

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

December 5, 2016

Members: Russ Iona, Chair
Jeff Iula
Vince Rubino

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

The minutes from the October 17, 2016 Planning and Zoning Committee meeting were approved as written.

Legislation Discussed:

Temp. Ord. A-92

Temp. Ord. A-93

Discussion:

Temp. Ord. A-92

An ordinance accepting the Planning Commission second one year extension for the Menards site plan at 75 Graham Road, and declaring an emergency.

Mr. Nicholas Sugar, Senior Planner, stated that this ordinance is a recommendation from the Planning Commission to extend the site plan approval for Menards. This would begin in January 1st of 2017 and commence for one year. Previously, Menards was extended until June 14th of 2017. This was a request by Menards mainly to line up with their CRA agreement extension

Mr. Tom O'Neil, Menard Inc., 5170 Menard Drive, Eau Claire, Wisconsin, 54703, stated that they have been working with staff on what they anticipate to be a final extension amendment to the CRA agreement taking the timeframes for project commence of construction through 2017 and completion through 2018. They want to make sure that the timeframe ran concurrently with that. It's anticipated that construction will begin in 2017. They do not have a specific date. Their construction crews are busy finalizing some existing projects that they are working on, so they were hesitant to give him a specific date that they would commit to, but the trees are starting to come down within early 2017 with the store construction to follow and opening in 2018.

Mrs. Pyke asked why the trees must come down at a certain time. Mr. Demasi, City Engineer, stated that there is unrestricted tree removal permitted through the EPA for the Indiana bat between October 1st and March 31st. Between April 1st and September 30th, there is restricted tree removal. That is because the bats are an endangered species. Mrs. Pyke stated she wanted to make sure the public understands that the project is being restricted because of bats.

Mr. Rubino moved to bring out Temp. Ord. A-92 with a favorable recommendation, second by Mr. Iula. Motion passed (3-0).

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Temp. Ord. A-93

An ordinance authorizing and approving the conditional zoning certificate to operate a wine bar at 4964 State Road (Parcel 37-00223) in an MU-1 Rural Neighborhood Center, and declaring an emergency.

Mr. Sugar stated that this ordinance is a conditional zoning certificate for the Wine Mill, which is located on State Road at the entrance to the Hidden Lakes Development. They have been opened for two years, but, since they've opened, they've grown quite a bit and, most notably, are doing outdoor wedding events on the property. These are weddings are smaller affairs. Because it is an accessory use for the property, the Planning Department wanted to set some guidelines and take them through the conditional zoning certificate process and put on stipulations that they can keep track of and keep everything together because they want to be mindful that it is in a neighborhood. They had good representation of the neighborhood at the meeting. The HOA was there, as well. Some of these stipulations were based on things such as the occupancy of the building. There are some requirements on the total number of events a year, the type of music and where the music is located. The City has had a good working relationship with the owners, so they feel comfortable going forward with these six stipulations. The Planning Commission recommended approval of this file based on these recommendations.

Mr. Iona stated that he wanted to reiterate that they had a great group of people from the neighborhood, including the president of the Homeowners Association, saying how nice it was to be able to walk up to the Wine Mill, have a nice meal, have some wine and walk back home. The neighborhood seemed extremely pleased with it. He highly recommends it. It beats what was there before, which was a deserted place on State Road. It has cleaned up the property and is an asset to Ward 8.

Mr. Iula moved to bring out Temp. Ord. A-93 with a favorable recommendation, second by Mr. Rubino. Motion passed (3-0).

The meeting adjourned at 6:38 p.m.