

MINUTES OF PUBLIC HEARING

November 23, 2020

Temp. Ord. A-72

An ordinance approving a zoning map amendment for Parcel 37-00221 from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential, as more fully described and depicted herein and declaring an emergency.

On the 23rd day of November, via Zoom, at 6:30 p.m. EST, public hearings were called to order and conducted regarding Temp. Ord. A-72, dealing with amending specific sections of the Codified Ordinances of the City of Cuyahoga Falls, Ohio. Notice of the hearings were published twice in the Falls News Press, a newspaper of general circulation in the City of Cuyahoga Falls, at least fourteen days prior to the date of these hearings, to-wit: October 18, 2020. A true and accurate copy of the published Notices are attached to these Minutes.

Mr. Fred Guerra, Planning Director, presented Temporary Ordinance A-72. On October 6, 2020, the Planning Commission considered an application for zoning map amendment from applicant Petros Development Group and recommended a zoning map amendment for Parcel 37-00221 from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential. The zoning map amendment parcel is 12.3276 acres. The Planning Commission recommended the map amendment based on conceptual plans and findings more fully described in Project File MAP-20-00027. The zoning classification will be hereby changed from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential for Parcel 37-00221. Petros Development Group is proposing the development of approximately 49 attached single-family dwellings.

On October 6, 2020, the Planning Commission found that the proposed map amendment for Parcel 37-00221 from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential is consistent with the Tamsin Park District, the Tamsin Park Neighborhood and the Northampton Planning District goals, long range plans and policies. A map amendment also meets R-5 Mixed Density Residential Planning Criterion while attached single family is consistent with current land use characteristics in Hidden Lakes. Based on the above facts and other facts contained in the Staff Report, the Planning Commission recommends an R-5 Mixed Density zoning map amendment for parcel 37-00221 (5008 State Road).

Ms. Diana Colavecchio, Community Development Director, stated that she wanted to thank the residents who are attending the meeting via Zoom. She will post her e-mail address in the chat box so they can continue to communicate their concerns with traffic issues. She will reach out and schedule a meeting in December so those concerns can be addressed.

MINUTES OF PUBLIC HEARING

November 23, 2019

Mr. Stams stated that he is not sure if his participation would fall within being a proponent or against the plan development. He asked if it is normal for the applicant to conduct the traffic study and for the Planning Committee or Council to accept that.

Mr. Guerra stated that it is done for the applicant's due diligence just as they would do engineering for storm water and other traffic engineering for a site. Typically, that happens through the site plan or subdivision process, but they asked them to do it for the rezoning. He has an Urban Land Institute Impact Analysis that he gives to the Planning Commission. His numbers were close to what those were. It gives an idea what a typical residential development like this would generate. These are national numbers that the traffic engineers use. Condominiums are usually less traffic than a typical single-family residential house.

Mr. Greg Modic, Petros Development Corporation, 10474 Broadview Road, Broadview Heights, stated that the onus falls on them to generate these with licensed professionals that follow standards for diagnosis, whether it be for the traffic, storm water management, grading, or basic design as to not burden the City to create their work and their diligence.

Mr. Tony Demasi, City Engineer, stated that there are hundreds of developments that go on in cities on an annual basis. The government cannot be expected to do all these studies for these properties. They are not their engineers, just like they are not their attorneys or real estate agents. They submit the studies to the City, and not only does his office review them, but the traffic engineer on retainer, which is GPD, does. They do not blankly agree on all these recommendations. They are all reviewed, and they are either agreed to or changes are made.

Ms. Colavecchio stated that she would like to point out to Mr. Stams that he is, of course, welcome to attend any meetings we have going forward.

Mrs. Lorie Ross, 5047 Lake Forest Drive, Peninsula, stated that she is not opposed to the development, but she is concerned about the Wyoga Lake corridor traffic. Her son was involved in a motor vehicle accident one week ago coming out of the development. The car was totaled. She believes if he would have been any further out, it would have been a different outcome. She contacted Woodridge High School, and the school said that they have recognized this area to be a significant issue, and they have made appeals to set up task forces. Her concern is these peak times are largely filled with high school students.

Mr. Guerra stated that this is the first process. If this property does get rezoned or does not, it still must go through Planning Commission and City Council for either a site plan or subdivision review. That is when they really look at traffic impact, because they know exactly what they are developing. Right now, it is conceptual. They want to build town homes and there are approximately 49 units.

MINUTES OF PUBLIC HEARING

November 23, 2019

No further comments, either for or against the legislation, were offered by anyone in attendance.

Certification

The undersigned, Dana M. Capriulo, Clerk of Cuyahoga Falls City Council, hereby certifies that the foregoing is a true and correct copy of the minutes of the public hearing held by the Council of the City of Cuyahoga Falls, Ohio, at 6:30 p.m. on Monday, November 23, 2020, via Zoom.

Dated: December 7, 2020

Dana M. Capriulo, Clerk
Cuyahoga Falls, Ohio City Council

31060081

Proof of Publication

Record Publishing Company
1050 W. Main Street,
Kent, OH 44240
Phone (330) 541-9400
Fax (330) 673-6363

I, Nancy Whitehead being first duly sworn depose and say that I am Advertising Clerk of
Record Publishing Company

30 South Zone a newspaper printed and published in the city of Kent, and of General circulation in the County of Portage, State of Ohio, and personal knowledge of the facts herein stated and that the notice hereto annexed was Published in said newspapers for 1 insertions on the same day of the week from and after the 18th day of October, 2020 and that the fees charged are legal.

Nancy Whitehead

Name of Account: Cuyahoga Falls, City of/Legals
Ad Number: 12678658
No. of Lines: 21

Day(s) Published: 10/18,
Printers Fee: \$43.00

Sworn to and subscribed before this 19th day of October, 2020.
Elizabeth McDaniel
Elizabeth McDaniel
Notary Public
Commission Expires June 19, 2021

LEGAL NOTICE

Notice is hereby given that there will be a Public Hearing via Zoom on Monday, November 23, 2020 at 6:30 PM relative to the ordinance bearing temporary number A-72. Residents can watch the meeting on YouTube via the City of Cuyahoga Falls City Hall channel and comment by sending an email to publiccomment@cityofcf.com.

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR PARCEL 37-00221 FROM MU-1 RURAL NEIGHBORHOOD CENTER TO R-5 MIXED DENSITY RESIDENTIAL, AS MORE FULLY DESCRIBED AND DEPICTED HEREIN AND DECLARING AN EMERGENCY.

By Order of the Clerk of Council
Dana Capriolo
FNP Oct. 18, 2020 - 12678658