

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

December 21, 2020

Members: Jerry James, Chair
Ms. Nichols-Rhodes
Mr. Miller

Mr. James called the meeting to order at 6:39 p.m. All members were present.

Legislation Discussed:

Temp. Ord. A-81

Discussion:

Temp. Ord. A-81

An ordinance approving a zoning map amendment for parcel 02- 00234 (2404 7th Street) from R4 Urban Density Residential to MU4 Sub-Urban Corridor, as more fully described and depicted herein and declaring an emergency.

Mr. Adam Paul, Senior Planner, presented Temporary Ordinance A-81 to Council. On November 4, 2020, the Planning Commission considered a zoning map amendment from R4-Urban Density Residential to MU4 Sub-Urban Corridor for Parcel 02-00234 (2404 7th Street) and recommended approval. The zoning map amendment parcel is 0.156 acres. The map amendment will allow the applicant, Karl Warther, to include Parcel 02-00234 in the development site for the construction of a new Dairy Queen restaurant. The Planning Commission recommended the map amendment based on conceptual plans and findings more fully described in Project File MAP-20-00041. The zoning classification for Parcel 02-00234 will be changed from R4-Urban Density Residential to MU4-Sub-Urban Corridor. The map amendment will allow the applicant to include Parcel 02-00234 (2404 7th Street) in the development site for the construction of a new Dairy Queen restaurant.

Ms. Nichols-Rhodes stated that she realizes that this is just for an amendment of the parcel, and she is in favor of that. She stated that it is awesome that the City is going to get a new Dairy Queen there. Drug Mart and El Meson have renovated. To have that new Dairy Queen there will be lovely. Ms. Nichols-Rhodes asked if it is a two-story building. Mr. Dave Pelligra, Dave Pelligra & Architects, stated that it is not. It is a prototype. It is a little bit higher than a normal one-story building, but it is a little under 16 feet high. Ms. Nichols-Rhodes asked if people are still going to be able to see the marching band mural as they drive through the parking lot. Mr. Pelligra stated that they will. Ms. Nichols-Rhodes stated that, safety-wise, it will be a much better set-up.

Mr. Balthis asked for more details on the improvement to the screening to be done to protect the residential areas nearby. Mr. Paul stated that there is a short fence there now. In terms of proximity to the actual drive-through facility, the menu board and speaker order station are the

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same way. What they are proposing is a tiered fence, because, in the front, they would have to take it down to meet the height requirements, but it gets up to the maximum six feet in height as it goes further back. Mr. Paul stated it is the required fencing for a mixed-use district. A similar style went up across the street at Drug Mart. This is a heavy screening requirement. It would have to be a 10-foot deep area with a mix of different trees and shrubs per every 10 feet for 100 feet.

Ms. Nichols-Rhodes stated that she would like Council to know that she checked with Mr. Paul, and there were no members of the public that came to speak for or against at the Planning Commission or Board of Zoning Appeals.

Mr. Gorbach stated his support for the project. He spent almost every Friday night after the high school football games at that Dairy Queen, so it will be very bittersweet to see a change, but it is definitely an improvement. The City is in good hands with Dave Pelligras. That corner, with the improvements happening and getting busier and busier, will be nice to see.

Mr. James stated that he used to spend hours there after baseball victories from little leagues and travel teams and youth hoops. He is excited about how it is going to turn out.

Ms. Penta asked when the project is slated to begin if this ordinance passes. Mr. Pelligras stated that they anticipate beginning this summer. They are optimistic, and that is one of the reasons they are trying to move it forward now. They would like to go into construction drawings within the next two months, so they can get the building permits all lined up and be ready to proceed as the weather turns warm and sunny.

Ms. Nichols-Rhodes moved to bring out Temp. Ord. A-81 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

The meeting adjourned at 6:50 p.m.