

Cuyahoga Falls City Council
Minutes of the Planning & Zoning Committee Meeting
March 20, 2006

Members: Kathy Hummel, Chair
Tim Gorbach
Ken Barnhart

Mrs. Hummel called the meeting to order at 6:15 p.m. Mr. Barnhart was absent.

The minutes of the February 6, 2006 meeting were approved as submitted.

Legislation Considered:

Temp. Ord. A-37

Discussion:

Temp. Ord. A-37

An ordinance authorizing and approving the site plan for a 25,439 square foot development project in 3 commercial buildings at 4165 Wyoga Lake Road in an MU-3 Suburban Center Mixed Use District and declaring an emergency.

Mrs. Hummel read A-37 (second reading). Mr. Guerra reviewed the details of the site plan application. The applicant is Karam Properties; David Mann is the architect. The Planning Commission approved the site plan with four conditions: 1) site design must be developed according to the 3-1-06 revised site plan; 2) landscaping must be planted according to the 3-1-06 revised site plan according to Chapter 1146 of the GDC; 3) regarding infrastructure, the best storm water management techniques shall be used and the developer will deposit with the City an amount determined by the City Engineer for the construction of a hard surface trail along Wyoga Lake Road within 90 days of the start of said improvement; 4) applicant must pay a \$500 site inspection fee to the City Engineering department and shall, prior to issuance of a building permit, post a landscape cash bond with the Department of Community Development.

Mrs. Hummel said several issues were raised at the Planning Commission: 1) This project will tie into the Summit County Sewer District, not the City sewer; 2) Parking spaces meet the new code requirements, but the City may need to review the code to insure ample parking; 3) Under Section 4b, the Planning Commission voted 4-2 to allow the developer to delay paying the

"impact fee" for the hard surface walk until 90 days before the improvement will be done. Mrs. Hummel said there has been a longstanding policy to collect impact fees at the time the building permits are issued, and she opposes this proposed change. She will make an amendment next week to delete the wording "within 90 days of the start of the improvement upon notification by the City. (Condition amended by the Planning Commission.)

Mrs. Pyke asked if the City has delayed the payment of impact fees in the past. Mrs. Hummel said she wasn't aware of any exceptions, and Mr. Korycan of the Planning Department concurred.

Mrs. Truby agreed with Mrs. Hummel. She said this would be a departure from the past, and the escrow provides assurance that the developer will pay for the improvement.

Ed Davidian, Planning Commission member, addressed the issue raised by Mrs. Hummel regarding the advance payment of impact fees by the developer. He said the City did delay the payment of fees on Chart Road. He believes that it is unfair to ask for \$100,000 escrow from a developer who is willing to spend \$8 million and employ 100 people in our City for an improvement that may or may not happen.

The committee recommended bringing out Temp. Ord. A-37 for approval.

The meeting adjourned at 6:35 p.m.

