

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

December 4, 2017

Members: Russ Iona, Chair
Jeff Iula
Vince Rubino

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

Legislation Discussed:

Temp. Ord. B-103

Temp. Ord. B-104

Temp. Ord. B-105

Discussion:

Temp. Ord. B-103

An ordinance authorizing and approving a subdivision plat amendment for Lots 70-78 in the Preserve at Salt Creek Final Subdivision Plat-Phase 2, and declaring an emergency.

Mr. Fred Guerra, Planning Director, stated that this is a plat amendment for The Preserve at Salt Creek. It's Phase II. The developer is SA State Road, LLC. They are requesting that that the front yard setback be changed to 20 feet, instead of 25 feet, on lots 70 through 78. The reason is these lot back up against a lake that was on the old Buckeye property. When the Brownfield Program was being done, they noticed that some of the soils were soft around the lake. When the test boring was being performed, most of the test borings came back pretty good, but there were some test borings right up against the lake that were soggy. They are trying to take precautions and move the houses up five feet to the front, so if anybody wants to add a deck, or anything like that, in their backyard, it would be far enough away from some of the poor soils at the rear of the property. These only include the ones indicated by red blocks on the handout. Everything else stays the same. The Planning Commission, on November 21st, approved the amendments. They recommended the amendment to have front yard setbacks to 20 feet on Lots 70 to 78, because of the poor soil conditions in the rear of these properties. They also put another caveat to this that the developer provides engineering evidence that the soil conditions on these properties will support the development, and that the Planning staff will review the soil condition reports.

Mrs. Klinger asked if they have made this setback of only 20 feet since new regulations have been put into place. Mr. Guerra stated that this is a Master Plan Overlay District. Twenty feet has been done on some of the other Overlay Districts. The reason 20 feet was the minimum is that two cars can be parked in the driveway before a sidewalk. The Enclave on Mill Pond has 20 feet, and some of the town homes in Hidden Lakes are 20 feet. Mrs. Klinger asked if this puts them at risk, going forward, of this becoming a standard. Mr. Guerra stated that this is a one-case exception. They are familiar with that property. To be on the safe side, the City agreed with the developer that these 9 lots would have 20 feet. Everything else is 25 feet and 30 feet in the developments. Mrs. Klinger asked if Mr. Guerra thought that other developers would try to get 20 feet through appeals

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processes. Mr. Guerra answered no, because the only reason is the lake and some of the soil conditions.

Ms. Nichols-Rhodes stated that the Planning Commission meeting requested that the developer provide evidence of the soil. She asked if that will be reviewed by the Planning Commission again. Mr. Guerra stated that it will be reviewed by the staff, and then, if there are any questions, Engineering will review it. The home builder and the developer have taken precautions on these lots already. Soil borings were done during the cleanup of the property, and they redid those soil borings. The Planning Commission wanted to be on the safe side and review this condition again. If it's not there, they're going to have to redo them. They have done all the research on these properties. Mrs. Pyke asked if these homes have basements. Mr. Guerra answered they did. Mrs. Pyke asked how far away the houses are from the lake and if the basements are at risk. Mr. Guerra stated that they are approximately 30, and, in some cases, 40 feet from the lake. This lake serves as a retention basin. When the lake was drained, the edges of the lake were sculptured. Ryan Homes and the developer took out a lot of soil and put new soil into this area. The retention basin is much larger than is needed for this size development, so there shouldn't be a problem. Mrs. Pyke stated that if someone is buying one of these homes, they will see that it's only 30 or 40 feet from the lake. Mr. Guerra stated that some people like that. Those houses near the lake at Hidden Lakes are prime properties. The same thing could potentially happen in this development.

Mr. Iula moved to bring out Temp. Ord. B-103 with a favorable recommendation, second by Mr. Rubino. Motion passed (3-0).

Temp. Ord. B-104

An ordinance authorizing and approving the conditional zoning certificate to construct and operate a Vehicle Repair Facility at 2356-2358 Front Street (Parcels 02-04059 & 02-04060) in an MU-5 Urban Center District, and declaring an emergency.

Mr. Guerra stated that World Auto Net is the applicant. They operate the sales facility at 2374 Front Street. They presently have a 3,400-square-foot sales office and an associated lot. They specialize in selling used cars. They own the building adjacent to the current existing sales lot, and that is 2356 and 2358 Front Street. The Front Street Pub presently is in this property. They intend to move World Auto Net service operations into this building and build a 3,244 square-foot addition. The other improvements include an improved parking lot area, site lighting and additional concrete curbs. The addition will be an auto repair facility. The building where the Front Street Pub is presently located will be offices and storage. On November 21, 2017, the Planning Commission found that project CZ-17-00026 met Conditional Zoning Certificate requirements and criteria and recommended approval of the conditional use permit for 2356-2358 Front Street for vehicle repair subject to five stipulations: First, a 10-foot buffer shall be installed along the rear of the addition, comprised of arborvitae trees spread 4 feet apart; two, a rear privacy fence shall be replaced with a six-foot vinyl privacy fence; three, pole-mounted fixtures shall be placed at a maximum height of 15 feet; four, a lot consolidation shall be made prior to the issuance

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of a zoning certificate and, five, two medium-size street trees shall be installed in the City right-of-way along Front Street.

Ms. Nichols-Rhodes stated that there are several homes on the backside of this property that are going to be happy to have the hours of noise reduced, because this business won't operate with as much noise and during less amounts of time. They will also like the buffer. There are no new impervious surfaces. There is nothing more that will be increased. She also thinks it will add jobs to the area.

Mr. Rubino moved to bring out Temp. Ord. B-104 with a favorable recommendation, second by Mr. Iula. Motion passed (3-0).

Temp. Ord. B-105

An ordinance approving a zoning map amendment for Parcels 02-19693, 02-20071, 02-20072, 02-20073, 02-20074, 02-20075, 02-20124 (320 Broadway East, 330 Broadway East and 405 Tallmadge) from R-5 Mixed-Density Residential to MU-5 Urban Center District, as more fully described and depicted herein, and declaring an emergency.

Mr. Guerra stated that this ordinance requires a public hearing. That public hearing will be on January 16th, 2018. This ordinance will be discussed at the committee meeting held after the public hearing.

The meeting adjourned at 6:43 p.m.