga Falls General Code 1113.04 Final Major Plat, Title II Land Division and Infrastructure and Chapter 23 Residential Neighborhood Design, and they recommended approval. There were four stipulations, and these were the same as in Phase I. The street was built with Phase I, so they are just subdividing the lots. The first stipulation is, because there are town homes that share common drives, drives could not be every 40 feet. It was waived in the first phase and it is waived in Phase 2. Each new lot or house will have a \$600-per-lot fee that will go in for the Mill Pond and Mill Pond dam improvement project. The third item is that the streets must be planted. This is a code item. The fourth item is that all housing units must be designed to the approved standards in Phase I already approved. Item 5 is that they must have all their declaration of covenants and easements filed. The sixth item is that there's an open space parcel that's goes behind the units and goes in between a couple of the houses that will be for a future trail connection in the open space at Mill Pond.

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

Temp. Ord. B-113

An ordinance authorizing the dedication of Parcel 35-06233 as a right of way extension of Woodbrook Road, and declaring an emergency.

Mr. Guerra stated that this is the private section of Woodbrook Road that accesses Woodbrook Place, which is a subdivision in Akron. When that subdivision was created, this parcel that serves as a private street came under the ownership of a Homeowners' Association. Woodbrook Road,

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including this private section, has existed since Brook Heights was constructed. It was built with the development in Cuyahoga Falls. The road was built during the original subdivision, but, for some reason, it was privately owned. Cuyahoga Falls has been taking care of the road ever since the merger. It is treated as a public road. The City plows it, collects garbage and makes needed repairs. The Homeowners' Association has requested that the private section of the street be dedicated. It will be turned over to the City. The Street Department and Engineering Department have no objection. There are five Cuyahoga Falls' houses that are served on this private street. Based on that and based on the importance that the street be maintained over the years, the City thought it was in the best interest that this portion of the street measuring 50-feet wide by 380-feet long become a public street and be maintained by the City as it has for the last 30 years.

Mr. Iona asked if anything has changed, or are they just officially making it a public street. Mr. Guerra stated that they are not doing any stipulations. It's just going to be a public street, and it's going to be under the City's normal maintenance that's taking place anyway. Mrs. Pyke asked if the City surveyed the street. Mr. Guerra stated that it is a separate parcel. There is a legal description that was done. Five or six years ago, the City told them that they need to get it surveyed. That was done. They will just take that survey, and that will be the public right-of-way. Mrs. Pyke asked if the five Cuyahoga Falls residents on the street received something in writing and approved it. Mr. Guerra stated that they did.

Mr. Iula moved to bring out Temp. Ord. B-113 with a favorable recommendation, second Mr. Rubino. Motion passed (3-0).

The meeting adjourned at 6:42 p.m.