

**Cuyahoga Falls City Council
Minutes of the Planning & Zoning Committee Meeting
July 15, 2013**

Members: Vince Rubino, Chair
Jerry James
Terry Mader

Mr. Rubino called the meeting to order at 6:30 p.m. Mr. James was absent.

The minutes from the July 1, 2013 Committee meeting were approved as submitted.

Miscellaneous

Patricia Simmons of the Akron Zoo gave a community update on what the zoo has accomplished with the support of taxpayer dollars. Community Days for Cuyahoga Falls is September 8 – 12. The zoo was voted the #1 visitor attraction in Summit County and is one of only 225 accredited zoos in the country. There are over 2,000 captive animal facilities and only 225 received accreditation. They are asking for a renewal levy this fall, which will equal \$23 for a \$100,000 homeowner. She asked for support and also that everyone come out for Community Days.

Legislation Discussed

Temp. Ord. B-42
Temp. Ord. B-43
Temp. Ord. B-44
Temp. Ord. B-45

Discussion

Temp. Ord. B-42

An ordinance approving a conditional zoning certificate for the operation of a vehicle repair facility at 2010 Bailey Road in an MU-2 neighborhood Center District, and declaring an emergency.

Mr. Guerra stated that James Slaby is requesting a conditional zoning certificate to operate a full-service repair facility at 2010 Bailey Road. The site has been vacant. He is in the process of improving the site. The Planning Commission approved this on July 7, 2013 with five stipulations: (1) Existing light poles must be removed and new exterior lighting must adhere to Section 1144.06 Lighting Design; (2) Seven street trees must be planted in the tree lawn and a five-foot wide landscape frontage buffer must be constructed; (3) Two curb cuts at the southwest corner of the property must be eliminated; (4) Vehicles can be stored outside for up to seven calendar days only per visit; (5) all fees must be paid to the City.

Mr. Mader moved to bring out Temp. Ord. B-42 with a favorable recommendation, second by Mr. Rubino. Motion passed (2-0).

Temp. Ord. B-43

An ordinance approving the Preliminary Plat of Hidden Lakes Phase 3 Subdivision, and declaring an emergency.

Mr. Guerra stated this is for preliminary subdivision approval for phase 3 of the Hidden Lakes Subdivision. There are a total of 60 lots being created. Hudson One LLC is working with Pulte Homes. The Planning Commission approved the Preliminary Subdivision Plat on July 7 with five stipulations: (1)

Rear setbacks must be 20' minimum on all parcels; (2) Side setbacks must be 5' minimum on all parcels; (3) Developer must set aside a minimum 20' easement between lots 15 and 16 to continue the eight-foot wide multi-purpose trail on Hidden Lakes Lane for future connectivity to the Cuyahoga Valley National Park; (4) Street design must be in general conformance to previously-installed streets in the subdivision or meet L-50/S: Local/Standards (Section 1122.07 Typical Streetscape Cross-Sections); (5) All riparian areas must be designated as easements.

Mr. Mader stated that one of the biggest topics at the Planning Commission meeting was the traffic on State Road. He received a lot of calls from people that it is difficult to get out of the neighborhood. He thought that may be a separate issue from the legislation. Mr. Guerra stated this is the third phase. The development was approved in 2004 with more homes than are actually being built. This is just completing the final phase and is adding less cars. Mr. Demasi stated the roads have been studied but they are looking to update that study. They are waiting for school to start so they can get a true representation of the conditions that exist out there. Some of the studies were completed prior to some of the developments. Mr. Mader appreciated that. Most of the traffic is not from people who live in the neighborhood but rather people who travel the area during the school year. Hopefully, it will be addressed before school starts. Mrs. Klinger stated there was once talk about doing a roundabout. Mr. Demasi stated the previous County Engineer generated a conceptual design of a potential solution that would include a roundabout. It is nothing the City would rule out. Mrs. Klinger asked whether possible solutions would be available in October if the study were done in late August or early September. Mr. Demasi stated the study would begin as soon as school starts. Mrs. Klinger hoped a solution would be available before the end of the year so the City will know which direction it is heading. Mr. Demasi agreed and added they would have conceptual or preliminary ideas. Mr. Mader reiterated his understanding that this is a separate subject from the legislation. He is looking forward to Phase III going forward. He appreciated what is being done there.

Mr. Mader moved to bring out Temp. Ord. B-43 with a favorable recommendation, second by Mr. Rubino. Motion passed (2-0).

Temp. Ord. B-44

An ordinance approving the site plan related to the French Mill Run Subdivision Plat (Parcel Nos. 35-06452, 35-05607, and 35-02080), and declaring an emergency.

Temp. Ord. B-45

An ordinance approving the Preliminary and Final Subdivision Plat of French Mill Run Subdivision, and declaring an emergency.

Mr. Guerra stated he will be discussing these two pieces of legislation at the same time. French Mill Run LLC is requesting a combined preliminary and final subdivision and site plan approval. The subdivision includes three parcels and also a public right-of-way. The site plan consists of eight apartment buildings (162 apartments), a 9,000 sq. ft. retail building, a clubhouse, garages, parking lots, a retention basin, and a 2,500 lineal foot public street that will connect State Road and Bath Road. The development is a large development. The Planning Commission approved this on July 7 with 11 stipulations: (1) The maximum curb radius for the State Road and Bath Road intersections with French Mill Run are 20'; (2) The private drive on State Road must meet non-residential rear access alley standards with a 20' curb radius; (3) All drive curb cut tapers must not exceed 35' wide; (4) Allow "Run" as a street designation for the new roadway; (5) Allow a 20' roadway for French Mill Run, approximately 230', starting at the W. Bath Road intersection; (6) Wildfire (Black Gum), Frontier Elm, Red Sunset Maple or Sumerset Maple trees shall be planted; (7) City Electric Department must approve all street lighting; (8) Apartment buildings 1 and 4 must have sidewall enhancements on the street side that meets the intent of Section 142.02; (9) All sloped roofs must be at least 5:12, with the exception of the garages that may have a slope of 4:12; (10) The

retail building shall meet all building base and crown standards set forth in Section 1143.02; (11) Applicant must pay all fees and bonds, and the public roadway must also be bonded. Mr. Mader asked where this development fit in with the water districts in the area, specifically, the high pressure district. Mr. Demasi stated when a road is constructed, like this one, where it begins at one and ends at another, it is desirable to extend utilities rather than loop them. State Road has a 16" high pressure line and a normal pressure line. Bath Road has only one line that is normal pressure. When looking at designing this water line, they had to make sure the new line was connecting to lines of the same pressure. They cannot connect one end to a normal pressure line and the other to high pressure so both are being connected to the normal pressure line. Mr. Mader asked where things stood on the high pressure fee. Mr. Brodzinski stated he had not expecting that question to know where the City's stands. He estimates that at the end of last year, it was looking like the fee would be ending towards the end of 2013 or beginning of 2014 as long as anticipated numbers came in correctly. Hidden Lakes could help with that depending on how they pull their permits. Mr. Mader asked if anyone had a conversation with Woodridge Schools about this development. Mr. Guerra stated that Jennifer Syx did and they are aware of it and are in support of it.

Mrs. Pyke asked which streets were public streets. Mr. Guerra stated that French Mill Run is the main street and will be public. It is L-shaped. The other is really an entrance they are calling a residential alley. Mrs. Pyke asked about the street off Bath Road being 28' wide. Mr. Guerra stated the section with no development would be 28' wide. They felt that would help deter people from speeding. All streets will be curbed streets and will have a walkway. CDBG funds are used for 40% – 50% of the street. Mrs. Klinger stated this project was located in the high pressure district and asked if the residents would be paying that fee. Mr. Demasi stated the project was actually outside that district. Mrs. Klinger felt the City needed to look at including it in the district. The project is building a 20' road but did not require it to be standard even though it is using public money. People will speed regardless of the road width. She asked how many taps there would be. Mr. Demasi stated there are 162 apartments but wasn't sure how many taps that meant. The builder, Martin Mehal, added there would be one tap per building. Mrs. Carr added that there are several districts in the City. This is in the Bath Road district, not the high pressure district. Without changing the ordinance, they cannot change the high pressure district. Mrs. Klinger pointed out that if the development tapped into the high pressure line, it would be in the high pressure district. Mrs. Carr stated they are tapping into the low pressure line off Bath Road. Mr. Guerra added they have to loop into the same pressure. Mrs. Klinger indicated she understood that. She asked how much the tap was. Mrs. Carr believed it would be around \$288,000 for one tap. Mrs. Klinger stated that using CDBG money to build a street is not up to the City's standards. Mr. Colavecchio stated he could foresee many traffic problems. He asked if a traffic study had been done regarding how much traffic the project would be adding to State Road, especially once Portage Crossing is constructed. Mr. Guerra stated that Hidden Lakes has only one way in and one way out, which is a problem. They wanted people to have more than one way in and out. The State Road Improvement Project in addition to improvements planned at Portage Crossing should help alleviate traffic issues. Mr. Colavecchio asked whether the hill on Bath Road could be a blind spot. Mr. Guerra believed the crest is further west from the planned road and is closer to Bath Creek Estates. He did not have a problem seeing when he pulled out of the drive. Mrs. Pyke agreed that the hill could be an issue and asked if someone could mark where the new road would be so Council members could check it out before a vote takes place. Mr. Guerra stated there is a house there now, and the address for those parcel numbers is 45 W. Bath Road. Mr. Rubino stated that something should still be marked and asked if there was anything that would identify the location. Mrs. Klinger suggested the City could make it a right-in/right-out only as an alternative. Mrs. Pyke indicated she would still like to see the location and where the drive is actually going in because she felt the hill will be a problem. Mr. Demasi stated that neither the designers nor the engineers raised a concern about site distance with the hill located to the west. He pointed out that Council has the right to add it as a stipulation. This is the first time he's heard about this potential issue. Mr. Rubino felt the issue may require a study by experts rather than Council deciding if it should be a right turn only. Mr. Demasi stated he will look at the matter tomorrow and get Council an opinion. He added that they have an

engineering company looking at various things. As part of his process tomorrow, he can ask URS to look at it as well.

Mr. Walters asked about the apartments. Mr. Mehal stated they are large and upscale similar to Wyoga Lake across from the fire station. Square footage is between 680 s.f. to 1,200 s.f., and rent would be between \$800 - \$1,200 per month. Mr. Walters asked for a description of the retail portion of the project. Mr. Mehal stated that will depend on the tenants, which is not known at this point. It could be one tenant or four to six tenants. It will be what you would typically see in a mixed-use development with retail.

Mr. Mader moved to bring out Temp. Ord. B-44 with a favorable recommendation, second by Mr. Rubino. Motion passed (2-0).

Mr. Mader moved to bring out Temp. Ord. B-45 with a favorable recommendation, second by Rubino. Motion passed (2-0).

Meeting adjourned at 7:45 p.m.