



provide access for lots 35 to 37 and lots 64 to 71 and will also terminate with T-type cul de sacs. Blocks: Traffic calming devices that include “bulb outs” and “neck downs” are required in this type of development. These changes will need to be made to the street to include a bulb out, small boulevard or neck down in at least one area between the cul de sac and Bath Road. Because of the topography, the Planning Commission waived the rule against cul de sac blocks of this length. The Planning Commission will allow this very long block. Compliance with the usual rule would have required a bridge to be built. Neighborhood design: The rule requiring 40 feet between driveways is waived to allow 30 to 35 feet. This is necessary in a townhome development. Infrastructure, community facilities and open space: The final storm water management plan will be submitted in the final subdivision approval. Compliance with the rule requiring either dedicated land from the developer for open space or a payment in lieu of dedication has not been determined yet. The developer has not provided a stream corridor plan. This will be due before approval of the final plat. The Planning Commission found the Declaration of Covenants and Reservations and Easements to be acceptable.

The Chair recognized John Nehrens from Ryan Homes. Mr. Nehrens stated that this development is designed primarily for the empty nester. The 77 town homes will be fee simple, not a condominium. Ryan Homes has seen all of the recommendations from the Planning Commission and states they are able to meet all of the recommendations requested. Plans have started to be adjusted with the engineer in order to meet the changes requested. The final plan will reflect all requested changes.

The Chair asked if the changes to the usual code requirements required are the result of the geography of the site. Mr. Guerra stated that single family homes would be difficult on this site. Townhomes are appropriate for the site. Open space will be provided through the parcel the City is buying, or through the developer’s remnant land.

The Chair recognized Mr. Weinhardt, who asked when will the project get started. Mr. Nehrens stated infrastructure would begin in the fall assuming all approvals are received. Wetlands approval of the Army Corps of Engineers may delay the project to next summer.

The Chair recognized Mrs. Pyke, who asked if parking would be on one side of the street. Mr. Guerra stated that is typically the case. Which side of the street has not been determined. Mrs. Pyke asked if on street parking will be used by people to access the pond. Mr. Guerra stated that the City's plan is to provide parking elsewhere. Mrs. Pyke asked if the City's additional parking area be available before this development is open. Mr. Guerra stated that street parking is available, but the City plans to have parking available elsewhere. Mrs. Pyke asked if each unit can hold 2 cars in the garage and 2 cars in the driveway. Mr. Guerra stated this is correct. Mrs. Pyke asked if there be a stop sign on the small stub private streets. Mr. Guerra stated this has not been determined. Mrs. Pyke asked if there will be sidewalks. Mr. Guerra stated there will be sidewalks. Mrs. Pyke asked if the potential for stream flooding has been assessed. Mr. Guerra stated the storm water management plan has not been done yet. Mrs. Pyke asked if the developer would be permitted to move the stream. Mr. Guerra stated the stream is on city property.

The Chair recognized Mr. Pallotta, who asked square footage of the units. Mr. Nehrens stated they will range from 1,800 to 2,300 sq. ft. A finished basement can be added to increase square footage by 1,000 square feet. Mr. Pallotta asked if these units will be rentals. Mr. Nehrens stated they are fee simple. Each unit sits on its own property with a common wall. Mr. Pallotta asked what the price ranges will be. Mr. Nehrens stated \$225,000 to \$275,000. Some may be higher than that.

The Chair recognized Mr. Brillhart, who stated that he is very enthused about the project.

There was no opponent testimony. There was no public comment.

Motion by Mr. Weinhardt to release Temp. Ord. B-15 with a favorable recommendation. Seconded by Mr. Mader. Motion adopted by acclamation.

Temp Ord. B-16

An ordinance accepting the Planning Commission approval, findings and conditions of the Menards site plan at 75 Graham Road, and declaring an emergency.

Proponent testimony was offered by the Planning Director, Fred Guerra. Mr. Guerra stated this is a 20 acre site. 10 acres are owned by First Akron and 10 acres currently on the former Giant Eagle site. This project includes the demolition of the Giant Eagle and construction of the new Menards store with 173,000 square feet of indoor retail space, 27,000 square feet of outdoor retail space, and a 47,000 square foot unheated warehouse. There will be 414 parking spaces, a 34,000 square foot storm water detention basin and one outparcel of 1.26 acres. The outparcel is the former site of the GetGo fuel station. The existing Giant Eagle will be torn down and the new Menards building will be built farther from the street. The current site of the Giant Eagle will be parking. The property is currently owned by First Akron. Both First Akron and Giant Eagle have purchase agreements with Menards. The engineer is Metro Consulting Associates. The estimated investment is \$21 million. The Planning Commission found that the proposed site plan and building design meets the general intent of the Development Code chapter 1122 street networks, chapter 1123 blocks and lots, chapter 1124 infrastructure, and Section 1132.15 C-1 commercial district standards, chapter 1144 general district designs and chapter 1145 landscape designs. On Feb 3, 2015, the Planning Commission approved of the Menards site plan with the following conditions.

Site Plan Alterations: The City required a Traffic Impact Study to be done. Menards completed one. However, the City's consultant, URS, found further issues needed to be addressed. The

recommendations of the City's consultant are now being reviewed by Menards' consultant. The street will not need to be widened, but there may need to be some traffic light timing changes and turn lanes. The other items under site plan alterations is that the Planning Commission staff is requiring heavy landscaping of the parking lot instead of medium landscaping on the north, east and west property lines. Street trees must be planted along Graham Road. Planning Commission staff is requiring detailed designs for the retaining walls in the rear of the property and on the west side of the property. These retaining walls must be tiered and landscaped. A revised landscaping plan will be required. Planning staff is requiring that all metal roof panels on the pallet walls to be green to match the roof. The wall on the warehouse also needs to be green. There are no "open space" requirements for Menards, but there are spaces between the back gated area and the City's property that the City will require to be maintained as a wooded area as it is today.

Planning Commission Adjustments: the parking lot may be divided into 2 separate parking areas instead of the three as would normally be required. The Code requirement limiting driveway tapers to 50 feet will be waived. The City will allow a wider taper for the trucks to access the property. Storm water best management practices will be waived to allow a storm water retention basin. However, the City will require more landscaping, which will be detailed in the landscaping plan. The plan will likely include a decorative fence. Parking requirements will be waived to permit 414 parking spaces, which is less than what would normally be required. The City has requested a letter from Menards detailing their typical parking requirements and the letter was received from Thomas O'Neil stating that the parking ranges from 393 to 475 spaces, and averages 414 to 425 spaces. The Planning Commission is satisfied that the proposed parking is adequate. The Code requirement prohibiting the use of pre-cast panels will be waived. The store will be permitted to have two entrances instead of the three that would normally be required.

Site plan enhancements: The City is encouraging Menard's to investigate the use of a geo web soil stabilizer in place of some of the retaining walls. If this is feasible, the requirement for tiered retaining walls may be modified. The existing trees will be retained. The City is requesting that Menard's make greater use of the Belgian block in the façade plan.

The Chair asked what Belgian block is. Thomas O'Neil of Menards stated that Belgian block is manufactured in Ohio and is made by Menards. It is a tan-colored concrete block.

The Chair asked about the employment levels expected at the store. Mr. O'Neil stated Menard's would have at a minimum 125 employees with 40 to 45 full time and 75 to 80 part-time.

The Chair recognized Mr. Weinhardt, who asked how the storm water detention basin will be protected. Mr. O'Neil stated that Menards typically does not put in a fence but they will do so if necessary. Mr. Weinhardt asked how many trees will be removed and whether there are plans to replace them. Mr. Guerra stated that the code requires new street trees, and Menards will plant trees as part of its landscaping. Mr. Weinhardt asked if a specific number of new trees has been determined. Mr. Guerra stated that a landscaping plan will be produced.

The Chair recognized Mrs. Pyke, who asked how customers will access the lumber area and whether there is an exit to the west. Mr. O'Neil stated there is no western exit. The customers will not typically go to the lumber yard first. They will go to the front entrance first. There is plenty of paved area in the rear to circulate back to the east. Mrs. Pyke stated that the 9 foot wide parking spaces are too narrow. Mrs. Pyke asked why the handicap parking spaces are on the west side of the store and not in front. Mr. O'Neil stated that the perpendicular parking in front are loading spaces. The handicap spaces are spread out intentionally based on customer behavior. Mrs. Pyke asked if there will be a left turn lane exiting onto Graham Road. Mr. O'Neil stated that there will be.

The Chair recognized Mr. Colavecchio, who asked if there is a code requirement for a fence around a storm water detention basin. Mr. Guerra stated there is not. It is up to the discretion of the Planning Commission. The Planning Commission decided to let City staff and Menard's "work through the issue." Mr. Colavecchio asked for an explanation of the geoweb soil stabilization system. Mr. Guerra stated it is like a plastic beehive filled with gravel and soil to provide stability for a hill to prevent cave-ins. Mr. Colavecchio asked if Mr. O'Neil has any objections to the Planning Commission's conditions. Mr. O'Neil stated that they are working with City staff on revising and meeting the requirements.

The Chair recognized Mrs. Klinger who asked if the west entrance to the site will be "right-in" and "right-out" only. Mr. O'Neil stated it will be right in/right out only. Mrs. Klinger asked if the entrance will be physically configured to require this. Mr. O'Neil stated that Menard's has not received specific direction from the City on this point. Mr. Guerra stated the installation of a traffic signal at Graham and Lillis has affected this decision. It will be reviewed and there could be a change required. Mrs. Klinger stated that the City should do everything possible to encourage motorists to do what the signs say they should do. Mr. Guerra stated that the City's consultant is looking at this issue. Mrs. Klinger asked if Menards will be permitted to block off areas of the parking area for temporary displays or seasonal items, further reducing the number of parking spaces. Mr. O'Neil stated "No." The company has a policy of not using its parking lot in this manner. Mrs. Klinger expressed concern that the City is resorting to the least desirable system to manage the storm water on this site. There have been prior water problems in this area.

The Chair recognized Mr. Brillhart, who stated that he is pleased with this project.

The Chair recognized Mrs. Pyke, who asked if the storm sewer that runs through the site has been inspected by camera. Mr. Guerra stated that inspection is scheduled for the next day. Mrs. Pyke

asked for a copy of the inspection report. Mr. Guerra stated he would provide it.

There was no opponent testimony. There was no public comment.

Motion by Mr. Rubino to release Temp. Ord. B-16 with a favorable recommendation. Seconded by Mr. Weinhardt. Motion adopted by acclamation.

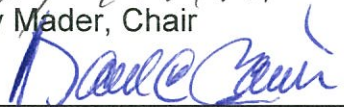
Non-Agenda Items

None.

Adjournment

Without objection, Chairman Mader adjourned the meeting at 7:35 p.m.

  
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Terry Mader, Chair

  
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Paul A. Janis, Clerk of Council