

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

October 21, 2024

Members: Susan Spinner, Chair
Joe Siegfert, Vice Chair
Frank Stams, Mike Brillhart, Rachel Loza

Mrs. Spinner called the meeting to order at 6:40 p.m. Mr. Stams was absent.

The minutes of the June 3, 2024 Public Hearing and Planning and Zoning Committee meetings were approved as written.

Legislation Discussed:

Temp. Ord. A-74

Temp. Ord. A-75

Discussion:

Temp. Ord. A-74

An ordinance approving a zoning map amendment for parcels located on State Road south of Boulder Boulevard from MU-1 Rural Neighborhood Center to R-3 Suburban Density Residential, and declaring an emergency.

Mr. Rob Kurtz, Planning Director, presented Temporary Ordinance A-74 to Council. He stated that the applicant, Petros Homes (4846 State Road LLC) is requesting that four (4) parcels located on the west side of State Road south of Boulder Lane be rezoned from MU-1, Rural Neighborhood Center to R 3, Sub-Urban Density Residential. The applicant's position is that because the site includes a significant frontage along Boulder Blvd., single family is a more appropriate land use versus the commercial or mixed residential uses allowed in the MU-1 district. The table on the next page provides an analysis of the permitted uses in MU-1 and R-3 districts (page 2). The applicant's intention is to develop eleven (11) single family homes on individual lots. A conceptual plan is included on page 3. Planning Commission Action Planning Commission recommended approval of the map amendment contained in File MAP 24-00018 on September 4, 2024.

Mrs. Spinner stated that the zoning map amendments will allow the builder to build single-family homes versus condos and apartments. Under its current MU-1 Rural Neighborhood Center designation, what kind of development could go there if this map amendment does not get approved. Mr. Kurtz stated that office use would be a permitted use there, retail uses, for example a feed store, restaurants would be permitted, drive-thrus and, as far as personal services, dry cleaner and laundry are possible uses in the MU- I district. Mrs. Spinner stated that she likes the fact that this project is going to bring more single-family homes and be very much like what is currently there.

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Mr. Siegfert moved to bring out Temp. Ord. A-74 with a favorable recommendation, second by Mr. Brillhart. Motion passed (4-0).

Temp. Ord. A-75

An ordinance approving a zoning map amendment for multiple parcels located on Boulder Boulevard and Quartz Avenue in the Boulder Estates subdivision from MU-1 Rural Neighborhood Center to RM Mixed Density Residential Overlay (R-3), as more fully described and depicted herein, and declaring an emergency.

Mr. Rob Kurtz, Planner Director, stated that this request, initiated by Community Development staff, corrects a zoning situation where, in the Boulder Estates subdivision, there are several single family dwellings located in a primarily commercial district. Specifically, there are nineteen (19) parcels zoned MU-1 Rural Neighborhood Center. Since single family dwellings are not a permitted use in this district, the homes are considered legally nonconforming uses. As a way of background, the Boulder Estates development was originally approved as a Planned Unit Development (PUD) under the previous zoning code in 2004. The current Development Code was adopted July 25, 2005. Apparently through an oversight, the MU-1 district boundary included these single family lots. Planning Commission recommended approval of the map amendment in File MAP-24-00021 on September 4, 2024.

Mrs. Spinner stated that, as mentioned before, this is housekeeping legislation that will be the compliant designation of these parcels under the code. There will be no downside and, conversely, it would help the homeowners when they sell or refinance, as some banks may take issue with noncompliance with the City code.

Mr. Siegfert moved to bring out Temp. Ord. A-75 with a favorable recommendation, second by Mr. Brillhart. Motion passed (4-0).

The meeting adjourned at 6:45 p.m.