

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Planning & Zoning Committee Meeting

July 6, 2015

Call to Order The meeting was called to order by Mr. Mader, Chair, at 6:30 p.m. A quorum was present.

Approval of the Minutes Without objection, the minutes from the meeting of June 1, 2015 were approved as submitted.

Agenda Items

Temp. Ord. B-45 An ordinance authorizing and approving the conditional zoning certificate for the installation of an outdoor pavilion/projection screen at the Wing Warehouse at 4165 Wyoga Lake Road (Parcel 35-06454) in a MU-3 Suburban Center District, and declaring an emergency.

Proponent testimony was offered by Assistant Planning Director Nick Sugar. Mr. Sugar stated that the Planning Commission reviewed a request for a conditional zoning certificate for Wing Warehouse located at the corner of Wyoga Lake Rd. and Steels Corners. The zoning certificate is for an outdoor projection screen. This use is classified as outdoor recreation requiring a conditional zoning certificate. The screen is located in the rear corner of the property behind the building. All the materials will match the existing structure. It will have the Hardy Board siding, asphalt shingles and a pitched roof. This is part of a series of improvements that the owner has been making to the property over the last few years. Last year, the parking lot was expanded and a 700 square foot addition was approved. An outdoor patio has also recently been approved. Patrons will be able to mingle inside and outside. Projection screen will be used primarily for sporting events. The Planning Commission reviewed the file on June 16, 2015 and approved the zoning certificate with the following conditions: 1) The Commission required a lighting plan to be submitted for the entire site. The lighting plan has since been submitted and approved.

It meets all of the Code requirements. 2) The Commission required a noise restriction on the use. The Code does not address commercial noise, so the Commission used the Summit County noise ordinance, which sets a decibel limit for commercial uses during certain hours. It was modified for this purpose. At 11:30 p.m., the requirement for this use steps down to residential noise requirement. 3) the Commission allowed a 10 foot set-back modification for the proposal. The Commission considers this as an accessory building. 4) The Commission required a buffer of evergreen trees or equivalent. 5) The Planning staff will review any proposed substitute measures for noise control.

The Chair stated that he is pleased that the potential for noise problems was addressed by Commission. The Chair also stated he is pleased with the trees being added as a buffer.

The Chair recognized Mr. Weinhardt, who asked what the decibel noise limit is in the Summit County ordinance. Mr. Sugar stated it is 67db for commercial areas. The Wing Warehouse noise level limit will be 67db until 11:30 p.m. and then it will be reduced to 55db which is the residential level. Mr. Weinhardt asked if the only enforcement mechanism is a complaint to the Zoning Administrator. Mr. Sugar stated this is correct.

The Chair recognized the Applicant, Darrell Guarnello, 2089 Arnell Road, Stow, who stated he is the owner of the Wing Warehouse, built in 2006. This location is one of the best locations in the chain. He stated he had been trying to acquire the corner lot for some time in order to expand the parking lot and finally achieved this last year. The primary purpose of the recent improvements is to increase the outdoor seating area. The projection screen was added on as an additional feature during design of the patio. The video screen is 20 feet wide, housed inside a "pavilion" structure which will also be used for storage during the winter months. The structure will look the same as the main building.

The Chair recognized Mrs. Pyke, who asked if the sound direction will project back to his building or in another direction. Mr. Guarnello stated that it will project to the south towards the old nursery and a little bit toward the current patio in back of the building. Mrs. Pyke asked if the City has a decibel meter. Mr. Sugar said he has one and the Police department may also have one. Mrs. Pyke asked how the meter will be accessed if there is a complaint. Mr. Sugar stated that for residential issues, it is handled by the Police.

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

Motion by Mr. Weinhardt to release Temp. Ord. B-45 with a favorable recommendation. Seconded by Mr. Rubino. Motion adopted by acclamation.

Non-Agenda Items

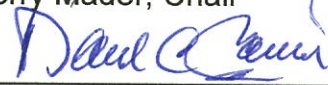
None.

Adjournment

Without objection, Mr. Mader adjourned the meeting at 6:43 p.m.



Terry Mader, Chair



Paul A. Janis, Clerk of Council